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Researching the practical norms of real governance in Africa

Jean-Pierre Olivier de Sardan*

All social-science researchers recognise that in Africa a particularly significant discrepancy exists between the official norms of the state and the public services on the one hand, and the behaviour of political elites and officials on the other. Terms like 'clientelism', 'neopatrimonialism' and 'informality' are used to characterise this discrepancy. But beyond what these terms convey the everyday operation of African states (what we call here 'real governance') remains poorly understood, particularly at the level of the delivery of public or collective goods and services. We propose to use the concept of 'practical norms' to focus attention on the question, to be addressed without value judgements, of what rules actually govern the actions of public actors. Examples of such practical norms suggest they are as far removed from the values and codes of pre-colonial Africa as from the injunctions and expectations of Northern development partners. The exploratory concept of practical norms signals the need for empirical research that is capable of capturing the complexity, variety, ambiguity and modernity of the behaviour of state agents in Africa.

1 Introduction

In current literature on Africa, the *overall* characterisation of African socio-political realities is often treated as self-evident, and as having been already extensively documented.¹ States and public services operate in *clientelist* mode, the general model is *neopatrimonial* in nature and most practices fall into what is called the *informal* realm. It might appear therefore that there is a consensus about the main features of what we may call 'real governance' on the continent.² In our view, however, *the suggestion that African countries exhibit a single type of real governance does not make good sense*. On the contrary, it should be one of the main objectives of social science research in Africa to conceptualise the various 'modes of (real) governance' that are actually being practised.³

Consider the *Africa Power and Politics Programme (APPP)*.⁴ Its research is underpinned by three premises:

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¹ I am grateful to Thomas Bierschenk, David Booth and Richard Crook for their comments and suggestions on a first draft of this paper. The English translation was done by Vicki Chambers and David Booth.

² *Real governance* is taken in this paper to refer to the manner in which public goods and services are really delivered. It includes the manner in which the State is really managed and how public policies are really implemented. This is in contrast with the normative definition of 'good governance' promoted by the World Bank and the main development partners. Alluding to the dichotomy once proposed by Maurice Godelier (1978), the latter might also be referred to as 'ideal governance'.

³ Cf. Olivier de Sardan (forthcoming) for an attempt to define the main 'modes of local governance' in Niger.

⁴ This is a consortium research programme funded by the British Department for International Development (DFID) and led by the Overseas Development Institute (ODI), of which LASDEL is a consortium member (www.lasdel.net).

- 1) 'Real governance' in Africa is not taken into account by development organisations, which are obsessed with the desire to instigate ideal governance, based on Western criteria. *They don't 'work with the grain'*.⁵
- 2) In contrast, researchers are quite familiar with this 'real governance', on the basis, in particular, of the concepts of neopatrimonialism, clientelism and informality.
- 3) What is much less known among researchers, and is also of concern to some policy-makers in the North who are interested in opening up alternative approaches, is the response to the following question: what are the positive effects of different aspects of this 'real governance' (in terms of pro-poor economic growth and public policies)? Stated differently, what aspects of 'real governance' should be assisted, supported, and encouraged? Can an effort be made, using comparative analysis, to identify those 'real governance' sectors or areas that produce more 'developmental' effects? *What is the grain that needs to be taken into account with a view to producing pro-poor developmental outcomes?* This is the central research question of the APP programme.

The first point is the basic premise of the programme, upon which there is a definite consensus among the participating researchers and in the wider research arena. Interest in the research problem indicated by the third point is undoubtedly also shared by all the APPP researchers as well as by others, and is a question frequently raised in development organisations. It is thought-provoking but involves high stakes, because responding to such a question is extremely difficult and complex, a point we shall come back to in conclusion. In contrast, the second point, concerning the knowledge taken as already acquired, is not quite as obvious as might appear. It merits closer examination, in particular because the answers we give to this second question may have important implications for how we respond to the third.

The apparent consensus on the clientelist, neopatrimonial and informal aspects of 'real governance' in Africa in fact obscures very divergent assessments and the controversies surrounding certain points of view. In other words, there are definitely significant disagreements among Africanist researchers as to what the specific 'grain' of African forms of power consists of. For example, the theses advanced by Schatzberg (1993) and Chabal and Daloz (1999) are based on notions of African culture and tradition which we find highly questionable. On this view, the specificities of African societies can in large part be explained by reference to common familial, religious, social or moral patterns, which in turn have their origin in an ancestral past. This interpretative slant is also to be found, albeit in a more occasional, casual or secondary manner, in many other publications, with frequent mentions of 'African culture', 'socio-cultural traditions', 'the pre-colonial legacy', 'conceptions inherited over a long period', 'cultural determinants', 'shared values' or 'systems of meaning', or even 'fatalism', to explain the special *modus operandi* of current African administrations and their failure to observe official norms.⁶ Emphasis is often placed on the central role of occult forces, kinship or ethnicity.⁷

However, this line of reasoning does not take into account the drastic changes undergone by African traditions, nor the weight of the colonial legacy, the perverse effects of development assistance, or the innovations particular to African modernity. Our experience and that of

⁵ This expression refers to the grain that the carpenter must take into account in working with wood.

⁶ 'The key features of the social grain in Africa today flow from a tradition, rooted in an economy that is thousands of years old' (Kelsall, 2008: 3). 'This pre-colonial past provided the foundation for ideas about power, accountability, morality and society that remain terrifically powerful in Africa today' (Kelsall, 2008: 8).

⁷ Tim Kelsall, in his APPP think piece (2008), places special emphasis on the role of hidden forces (world of doubles, supernatural sanctions), family ties ('Africans do not first and foremost think of themselves as individuals, they think of themselves as members of limited extended families') or ethnicity (political tribalism, moral ethnicity).

LASDEL, based on a longstanding practice of socio-anthropological research, is at odds with the ‘culturalist-traditionalist’ argument.⁸ Every time we have carried out empirical work on apparent survivals from pre-colonial times (such as the family, ethnicity or magico-religious practices) we have found them to be profoundly ambivalent, and out of line with the usual clichés, having been significantly altered and transformed over more than a century, and sometimes even in part invented.⁹ Above all, such traditions tend to be very closely intertwined with socio-cultural traits inherited from the colonial period or produced after independence (see our work on possession cults, or on the forms of rivalry specific to family ties).

The metaphor of the *grain* is dangerous. It is vital not to take it too literally, because that opens the door to a culturalist-traditionalist explanation in which modern-day African societies are treated as if they were still shaped by their pre-colonial history or framed within predetermined cultural/ancestral patterns, or as if their history had a meaning (a grain) derived from the distant past.¹⁰ Such a stance inevitably underestimates the diversity, ambiguity, innovations, syncretism, contradictions and conflicts which we consider to be actually the typical features of the current situation. Another perverse effect of the culturalist stance is that it homogenises and amalgamates societies (‘communities’, ‘values’ or ‘meanings’) and transforms what is merely a convenient fiction (culture)¹¹ into an essentialised entity.

One argument that is frequently advanced and complements the culturalist-traditionalist stance is that which minimises the weight of legacy the colonial period, treating this as merely a formal interlude. The thinking is that the rules and procedures ushered in by colonial regimes certainly extended into the independence era, but that they have been stripped of their original values and meaning. It is argued that the forms (procedures) were retained, while the substance (bureaucratic ethics and values) was jettisoned in favour of a restoration of the pre-colonial substance (culture).¹² We would argue, on the contrary, that the ‘real’ norms and values of colonial bureaucracy were very far removed both from the values and norms of

⁸ More generally, evidence to the contrary abounds at the micro-sociological level. At the macro-sociological level, it should be noted that, first and foremost, modern-day African States all have in common their colonial past, along with a number of strong post-colonial currents, such as the ways their elites have been formed, their modes of insertion into the global economy or the role played by development assistance and aid dependency. Pre-colonial societies, in contrast, were extremely diverse.

⁹ Ranger (1986, 1993). In a sense, the invention or reinterpretation of traditions is much more ‘normal’ and commonplace than their preservation. When, in 2008, we encounter a pre-colonial trait, what merits explanation is the surprising fact that it has survived!

¹⁰ The culturalist stance typically tends to infuse rigidity into the *natural metaphors* of African languages. We need only examine how the metaphors of ‘eating’ or kinship, which are certainly ubiquitous in natural discourse, are taken literally, in a way that reflects little thought and much excess (Schatzberg, 1993, exemplifying this tendency particularly). For an analysis of natural metaphors, see Lakoff and Johnson (1980). For a critique of the hardening of natural metaphors by some anthropological currents, see Keesing (1985). An interesting (although sometimes excessively polemical) critique of the culturalist ideology of Chabal and Daloz is provided by Meagher (2006). (This critique also applies, paradoxically, to Bayart, 1996, who, though he has declared himself to be anti-culturalist, accords paramount importance to the role of occult forces in African political history). For a critique of the culturalist ideology of Schatzberg, see Bierschenk and Olivier de Sardan (1998).

¹¹ Sapir (1967).

¹² For example, Hyden views the legacy of the colonial era as being purely formal: ‘It remained in form, not in substance. The formal rules that had been introduced by the colonial powers were largely kept intact after independence, but the values and norms that underpin a purposive bureaucracy were brushed aside’ (Hyden, 2008: 15).

European bureaucracies and from pre-colonial African values, and that they are still present, in both form and substance, in modern-day African administrations.¹³

We will not, however, dwell on controversies of this nature in this paper, but will focus on identifying the methods that are likely to prove the most supple and empirically productive for approaching reality ‘as it is’. Nevertheless, we shall see that the problem of culturalist-traditionalist explanation tends to resurface of its own accord.

Our point of departure here is this. ‘Real governance’ is indisputably infused with numerous neopatrimonial, clientelist and informal characteristics. *But it is not homogenous*. It is composed of multiple dimensions, some convergent and others contradictory; it is also the product of local, sectoral and individual microdynamics; and lastly, it faces on every front a pluralism of forms of action. Furthermore, these different dimensions, these microdynamics, and this pluralism in terms of action, are *not all that well understood, and have not been the subject of much in-depth empirical analysis*. It is precisely by studying them in greater detail, that we may find it possible to distinguish some positive outcomes, which, hopefully, might prove susceptible to inspiring public policy changes.

It is from this vantage point that the exploratory concept of *practical norms* (or any other notion that conveys the same idea) might be useful in our comparative work, by providing us with a different way of posing the basic research question mentioned above. *What are the practical norms in play in the various forms of every-day public action that would be most favourable to ‘development outcomes’?*

The different variants of the term *norms* (official norms, social norms, professional norms and practical norms) have, *inter alia*, the advantage of being situated at the mid-point between two other key terms, namely, values and interests. These key terms are widely used to explain the regulation of the individual or collective practices of actors, and each defines an extreme point of view about social life. Reasoning in terms of *values* is to fall into culturalism, the attribution of a common system of values to the members of the same society, whilst reasoning in terms of *interests* entails privileging the calculating rationality of individuals.¹⁴

2 Divergences between norms and practices: the limitations of the concepts of neopatrimonialism, clientelism and informality

One area of consensus in the sea of literature on African States, governments and public services is the significant divergence between the *official norms* that govern these institutions and the *actual behaviour* of their employees,¹⁵ regardless of whether the literature emanates from the field of political science, anthropology, sociology or administrative science, and regardless of the theoretical currents present and scientific positions. Across the board, there is acknowledgement that the legislation and regulations, procedures, specifications and organisational structures, all of which have largely been patterned on Western models, are rarely adhered to, in the letter or the spirit, by government officials and users alike.

¹³ See Olivier de Sardan (2004) on the decisive role of the colonial legacy in the functioning of modern-day African bureaucracies.

¹⁴ Cf. Chauveau, Le Pape and Olivier de Sardan (2001).

¹⁵ Official norms are not reducible to rules of law. For example, they may involve particular conventions, local regulations, professional or administrative procedures; however, in the sphere of public action or professional practice, they are by necessity *formalised* or *codified*, and set forth as recommendations or instructions. In other words, in this field, official norms are fairly close to the meaning ascribed by neoinstitutionalists to the word ‘institution’ (rules of the game).

*There is no doubt that in any social institution, in any country and at any time, divergences exist between norms and practices.*¹⁶ *However, the scope and forms of these divergences vary considerably depending on the context.*¹⁷ In the case of public sector jobs in Africa, the extent of the divergences is particularly significant. As for the modalities of the divergences, they are in the subject of a variety of conceptualisations.

Most of these assessments are normative and evaluative. The divergences are understood in the context of value judgments. ‘Poor governance’ is condemned, as are corruption, ethnic allegiance and clientelism, implicit reference being made to the democratic and technocratic model of Northern countries, which is often idealised. However, apart from this openly critical and Western-centric type of treatment, divergences between norms and practices among African government officials are also the object of various scholarly theories all of which attempt to summarise, in one concise expression, how public institutions really operate in Africa, in contrast to their official functioning. Beyond debates over semantic nuances or contested formulations (‘politics of the belly’, ‘imported state’ or ‘economy of affection’), a broad consensus seems to have developed around three relatively neutral and descriptive terms, which are found within the APPP programme and have been widely used in the think pieces, *neopatrimonialism*, *clientelism* and *informality*. At this juncture, we will focus on the first two and will return to the issue of informality at a later stage.

The expression *neopatrimonialism*, which originated with Eisenstadt,¹⁸ was introduced into French Africanist literature by Jean-François Médard.¹⁹ It clearly draws on the concept of *patrimonialism* as described by Max Weber, for whom certain forms of ‘traditional’ legitimacy (which preceded rational bureaucratic legitimacy) such as *sultanism*²⁰ were characterised by an absence of distinction between the State’s and the Sovereign’s property. In other words, there was an officially recognised confusion between public resources and those of the ruler. This applied not only to goods but to persons: thus, access to public office was inseparable from allegiance to the person wielding authority.²¹ Within the *patrimonial* model, at least as far as the political authorities are concerned, the official norm is a lack of distinction between public and private property, and more broadly, between public and private duties, and public and private interests. The key difference between the concepts of *patrimonialism* and *neopatrimonialism* is that in *neo-patrimonial* models official norms are based upon a clear distinction between public and private property, which is nevertheless not observed in practice. This brings us to the divergence mentioned earlier: the concept of *neopatrimonialism* is one way of capturing it conceptually.

The term *clientelism* has been around for much longer and its use is more widespread and much more varied. The existence of personal ties of dependence based on mutual, albeit

¹⁶ A sociology dictionary therefore states, at the beginning of the article on *norms*, that ‘the divergence between norms and practices, between what we are supposed to do and what we actually do, immediately captures the attention of even the most ill-informed observer’ (Boudon and Bourricaud, 1982: 383).

¹⁷ Cf. O’Donnell (1996). The scope of the divergence discussed by O’Donnell in South American political systems seems fairly comparable to the divergences existing in Africa. However, according to O’Donnell only elections in Latin America are in conformity with the official democratic model. The same cannot be said of many African countries. O’Donnell also stresses that a significant divergence between formal rules and actual operations is also a feature of a number of more conventional democracies such as Italy, Japan and India.

¹⁸ Eisenstadt (1973).

¹⁹ Médard (1991).

²⁰ Weber (1971).

²¹ This phrase, placed by Corneille in the mouth of Augustus, is a perfect illustration of this notion: ‘My favour brings you glory and your power derives from it. This favour alone elevates you and sustains you. It is that which is adored, not your person. You have no credit or rank other than that which I have given you’.

highly unequal, ‘services’ and forms of patron-client redistribution have, in fact, been analysed since the beginnings of the social sciences, using methods and in social realities that are vastly different – from the Gabonese forest to the Sicilian mafia, and from Mexican haciendas to post-Soviet capitalism. There are numerous definitions and typologies of clientelism and patronage (an almost identical term).²² When applied to modern-day African States,²³ the concept of clientelism conjures up images of, in particular, widespread civil service recruitment practices aimed at granting favours based on allegiances and family ties, and income derived by corrupt means, which stand in sharp contrast to official recruitment norms based on competitive exams, qualifications or merit. It implies the use of widespread favouritism as opposed to the official norms requiring impartial handling of files.

The existence of neopatrimonialism, as well as of clientelism, seems indisputable. Who could in good faith deny the situations one comes across on a daily basis, either as a public service user, as an official or as a reader of the press? It is precisely because evidence of these practices exists that the terms have gained popularity. They suggest that there exists a *system for the management of public affairs, delivery of public services and interactions between government officials and citizens* – in other words, *a mode of governance* – which takes place, as we all know, in the world of informal deals, enrichment, embezzlement, cronyism and networks.

If there is a problem with the terms neopatrimonialism and clientelism, it does not therefore reside in the general underlying reality to which these terms refer. This is not debatable. So these terms do not lie – they are not ‘false’. The problem lies elsewhere, in the manner in which they summarise and characterise this reality; in other words in the *inadequate* comprehension that they convey.

In our view, neopatrimonialism and clientelism are terms that are used in too sweeping, too general and too partial a manner.

They are too sweeping because, for the majority of the authors, they provide a means of saving effort on empirical analysis of the realities to which they refer. It is tempting to do this given the apparent self-evidence of the matter, yet the truth is that the multiple divergences between norms and practices alluded to above cannot be subsumed so quickly under a single concept. The forms and modalities must first be explored and the nuances and variants identified, which implies doing qualitative or quantitative research. Premature conceptualisation is lazy.

The terms are too general inasmuch as they reduce the potential diversity of the divergences between norms and practices to a general, abstract, ideal-typical model, which cannot be shown to have exhausted the range of relevant situations. The construction of closely reasoned typologies of divergences should precede the definition, if justified, of a single type, if one exists. Such an approach is rarely found in existing work. For the most part, analyses move directly to the characterisation phase, bypassing the establishment of inventories based on field research. Consequently, the characterisation becomes a catch-all, a portmanteau word. More refined typological exercises are dispensed with.

The terms are too partial because they focus on only one aspect or dimension of divergences, for example, the public-private confusion, or the distribution of spoils. In contrast, a productive research strategy would surely be to start from the premise that the divergences between norms and practices have many dimensions and are multi-faceted, rather than

²² Cf. Médard (1976: 119); cf. also among others Scott, (1972); Einsenstadt and Roniger (1984); Briquet and Savicki (1998).

²³ Cf., *inter alia*, Balandier (1969); Lemarchand and Legg (1972); Médard (1976, 1981).

reducing them, *a priori*, to a single facet. It is a better hypothesis that these divergences are multi-faceted, rather than that they are one-dimensional.

However, these two terms do have one merit. They both assert that professional practices which are 'deviant' relative to official norms are both widespread and non-random. On the one hand, these practices are not marginal, as might be the case of criminal activity or pathological behaviour for example; the vast majority of officials do not follow official norms and they are normal people. On the other hand, these practices are not associated with anomie, chaos or chance; rather, they are regulated, organised and structured. State officials are thus not free to do whatever they choose and the situation is far from that prevailing in Somalia or the Kingdom of Ubu.

The term neopatrimonialism also offers a specific advantage – it combines, in the same definition, official norms with practices that violate these norms. This is something worth stressing: that, for the researcher and actors alike, *the official norms are part of the definition of the situation*.²⁴ They cannot be dispensed with under the pretext that the level of adherence to them is scant, nor is it possible to focus on the practices as if it were the case that the official norms did not exist. It is indeed the divergence between the two that is significant. Let us take, by way of example, the slogan which has been used by some writers to sum up the attitude of political patrons when they wield power: '*For my friends, anything; for my enemies, the law!*'²⁵ This slogan is an effective articulation of the proficiency of the double game practiced by the political elite, in mastering both the law (official norms) and their obligation-based relationships (clientelism).

To conclude this brief balance-sheet, it should be noted that scholarly usage of these two terms is almost never based on the 'actor's point of view' and is hardly ever employed in an emic sense. Herein lies another effect of the dearth of research on the day-to-day functioning of African States.²⁶

To sum up, it can therefore be said that the concepts of neopatrimonialism and clientelism, despite their theoretical interest and the reality of their referents, are *analytical concepts* that are somewhat premature and over-general.²⁷ We need to step back and have recourse in the current phase mainly to *exploratory concepts*,²⁸ concepts which are suited to generating and organising empirical data of a contextualised, varied and original sort, and capable of informing refined comparison and conceptualisation grounded in fieldwork.

²⁴ The notion of hybridity (which has been widely used in the APPP) conveys in an intuitive way this co-existence of official norms and practices that are inconsistent with them.

²⁵ An expression cited by Waldmann to refer to Latin America (colloquium on corruption organised by SHADYC), but which is also applicable to Africa.

²⁶ In the field of qualitative research on the Francophone side, Darbon (1985) and later Olivier de Sardan (2004) deplored the dearth of empirical data on African administrations. It should be noted, however, that if the State is viewed through its various sectors (education, justice and water, etc.) or its cross-cutting areas (corruption) a host of publications can be cited (for example, Bierschenk, 2004, in the area of justice, and 2007, in the area of education). In recent years, a number of attempts have been made to gain a much better understanding of the day-to-day functioning of public services and African States (see Blundo and Le Meur, 2009).

²⁷ The same can be said of similar concepts that are used instead in English and employed by think pieces in the APPP programme such as *particularism*, *personnalism* and *hybridity*. After writing this paper, I found the analysis done by Geddes (2003, reported by Booth, 2008: 9). In her view, sociology and political science tend to be overly ambitious and she proposes breaking down the 'big questions' into smaller ones, following more specific processes. This is exactly this strategy that I am recommending here.

²⁸ Cf. Olivier de Sardan (2008) for the distinction between analytical and exploratory concepts.

3 The regulation of professional public practices: the intrusion of social norms?

The realm of norms is immense, and it encompasses realities or concepts of very different orders. Let us begin by making a distinction between *social norms* and *professional norms*.

Social norms, as first analysed by Emile Durkheim and subsequently taken up by generations of sociologists and anthropologists, inhabit a relatively abstract realm. They are not necessarily explicit, are very close to *values* (or indeed confused with them) and are embedded in ideologies. In addition, they are generally taken to apply to an entire society or as emanating from one. At times, Durkheimian sociologists and Parsonian functionalists have been criticised, not without good reason, for their reification of social norms. In response, the interactionism coming out of the Chicago School of sociology tended to stress the creative character of social interactions.²⁹ In his now classic review of the concept of norms in sociology, Gibbs (1965) pointed out the lack of agreement on a common general definition and the variety of the proposed typologies.

Professional norms are, however, much more precise. They are defined and explicit, and understood as such, by the relevant actors. They are *formalised* through official documents (laws, decrees, decisions and regulations), procedures (the bureaucratic rationality of Max Weber is, to a great extent, a procedural rationality), organisational structures, terms and conditions, programmes, trainings, ethics and monitoring etc. The official norms that are of interest to us here are first and foremost professional norms. These are the specific professional norms that organise the functioning of African State services and set forth the rights and duties of their employees.

The divergence very generally observed between norms and practices, which serves as our point of departure, is therefore more precisely a divergence between *professional public norms* and the *professional practices of public actors*, from the highest level of the State to the front-office officials or ‘street level bureaucracy’.³⁰

We would like to ask the following simple question: *How is it that the professional practices of public actors*, despite often not being in line with professional public norms, *are nonetheless regulated*? In other words, in what form are the *informal* practices of government officials structured?

In an ideal administration, that is, one that functions in complete conformity with professional norms, without any significant divergences (other than individual and marginal ones), the problem would be non-existent. It should also be noted that the quest for an ideal administration, in which divergences are minimised as much as possible, is central to public activity in general, and to New Public Management in particular. Everything is done to ensure that the practices of State agents are in line with official norms, and to increase the efficiency and precision of these norms. This is a guiding principle of public policies in Western countries and is also being applied to the realm of development policies, which are in essence public policies spearheaded by international organisations and development agencies. ‘Good governance’ approaches are based on the multiplication and strengthening of official norms, and on the constant refinement of procedures to monitor their application. In order to improve the normative framework in Africa and boost its efficiency, this implies introducing increasingly sophisticated technologies to manage and streamline public action, in ways that

²⁹ ‘The approach of Hughes seems to have avoided the reification of norms that was characteristic of the functionalist tendency in the sociology of the period’ (Chapoulié, 1996: 49, our translation).

³⁰ See Lipsky (1980).

are increasingly quantified and computerised.³¹ The whole purpose is to encourage greater compliance with formal rules by public actors.

If, on the other hand, one is concerned to work with the administration as it is, rather than with the ideal bureaucracy; if the divergences are not viewed as bothersome interferences that need to be eliminated at all costs, but rather as a source of valuable understanding, then the question posed above makes sense. How is it that professional public practices which remain significantly removed from official norms, despite the efforts that have been made over decades, are ‘despite everything’ regulated?

Any response to this question requires some recourse to the concept of norms. Indeed, *implicit in regulation is the notion of norms*. If regulated practices are not following official norms, then they are following norms other than official norms. One might even go so far as to say that the regulation of extra-official practices has produced an excess, rather than a lack, of norms. It remains to discover what these non-official norms are!³²

This leads us on to the discussion of the term *informal*, which is widely used in reference to African States.³³ The term *informal* is often used to describe practices that are not in keeping with official norms and recommended behaviour. It is of course also used to describe the economic sector, consisting mainly of small crafts and petty trade, that is outside the reach of State regulation, in contrast with the modern sector which is subject to this regulation. In a political science perspective, however, ‘informal’ refers rather – in a language strongly influenced by neoinstitutionalism – to local ‘institutions’,³⁴ where these are considered to be typically African, endogenous and not originating in the Western model – in other words, the unofficial mode of regulation. In our view, herein lies the great merit of this perspective: it recognises that the behaviours that are not in keeping with formal norms do follow other norms, which are called informal.

However, in the neoinstitutionalist perspective, the informal/formal opposition often assumes a dualistic form – on the one hand there are the formal public sector ‘institutions’ (following formal rules), operating in accordance with the Western model, and on the other, the informal ‘institutions’ of African society (the informal rules of the game), operating in accordance with indigenous rules. Goran Hyden clearly articulates this vision: ‘These informal rules are typically norms that members of the society consider important enough that they are legitimately treated as alternatives to the formal ones ... they are created, communicated and reproduced outside the public realm’ (Hyden, 2008: 3).

Here, we return to the explanation that is most commonly offered in accounts of the regulation of the practices of public actors, which is that they conform to *external social norms*, rather than to the professional norms of the public sector. The norms of the wider society therefore creep into the professional public sphere. Here we come face to face once more, but with a different twist, with the classical opposition between *public* and *private* – the public sphere is regulated by professional norms while the private sphere is regulated by social norms. However, social norms imperceptibly migrate into the public sphere.

³¹ In Africa, development organisations have been the bearers of this new generation of norms; we have in mind the Logical Framework approach (see Giovalucci and Olivier de Sardan, forthcoming).

³² ‘We are confronted to a double task of describing actual behavior and discovering the (usually informal) rules that behavior and expectations do follow’ (O’Donnell: 1996:38).

³³ See the APPP programme and its think pieces.

³⁴ When we put the term ‘institutions’ in quotation marks, we are using it in its neoinstitutional sense of ‘established rules of the game’. ‘Institutions are generally defined as the “rules of the game”, or “humanly devised constraints that shape human interaction”’ (Soysa and Jütting, 2007: 31).

A long time ago, Erving Goffman used the metaphor of the 'membrane' to demonstrate the problems created by this dichotomy between the private and public spheres which is embodied in the modern State. He argued that there is in fact a 'semi-permeable membrane' which lies between private and public behaviour, and, depending on the actors and the context, permits the private to filter into the public to a greater or lesser extent.³⁵ If we were to try to apply Goffman's metaphor to the particular case of African States, we would have to conclude that the membrane in these states is much more permeable than in Western States, and allows the norms of the wider society to engulf the public sphere more fully than elsewhere.

One might add that this is the *de facto* argument advanced by many Africanist researchers. Community pressure, local customs and traditional values are thus regularly cited by most authors. One way or another, either directly or indirectly, the 'culturalist-traditionalist' argument resurfaces here. African officials do not follow official norms because they are subject to values and social norms rooted in their own local cultures, coming from the past.³⁶ But why should it be assumed that the informal norms governing the practices of State officials in Africa are necessarily traditional social norms? Upon closer examination, one perceives that such assertions are more often than not underpinned by clichés (arising from common-sense or scholarly convention), and very rarely by serious empirical research.³⁷

But the 'culturalist-traditionalist' posture has attractions. It provides a handy tool, allowing the user an easy ('ready-to-think') means of breaking away from the usual ethnocentric Western prejudices and superficial quantitivist comparativisms (the two being often associated). It is perhaps this that explains the fascination that it exercises over those economists and political scientists who, for good reason, seek to overcome the limitations of the dominant tendencies in their discipline and to take proper account of 'social factors' or 'cultural dimensions'. The risk is, however, that in their enthusiasm at discovering an exotic world of social and cultural factors, they fall back into reliance upon careless assumptions and dubious evidence. Thus, the weak point of neoinstitutionalist analyses is the very stereotyped content that they give to the terms culture, tradition and social norms (cf. Platteau, 2008). In fact, these topics take them onto unfamiliar territory, which explains the frequent references they make to anthropology seen as the science of traditional cultures.

One can say much the same of Chabal and Daloz's recent (2006) plea for a cultural approach to comparative politics. Resting their arguments in this case on the interpretative and symbolic anthropology of Geertz (which is just the sophisticated modern form of culturalism, influenced by semiology), they do call for an analysis of local contexts and the actors' point of view, which is obviously right, but at the same time, despite their theoretical erudition and epistemological caveats, they legitimise a number of the same standard clichés about Africa that they theorised about in their first book (Chabal and Daloz, 1999).

In both cases,³⁸ appeals are made to a vision of anthropology as a discipline which, we would argue, fails to take account of its recent transformations (Olivier de Sardan, 2005a). For many

³⁵ Goffman (1961).

³⁶ One can also take the view that the traditions that matter come from yesterday rather than the day-before-yesterday, that is, they arise from the relatively recent past (the colonial period for example) and not from the distant past (the pre-colonial era); cf. Williams (1972: 4) on the Congo.

³⁷ Scientific ideologies have the particular characteristic that one can never claim to be entirely immune to them, and culturalism is no exception. No one among us can claim that we have never made a statement reflecting a culturalist mind-set. It is for that very reason that vigilance is required! On the subject of scientific ideologies, manifested as methodological and interpretative biases, see Olivier de Sardan (2008).

³⁸ It should, at the same time, be recognised that both the neoinstitutionalists on the one hand and Patrick Chabal on the other make valuable critiques of their respective disciplines, open up lines of enquiry and stimulate useful debates.

Africanist anthropologists (like those of LASDEL in Niger and SHADYC in Marseille), it is no longer possible to speak of 'culture in general' (however one defines it) or to base any research programme on such a vague term, embodying so many culturalist prejudices. If one can sometimes, with due circumspection, speak of a 'local political culture', a 'professional culture' or of 'specific cultural logics', it is only if three specific conditions are met: (a) that one does not treat 'culture' and 'tradition' as the same things; (b) that any assumption of cultural homogeneity is avoided; and (c) that one has demonstrated *with research evidence* the existence of behaviours or representations that are shared *by definite actors in definite contexts* (which can never be taken as self-evident).

To be sure, traditions, national cultures and African culture are regularly appealed to in political rhetoric, but this is on the basis of a deliberate reinterpretation or embellishment of the past, involving highly selective recall and revealing omissions, unjustifiable aggregation, and blindness to enduring antagonisms and conflicts. Such appeals respond to ideological impulses, legitimation objectives and exercises in modern identity politics, not serious historical or social anthropological analyses.³⁹

By contrast, there is no shortage of examples which precludes the systematic attribution of the current practices of public officials which are not in line with professional norms to 'African cultures'. Take, for example, a very topical case. Virtually everywhere in Africa, nurses are well-known for the disdain they show toward patients from poor backgrounds. This attitude has been highlighted in numerous studies.⁴⁰ The odds are very high that in a hospital in Bamako, Niamey or Conakry, a young nurse who receives an elderly female patient who has come in from the bush in a threadbare dress will show her no consideration, will not greet her, or even ask her to take a seat. Such an attitude is completely at variance with the respect accorded to the elderly in 'African cultures' as described everywhere; in other words, with traditional norms of decorum. It is also inconsistent with what is taught in the medical faculties, with the proclaimed principle of respect for the sick and, in other words, with the official norms of medical ethics.

Although such practices of public officials do not follow official norms, they do not follow traditional norms either. The informal norms that govern these practices fall outside the dichotomy between official norms and traditional norms. They therefore need to be researched!

The culturalist explanation takes the easy way out. Rather than 'discovering' what the informal norms are, it picks up accepted ideas and clichés relating to traditional social norms. In so doing, it slips into a well-known theoretical stance, which some have criticised using the term the 'great divide'.⁴¹

This stance is based upon an expanded version of the same dichotomy; namely, a dichotomy between traditional societies (and norms) and modern societies (and norms), which claims to take into account a number of contemporary phenomena.⁴² This dichotomy spans the entire history of the social sciences, from its first formulation in Tönnies' distinction between *Gesellschaft* (association) and *Gemeinschaft* (community) and its subsequent elaboration by

³⁹ One may recall the various waves of 'authenticity' politics that were popular in the years 1970-80 (cf. for example Young and Turner, 1985, on the Mobutu regime's use of the past).

⁴⁰ Cf. Jaffré and Olivier de Sardan (2003); Jewkes, Naeemah and Zodumo (1998).

⁴¹ Latour (1983).

⁴² Clearly, from an historical point of view, the distinction between traditional societies and modern societies makes sense. The problem stems from the lazy explanation of current social realities in terms of cultural survivals and the ideological practice of treating a sub-set of modern societies as being residual traditional societies.

Talcott Parsons.⁴³ Today, it still forms the backbone of a variety of scholarly or quasi-scholarly representations of Africa, from colonial ethnology to post-modernist pamphlets, and from contemporary sociology to post-colonial studies.⁴⁴ The use of the distinction between traditional culture and modern culture to ‘explain’ current behaviour is actually to be found combined with the most varied theoretical orientations. It is found among authors who otherwise agree on nothing at all but paradoxically find common ground on this point. We should therefore not view the ‘traditionalist-culturalist’ or ‘great divide’ position as a research programme, a paradigm or a school of thought. It should rather be seen as a cross-cutting ‘scientific ideology’, which in no way implies that the conceptual positions of those expressing these positions are otherwise similar.⁴⁵

One of the avatars of this binary view of the world is the now classic article by Peter Ekeh (1975), where it takes on special forms which are interesting for our purposes. Ekeh makes a distinction between a civic public space and a primordial public space. The first, a direct legacy of colonialism, is not underpinned by any ethic. People benefit from rights or resources without feeling obligated to provide anything in return, while the second implies moral obligations of reciprocity, trust and redistribution. This dichotomy, the empirical content of which is not very clear, is like others in that it falls prey to excessive schematisation and generalisation, and the account given of the primordial public space slips into the customary clichés about a communitarian Africa (there we find social norms presented, as usual, as cultural or traditional). However, what is important for our purposes is the introduction by Ekeh of the civic public space or the intermediate public space, which generates specific practices characterised by an opportunistic sliding back and forth between imported official norms on one hand, and the primordial public space, on the other. Unlike much work which makes a distinction between community solidarity and modern citizenship, Ekeh’s article, to its credit, underlines the fact that this intermediate space (civic public space) has been indirectly fashioned by colonialism and is not derived from the extension of traditional ties.

In other words, he opens up the debate. His analysis indicates that apart from professional norms on the one hand and social or cultural norms on the other, other norms may exist. But what are these other norms?

4 Practical norms

Let us take an example that is far removed from the professional practices of State employees, the issue of adultery among Peul herders in Burkina Faso, expertly analysed by Danièle Kintz.⁴⁶ As is the case in many societies, adultery is condemned by the Peul herders in Burkina Faso and therefore marital fidelity is the official social norm (Islam is also the dominant religion). However, as in many societies, adultery is quite a widely practiced sport. Amorous practices do not, therefore, conform to the official norm. But they are nevertheless regulated. Adultery is in fact almost tolerated, provided that everyone (the husband, wife and lover) obeys a number of tacit, unspoken norms of decorum. This is an example of what we will refer to as *practical norms*. In the case examined by the author, we learn of a husband who had caught his wife in the act, but, having failed to observe these practical norms, was deemed to be at fault by the community.

⁴³ Cf. for example, the (in this respect) very ‘Parsonian’ table presented by Hyden, who makes a distinction, trait by trait, between ‘formal institutions’ and ‘informal institutions’ (Hyden, 2008:18). Cammack makes the same kind of distinctions (2008).

⁴⁴ Cf., for example, Mahieu (1990), who focuses on ‘community pressure’.

⁴⁵ The critique of dichotomous visions of development in terms of tradition and modernity was undertaken long ago by, among others, Whitaker (1967); Tipps, (1973); Rudolph and Rudolph (1967) and Frank (1969); these references were suggested to me by Richard Crook, along with those in notes 36 and 39.

⁴⁶ Kintz (1987).

In admitting that the divergences between official norms and behaviours can follow practical norms, we are opening up a vast need for empirical research in order to determine what these practical norms are. The range of norms is immediately expanded, and is no longer limited to those pertaining to easy or immediate access such as social norms (accessible through tradition, education, morals, religion, or the works of classical ethnographers), or through professional norms (accessible to a large extent through official documents). It now includes a series of refined, invisible, implicit and subterranean regulations, which we must take the trouble to identify and document. A number of them are fairly well known to the actors themselves, at least in private, though these are scarcely articulated in public, while others are instinctive and others remain semi-opaque, stored in what some would call the collective subconscious.

The adultery example makes reference to *practical norms* that regulate behavioural divergences from a *social norm* falling under morality and religion. ‘Soft’ transgressions of most social norms occur in this way on a daily basis. For instance, while giving alms to the poor is a strong moral obligation in Muslim societies, ongoing strict compliance with this obligation is virtually impossible. There are several bits of ‘know-how’ that provide ways of managing this noncompliance whilst still demonstrating one’s charity and generosity on strategic occasions.

Let us take another example that also does not involve State employees, but which makes reference to a system of written norms which are codified in the same way and to a greater extent than professional norms. The Highway codes in Hanoi and Cairo are practically identical to those in Paris or Berlin, and refer to driving rules that are virtually universal (with the exception of the British phenomenon of driving on the left). Nevertheless, drivers in these two cities wilfully disregard these rules when behind the wheel. They do not conform to official norms, or do so on very rare occasions. Furthermore, if, by chance, a visitor wanted to drive in Hanoi or Cairo and respect the Highway Code, it is likely they would be involved in a serious accident rather quickly. This does not mean, however, that residents of Hanoi and Cairo do as they please, in which case car accidents would be a almost a permanent feature of the roads. Their driving habits conform to tacit, shared road rules.

In Cairo, for example, the right of way is given to the driver who is overtaking, and it is incumbent upon the driver of the vehicle being overtaken to allow this vehicle to pass. Furthermore, although the use of the horn, always by the driver of the overtaking vehicle, is rare, it warns of immediate danger, and the vehicle being overtaken must immediately move over. In Hanoi, on the other hand, utter confusion would appear to reign; rights of way and one-way streets are non-existent, and horns are used at all times by everyone. Accidents are nonetheless still rare, because drivers constantly assess what others in their vicinity are doing and change their driving appropriately, gauging who is already well in the midst of a driving manoeuvre, in order to either slow down or accelerate accordingly. This is somewhat akin to Times Square when offices close – pedestrians move in all directions, in the midst of a dense and bustling crowd, without rights of way or traffic rules. However, few collisions occur, due to endless adjustments by drivers to the movements of others.

The driving example is interesting because it proves that behaviour inconsistent with official norms of Western origin can follow local practical norms (following informal rules of the game that vary according to context) which bear no relation to either ‘tradition’, or culture in general, common values, or a shared ‘network of meanings’, but are nonetheless effective.⁴⁷

⁴⁷ This is essentially what the APPP seeks to do in another field.

Such practical norms are not necessarily expressed as such by social actors; they are more often than not automatic and routine, existing in a vein more latent than explicit.⁴⁸ One could say, to phrase Bourdieu's expression differently, that these practical norms are incorporated into a *habitus*,⁴⁹ in that they are not directly seen. They are at times similar to linguistic norms. It is therefore the responsibility of the researcher to isolate, identify and analyse them, starting from the practices of the actors as well as their discourse.

Let us now move closer to the world of political action, which is what interests us here. Bailey makes the distinction between *normative rules* and *pragmatic rules*.⁵⁰ The former pertain to legitimation and justification, while the latter relate to tactics and manoeuvres and are geared toward efficiency. This opposition is not perfectly aligned with ours. Bailey's normative rules refer to the social norms that are specific to the field of politics, rather than to codified professional norms. However, his pragmatic rules are quite similar to our practical norms, as they regulate practices that are far removed from official discourse and proclaimed moral standards. What we find interesting about Bailey's approach is that, in his view, *social change stems from pragmatic rules; in other words, from practical norms*. Unlike radical change (revolution, for example), which entails a transformation of social norms, adaptive change occurs in the framework of the social norms in force, through the transformation of existing practical norms or the establishment of new practical norms tailored to the new constraints or new resources provided by the general context. Would not research into the drivers of such changes in practical norms be of strategic interest to development organisations?

To return to the behavioural patterns of State employees (among whom we have to include policy makers), we can now express their divergences from professional norms in a much more diversified manner than before. The world of practical norms that has opened up to us does not confine itself to the over-generalised concepts of clientelism and neopatrimonialism. It also allows us to avoid falling into lazy explanations in terms of the intrusion of 'traditional' social norms. Certainly, some social (non-professional) norms undoubtedly intervene significantly in the professional world; however, they are by no means necessarily traditional – far from it. Furthermore, behind these social norms there are several practical norms, also 'social'. Finally, the professional milieu generates its own practical norms.

This leads, to a twofold conclusion: on one hand, norms change (sometimes rapidly), they adapt, hybridise and are created;⁵¹ on the other hand, normative pluralism is the rule and not the exception.⁵²

⁴⁸ Goffman, who conducted an analysis of practical norms in social interactions, but without conceptualising them as such, already made use of the Highway Code example: 'Even with respect to completely formalised codes, such as the one regulating road traffic, many things remain tacit' (Goffman, 1973: 103). One also finds a reference to the Highway Code in Gibbs (1965: 589), but he limits himself to pointing to the inconsistencies between behaviour and official norms, without attempting to explain how the deviant behaviours are themselves regulated: 'we fully expect all drivers to violate traffic regulations at one time or another and to do it consciously and deliberately'.

⁴⁹ I am still by no means convinced of Bourdieu's 'dominocentric' (Grignon and Passeron, 1989) use of this term. However, the reverse [*résistocentrique*] use of similar concepts by Michel de Certeau or James Scott (*metis*, art of doing [*arts de faire*], tactics, art of resistance) is open to the same reservations (de Certeau, 1990; Scott, 1990).

⁵⁰ Bailey (1969).

⁵¹ 'Norms do not necessarily emanate from deep historical sources, but could be thought as shared expectations about behaviour ... norms can change rapidly' (de Soysa and Jütting, 2007: 33).

⁵² Chauveau, Le Pape and Olivier de Sardan (2001).

5 Normative pluralism

This expression has often been used to refer to specific situations where various ‘visible’ norms, which are at times contradictory, coexist. In Africa, normative pluralism has been most widely illustrated in the context of land tenure. Thus, in the Sahel one observes the coexistence of ‘Western’ land law, Islamic law and various customary rights. This is an example of a pluralism of public norms, because they are all recognised by the State, in one way or another. In land disputes, stakeholders play on this diversity, showing preference for the laws that best address their needs.⁵³ However, mention can also be made of the pluralism of social norms: contrary to (culturalist) visions requiring homogenous cultural norms, these norms are diverse and often contradictory – for example, the complex coexistence of Islam, and even several varieties of Islam, with so-called animist religions; or the diversity of matrimonial agreements according to localities or families.

To a certain extent, the coexistence of public professional norms with various social norms used in daily life can be seen as the result of this normative pluralism. As we have seen, this has become a universal situation with the appearance and general establishment of the modern State. The coexistence of these two types of norms is classically organised by allocating them to two spheres: the public and private spheres. Each sphere has its particular norms. The equal treatment of job application files prescribed in the public sphere contrasts with the duty of familial solidarity or friendship prescribed in the private sphere. Social actors change the norms they attend to on a daily basis, by moving between spheres. But, in each of these spheres, what we are concerned with again is the ‘official’ or ‘formal’ norms. For example, the professional ethics of officials in the public sphere, no less than the rules of proper behaviour in the private sphere, are a matter of official norms. We disagree sharply with the neoinstitutionalists on this point when they treat social norms as ‘informal’. Social norms are thoroughly formal in character (but in a different way than public norms). They prescribe and legitimise (but in a different way than public norms); they are present in the rhetoric and they are taught to people (but in a different way than public norms). *It is only practical norms that are informal, because they are absent from the public discourse, absent from the official moral rhetorics and absent from the teaching.*

In addition to this well-recognised ‘horizontal’ pluralism, the consideration of practical norms introduces de facto a ‘vertical’ pluralism. Professional and social norms alike belong to an official, formal or manifest level; however, they obscure, to some degree, unofficial, informal or latent norms. For example, continuing with the case of land conflicts, stakeholders also seek recourse from arbitration authorities that have no official jurisdiction in this area such as political parties, carriers of practical norms that differ from the whole range of available official norms.⁵⁴

As our examination of norms becomes more complex, we observe that a public actor has much more room for manoeuvre than is generally thought to be the case (and than the culturalist ideology would have us believe). At least four types of norms can be cited:

Professional norms	Social norms
(Professional) practical norms	(Social) practical norms

However, this table can be made even more complex, as practical norms themselves are not necessarily homogenous, on the contrary. They can be made up of different layers, based on their level of consensus, the actors involved and the specific contexts. Some practical norms are the subject of explicit agreements between actors, whilst others can either be the

⁵³ Cf. Lund (1998).

⁵⁴ Ibid.

subject of tacit agreements or merely reflect a convergence of behaviours. They can also be divergent; that is, in competition with each other.

Employees within a department sometimes decide, in an almost formalised manner, on operating methods that are at variance with official norms. One case of this would be the way police and customs officers share illicit gains amongst themselves, with a quota system operating right up the hierarchy of command.⁵⁵ At times, there is a *de facto* consensus on a practical norm, as seen for example in the fact that health personnel work little more than half a day in their departments before leaving to work in private establishments. Sometimes, in a purely mechanical way each person plays his or her part in observing a practical norm, such as not punishing an offending subordinate.

Finally, depending on the public activities and hierarchical level considered and the technical or professional constraints in play, the plurality of practical norms can take very different forms, and vary considerably in nature. For example, the range of available norms for midwives is not the same as that which regulates the actions of customs officers, although, paradoxically, they have certain things in common.⁵⁶

This approach recognising the diversity of practical norms runs counter to the unifying tendency in thinking about social norms which has pervaded all the social sciences since Durkheim. On this view, members of the same society will tend to share common norms, which impose themselves 'from outside'. The modern versions of the unifying societal ideology, which draw more on Weber, express themselves more in terms of culture, values and meanings. Societies are viewed more as communities of understanding or networks of shared meanings. But the result is the same.⁵⁷ In either form, such frequent assertions are largely inconsistent with the facts. Many public actions do not require 'communities of understanding' and can be achieved with compromises between various norms. The following observation is more realistic: '*Social norms* [official or practical – JPOS] *cannot be condensed into a single principle, and have meaning only within context and for the type of activity to which they are being applied*' (Boudon and Bourricaud, 1982: 390). One could go even further and posit the hypothesis that normative pluralism, as manifested in Africa, is based in part on a set of agreements, innovations and informal negotiations.

In this sense, it is not fundamentally different from the diffuse and interactive mechanisms by which norms are continually produced and recomposed in countries of the North, as described by various currents in modern sociology and anthropology. Thus, in the sociology of work, the studies of social regulation by Jean-Daniel Reynaud (1999) have drawn attention to the exchange of rules produced by the conflicts and negotiations within large firms, and the continuous invention of rules and regulations that takes place as action proceeds.⁵⁸ In rural

⁵⁵ The most consensual and admissible level of professional practical norms corresponds in a certain way to what is sometimes called 'organisational culture'. This shows how it is more productive to use the term 'culture' in a circumscribed way and referring to a contextualised set of practical norms, rather than in a general way and referring to official social norms.

⁵⁶ Olivier de Sardan (2001).

⁵⁷ For example: 'Collective action requires 'communities of understanding' (those with shared norms, rules and values)' (Cammack, 2008: 45). Consequently, reference can be made to '(the) ability and will of societies to act collectively' (ibid: 47), thus ascribing shared will and desires to societies. These are all examples of what we refer to as ideological holism, which is a persistent bias in the social sciences, to be distinguished from methodological holism (Olivier de Sardan, 2005b, 2008).

⁵⁸ For Reynaud, one should '*partir non de l'unité de la société mais de la pluralité et de l'opposition des acteurs sociaux, non de l'effet unifiant de l'institution mais du compromis symbolisé par le contrat ; non de l'hypothèse d'une conscience collective, foyer moral et religieux d'unité (ou, ce qui revient au même, d'un système de valeurs commun), mais d'une dispersion des intérêts, des préférences et des valeurs qui trouvent des points de rencontre et établissent ainsi des règles mutuellement admises*' (2000, quoted by Terssac, 2003: 20).

anthropology, Jean-Pierre Darré (1997) has analysed how French farmers produce their own norms regarding the innovations that are proposed to them by the rural-development experts.⁵⁹

All these research programmes, which begin from an epistemological posture which accords an active role to social actors,⁶⁰ offer a sharp contrast to those (in the ideological sense) holist perspectives, whether societal, functionalist, system-theoretic or culturalist, within which the behaviour of social actors is determined by an organised set of rules, norms or values, coming to them from outside (from ethnicity, culture, religion or society). One of the modalities of the famous ‘great divide’ (whose unacceptability we have underlined above) is precisely to recognise that, in the North, norms are ceaselessly produced, questioned and recomposed through interactive processes, while maintaining that in Africa they take the form of an atavistic system that continues to impose itself on behaviour! Our firm position is that the advances of the social sciences in Europe must be taken into account in Africa, and that normative pluralism and the local production of norms (those that we are calling practical norms) must be recognised. We would even go so far as to say that in several respects this normative pluralism and this local production of norms are actually – on the basis of empirical evidence, and for historical reasons – more important in Africa than in Europe.

Of course, the perpetual creation of practical norms, taken as a fundamental social process in Africa as in Europe, does not at all imply that all the pre-existing norms are erased.⁶¹ On the contrary, the production of norms takes place through a constant readjustment and recycling of the available norms, which are therefore to be considered as resources for interaction and negotiation. Because of this, normative pluralism has both synchronic and diachronic dimensions.

Let us now look at two examples of practical norms, which reveal a number of *effects* of this normative pluralism. The first relates to what we have termed *each-for-oneself-ism*. Research conducted on health services in five African cities and on petty corruption in three countries⁶² highlighted the widespread lack of teamwork in public services, including in areas where it is officially recommended. For instance, there are very few staff meetings in health services (e.g., meetings to discuss the cases of hospitalised patients). Yet, the holding of staff meetings is a professional necessity that helps correct dysfunctions and can occasionally save patients’ lives. Similarly, the apparent inability of officials to intervene in the working patterns not only of their colleagues, but also of their subordinates, was widespread.

It seems quite difficult to attribute ‘*each-for-oneself-ism*’ to ‘traditional African culture’. On the contrary, all the stereotypes about the latter point in the other direction. It is nonetheless omnipresent and can produce undeniably adverse effects. Two types of attitudes emerge among reformist actors (‘change agents’). Some such actors, while introducing new procedures or recommending improvements in the functioning of services, conform to this practical norm, and leave it up to individuals to decide whether or not to apply the proposed changes. Others seek to modify the practical norm by introducing a minimum level of collective functioning.

⁵⁹ But the notion of ‘practical norms’, as we understand it, is not used as such in these studies. For these authors, who are particularly concerned as we are with professional norms, the norms that the actors co-produce are different from the official norms (those of the management, or of the agricultural experts), but their status remains vague.

⁶⁰ One could in this respect link them to Giddens’ (1987) treatment of *agency*, or de Certeau’s (1980) concept of *braconnage* (lit. ‘poaching’).

⁶¹ Thus, there were some grounds for reproaching the Symbolic Interactionism and Ethnomethodology schools for placing a one-sided emphasis on the ‘creative’ aspect of norms, without due acknowledgement of the norms remaining in place (Chapoulié, 1996: 47-49). Of course, these norms that are ‘already there’ are diverse and layered.

⁶² Jaffré and Olivier de Sardan (2003); Blundo and Olivier de Sardan (2006).

The second example pertains to the law.⁶³ In Niger's judicial system, no judge refuses a 'gift' from anyone to be tried before the court, whether this gift is meant to serve as a preventive measure, or is related to a trial already under way. Official norms, which these very judges must enforce, denounce these practices in no uncertain terms. It is for this reason that these gifts are discreetly offered, out of the view of potentially ill-intentioned observers. However, this does not necessarily mean that judges systematically decide in favour of those who give them gifts, or in favour of the highest bidder, given that quite often both parties make payments. In fact, two main strategies emerge, that of the 'honest judges' or 'good judges' and that of the 'corrupt judges' or 'bad judges'. The honest judges⁶⁴ accept what is offered to them but hand down rulings in accordance with the law or their conscience, and make only minor concessions to the donors who are guilty in their opinion or under the law. The corrupt judges, on the other hand, are bought off and turn a blind eye to the law or to the truth in exchange for money. The same consensual practical norm (about gifts as normal practices) thus produces two contradictory practical norms (about decisions as morally based), with quite different effects from the standpoint of the administration of justice or equity.

This type of research is possible in all areas of public activity. In examining local authorities – the local state and local governments – we intend to seek out the practical norms used by the various categories of actors to assess their own accountability (to whom are they accountable and how?). We also intend to seek out the practical norms of the actors with whom they interact. How do they place themselves in relation to the official norm of accountability, and what are the alternative practical norms available on this issue in their work and social contexts?

6 Conclusion

The practical norms concept is not analytical. It gives no specific substantive content to the phenomena it describes, nor does it define a particular interpretative model. This is why we have spoken of it as an *exploratory concept*. It serves simply to draw attention, in a research process, to the variety of social regulation methods and real governance patterns, without prematurely grouping them into a single model or organising them into *a priori* types. The practical norms concept is of variable geometry – this is both its strength and its weakness; it does not prejudge the content of the norms. Certain practical norms will be close to the habitual strategies used by actors (coping strategies, *metis* etc.), while others will be more akin to cross-cutting social logics or professional or local cultures.⁶⁵

We can subsequently *conceptualise* related groups of practical norms in specific contexts and referring to definite empirical contents. There is no reason, for example, why a specific 'family' of practical norms cannot be grouped under the term clientelism (or different types of clientelism) and others, sometimes the same ones, under neopatrimonialism (or such and such a kind of neopatrimonialism), on the clear understanding that what is involved is not a formal classification but a *grounded typology*, anchored in fieldwork. We would then have a much better understanding of what such concepts cover from an empirical standpoint. Nothing prevents the proposing of new concepts, based on research, either. Thus, Christian Lund analyses a set of non-state organisations which *de facto* exercise state functions in Africa, calling them *twilight institutions* (intermediary institutions – neither fish nor fowl); for our part, we propose to explore the terrain of *modes of local governance*, meaning to describe the concrete ways in which power is exercised in the rural areas of Niger.⁶⁶

⁶³ Cf. Tidjani Alou (2001).

⁶⁴ These expressions were used by the persons with whom we spoke during the studies.

⁶⁵ Cf. Olivier de Sardan (1999).

⁶⁶ Lund (2006); Olivier de Sardan (forthcoming).

Regardless of whether new concepts are produced or concepts already in circulation are reformulated, conceptual innovation must, in our view, be the product of rigorous empirical and documentary research which is open to capturing diversity. To the extent this is the case, exploratory concepts such as practical norms can be safely abandoned in due course, paving the way for analytical concepts to emerge. The advantage of an exploratory type of concept is that it can be disposed of after use, like the sculptor who throws out his mould or the mason his scaffolding. It serves an essentially pragmatic purpose, enabling us to examine aspects of the situation that would otherwise have remained 'invisible'; in other words, it simultaneously complicates and clarifies the researcher's vision of the research situation.

While the practical norms concept can, undoubtedly, be dispensed with, or another term can be used, what cannot be avoided is investigation of the underlying reality. In any case, our goal is not to call upon all our colleagues to use the practical norms concept (which would be an unrealistic pretension), but just to insist on the *need to understand, empirically and conceptually the diversity and plasticity of the forms of regulation that underlie the behaviours of public employees*.⁶⁷ The premature use of overly aggregate concepts could indeed obscure this diversity. At least, it should be recognised that the exploratory concept of practical norms does not have this disadvantage.

The approach by way of practical norms may also be able to address a number of development problems and here we return to the central point of the APPP research (point three at the beginning of this paper). We may come to the conclusion that certain practical norms run counter to developmental outcomes more than others do. We may find that certain practical norms can, on the contrary, have positive effects. We may believe that the transformation of certain practical norms warrants examination. We may also believe that the introduction of new practical norms by local actors, as opposed to the importation of official norms by foreign organisations, should be accorded priority, encouraged and supported.⁶⁸ But, in all cases, a vital task will be to specify precisely the norms to which these conclusions refer.

⁶⁷ In a sense, therefore, the task is to give a concrete content to the concern expressed by David Booth in his think piece, which in our view is also an absolutely key element of the programme: 'to discover some salient diversity in African institutional patterns' (Booth, 2008: 3).

⁶⁸ For example, it has been posited that 'a stable and minimal discrepancy [between the formal and the informal] negotiated between superordinates and subordinates can result in informal norms and arrangements supporting the realisation of official objectives' (Sil, n.d., quoted in Cammack, 2008: 43).

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