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Real governance and practical norms in Sub-Saharan Africa: the game of the rules

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Key messages

- While proposals for development policy usually address the "state" as a coherent development actor, the gap between what is made visible or explicit and what actually happens on the ground may be quite large.

- The real policy-makers are street-level bureaucrats, at the lowest level of the policy chain. The concept of "practical norms" may help to orient analysis to these "last mile problems" of policy implementation.

- It is important to avoid the *rage de vouloir conclure* and first gain a better understanding of people's lived experience of public action and to explore the positive and negative sides of different aspects of this 'real governance'.

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This Analysis and Policy brief presents the main ideas of an edited volume on real governance and practical norms that was published this year at Routledge. The book traces the concept of practical norms back to the social science literature and the network of ideas from which it emerged, it extends the field of its application to other regions and sectors in Sub-Saharan Africa and it reflects on the concept's usefulness for researchers engaged in processes of improving public service delivery.

ROUTLEDGE STUDIES IN AFRICAN POLITICS AND INTERNATIONAL RELATIONS

Real Governance and Practical Norms in Sub-Saharan Africa

The game of the rules

Edited by Tom De Herdt and Jean-Pierre Olivier de Sardan

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"What you see is *usually not* what you get: State policies and legal norms may interact in a variety of ways with practical norms."

Although international development discourse considers the state as a crucial development actor, there remains a significant discrepancy between the official norms of the state and public services and the actual practices of political elites and civil servants. The state is counted upon to develop a coherent poverty reduction or development strategy, or both. Yet, one can also observe an increasing skepticism vis-à-vis development policies and more generally vis-à-vis public policy and public reforms, mostly prepared in Washington, Geneva, London or Paris, and characterized by standardized "blueprint" approaches and "travelling models"[1]. What you see is *usually not* what you get: the gap between what is made visible or explicit and what actually happens on the ground may be quite large. State policies and legal norms may interact in a variety of ways with sets of practical norms making up real governance.

Both social-science researchers and development practitioners recognize 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 actual practices of political elites and civil servants on the other. It is our contention that, beyond standard preconceptions of why this is so, we first need to study this gap in greater empirical detail in order to identify novel ways to inspire public policy changes grounded in local and national contexts. We argue that the concept of "practical norms" can facilitate this project and help us to avoid the *rage de vouloir conclure* so often observed in development[2], to cut short on further analysis and engage in action instead.

Interpreting the problem of the gap

Border sign at the Angola-DRC border, September 2015.
Official rules may exist on paper, people's interpretations of them determine how they exist in practice. (©Toon De Herdt)

Indeed, two interpretations of the "problem of the gap" dominate in the development literature, both of them temptations to forego further analysis. A first approach is to interpret the discrepancy as a sign of social disorder. The situation is then described in terms of 'poor governance', or corruption, implicit reference being made to the allegedly Weberian model of statehood in the global North. The ultimate state of disorder is reached in states that are said to "fail" or "collapse", leaving a "vacuum of authority"[3] that would correspond with the proverbial *homo homini lupus* situation of simple normlessness. Accordingly, the African state needs to take the Westphalian state as reference point.

A second, more academic, approach rather tries to argue that the "social disorder" apparent in the discrepancy in fact reflects an incommensurability between the logic of a Weberian bureaucracy and a *longue durée* logic specific to African cultures, circumscribed by expressions varying from *sui generis* descriptions like 'politics of the belly', 'imported state' or 'economy of affection', to more neutral concepts like 'clientelism' 'informality', and 'neo-patrimonialism'. The general policy implication of such an analysis is, then, to find ways to "work with the grain" of the *longue durée* in planning institutional change[4].

These two perspectives concur in their claim that many social problems in Africa are rooted in governance issues. This is a point we agree with, but they explain them either by the lack of norms or by the presence of cultural norms incompatible with a modern state administration. We also think

> **"The gap does not signal a lack of norms, but rather an excess of them"**

that both arguments are either wrong or very partial and not generalizable. It is important to take a more detached look at the discrepancy between public norms and effective practices, and investigate the gap between them empirically first. We concur with the second view in that perhaps the discrepancy does not signal a lack of norms, but rather an excess of them. On the other hand, the diagnosis of a *longue durée* logic specific to African cultures cannot pay due attention to the observed heterogeneity in real governance and its modernity. The landscape of African governance is plural and multiform: It is composed of multiple dimensions, some of them convergent and others contradictory; it is also the product of local, sectorial and individual micro-dynamics and innovations, some of them being palliative answers to institutional failure or to 'normative double-binds'; and finally, on every front it faces a pluralism of forms of action. All this amounts to a permanent re-assembling of the social order out of a variety of already existing logics and practices. And most intriguingly, none of all this can be called typically African: almost 40 years ago, Weatherly and Lipsky proposed to turn the usual analysis of policy implementation on its head: in their study of an innovation in the US education system, "the lowest levels of the policy chains are regarded as the makers of policy and the higher level of decision-making is seen as circumscribing... the lower-level policy-making context"[5].

Practical norms

An approach departing from practical norms wants to start from local realities and effective practices of public agents. The book argues that the concept of practical norms is an appropriate tool for an ethnographic investigation of public bureaucracies, interactions between civil servants and users, and the daily functioning of the state in Africa. It demonstrates that practical norms are usually different from official norms, complementing, bypassing and even contradicting them. Yet many practices are at least patterns of behaviour, they have some permanence, they are kept in place by particular mechanisms and people take them for granted. Practical norms are informal regulations/regularities of routinized practices not complying, at least partly, with official norms. They are latent and implicit. Although some social norms may become practical norms, social norms are different from practical norms, because they are explicit and public.

We conceive of the concept of practical norms in the first place as a powerful pointer to the need for empirical research that is capable of capturing the complexity, variety, ambiguity and modernity of the observed patterns of behavior of public agents in Africa. Can they be traced back to particular strategies or settlements or do they simply reflect habitual patterns? More in particular, given the importance of practical norms for real governance, it is especially important to focus on the way in which they evolve over time. Such research would also be a necessary step towards imagining new directions in thinking about development and change as context-dependent process. Development interventions and public policies often bring in new official norms or insist on respecting norms already in place. Our proposal is instead to *first* gain a better understanding of the processes at work in confronting norms and practices and to focus on ways to deal with them or through them, thereby connecting more closely to people's lived experience of public action. In addition, the concept of practical norms invites to explore the positive and negative sides of different aspects of this 'real governance'. Some practical norms are inducing a bad delivery of public services, while

others are "palliative", and contributing to some delivery in destitute settings. The concept of practical norms offers an instrument for identifying and understanding governance without preconceived value judgments.

Case studies

The book does not just engage with the debate on real governance and practical norms, it also demonstrates the value of analyzing real governance in practice. Thus, we learn about everyday governance of health care facilities in Niger and South Africa and how health personal develops its own practical norms to overcome the dilemmas of care-giving in a context of an acutely underfinanced medical service. We see how the do's and don'ts of forest guards in Senegal are determined by too much rather than too few accountability mechanisms and how the reality of human rights is given shape by Ugandan prison guards. We hear about the practicality of "practical hybrids" in water governance and Zimbabwe and we get to know how the Congolese state, reputed by its absence, is put to work in the gold sector and in peace courts. These case studies demonstrate the relevance of studying real governance and practical norms as well as to the usefulness of such exercises when engaging in processes of improving public service delivery.

Endnotes

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2. Hirschman, A.O. (1963) *Journeys towards progress.* Twentieth Century Fund, p.238

3. Rotberg, R. (2003) Failed states, collapsed states, weak states: causes and indicators. In Rotberg, R. (ed.). *State Failure and State Weakness in a Time of Terror.* Cambridge MA: World Peace Foundation.

4. Booth, D. (2009) *Elites, governance and the public interest in Africa: working with the grain?* APPP Discussion Paper n° 6.

5. Weatherly, R. Lipsky, M. (1977) Street-level bureaucrats and institutional innovation: implementing special-education reform. In: *Harvard Educational Review* 47(2), pp. 171-97, p. 173.

Further reading

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