

Third World Legal Studies

Volume 8 *Pluralism, Participation, and
Decentralization in Sub-Saharan Africa*

Article 2

1-2-1989

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Recommended Citation

Green, Reginald H. (1989) "Participatory Pluralism and Pervasive Poverty: Some Reflections," *Third World Legal Studies*: Vol. 8, Article 2.
Available at: <http://scholar.valpo.edu/twls/vol8/iss1/2>

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PARTICIPATORY PLURALISM AND PERVERSIVE POVERTY: SOME REFLECTIONS

Reginald H. Green*

The small boy who breaks a pot goes to tell his mother 'It got broken'. Not 'I broke the pot' but 'It got broken' . . . And who did this? We did. We broke the pot.

- Flight-Lieutenant John Jerry Rawlings,
Head of State and Chairman, Provisional
National Defense Council (PNDC), Republic of Ghana

Opportunities should be given to women for greater participation in the nation's political and decision-making processes at all levels, especially at the national centers of power.

There should be greater openness in the process of designing the adjustment package, both within government and beyond. In particular, employers, trade unions and other relevant groups should be closely associated with the process both to improve the design of the programmes and to ensure their fuller understanding and support . . .

In making the protection of the poor an integral part of adjustment, the primary strategy should be that of enhancing their productive capacity through better access to productive resources and assets.

- *Khartoum Declaration*

I. Pluralism Revisited

Pluralism is a less than satisfactory term of art for use in respect of Sub-Saharan Africa (SSA) unless specifically defined for that purpose. The reason is its near monopolization by a specific formulation related to the conditions of a particular secular/Christian, industrial, high income, bourgeois democratic society/polity (the USA).

Participatory pluralism is defined for purposes of this paper as including:

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a. participation in preparation and dialogue leading to decisions; as well as in articulation, implementation, monitoring, review and modification;

b. ability and practice of self-organization at levels ranging from basic community (village, neighborhood, work-place) to national;

c. accountability of leaders and officials both to the people who directly or indirectly choose them and to those they are intended to serve/lead.

This definition does not define specific structures. For example a single party system does not *per se* mark a polity/civil society as non-plural if a variety of organizations with participation, ability to act and to speak on behalf of their members and leadership accountable to those members exist. If these conditions are met, the affiliation of such organizations to the single party may be quite consistent with pluralism.

All three elements are required. Genuine participation's absence clearly prevents pluralism even if there are multiple, autonomous organizations. But genuine participation can be practiced within monolithic structures with at least substantial accountability. If these structures either englobe and control or forbid the existence of other structures and institutions, then they are clearly not pluralist however participatory, accountable and majority supported they may be.

Ability to practice self-organization, unless including membership participation, selection of and accountability of leaders, is not enough to demonstrate pluralism. Some organizations — e.g. religious bodies and heavily state or party directed trade unions — are hierarchical with largely self-perpetuating leaderships accountable to themselves or to reference groups other than their members.

Clearly the definition presented is in the form of an "ideal type construct." No civil society/polity is or ever has been fully participatory pluralist. The issues in analysis of any actual case are how wide and deep are participatory pluralist practices and what (both in form and in substance) and of what kind (e.g. legal, political, informational, real resources, political economic) are the main obstacles to broadening and deepening?

II. Pluralism in Africa

There is a tendency in Western — and perhaps not only Western — scholarship to see both past and present African societies/polities as neither participatory nor pluralist. This appears to result partly from rather superficial study (especially of the pre-colonial period) and the use of competitive, multi-party electoral systems as a litmus test.

Many pre-colonial African polities were participatory to a substantial extent. In some at least particular interest groups or sub-classes were self-organized and had spokesmen within the political process. (That others were excluded — e.g. slaves and often women — demonstrates limits on pluralism but not its total absence.) Many organizations, e.g. age groups (often parallel but separate ones for females and for males), religious bodies, economic groupings existed, had powers and functions of their own and were to some degree accountable. The hereditary principle was in practice by no means totally inconsistent with participation and accountability. The selecting in most cases had a range of candidates who could be picked without being seen to violate the hereditary principle. Further recall — a fairly draconic form of accountability — was frequently institutionalized, e.g. “destooling,” and for political leadership the hereditary principle was far from universal — e.g. it does not appear to have applied to age groups.

Present African civil societies and polities do have multiple organizations albeit their number, diversity, freedom or space to act and degree of outside control vary widely. The area of political parties is the only one in which this is rarely true. Mainland Sub-Saharan Africa, in practice, has no competitive, multi-party systems in which a transfer of power by a victory of the opposition parties is a credible, present possibility.

At national level the main organizations with societal functions are usually religious, labor (more specifically trade union), women's and, less uniformly, co-operatives. Peasant organizations with broad bases and significant functions/influence are quite uncommon. A range of other bodies, e.g. St. John's Ambulance Society, Boy Scouts, usually exist but are largely urban and narrowly middle class/Westernized in their memberships. Others, e.g. National Red Cross Societies, are common but vary from substantially participatory, accountable and self-defining as to program (e.g. Mozambique) to *de facto* statal entities. Locational or home origin groups appear to be less significant than in the past especially beyond mobilizing support for (or from) their home districts or localities. In that sense they are becoming less national and more regional or local.

The range at regional level is probably analogous to national. At local (basic community) level there is usually a greater degree of complexity and more organizations. Some are adapted forms of traditional organizations (e.g. age groups and in some cases formally superseded hereditary political groupings). Others, e.g. peasants, coops, women's groups, are parallel but lack connection to national organizational structures.

Exclusive ethnic based systems — whether traditional or manipulated — do not constitute pluralism. If they seek *de facto* separation from, let

alone dominance over the state (e.g. Dinka in Sudan, Amhara in Ethiopia) they constitute as grave a rejection of pluralism as of a national state or civil society. As historic location and culture specific groups which accept pluralist civil societies and states, they can make contributions to pluralistic practice (e.g. Tanzania, perhaps Kenya) especially at home area development and local governance levels. But that is not what high profile "tribalism" and so-called, romanticized "legitimate" parallel power structures in SSA are about.

III. Persistent Poverty

Sub-Saharan Africa has never had a high level of achieved productive forces *per capita* nor a particularly egalitarian income distribution. Therefore, poverty has been both persistent and widespread.

The degrees, immediate causes and forms of poverty were neither uniform nor stable before, during nor after colonialism. With very few exceptions the achieved productive forces per capita declined and the proportion of the population in absolute poverty rose from 1979 through 1983. In many (probably a majority) of cases, this process of immiserization and/or disintegration has continued. In others it may have been halted but not reversed and in a — perhaps increasing — minority it has, at least tentatively, been reversed and some ground won back.

The basic causes of the decline vary as to nature or date and as to severity. External economic environment worsening is present in almost all. Its onset varies from the mid-1970s (base metal and sugar export dominated economies) through the turn of the decade (beverage buoyed economies) to the mid-1980s (where petroleum sectors had fuelled growth). Drought has been another red thread running through most. Gross domestic economic (usually paralleled by political) mismanagement outside or verging toward a civil war context has been dominant in some cases, e.g. Ghana (1972-1981) and Zaire (1960 to date) respectively. External aggression (notably in the Horn, Morocco/Saouri Democratic Republic and Uganda) have been the dominant cause in several cases (e.g. Angola, Mozambique, Malawi since 1985, Uganda, Ethiopia/Eritrea, Somalia, Sudan). Failure to react to other factors with adequate speed, degree and flexibility is a pervasive characteristic (Zambia, Côte d'Ivoire, Gabon and Nigeria are possible examples).

More than one factor have usually been present, and it is their cumulative interaction which has led to the deterioration. For example, Tanzania had extreme terms of trade shocks over 1978-81; major external aggression and consequential costs at the same period and again from

late 1986; drought over 1979-1985; major policy mistakes (premature and overdone import liberalization and lax fiscal policy) over 1977-79 and an initial lag in policy response over 1978-79 not fully overcome until 1984 because the process of participatory quasi-pluralist consensus building took eight years.

IV. Poverty, Production and Distribution

Poverty exists personally and at household level (e.g. entitlement to an adequate diet); communally (e.g. access to basic health and education services); regionally (e.g. marginalization from the national economy) and is rarely infrastructural (e.g. transport and communication) and national (e.g. low GDP/capita and inability to sustain growth).

Therefore in any assessment of policies institutions or societal patterns, productive efficiency matters. Without GDP, food production and export growth higher than that of population few, or no, SSA economies can attain either stable, strong economic structures and processes or substantial, sustained reductions of the number of persons living in absolute poverty.

Distribution is also crucial. The dominant impact on distribution comes from levels and specific structures of production. For example, the strength of trade unions and the institutional patterns of the labor market dominate real wage levels and trends given output levels while the pattern, support for and trends in agriculture among small, middle and large peasants (in the Maoist sense), capitalist-form enterprises (corporate or otherwise) and state or cooperative sub-sectors is likely to dominate rural income distribution (as well as levels, trends and make-up of agricultural output). However, the production impact on distribution may be indirect. The clearest example is the Botswana diamond sector. Seventy-five percent of gross surplus (itself about 75% of gross output) goes to the state and a substantial portion is used to broaden wage employment, provide near universal access to basic services and provide part-time employment and personal consumption supplements to members of 'poverty focus groups'. Communal, infrastructural and regional poverty (as defined above) require a catalytic initial and usually a dominant subsequent central government role if they are to be addressed and redressed on a rapid and sustained basis. The implications of this for fiscal policy (on both revenue and expenditure side) including levels and allocation should be evident.

V. Development Without Growth?

Nominally absolute poverty reduction — especially personal and communal and, perhaps, regional — could be pursued within a constant per

capita GDP. Even that means a 3% absolute trend growth rate, well above SSA's average since 1980. However, the social and political constraints on such a redistributive process out of fixed resources are usually (perhaps always except in the context of total revolution or the immediate aftermath of decolonization or civil war) such as to prevent its being far-reaching or lasting. Radically altered allocations of additional resources (relative to the existing pattern) are less difficult to attain and, especially, to sustain. For lower, and lower middle income economies the room for manoeuvre from redistributing what exists is very narrow to negative especially where (as in Tanzania) substantial anti-poverty and egalitarian redistribution has previously been carried out under more buoyant economic circumstances.

It is certainly true that growth without development is possible; the inverse, development without growth, is very unlikely to be attainable except briefly, to a limited extent and in special circumstances.

VI. Poverty and Pluralism

Poverty usually creates barriers to pluralism's vitality and breadth. For example, poor, uneducated rural women usually have quite good perceptions of their own needs and goals and of what would be required to satisfy and make progress toward them. Crushing time burdens, gaps in knowledge and skills, negligible resource availability above survival requirements and limited information on how to acquire what is missing (or how to organize groups to perform certain functions) often prevent their effective organization or participation.

A second strand is a narrowing of who is able to participate fully and who can afford to be a leader. Both require knowledge and time. Those with a resource margin above absolute poverty are more likely to have both. As a result they can be more effective leaders and their choice by poor members need not be either manipulated or subservient. Equally they may desire and try to be accountable. Nonetheless, the breadth of pluralism is narrowed and accountability rendered voluntary and optional which is inherently dangerous.

At a somewhat different level economic decline increases tension. States and major organizations find themselves less able to serve their members, less able to buy support (or buy off opposition) and less credible. At the same time they face rising levels of complaints (at least as long as their good intentions and ability to act on them retain some credibility), of demands requiring resources to meet and of challenges to their authority and/or legitimacy. The response may include seeking greater mobilization

and participation (to offset losses in other resources) and greater accountability (to demonstrate that the palpable non-successes do not relate to lack of good faith or competence). They are almost certain to include limitations on expression — and more particularly on organization — of dissent and caution in respect of autonomous organizations especially if they seek to express dissent. Repression — at least episodically — is likely. Certainly these strands of constraint on an always limited, licensed and scrutinized pluralism in Kenya have grown more severe as poverty has worsened.

There are countervailing factors. Survival is a great mother of invention. There are probably more autonomous rural organizations of poor people at local level now than in 1980 in most SSA countries. The erosion of state capacity does create operational space. Some existing organizations have been strengthened. This can be ambiguous, e.g., the long established Accra market women's organizational structures have become tighter in terms of self-protection against economic adversity and a state which is at best skeptical of their role. But these are oligopsonistic structures which are increasingly (and on occasion violently) exclusionist so the net impact on poor consumers, producers and would-be marketers is negative.

Other positive developments include broadening of roles, e.g. of churches into direct social action and organization, and transformation of traditional structures. For example in Accra, while extended family systems weakened with too many members needing solidarity and too few having resources to provide it, new neighborhood, food seller/processor-linked and savings/credit social groups emerged to fill some of the resultant gaps. These trends are evidence of the viability and serviceability of pluralism in contexts of increasing economic and social stress. But they should neither be romanticized nor exaggerated. On balance the trend has been negative. Survival is a necessary priority; by itself it is not an adequate one.

VII. Pluralism and the Road Ahead

Looking at pluralism and rehabilitation, recovery and economic transformation a relatively strong case can be made for its functionality in a "right to development"/"human condition" strategy, albeit (somewhat ironically) not in a neo-liberal ("free markets make free men") one. As the British experience since 1979 strongly suggests, neo-liberalism is inherently corrosive of pluralism, participation and accountability.

If production by poor people matters, the actual reach of the state is limited even in fields in which it should be present and decentralization

is likely to be productively and distributionally efficient, then participation, accountability and parallel (hopefully complementary) institutional actors are important. That is a substantially more than marginal case for pluralism.

VIII. Emerging Foci and Divergences

The basic convergence is between basic human needs (the right to development) as an overriding target with universal access to basic services supporting more production by/fairer payment to the poor as the main ways to achieve them and the human investment for productivity approach (originally neo-classical and associated with a fraction of neo-liberalism).

This approach has been designed to refute the claims that while poverty and misery (up to and including premature death) may be deplorable, "There Is No Alternative." In the process it has created a politically saleable message (vide the response to Band Aid) and, potentially, a way to convert immediate emotional human concern into longer term backing for rehabilitation, recovery and redevelopment after survival.

There is neither complete synthesis of the approaches nor tactical coherence. Production by the poor has encountered much more resistance (intellectually and by, e.g., the World Bank) than universal access to basic services — apparently because the latter can be formulated more generally, elegantly and econometrically and is consistent with strands of traditional neo-classical economics. "Human investment" — as a result of its origins and of the fact that middle and higher level personpower who (at least once trained/educated) are not/will not be poor — is not always clearly related to the short run human condition of poor majorities.

The initial tactical concentration was on the situation of people made poorer or more vulnerable by stabilization and adjustment programs. This did have the advantage of putting the Bank — and to a lesser extent the Fund and some bilateral agencies — on the defensive. Rising malnutrition and, *a fortiori*, infant mortality linked to one's own programmatic advice is difficult to defend. At that level, at least verbally (and to a lesser degree programmatically), the battle is being won. Virtually all relevant bodies say that the human condition effects of stabilization and structural adjustment measures must be seen as important and if otherwise sound policies cause deterioration, measures to offset them must be undertaken. The Bank did collaborate in raising \$70-80 million for the initial phase of Ghana's PAMSCAD marketed as such a program.

Three limitations confront any approach focused primarily on the "victims of stabilization and adjustment" (or even the poor among them

— bankrupted formerly rich parallel marketeers, more pungently describable as “two-legged wingless vultures,” presumably worry few other than themselves and their close associates but ex-middle income clerks and managers are prominent beneficiaries of some adjustment amelioration programs including PAMSCAD). First, it is hard to link most human condition deterioration to stabilization/adjustment programs separated from the crises which led to these programs. The counterfactual progression in the absence of the types and levels of fees and to general budgetary deterioration impact on social services more generally. Second, no program designed solely to offset costs of adjustment can be expected to address the basic requirements of all poor and/or vulnerable people. Third, if the human condition is the key test, then how it changes for *all* people (especially all poor and vulnerable people) — whatever the reasons for their initial poor condition — is the central justification or damnation of any applied economic strategy. Means to passing that test are necessarily integral to strategic design, not add-ons.

IX. The Human Dimension and Human Rights

Any approach to development (or any other branch of applied political economy) inevitably has a positive or negative human rights component. Any approach centering on the human dimension has an inherent commitment to human rights. Whether to all human rights, with what priorities and to what extent is a more complex (and ultimately contextual) question.

The standard divisions between individual and communal, socio-economic and civil, hortatory and enforceable, resource expensive and no resource cost and unifying or divisive human rights are distinctly unhelpful. These supposed distinctions are objectively misleading and serve the subjective purpose of selective opposition to human rights and to regimes opposed on different grounds, not of supporting human rights holistically defined. Virtually all human rights are both individual and communal, for the moderately self-evident reason that human beings live in societies and interact with each other. Freedom of speech is usually categorized as individual. Yet it has meaning only in a community context (of auditors and interactors). Food security is usually classified as communal, but eating enough to avoid hunger or starvation is also a very individual need.

Similarly, socio-economic and civil rights inter-penetrate. Poverty and lack of education have a negative impact on ability to exercise civil liberties. Prevention of freedom of speech, of organization and of political participation frequently cripple socio-economic program design, mobilizing power, implementation and error-correction feedback. The categories are

not meaningless but the assumption of inherent contradiction, rather than of basic (even if not total) complementarity, is wrong.

Whether rights are hortatory or enforceable is a contextual question with political economic (resource availability and allocation) and socio-political (political and legal norms and institutions/processes) aspects. Freedom from hunger/food security is in principle enforceable and in practice hortatory. The resource problem is one of priority in allocation plus practicable delivery (Subsidy or gift? Access to earned income? Capacity to grow more?) problematics. The socio-political may either be of norms (how repugnant is the hunger of others? How strong the commitment to a right to eat for each and all?) or of institutions and laws (i.e. of effective accountability). The same is true of effective freedom of speech, i.e. the resources and mechanisms for most individuals actually speaking so that their desired audiences can hear and respond to them either do not exist or are otherwise allocated.

Norms against, and structures to prevent, communications oligopolization or monopolization are weak in all countries even if the nature of quasi-accepted oligopolists varies.

The resource cost distinction is a variation on the preceding one. Again it does not hold up. Freedom from torture is regularly cited as no cost. But properly equipped, trained and remunerated police, judicial and prison systems are expensive. So is unresolved and unsanctioned crime. Torture (no matter how morally unacceptable nor, for that matter, how ultimately dysfunctional) can be seen as a low resource cost shortcut to which poor victims of crime often have no objection if they perceive it as directed against clever criminals who terrorize witnesses and buy up lawyers and the legal processes. In reverse, if freedom from hunger in a given context requires low cost means to enable poor farmers to produce, eat and sell more food and urban workers to earn more and buy more food, the macroeconomic results can be very resource positive (i.e. more resources generated than used) even in the quite short run.

In principle all human rights are ultimately complementary. In practice all are both unifying and dividing. Most entail losses for at least some present holders of power, prestige and/or wealth. Others lead to a tensions of right versus right, e.g. small indigenous minorities' land and culture rights can conflict with the need of poor indigenous majorities to earn a livelihood. Ecological protection of the "wildlife heritage of mankind" which leads to opposing tsetse fly control even when the latter is vital to preserving the livelihood of poor cattle raisers and to preventing the re-emergence of human sleeping sickness also raises conflict of rights issues. More generally, moving toward fuller empowerment to exercise rights

costs real resources. Because these are scarce, genuine issues of prioritization, timing and initial beneficiaries arise. If inability to import — say, drugs and paper — cripples basic health and education services while average calorie availability is satisfactory, promoting production for export is not irrelevant to enhancing effective human rights.

The human dimension approach has not systematically addressed human rights questions under that rubric, but it has made specific propositions which demonstrably go beyond the caricaturization of “bread and circuses” sometimes applied by critics of poverty reduction oriented strategies. These include: the identification of actual groups of actual poor people on regional, occupational and gender bases as well as in terms of specific unmet needs (varying from group to group and place to place) and has been characterized by repeated insistence on participation linked to self-organization and expression by poor people.

The quotations from the Khartoum Declaration show certain problems. Increased participation is sometimes viewed as “given” (a *noblesse oblige*, not a rights approach), and participation and organization are argued on productivity (avoiding errors, increasing mobilization) rather than normative grounds. Accountability is backed without using the word. But the contrast to the “modernization” conceptualization and declamation is marked, and that with the “neo liberal” still greater. Participation, women, identifiable poor people communally and individually are to the center of the agenda and perceived as having the right to speak for themselves and to be listened to.

The human dimension approach has evolved quite independently of formal human rights dialogue. Even the relevant African Charter and still less the UN Declarations or Conventions are virtually never cited; the ILO Conventions are, but rarely. This is not a desirable situation but it is factual. Economic-political-social condition and process-oriented contributors to the human dimension approach should pay more attention to the human rights stream.

Human rights workers need to build concrete interaction with real people in real contexts and the means whereby they could be empowered to broaden and deepen their rights and especially the components of the right to development. Among African states there is a correlation between the operability of key elements of the human dimension approach and respect for human rights so entitled, but the concerns seem to be parallel and the interactions implicit and subliminal rather than articulated and expressed.

This is not because human rights is a Western concept in substance, as opposed to particular verbal and contextual formulations. That argu-

ment does not really respect cultural pluralism. It is either racist or a defence of valuable wrongs flowing from the denial of human rights. African societies and traditions do have clear commitments to the duties of rulers and the rights (including participation and self-organization) of subjects. What are perhaps Western are: a) separation of rights and duties (which is inherently incompatible with any social compact formulation) and, b) the isolation of the individual from human (social) contexts leading to a binary individual/state nexus (curiously inconsistent with actual human contexts, and not least with pluralism). The African Charter encompasses both rights and duties and also the rights of peoples as well as of persons.

X. An African Overview

The human condition — the social fabric of people's lives, the state of their cooking pots — is the ultimate test of development. It is also among the vital means to achieving it. To waste much of Africa's basic economic factor of production — the work of its women and men — by allowing them to remain locked in vulnerability, enforced overwork or enforced idleness and poverty is both a human and social failure and gross economic inefficiency. The reality of what is happening today is starkly summed up in a 1985 UNICEF poster of a young African girl. "What do you want to be when you grow up?" "Alive." For millions of infants and young children over the past decade it is a plea which has gone unanswered. They are prematurely dead. Unless the right to live can be made real no other human rights are possible. For the dead there is neither a future nor future access to other rights. The average human condition of Africans — women and men, the young and the aged, peasants and urban slum dwellers, the ill and the crippled, displaced victims of drought and of war — is appalling. Worse, it is not improving — as it was in most countries however slowly, prior to 1980. The rips in the social fabrics are lengthening, the cracks in the pots are widening.

These facts are statistically known from a wide range of indicators: infant mortality and life expectancy, malnutrition and food supplies, access to pure water and to sanitation, illiteracy and access to education, income per household and environmental degradation. The stark reality is that the fabrics of many African societies — national, regional and local — have been rent. The cooking pots of millions have been broken. To pretend otherwise is to deceive ourselves and to betray the poor and vulnerable people: the women, the children, the displaced victims of drought and war, the poor peasants and the equally poor urban slum dwellers.

XI. People as Actors — and Scriptwriters

No nation can be great and prosperous the majority of whose people are poor and miserable. Those words of Adam Smith set out a central truth. Many of his disciples preaching sermons in Africa and at Africans would do well to use it as a test of their own proposals.

The human condition of individual people, of families, of communities and of societies is, as Mwalimu Julius Nyerere has put it, the only ultimate objective, justification and validation of development. *Human beings are ends not objects, actors not things to be manipulated.* Of course increased command over material resources — gross domestic product to use macroeconomic terminology — matters for a nation as well as a household. Food and health, education and water, sanitation and environmental protection all require real resources. Of course balancing income and expenditure — closing external and fiscal imbalances — matter nationally as well as individually. Crushing debt and demeaning begging damage the human condition of persons, of peoples and of states. Of course, choices and sacrifices need to be made by states and societies as well as by families and individuals. The need to provide for tomorrow and the duty to the rising and future generations are central to African thought and society. But these things matter because of what they mean for human beings — and especially for poor and vulnerable human beings.

People are also in a basic sense means. Means to achieving improvements in their human condition through economic recovery and development. Labor and land are two of the three basic factors of economic production. From work applied to natural resources the third, capital, can be won and embodied in productive assets: tree crops and transport systems, improved fields and power plants or dams, hospitals or health posts and factories, houses and shops, schools and mines. But the poverty, the malnutrition, the inadequate access to education of a majority of the people of Africa increasingly weaken their ability to work long, hard and productively. Their poverty increasingly forces them to abuse and destroy the land so the bone white of ruined, dead and dying land creeps wider across earth satellite pictures like the destroying cancer it is. By rending the fabric of society, growing immiseration is equally surely breaking the cycles of production, of reproduction and of surplus generation and creating contexts in which all human rights, however defined, are always in danger of erosion or extinction.

To regard nutrition, health services and education as the fruits of development to be deferred until after high production has been attained is self-defeating. Only the well nourished, healthy and literate can consis-

tently and increasingly be efficient productive workers. To see access to pure water, reduction of women's workload and child survival as goals for after economic recovery is to ensure that there will be, at best, delayed and stunted recovery. Women worn out carrying water for miles, tending sick children and bearing replacements for those prematurely dead are not merely denied their rights as human beings but drained of the time and energy to produce more.

Similarly, to restore and to expand output requires the fuller participation in production of the poor — not their exclusion from it. To provide tractors and large irrigated farms for the few and to ignore machetes and jembes (cutlasses and hoes) and improved seeds for the many is economic madness. It cannot solve malnutrition (the poor will have no means to buy food) nor, usually, restore a viable trend rate of growth of agricultural output. To make this case against large public sector agricultural units and ignore its applicability to private is to become trapped in ideological tunnel vision.

Production matters. It requires exports as well as textbooks, lorries as well as basic drugs, efficient factories as well as jembes and machetes, taxes as well as protected wells. For some crops, in some places, under some conditions, large units and mechanization do make social and economic sense. The point is not to argue for basic services instead of production or production by the poor instead of by the not so poor. It is to stress that most present plans do the reverse. They fail to recognize the vital role of basic services and of production by the poor without which recovery will be limited and development (even in narrowly economic terms) virtually unattainable.

XII. Stabilization, Adjustment: And/or Instead of Restoring the Human Condition?

Economic malaise, crises and decline have weighed most heavily on poor and vulnerable people. When government resources are reduced, provision of basic services and maintenance of infrastructure are cut back, usually from the periphery. Feeder roads go first, capital city highways last. When health services face resource crisis rural health posts and clinics are usually hit first and central reference hospitals last. It is to the credit of some African states, medical services and communities (and their external cooperating partners) that there are exceptions to that pattern, but in general the greater the distance — geographic, gender, indigenous ethnic, social, economic or political — from the centers of power, the greater the cutbacks.

When production falters vulnerable people lose their employment, see the product of their self-employment fall, have their entitlement to food torn away. They have neither the resources to ride out a crisis nor the flexibility to adjust to new ways of earning a decent livelihood. Most have indeed adapted enough to survive; without that they would have died. But millions could not adapt; they have died. For the poor and vulnerable people of Africa death is very close, margins above survival very narrow. As the proverb puts it: give a rich man less food and he will grow thin; give a poor man less food and he will die.

Crises of falling export earnings and import capacity, eroding government revenues and inflationary deficits, inefficient policies and underutilized capacity are very real. But they are not more real nor more important than crises of rising numbers living in absolute poverty with rising infant mortality; of the re-emergence of killer diseases like yaws and yellow fever; of school systems near collapse and peasants without tools or seeds. They are part of the same human crisis. *The first crises exacerbate the latter; reducing the latter is necessary to addressing the first.*

Therefore, one basic test of all economic recovery and development programs is whether they will improve the human condition — make *poor people less poor and vulnerable people less vulnerable* by making it possible for them to produce more and by increasing their access to basic services as well as their control over program and policy formulation and ability to hold decision takers and professionals accountable. If a program cannot pass those tests in prospect, and also in operation, it is fatally flawed and itself in need of structural adjustment or total redesign. This test is stronger than whether the stabilization and adjustment programs are the basic cause of poverty (they are not) or of whether they address the problems of poor and vulnerable people directly injured by some of their components (important but inadequate). Human condition recovery must go step by step with production recovery or neither is likely to be either efficient or sustainable.

Because the plight of the poor and vulnerable is the most desperate and urgent it is useful to indicate more specifically who these people are. Most fall into seven groups:

- a. victims of prolonged drought and/or ecological degradation whose previous sources of income have been wiped out;
- b. poor, often female-headed households pushed by land shortages onto marginal or sub-marginal land — pioneers and victims of the “rural sponge” effect which has limited the rise of open unemployment/landlessness;

c. households in isolated or peripheral areas physically and institutionally at the end of the line for all goods and services;

d. small producers — usually primarily engaged in self-provisioning but also selling food even when they have a nutritional deficit, because it is their basic cash income source — unable to increase or even sustain output with declining access to inputs;

e. victims of war who are dislocated with loss of access to health, education and water as well as of land, herds, homes, tools, seeds and food stocks and plunged into a context of physical insecurity and psychological trauma while government resources and physical capabilities are debilitated by war bills and destruction;

f. “informal” urban sector members whose numbers have risen while incomes of the formal sector they served and supplemented fell and whose slum or exurb areas have become more crowded and less provided with basic services;

g. urban wage earners whose real wages have plunged so sharply they and other household members have had to add “informal” economic activities to limit the fall in their living standards in order to survive.

XIII. The Slippery Slope Revisited

How the economies of most African states and the human condition of most African people came to be so debilitated matters; not primarily to win debates or apportion blame but to understand how to win clear and “to look our mistakes squarely in the face lest we fall into repeating them” as Rector Rui Balthasar Santos of Eduardo Mondlane University put it.

The radical, general worsening of the situation dates to 1980. After very low growth over 1970-75, most African states made fairly rapid economic progress over 1976-79 and human condition indicators advanced — even if limited and unequally distributed. Since then all but a handful of Africa's economies have been on a declining path in terms of per capita output while poverty and vulnerability have been growing. Why?

One major answer — probably the dominant one on output per capita declines — is the 1979-88 evolution of the international economic environment confronting Africa. The 1979-82 recession and slow 1983-88 recovery in the industrial economies have had a disastrous impact on Africa's exports valued in terms of import capacity. Over 1976-81 a World Bank study showed several African economies — e.g. the Côte d'Ivoire and Tanzania — as among the worst affected. Many primary products' real values (import purchasing power per unit exported) are at fifty year

lows and the recent slight recovery in metals and virtually all projections give little promise of significant change. Industrial economy protectionism and dumping have hampered export diversification. The financial flow position has also worsened. Real net concessional finance per capita (grants and new soft loans less interest and repayment on old) declined sharply from the mid-1970s to early 1980s and have been stagnant since. Non-concessional flows have gone negative. Africa has a debt burden relative to exports greater than that of any other region. Payment on present terms is not possible and the attempt to sustain it is dramatically limiting imports, choking off recovery and worsening the human condition. That is not just the view of African governments, the ADB, the ECA and the OAU, but also of analyses by the World Bank, the U.S. Secretary of the Treasury, the British Chancellor of the Exchequer and a banker majority UN export group.

Drought — on a virtually continental basis — exacerbated the already unsatisfactory food production trend. After good years in 1985-86, 1987-88 again saw several droughts. Until food production levels in normal years — especially by poor peasants — are much higher, vulnerability of output to drought is reduced and holding of reserves (especially at peasant household level) augmented, this scourge will regularly derail or reverse recovery efforts.

For many African economies the macroeconomic and human costs of war are greater than those of any other exogenous shock. Nowhere is this as brutally clear as in Southern Africa. Mozambique and Angola production (excluding oil) is about half what it would be had South Africa not waged war against them — directly and by proxy. As detailed in UNICEF's *Children on the Front Line*, by the end of 1988 over 1,000,000 human beings were already dead as direct or indirect results of the war, up to 12 million driven from their homes, up to 8 million in danger of starvation. Other wars equally destructive of the human condition, including life itself, are less exogenous. The wars of the Horn of Africa, of the Sudan and of Uganda have roots which are indigenous centuries old. Even in these cases external action and inaction have raised the potential for destruction and made resolution of conflicts harder. The external actions include those of other African states as well as of great powers — e.g. Libya in Uganda, the mutual destabilization of the Horn states and *a fortiori* Morocco's colonial conquest of the Sahara Democratic Republic.

Not all causes are exogenous. African governments have made policy mistakes and have been too slow in responding to the worsening external context. In all candor, however, it should be noted that many of these decisions were taken on external advice and are now attacked by those

who once pushed them. With the adoption of APPER and of national rehabilitation, recovery and renewed development programs by a majority of African states, there has been substantial improvement on the economic policy front. That again is not solely the judgement of the OAU or the ECA; the World Bank and the United Nations General Assembly have said the same.

To date these *economic policies rarely give adequate attention to the human dimension nor enough priority to improving it*. That is no new weakness; it typified most development plans and programs of the 1960s and 1970s. Then, however, with less constrained resources and a less hostile international economic environment, the old export-led, dependent, central city and high-income-group-focused model was consistent with some improvement in human condition indicators in general and in basic services extension in particular. Today and tomorrow no such compatibility is likely to be within the grasp of most African states. Either the nature and priorities of development will be re-thought and acted upon on new premises or what economic growth there is will march hand-in-hand with rising levels of inequality and poverty, misery and instability.

One concrete example is health. Life expectancy is much lower and mortality much higher in Africa than in the industrial North. The largest single difference is in infant and under-five mortality. These are 30% of all deaths in Sub-Saharan Africa but only two or three percent in most industrial economies. The main causes are neo-natal tetanus, five epidemic diseases (including measles, tuberculosis and polio), malaria, impure water related morbidity (including diarrhoea), and malnutrition linked diseases and/or loss of resistance to disease. For older children and adults malnutrition and impure water related diseases, malaria, a handful of epidemic diseases and accidents treatable by first aid are the dominant killers.

Urban hospital care is largely irrelevant to reducing these death tolls in Africa — as it was in Europe. Yet it engrosses 60 to 70% of the typical African health budget. Primary health care (including first aid), basic drug lists and supplies, extended immunization programs, oral rehydration and simple health education (including sanitation) are of proven low cost effectiveness. But they receive 10 to 15% of the majority of African health budgets. The warning of Cheik Amidou Kane is even more timely now than when he first made it in 1985: "Frustrations and failure will mount if we do not immediately summon the courage to revise the ways we think and take action."

XIV. What Is To Be Done? Roads Back and Forward

To make the human condition integral and central to Africa's economic recovery and development requires a comprehensive political and socio economic strategy encompassing at least eight elements:

1. recognition that *people matter* as subjects and ends of and main means and actors to attaining stabilization, recovery and renewed development;

2. understanding that *throwing away* much of Africa's most basic factor of production — the *labor* of its people — by excluding the poor and vulnerable, is *economically wasteful and inefficient*;

3. acting on the reality that *marginal rates of economic as well as social return from enabling poor people to produce more are often high*. A real problem is making small, contextual, poor people centered projects visible to central decision takers and credible to bureaucrats and analysts — and making regulations compatible with implementing them;

4. comprehension that *health, education and pure water* are both human and social goods and *important* to maintaining present and raising future *economic productivity*, to making possible fuller participation in production by women who are the chief victims of illiteracy and on whose backs falls the burden of fetching water and caring for the sick;

5. focusing on *employment and production* not subsidies and relief, e.g. through employment programs to relieve drought losses and rehabilitate the economic base of poor households;

6. articulation of *short term priorities to lay foundations for long run sustained development*, e.g. in applied, field tested, peasant user friendly, producer cost effective agricultural research begun now to make it possible to sustain 5% agricultural growth in the late 1990s;

7. political as well as economic awareness that *participation in production by poor people is crucial* to underpinning their survival and the improvement of their human condition. Without it their social and political participation will remain limited and perpetually at risk;

8. comprehension of the *extreme economic inefficiency of rending the fabric of society* — strikes and riots, go-slows and loss of morale, steadily growing grinding poverty and recurrent economic disasters without human rehabilitation are devastating even in narrow economic terms.

The poor and the vulnerable are not amorphous masses, but groups of human beings. To fail to see what their needs are as perceived by themselves is to exclude them. To suppose their needs and capabilities are uniform is to render many people invisible. These errors and blindnesses are particularly frequent and serious with respect to women. *Most African women are excluded or invisible but also over-burdened and under-assisted*. Basic barriers to economic as well as human development posed by the excessive workload most African women bear are rarely recognized clearly. The implications of the gender division of labor in agriculture are rarely taken account of by agricultural research and extension. These elements

are central to serious efforts to improve the human condition. Three elements are crucial:

a. *universal access* — to literacy, to basic education, to primary health care, to pure water, to agricultural inputs, to fuel — is disproportionately beneficial to women because when access is limited they are disproportionately deprived of them;

b. serious attention to *reducing women's workload* — e.g. by closer water and health facilities, by programs (e.g. immunization) reducing child illness, by improving technologies relevant to female tasks (e.g. food processing, moving water and fuel wood as well as food production);

c. *central roles* for women in planning/decision-taking about projects and programs which primarily affect them, e.g. rural water supply and maintenance, sanitation, food crop research and extension.

The conceptualization above is not — especially in this full-blooded and consistently articulated form — dominant in Africa today. But neither is it absent or simply the importation of an external intellectual fad. In fragmentary forms, diverse formulations and different degrees of comprehensiveness and forcefulness it is both widespread and gaining ground from farmsteads to capitals, from the excluded to the intellectuals, from the marginalized to the powerful and in commitment and praxis as well as principle and prose. The Khartoum Declaration of March 1988 on the Human Dimension does embody priorities and perceptions which were not equally prominent even three years ago. However wide the gap between affirmation and action the movement is on both fronts not just affirmation.

XV. Accountability — Reconstruction — Pluralism

Accountability is used here in the sense of being able to select, sanction and remove leaders or major institutional actors. For accountability to be reliable and efficient requires both adequate data from the leaders on their actions in a form allowing independent evaluation/judgement and also a capacity for such evaluation/judgement by the recipients.

The case for accountability is not that all choices/decisions will be normatively just or even functionally desirable for those holding the leaders to account. Democracy neither needs to be nor can be defended on the basis that under it all decisions are just an/or functional in respect to the goals which led to their being taken. The case is that without accountability, democracy is at best involuntarily given by leaders — as is participation — and decisions are likely to be even less efficient from human condition/human rights perspectives. The relevance of pluralism is that

independent/autonomous organizations provide channels through which to route, and bases from which to press for, accountability.

XVI. Some Practical issues in Accountability

Accountability is fragmented, uneven, incomplete and feeble in SSA. Formal structural examination does not help understand many cases because the actual processes and accountabilities vary widely, e.g. the single Party states in Tanzania and Kenya afford very different degrees of power to enforce accountability to peasants absolutely and relative to other groups. Similarly ombudspersons, where effective at all, usually tend to provide access not primarily to the poor who would otherwise have none but improved access for diligent middle class members.

Severe processual problems arise among levels. For example, a society in which a political structure is relatively open and accountable from the base up and is explicitly superior to the governmental structures officially, should, on the face of it, guarantee accountability. But if each Party level can call each government level to account, incoherence and wide divergences in praxis are likely while otherwise the base-up-then-across and top-down way of holding accountable is cumbersome and slow.

Contextual differences with direct local accountability are hard to reconcile with national coherence and it is not safe to assume either that the latter is trivial or that the closer to the base political or governmental institutions/personnel are, the greater their concern with the human condition or feeling of responsibility to poor people. Acceptance of accountability and perception of responsibility does not lead automatically to meaningful acceptance of base level participation in operational policy articulation, formulation and decision taking, and still less to a guarantee that policies will in fact serve their intended beneficiaries well, cost efficiently or even at all.

External agencies have genuine problems in respect to client accountability. They already have accountability structures to governing councils and/or parent ministries. These are usually along standard inter-governmental organizational or national institutional lines. They do not (even when the council does include South governments) result in real accountability to any particular client on any specific issue even at national level. At best there is an openness to listen to client critiques and to try (on at best a voluntary normative responsibility basis) to respond to them. More rarely there is also involvement of clients in program design and results monitoring.

It is easier to criticize this pattern than to suggest alternatives. Multiple lines of accountability will lead to conflicts and conflicting demands. How

these can be minimized, guidelines for weighing different obligations devised and a workable conflict resolution procedure created is by no means self-evident, especially across an array of widely divergent host settings. Yet for some agencies in some host contexts to make the attempt is essential if operational progress is to be made.

XVII. Promotion, Empowering, Enjoining, Sanctioning

Achieving progress toward greater and broader effective access to human rights and a fuller and less precarious human dimension to rehabilitation and development require complex processes. The failure to realize and to articulate that realization is partly the result of the parallelism rather than interaction of the human dimension and human rights approaches. Advocates of the former stress rational explication and normative campaigning to promote change and resource allocations to empower it. They are less prone to considering structures to forestall, and procedures to enjoin, deviations from stated goals and still less prone to consider how offenders (or at the least offenses) could be sanctioned and grievances redressed. Human rights lawyers tend to stress sanctioning and enjoining (by court cases or public pressure) plus a different style of normative promotion with little attention to institutional means to prevent or limit harm and even less to resource provision to empower states, and societies as well as persons, smaller communities and enterprises, to achieve, to provide and to exercise human rights. Logically the two approaches are complementary but with little interaction to date. This is not obvious and they are often misconstrued as alternative or antagonistic.

Promotion (or consciousness and coalition building) is a first step toward realizing change. People — including groups with substantial cumulative actual or potential power — need to be convinced that: the change is *desirable*; as well as *practicable*; and will *serve their needs and/or interests*. Without that base the only way to achieve change is top down imposition (or small scale quasi-anarchic parallel system construction).

Empowerment involves: first, identifying what specific resources (by no means only financial or material resources) are needed to achieve what goals, by (and for) whom over what time span and, second, devising ways to mobilize additional or reallocate existing resources to those ends. This is no trivial matter — Damascus Road conversions are not always necessary (some governments and leaders, as well as many poor people, do believe in human rights and give priority to the human dimension) and are rarely sufficient. It does no good to seek to sanction a very poor country for

not instantly providing universal literacy, universal access to primary health care and universal adequate dietary entitlements. Persons and small communities (or enterprises) need political space to organize and to act, access to knowledge, trained personnel and genuinely supportive expert assistance in specialized areas, as well as material and financial resources. Societies and states need the same. The political space may be international (it is dangerous to be a radical democratic state socialist near the USA) or national (entrenched indigenous elite minorities and less inherently elitist bodies such as some trade and student unions can destabilize radical reformist governments — vide the road to the assassination of Thomas Sankara).

Promotion and empowerment are not enough. Genuine mistakes and hostile intentions (including vested interests in lethargy and an easy life as well as in enjoyment of exploitative profit or non-accountable power) exist. It is crucial to *avert*, *prevent* and *enjoin* actions or inactions which hamper, halt or reverse progress toward fuller attainment of human rights.

Prevention, not redress after damage, and structures leading to *appropriate initial actions not procedures for enjoining wrong ones* are the basic institutional and processual goals. Institutional structures which build in participation and accountability (as well as ones which ignore or prevent them) can be devised and operated. Resource allocation criteria in favor of the human dimension approach can be articulated and prospective policies, ongoing processes and retrospective evaluation of results monitored in that light. Institutions can *facilitate and create a normal pattern* of acceptable conduct. They can limit the number and degree of but *cannot avert deviations*. The processual goal is to identify and *enjoin* (socially, politically and legally) promptly and effectively by grievance raising, conciliation and injunctive relief procedures with power to provide prompt, equitable and effective resolutions of real or potential conflict accessible to poor people and their organizations as well as to weak minority peoples and communities.

There will be *violations* of human rights and *debasement* of the human condition. Need, honest error and greed combine to ensure that. To create incentives to avert their multiplying and to make public the challenges and threats to human rights/human dimension there must be laws, legal processes and accessible procedures to *sanction* these offenses. Compensation for damage done is sometimes an equally important component of effective redress, as is the imposition of criminal, as well as civil, penalties on gross offenders.

There is a need to *pay attention to causation*. Need-based offenses do not — with very rare exceptions — justify criminal sanctions. Hanging

every peasant who cuts down trees or bushes for fuel or house poles in ecologically at risk areas is neither an equitable nor a conceivably effective way of halting erosion, desertification (strictly speaking neo-desertification) or deforestation. (Indeed the wood requirement of gallows would be so great as to have the reverse effect.) *Empowerment* (in this case by silviculture education plus relevant seedlings, by state or community reforestation and erosion control, by alternative fuel provision and/or by selective, voluntary, assisted resettlement) is a precondition for halting need-based erosion of the human condition. When empowerment is in process, civil regulations are needed as is their enforcement. Fining those who chop down genuinely community planted and tended trees is hardly unreasonable and may be essential. Honest error should not be confused with greed or malice. Honest error after careful study and evaluation of options in a participatory, accountable context should rarely be sanctioned at all. To do so is to create an incentive never to decide but always to postpone or refer. What needs to be sanctioned is *negligence*.

Severe sanctions should apply to violations related to greed — for power, for non-accountability, or for material gain. The first goal is to *stop the offense* and the broader to avert (or at least reduce) its repetition. If major damage has been done, securing redress is important — from the offender if possible, otherwise from more or less innocent parties — in practice likely to be taxpayers or users of other public services if the state reimburses — more able to bear the cost than the initial victims. But *limiting future damages* to future victims is always central. Exposure to public opinion of a high profile sanctioning process is costly and the real risk of sanctions are perceived as good economic reason to allocate resources to avoid being sanctionable. The process matters by itself in addition to the impact of its outcome. Union Carbide has been shaken (almost to pieces) by the Bhopal case and other chemical companies appear to have decided that, at least to some extent, prevention and safety pay.

Sanctioning *institutions and structures* matters. The law's delay is proverbial. Thought (and action on it) as to what civil and criminal remedies are needed for human rights violations/human condition debasement is needed. The issues are complex — criminal law processes often do not cover redress to victims; in civil cases procedures other than standard gladiatorial court contests may offer effective redress faster. But *access* is crucial no matter how appropriate the institutions and procedures. Access to specialist personnel and to financing the costs of the process. Poor people do not and in any practicable and equitable legal system cannot, argue, finance, win major court cases by themselves. They need

specialists to support them and money to pay them, both of which are often unavailable in Africa.

XVIII. Pluralism — Potential Relevance

The role of pluralism is to increase the probability that persons — especially poor persons — will be able to organize themselves to act, to influence the actions of others and to hold other major actors to account. At the national, provincial and basic community level three clusters of issues or topics appear to be central: a) civil society and its room to organize and to act, b) accountability and, c) access to channels designed to protect empowerment.

Civil society is used here as a shorthand for freedom of self organization, self expression and self operated action initiatives especially, but not only, at base level. It need not mean pluralism in the North American sense and is no more inconsistent (or at any rate antagonistically contradictory) with decentralized, democratic single mass party systems than with bourgeois democratic structures.

The necessity of room for manoeuvre for civil society rests on two legs: first, people in base communities or action groups have knowledge of their own needs and potentials no one else does or can have, and second, unless poor people and marginalized groups are able to participate — in production, in mobilization, in decision-taking and in calling decision-takers (including their own leadership) to account, there will be *no objective and especially no institutional power base to protect their interests from counter-attacks* by other interest groups who are organized.

Room for manoeuvre requires self-organization and control over organizations. Some aspects require immediacy and operational autonomy. Even with local level freedom of action within nationally integrated single channel structures, it is doubtful whether this can be achieved or sustained and reasonably certain that it can be achieved more easily and sustained more securely with multiple organizational structures. The cases for specialization and division of labor and for competition are not inherently capitalist. Comrade Gorbachev seems to agree — albeit his case for quasi-pluralism is purely functional and within a control frame arguably too rigid for the sought quasi-pluralism to have adequate vitality and impact or even much staying power. The evident cases are religious and cultural organizations. Almost equally strong ones can be made out for economic interest (or sub-class) based organizations, for informational channels and for gender and age based groups. It is simply untrue that all local level organizations or actions need to be consolidated into provincial and

national structures so long as coordination and mechanisms to correct damaging inconsistencies exist.

Accountability faces two very real problems. Multiple channels and organizations do not guarantee internal accountability of any. Lack of accountability in SSA is frequently pervasive, not limited to central political institutions. There appears to be a correlation between political channel non-accountability and non-accountability of other organizations. This should not be cause for despair but it is cause for further reflection as to the conditions and contexts appropriate/conducive to achieving and sustaining accountability in various types of organizations, especially ones large and complex enough that direct, face to face accountability is impracticable.

Accountability takes time. It need not slow down action so much as to be dysfunctional. But while most members want accountability to be available, so long as leaders and officials deliver what are broadly viewed as acceptable results, only a small minority of members are willing to devote much time to enforcing and operating accountability. Unless an ongoing base level of accountability praxis exists it is wishful thinking that it can suddenly be turned on when things go wrong.

Protecting empowerment — especially of poor persons and groups (sub-classes) which are predominately poor or vulnerable — is central to a “human condition”/“right to development” oriented strategy and praxis. The impact of pluralism is, unfortunately, distinctly problematic. This is not inherent in pluralism but a probable result of partial pluralism in societies in which resource distribution (including time, knowledge and influence on/power over central political institutions) is radically unequally distributed. Trade unions are historically most effective at organizing employees with above average skills and wages. Their interests are unlikely to be identical to those of workers with lower skills and wages and *a fortiori* to those unemployed. In SSA non-wage predominantly labor incomes — i.e. peasants, other household producers, small scale enterprise operators — are central to more households than are middle and large employer wage payments. Their interests are in some areas analogous with those of trade unions but in others they really are competitive. The answer does not lie in suppressing or co-opting trade unions but in building up equally strong organizations in other labor income sub-sectors. Until that is achieved the view that trade union strength and freedom of manoeuvre may not serve the interests of the majority of poor households is by no means necessarily disingenuous.

XIX. Constitutions, Constitutional Orders and Pluralism

In SSA the average gap between constitutional orders defined as basic political/civil society goals and operating principles and constitutional

documents (constitutions) is exceptionally wide. Constitutions do not comprehend important parts of the constitutional order. Substantial gaps between constitutional (in either order or document sense) goals and practices exist and formal documents tend to lag behind praxis.

The argument that constitutions are used to mystify and to manipulate by dominant decision taking coalitions (often quite narrow ones) which have very different goals and preferred operating principles may well miss the bottom line. Many African constitutions are simply irrelevant. They do not in any meaningful sense represent the goals or operating principles of any significant interest groups/sub-classes, are not seen as relevant to constitutional orders and exist because it is believed that, like national anthems, coats of arms and flags, constitutions and "development plans" are something that states have to have for ceremonial and formal symbolic purposes.

The reasons for this situation are by no means obscure. Pre-colonial Sub-Saharan African polities rarely had written and often did not have formally codified oral constitutions. (The exceptions to the first rule were almost without exception both transitory and cases of pre-colonial neo-colonialism, e.g. the Fanti Confederacy and the Rehoboth Kaptaincy.) They had constitutional orders and frequently evolving, disintegrating or structurally changing ones, but formal constitutions of the Western type played negligible roles in them. In many cases the colonial states also literally did not have constitutions and where in some sense they did these were primarily pieces of administrative and organizational law. It cannot be asserted that the constitutional orders of the metropolitan states were the actual constitutions of the colonial states — very much *au contraire*.

The first round of independence constitutions, with few exceptions, were formed and imposed by the departing colonial state with limited input from the emergent domestic constitutional order. This did less than nothing either for their contextual appropriateness or for commitment to them or to constitutions more generally as documents of real significance. Exceptions include Ethiopia, but in that case the Imperial Constitutions were luxury consumer goods import rather like the western liberal/philosophy elements used as Christmas tree ornaments on the Tsarist state by Peter and Katherine the Great. Two other exceptions are Angola and Mozambique where revolutionary movements drafted and enacted them. While idealistic (in the technical sense of that term) despite their Marxist-Leninist form, they were seen as more serious documents and might have been so had both states not been engulfed by wars of resistance to external aggression. Arguably Mozambique has had an evolution of its constitutional order at least in part organically linked to constitution evolution.

Subsequent constitutions have rarely emerged from genuine reflective and participatory processes. This is fairly evident in the case of the products of coups and of elite revolutions but is of broader relevance. The post military government Ghanaian and Nigerian constitutions were in certain senses focused so heavily on averting repetition of particular routes to breakdowns which had led to military takeovers as to be only formalistically concerned with many basic goals, non-operable and remarkably open to new abuses and disintegrative tendencies.

This generalization does have exceptions. The post-independence Tanzanian constitutional reshapings (including the party constitutions) do arise out of the evolution of the constitutional order. Whatever their limitations, they are serious, related to reality and have a participatory and political power base grounding. The post Lancaster House Zimbabwean constitutional amendments (here perhaps especially the ZANU-ZAPU merger modifications to the surviving ZANU constitution) may well represent the start of a similar process.

XX. Constitutional Orders — And Their Imperfections

African states have constitutional orders. In respect to breadth of base (or more accurately narrowness), predictability of decisions, stability of procedures and scope or reach of the constitutional order, many are objectively weak and/or eroding. Some are disintegrating or excessively hard to define as other than pathological except in terms of a narrow group of beneficiaries, e.g. authoritarian kleptocracies in which the purpose of public office (however acquired) is private gain and the chief means of securing political (or military) support is fairly literally buying it. The most frequently cited cases are Zaïre, Sierra Leone and Liberia but despite its origins and initial démocratic patina the actual nature of the last Nigerian civil state tended in that direction and Amin's Uganda was an example whose short life related to over-use of violence, under-use of coherent tactics and failure to maintain workable relations with external patrons/protectors.

Self-serving decision-taking coalition-defined and enforced constitutional orders are common in Africa — and globally. The degree of narrowness and the particular makeup of the sub-class coalitions vary but the basic natures seem similar. Kenya, the Côte d'Ivoire and Guinea-Bissau and Burkina (today) are examples. Regimes — usually but not always authoritarian — without very clear, broad or stable sub-class coalition bases are not uncommon, e.g. Ghana (1982 to date), Burkina (of Sankara), Uganda today and in a very different way Malawi (at least

until 1986). Fragility and possibility of sharp change (from within the regime as well as by its mutation or demise) may be the only common features of such systems; certainly the substantive constitutional order goals of J.J. Rawlings and Hastings Banda have little in common.

A final category of limited, potentially pathological or pathological constitutional orders (in this case limited but in danger of more dire futures) is those which have had greater breadth, participation and scope but are disintegrating under external or domestic tension at or near the level of organized, large scale violence and/or disintegration of the resource base actually mobilizable by the state and its most important sub-class supporters. Post Nimeiri Sudan illustrated and post 1975 Zambia illustrates this pattern.

But healthier, more broadly based and arguably evolving/developing constitutional orders also exist. Zimbabwe, Mozambique, Tanzania and Botswana are all examples and a case can be made for including somewhat problematic cases like Senegal and Gambia.

Starting from a human condition/right to development approach the features of assent, participation, access, equity and operability needed to develop constitutional orders can be fairly readily articulated. However, because the starting points diverge massively (Sierra Leone is not Tanzania; Cape Verde is not Equatorial Guinea; Sudan is not Mozambique; Uganda is not Kenya) as do the present dominant decision taking coalitions, the concrete possibilities for, requirements of and constraints on short term mobilization and action vary widely. Except in a handful of cases, constitutional order reconstruction and development is a precondition for constitution reform to be effective. Seeking once again to substitute a legal engineering superstructure for a constitutional order infrastructure is no more likely to be productive now than over 1957-1988. Pluralism can play a role in building up the breadth and strength of the constitutional order. However, to do so many parallel channel and other independent organizations in SSA need to look first at their own constitutional orders. These are often just as weak, disintegrating or pathological as those of states.

XXI. Envoi

Neo-liberalism and growthmanship both face rapidly waning credibility and legitimacy in SSA. Right to development/human condition strategic and tactical approaches — the latter exemplified by the Khartoum Declaration — have gained substantial intellectual, policy maker and operational credibility and support. The roles of participation, self-organization,

decentralization and accountability in these approaches interact with participatory pluralism.

Where now is a question subject to intellectual examination, but from the point of view of those — predominantly Africans in SSA — whose well-being and in many cases literal survival depends on reversal of 1980s trends, the challenge is that of the Mara proverb cited by Mwalimu Nyerere:

Rabbit, where are you?
I am going to kill the Elephant!
Can you really do it?
Well, I'll try and try again!

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