COLONIALISM AND CIVIL SOCIETY IN AFRICA: THE PERSPECTIVE OF EKEH'S TWO PUBLICS

by

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INTRODUCTION

One of the most widely cited and influential works on African politics is Peter P. Ekeh's article, "Colonialism and the Two Publics in Africa: A Theoretical Statement", which was published in *Comparative Studies in Society and History* (vol. 17, no. 1, 1975). The strength of the article lies in the original and profound insights it offers in the explanation of what Ekeh himself calls the 'unique' nature of African politics, which has ethnicity, nepotism, and corruption as underlying elements. By focusing on the fractured social foundations of politics, Ekeh was one of the African pioneers of a perspective that has blossomed in such frameworks as patrimonialism (Bratton and van de Walle, 1994) prebendalism (Joseph, 1987), economy of affection (Hyden, 1980), politics of the belly (Bayart, 1993), the instrumentalization of informal politics (Chabal and Daloz, 1999), and the disorientations of civil society, all of which seek to explain the pathologies of state and politics by alluding to the dynamics of internal social structures.

The key question is why the state is soft and ineffective, a soft state being "one in which formal rules…are applied copiously and in a lax manner rather than vigorously and consistently…one in which private advantage can be gained and private bargains struck concerning the enforcement or non-enforcement of the rules…Besides money, another inducement is kinship sentiment and another is the favour of superiors" (Goldthorpe, 1975:265; also Mrydal, 1968:101ff). Other related questions have to do with contested citizenship, which is the essence of the National Question in many countries, and the disconnection between the ruling classes and most ordinary peoples, which manifests in an endemic crisis of state ownership. Ekeh and other scholars of the social formations persuasion attribute the soft state and its associated problems to the distorted social order and related pathological political, economic and social relations.

But while many regard the distortions as indigenous and original to African social formations, and argue that the state and politics have been appropriated according to African precepts and interests (see especially Bayart, 1991), Ekeh locates them as enduring legacies of colonialism. For him, colonialism turned African society upside down and inside out, and marked a re-invention of social formations that have endured in various ways till this day. The interrogation of colonialism in this epochal manner, and as the source of the constellation of contemporary social, political and economic forces, represents one of Ekeh's greatest contributions to the study of African politics. One of the objectives of this paper is to underscore the importance of this contribution in the area of civil society whose recent entry into African social science discourse as an arrowhead and defender of liberalization and democratization has provoked a great deal of debate over the nature of civil society *as an African formation*.

The argument to be made, which is a follow up to an earlier one (Osaghae, 1997), is that Ekeh's theory of the two publics in Africa provides perhaps the most useful perspective for analyzing the uniqueness of civil society in Africa in terms of its colonial origins, structuration and functions. In particular, it enables us to see why civil society has functioned more or less as an exit site and shadow state, why, unlike civil society in the West, ethnic forces feature prominently in its structuration, and why civil society is an arena of fundamental contradictions and contestations and, therefore, why it is far from the cohesive or consensual formation sometimes sketched in the literature. The rest of the paper is divided into three sections. The next section sketches the conceptual assumptions and building blocks of the theory of the two publics. This is followed by a critical examination of the theory. The final section discusses the implications of the two publics and for civil society as a measure of the continuing relevance of Ekeh's theory.

GETTING BEHIND THE THEORY: EKEH'S BUILDING BLOCKS AND ASSUMPTIONS

The significance of Ekeh's theory of the two publics emerges clearly when it is located within the broader field of the study of African politics. The field has been distinguished by a number of key features, three of which will be briefly highlighted. One is the imprint of colonialism which, it is generally agreed, provides a useful framework for analysis. Indeed, despite the resilience and importance of certain pre-colonial and indigenous social formations and 'traditions', which continue to influence political relations, the character and pathologies of contemporary African politics are believed to have taken roots from and been shaped by colonialism. Second is the emphasis on the state, which not only embodies the full strength and instrumentality of colonialism, but is quite rightly regarded by many scholars as the main arena of politics. This is in view of what Bayart (1986) refers to as the totalizing tendency of the state, that is, the attempts by its power holders to subordinate and domesticate the entire public sphere and control not just politics but the economy and society also. Young (1994) describes similar tendencies on the part of the "integral state" that "seeks to achieve unrestricted domination over civil society".

Thirdly, explanations of African politics draw heavily from analogy with Western experiences disguised as universal experiences, what Mamdani (1996:9) calls "history by analogy". This is partly a reflection of the long-drawn dominance of the modernization paradigm which posits the West as the fulcrum of world history and development, but it also follows from the dependent status of African states in the hegemonic global system and the fact that many of the present-day political institutions and processes were imported from the West, which has remained the source of political, social and economic flows. The main concern of analogical analysis is not however to mainstream African formations as historical latecomers in a world history that assumes convergence in supposedly universal categories, but to exceptionalize them as deviant cases. The flaw in this form of analysis is the tendency to underplay or peripheralize the history of the analogous or deviant case which is assumed to lack both "original history and an authentic future". Accordingly, it is approached "not in terms of what it was but with reference to what it was not" (Mamdani, 1996:9).

Ekeh critically engages these 'canons' of African political studies. First he characterizes colonialism as an epochal event whose supra-individual consequences have lingered on in fundamental ways long after actual colonization and the colonial situation have ceased to exist. Moreover, colonialism has turned the course of African history by definitively and paradigmatically separating the pre-colonial from the post-colonial, and by inserting African histories into an integrated world history. It is in these terms that, as he summarizes, colonialism is to Africa what the industrial revolution and French revolution were to Europe. In fact, Ekeh's writings, of which the two publics was only a beginning, have been distinguished by the primacy he gives to colonialism in the analysis of African politics and social formations (see Ekeh, 1978, 1983; Sklar, 1985). In relation to politics, he argues that "It is to the colonial experience that any valid conceptualization of the unique nature of African politics must look" (1975:93).

Sklar (1985:1) points out that Ekeh's accent on colonialism "marks a significant breakthrough toward post-colonial freedom in political thought and analysis; it acknowledges that colonialism produced 'enduring social formations" (for a similar view, see Osaghae, 1993). Ekeh does not however regard colonialism as a one way traffic in which the colonizers held sway, as notions of imposed colonial structures which limit the roles of Africans to those of passive actors and subjects in the colonial process suggest. Rather it was a terrain of hegemonic contestations in

which the colonizing elite and colonized elite traded ideologies or interest-begotten justificatory theories of legitimation and struggled for supremacy[1]:

> In many ways, the drama of colonialism is the history of the clash between the European colonizers and [African] bourgeois class. Although native to Africa, the African bourgeois class depends on colonialism for its legitimacy. It accepts the principles implicit in colonialism but it rejects the foreign personnel that rule Africa. It claims to be competent enough to rule, but it has no traditional legitimacy. In order to *replace* the colonizers and rule its own people it has invented a number of interest-begotten theories to justify that rule (Ekeh, 1975:96).

The colonial ideologies of legitimation, by which the colonizers sought to justify alien domination, hinged on a number of fairly well known claims. First, colonialism was a civilizing mission to save Africans from a past of backwardness and inter-tribal wars. To strengthen the civilizing mission argument, the contributions by Africans to the building of Africa was denied and only became significant when it was part of colonial exploits: "The essence of colonial history is the demonstration of the massive importance of the European 'intervention' in Africa and of the 'fact' that African contributions to the building of Africa have relevance only when seen in the context of a wider and more significant contribution of the European colonizers" (1975:97).

This point is illustrated by the catalogue of 'discoveries' of African landmarks and waterways by European explorers, which amounted to inviting the African "to see his own people from the point of view of the European. This was a classical case of history by analogy. Another colonial legitimating claim was that the colonies reaped greater financial benefits from the colonial enterprise than the colonizers did. This involved a downplaying of the labour and taxes exacted from the colonized as well as the exploitation of resources and the under-pricing of commodities produced by African peasants. The final claim had to do with the distinction between the native and the Westernized, the whole purpose of colonization being the selective assimilation of the civilized native into the ranks of modernity.

The African bourgeois legitimation ideologies, on the other hand, challenged those of the colonizers on two fronts: first to justify the replacement of colonizers in the anti-colonial struggles, and second to legitimate the hold of the emergent ruling classes on state power in the post-colonial period. The former included the claim that the African bourgeoisie had attained sufficiently high – equal but not better – standards to take over from the Europeans, which set the pattern for mimicking Western standards[2]; the strategies of independence which included discrediting and sabotaging the colonial regime such that tax evasion, strikes, insubordination to colonial authority and the like were accepted as heroic and worthy of emulation; and the el dorado-like promises of independence, which were made to garner the support of the masses, but whose immediate effect was to make the citizen believe that rights were far more important than duties, and to heighten expectations (see Ade-Ajayi, 1982 for the expectations of independence and what became of them). The post-colonial legitimation ideologies were greatly influenced by the divide and rule strategies pursued by the colonizers in the twilight years of colonial rule. They

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[1] Ekeh believes that the legitimation contestation was crucial to the success of the colonial (and anti-colonial) ventures. As he argues, "the successful colonization of Africa was achieved more by the colonizers' ideological justification of their rule than by the sheer brutality of arms" (1975:96).

[2] As Ekeh puts it (p.102) "The African bourgeois, born out of the colonial experience, is very uncomfortable with the idea of being *different* from his former colonizers in matters regarding education, administration or technology".

involved, first, the demotion of tradition as a basis for legitimacy and, in its place the elevation of Western education (this put paid to the rival claims of traditional authorities that had been propped up to challenge the new men of power). The second element was the ethnic domain-partition ideology by which the divided emergent ruling class sought to exploit the colonially constructed ethnic categories, stratification and all, as a basis for claiming power – ostensibly on behalf of the group.

The consequences of the contesting claims of the colonial and African bourgeoisie were fairly obvious. The efforts of the African bourgeois class led to the disparagement and demonization of the colonial administration or Westernized order as *amoral* while the native sector, whose modernized form was the (new) ethnic group, became the reservoir of *moral* obligations, "a public entity which one works to preserve and benefit" (p.100). A dialectical relationship subsequently ensued as the Westernized sector became "an amoral civic public from which one seeks to gain, if possible in order to benefit the moral primordial public". As it were, the evolution of the two publics was one of the major fallouts of the ideological contestation between the colonial and African bourgeois classes. The emergent bifurcation of publics also took its toll on the post-colonial state, as the disenabling strategies of independence were transferred to the post-colonial period. Thus, it has proven difficult to get the citizen to be patriotic, work hard and be faithful to public service, pay taxes and oblige the state with other duties. The transfer of these pathologies was made easier by the fact that the African bourgeois class did not antagonize the precepts of the colonial state but only its alien personnel which it eventually replaced (a similar point is made by Ake who says the transition from the colonial to the post-colonial state involved a 'change of guards' rather than a reconfiguration of the state).

With regard to the second 'canon', the state-centric character of African politics, Ekeh's approach is to explain why the public sphere where the state is located has come to be as it is. In other words, the state is a dependent variable whose form and character depend on its social foundations. This society-based approach offers a different interpretation of politics from that based on the state which tends to exaggerate the authority and effectiveness of the state. The society-based approach shows that the state is soft, weak and ineffective due largely to its fractured social foundations. The relevant society in Ekeh's theory is not however restricted to the private realm, which constitutes the source of societal morality; it is more civil society which shares the public realm with the state nature. As it were, the form and character of the state depend largely on the nature and functions of civil society and its relationship with the state. We shall leave further elaboration of this point until the next section.

Ekeh is also an adherent of the analogical approach. Underlying the theory of two publics seems to be an expectation that the public realm in Africa – perhaps as a product of the historical intercourse with the West – should have manifested the character of a single public as is the case in the West. The whole purpose of the theory of the two publics would then seem to explain the African deviation, especially as the African case is likened to the peasant commune of Montegrano in the Potenza province of southern Italy whose "amoral familism" as analyzed by Banfield (1967) is an "anomic exception" to the European rule of a single public governed by the morality of the private realm. This interpretation of Ekeh's theory however misses his overall point, which is to explore the two publics as one of the lasting legacies of colonialism. Colonialism and its resulting social formations have a history that is entirely their own and is not reducible to the history of either European colonizers or to that of the colonized.

Moreover, unlike many other scholars in the analogy mode, Ekeh is conscious of "the singularity of other civilizations" as espoused by Aron (Conant, 1978:215) and, therefore, of Carr's (1990:62) admonition that analogies are "a notorious trap for the unwary". Accordingly, he

rejects "history by analogy" and notions of "objective" history and focuses on the concrete history of the African situation as deserving of narration from its own perspective. As was pointed out earlier, while not undermining the enormous powers of the colonial regime, Ekeh rejects the view that Africans – bourgeois classes and masses alike – were passive recipients of an imposed order. They robustly engaged the Europeans, as the trading of legitimation ideologies considered above, the various resistance movements, and the evolution of "emergent social structures" which were neither imported from the colonial metropole nor indigenous, clearly show. It follows, therefore, that a colonial history which analyzes African historical landmarks from the point of view of their intersection with European – or "world" – history cannot be valid. This is because colonial history was slanted to serve the ideological purpose of legitimating European colonial domination. Although he does not state it so explicitly, it can be implied from Ekeh's conclusions that the liberation of African history from the stranglehold of Western hegemony is a necessary condition for the liberation of the post-colonial order and social formations.

THE THEORY OF THE TWO PUBLICS

The foregoing provides the backdrop and context for the theory of the two publics. Due largely to the disjunction between state and society – or the public realm and private realm – under colonialism, the public realm unlike that of Western society developed as two publics rather than one. On the one hand is the primordial public which is "closely identified with primordial groupings, sentiments and activities which nevertheless impinge on public interest" to the extent the groupings, ties and sentiments influence and determine the individual's public behaviour. This public, whose major constituents are ethnic, communal and hometown development associations, owed its origins to the alienating nature of the colonial state and its failure to provide the basic welfare and developmental needs of masses of ordinary peoples.

As it were, it evolved to fill the gaps created by colonialism and functioned as an *exit site* for those who felt alienated from the state as well as a parallel or *shadow state* that provided the public goods and services (such as schools, dispensaries, scholarships, and micro credit) the state failed to provide through self-help efforts and resources corruptly and criminally expropriated from the state (cf. Osaghae, 1999). Two elements distinguish the primordial public. One is the strong sense of ownership by members of its constituents who fiercely resist state intrusions other than those that are of immediate benefit. The other is that the primordial public "is moral and operates on the same moral imperatives as the private realm". Here, social exchanges are based on the mutual reciprocity between rights and duties part of which is a morality responsibility on the part of individuals in positions of influence to ensure the collective and individual well-being of members of the group.

In contradistinction to the primordial public is the civic public, which is "historically associated with the colonial administration and which has become identified with popular politics in post-colonial Africa" (p.92). Although Ekeh does not say that the civic public is coterminous with the state, the state agencies or so-called civil structures on which it is based, namely the civil service, police, military, and so on, suggests its close association with the state. Indeed, its "historical association with the colonial administration" implies that the reference is specifically to the colonial state whose alien origins, military-authoritarian character and role in furthering the interests of the colonizers rather than the colonies disconnected it from the 'natives' and civil society. If the post-colonial civic public continues to suffer from the problems that Ekeh identifies with it, the implications will be that the post-colonial state has the character of the colonial state, and that the anomalies of the colonial state are the sources of the problems of the post-colonial state. These points are popular in the explanations of the pathologies of the post-colonial state in Africa (cf. Young, 1994b; Osaghae, 1989; Ake, 1985). But while the state is the mainstay of the

civic public, it is also obvious from Ekeh's usage that it is neither coterminous with the state nor restricted to it. The civic public is meant to capture the totality of the non-native public whose institutions are governed by legal-rational rules.

The key marker of the civic public is that it suffers from an endemic crisis of ownership. Partly as a consequence of the independence strategies pursued by the nationalists, most ordinary people do not claim ownership the public the same way they claim the primordial public. Indeed, an 'us' versus 'they' differentiation characterizes relations between the people and the civic public, where the 'us' is the primordial public whose ownership, autonomy and sustenance are jealously guarded. Secondly, the civic public "is amoral and lacks the generalized moral imperatives operative in the private realm and in the primordial public". Coupled with a feeling of non-ownership, this amorality is conducive to the opportunistic, lawless, prebendalist, corrupt and plundering tendencies that have come to characterize behaviour in the public sector. Thus, the individual feels no moral urge to reciprocate the benefits he receives, and behaviour that would be regarded as morally reprehensible in the primordial public, such as embezzlement of public funds, is permissible to the extent that the larger group directly or indirectly benefits from the loot[3].

The contradictory pulls and demands of simultaneous membership and operation in the two publics underlie the pervasive problems of ethnicity ("tribalism") and corruption, especially as primordial constituents expect members of the group in influential positions in the civic public to employ state resources to further private and communal interests. Moreover, the operations of the two publics impinge differently on notions of citizenship in terms of the correspondence between rights and duties. On the one hand, individual duties to the primordial group – such as payment of 'voluntary' contributions to the finances of hometown associations are not generally problematic and far outweigh the intangible benefits ('rights') of identity and psychological protection. In effect, the accent is on the duties of the individual to the group and less on rights. By contrast, rights, especially those with material gain are emphasized in the civic public, and the individual's duties are problematic:

> While many Africans bend over backwards to benefit and sustain their primordial publics, they seek to gain from the civic public…While the individual seeks to gain from the civic public, there is no moral urge on him to give back to civic public in return for his benefits. Duties, that is, are de-emphasized while rights are squeezed out of the civic public with the amorality of an artful dodger. (p.107).

Ekeh attributes the instrumentalist character of citizenship in the civic public to the underlying amorality of the public, but it is also a product of the anti-colonial legitimation ideology pursued by the African bourgeoisie, which encouraged an adversarial, amoral and predatory relationship with the state even while encouraging a perception of it as a Santa Claus (Osaghae, 1995).

The 'realness' of the theory of two publics in terms of the outcomes of the dialectical confrontation between the two publics, is illustrated by how it underlies 'tribalism', the activities of voluntary ethnic associations and corruption. A lot has already been inferred and elaborated on the implications of the two publics for these issues that only brief recaps are necessary here. Tribalism is said to arise "where there is conflict between segments of the African bourgeoisie

[3] As Ekeh points out, a plunderer of funds in the civic public "would not be a good man were he to channel all his lucky gains to his private purse. He will only continue to be a good man if he channels part of the largesse from the civic public to the primordial public…The unwritten law of the dialectics is that it is legitimate to rob the civic public in order to strengthen the primordial public" (p.108).

regarding the proportionate share of the resources of the civic public to differentiated primordial publics" (p.109). That conflict is generated by a pervasive sense of insecurity that afflicts the bourgeois elements. The tenacity of voluntary associations which emerged as shadow states also owes a lot to their being organs of security for the African bourgeois classes. Finally, corruption exemplified by embezzlement of public funds and bribery, "arises directly from the amorality of the civic public and the legitimation of the need to seize largesse from the civic public in order to benefit the primordial public" (p.110). The honesty, altruism and patriotism, which may be regarded as the building blocks of morality, are concentrated in the primordial public where strong moral sanctions including ostracisation are applied to those who dare to embezzle the funds of hometown and ethnic associations.

The theory of the two publics has been generally well received and cited for the profound insights it gives into the problems of post-colonial state and politics. It has nevertheless also received some flaks. First, it has been pointed out that the agency role of the African bourgeois class in the explanation of "tribalism" is overstressed (Osaghae, 1991; Nnoli, 1998). There is abundant evidence to show that the province of ethnicity is not the monopoly of manipulative elites and that the non-material impulses for ethnic mobilization are as important as the instrumentalist uses which Ekeh emphasizes. Besides, there has to be a meeting of elite and non-elite interest for ethnic mobilization to succeed. Secondly, it has been argued that the quest to benefit the primordial public which Ekeh emphasizes is only one – and perhaps not the most important – of the several reasons for corruption (Osaghae, 1995). His overriding concern with 'constitutive' interests, which for him is a necessary part of the anti-colonial legitimating ideologies of the African bourgeois classes, leads Ekeh to underplay the personal interest factor and other factors in corruption. Most cases of embezzlement, bribery and fraud are individual personal projects and have little to do with constitutive primordial interests.

Thirdly, Joseph (1987:184) has questioned Ekeh's assumption of a public, arguing that the two publics actually overlap. Although it is conceptually so, the existence of the two publics is not really Ekeh's creation. It is real, and can be seen in the differential attitudes and relations that most ordinary Africans have toward their primary communities (the 'us') and government (the 'they')[4]. This has been acknowledged as a major factor in the low levels of national cohesion in several countries. Among the Igbo of Nigeria, a distinction is made between *olu obodo* (community realm) and *olu oyibo* (European realm), which respectively correspond to Ekeh's primordial and civic publics. In recognition of the divisive and debilitating consequences of the coexistence of the two publics identified by the Igbo, the administrator of the then East Central state admonished the people in 1972:

> We must now reject for all time the conception of the state as a foreign institution standing outside the community and whose money, property and goals are not the direct responsibility and concern of the community. The community is the government and the government is the community. It is no longer *olu oyibo*. Government business is truly and properly *olu obodo* (cited in Oyediran and Gboyega, 1979:178)

Contrary to what Joseph says, Ekeh does not deny that the two publics overlap, not the least because the same actors operate in the two publics. Instead, his point is to emphasize the

[4] In most parts of Nigeria, government is characterized as an alien contrivance that has no "father" or "mother". Consequently, it is said, government's business is nobody's business, and people are not expected to work hard for it or defend its interests. It is only the ethnic community that is worth working hard and dying for.

dialectical nature of the relations between the two and the unwholesome consequences they have for politics.

Another criticism advanced by Joseph is that the roots of some of the problems identified by Ekeh as products of colonialism actually lie in indigenous social structures. To the extent that this argument is partly derived from the ahistorical assumptions of modernization theory, Joseph shares this view with scholars like Bozeman (1976) and Bayart (1991) who emphasize the primacy of African social formations in the appropriation and pathologies of the post-colonial order. But the view either ignores the epochal effects of colonialism or simply downplays them. The point is that only a few of the social formations in Africa today can be regarded as truly indigenous or autochthonous (see Ekeh 1983 for a full elaboration of this thesis). Colonialism created new demands, and presented new challenges and opportunities which transformed indigenous social structures in fundamental ways. The disjuncture between state and society, and the development of the public realm as two publics rather than one are consequences of that colonial interface. Indeed, Young (1988) has traced the amorality of the public realm not even to the interface of indigenous and imported social structures, but to the failure to import the state apparati along with the moral envelope from Europe.

Although they are important, the criticisms of the two publics are not fundamental enough to invalidate the theory or diminish the importance of Ekeh's effort at establishing the primacy of colonialism in the explanation of what might very well be Africa's unique politics. The theory is particularly powerful in explaining the salience of ethnicity and corruption as political instruments, the fractured character of citizenship that produces bad citizens rather than good citizens, and the problems of national cohesion. But, given the long time that has elapsed since Ekeh wrote, and the changes and transformations that African states and societies have undergone through processes of democratization, structural adjustment, privatization, and globalization, are the two publics still valid categories? To answer this question, we have to determine if the disjuncture between state and society has been bridged, if the civic public and especially the state has been appropriated and its ownership claimed by the people or it is still alien, if the relevance of voluntary ethnic associations and their shadow state functions has diminished, and if the problematic linkage between the citizen's rights and duties in the civil public has been 'normalized'.

The common thread that ties these problems together is the state of the post-colonial state. Empirically, the state has become weaker, softer, more divided and contested and generally unable to perform the functions of a normal state, which is why it has become fashionable to describe the state as collapsed or failed (cf. Zartman, 1995). Largely on account of this and the increasingly desperate material conditions under which people have to eke out daily living, its relevance for the vast majority of citizens has dwindled. Correspondingly, the relevance of ethnicity and its shadow state structures – Ekeh's primordial publics – has increased tremendously to the point where, as in Kenya's Harambee!, the state is forced to acknowledge the legitimacy and contributions of its primordial development institutions (Ihonvbere, 1994; Osaghae, 1995b, 1999, 2003; Adekanye, 1995; Ottaway, 1999). This is not only because of the increased need for security felt by individuals in the desperate struggle for diminishing resources, but also the resilience of the self-help traditions of the primordial public, and the haven it provides for those exiting from the state and the civic public. All over the continent, it appears that people are becoming more retribalized and that the levels of detribalization which were thought to be on the increase in the 1970s have decreased. The unprecedented increase in conflicts and wars can partly be attributed to this.

In view of these developments, the theory of the two publics has become even more relevant and timeless. Its timelessness has been accentuated by its extended relevance in capturing and analyzing the unique features of civil society in Africa, which is one of the more recent perspectives in the study of African politics. Since this aspect of the theory of the two publics has yet to receive serious attention in spite of the controversies that have attended the emergence of a civil society perspective in African politics, it deserves some consideration. This is what the next and final section is devoted to.

THE TWO PUBLICS AND CIVIL SOCIETY

If Ekeh wrote in the late 1980s and 1990s, the central concept in his analysis of the two publics would in all likelihood have been civil society. However, at the time he wrote, civil society had not gained currency, and not surprisingly, the concept is not mentioned at all in the article. Yet, from all that has been said, Ekeh's seminal article was basically about how colonialism shaped contemporary civil society in Africa. The strength of the article is actually demonstrated by the powerful insights it offers into the nature of civil society in Africa especially in answer to some of the conceptual questions that have been raised in relation to the existence of that society. These include questions about the constitution of civil society and especially whether ethnic associations can be regarded as constituents; about the relations between the state and civil society; and about the ability of civil society to serve as a reform agent. As Ekeh (1992, 1994) has argued in his writings on civil society, these questions cannot be adequately answered until civil society has been historicized and contextualized in the light of African experiences (Fatton (1995) makes a similar point). The theory of the two publics is very helpful in this regard.

However, it is a little difficult to decide whether civil society belonged to one or both of Ekeh's two publics. Because he does not explicitly state that the civic public was equal to the state, it is possible that some part of it, presumably the non-primordial, non-governmental organizations such as labour and professional organizations, would have belonged to civil society[5]. This much is clear from the four-fold typology of civil society organizations he formulates in a later publication (Ekeh, 1992): *civic public organizations* (cf. labour, professional and student associations, mass media); *deviant civic associations* (cf. secret societies, fundamentalist religious movements); *primordial public associations* (cf. ethnic and communal associations); and *indigenous development associations* (cf. farmers' and traditional women's associations). But by 1975 when he wrote two publics, his focus was on the primordial public, and how the bifurcation of the public realm shaped what is today called civil society. It is the insights from the analysis of the primordial public on the one hand and its dialectical interface with the civic public on the other for civil society that we shall be concerned with.

To begin with, the focus on the primordial public as the mainstay of colonial civil society underscores the 'uniqueness' of civil society in Africa. Most definitions emphasize publicness, civility, nationalness, homogeneity and cohesiveness as key to the definition and structuration of civil society and, for this reason, exclude ascriptive and particularistic associations and movements which are said to constitute an obstacle to the emergence of a true civil society composed of cross-cutting, class-based organizations built around a nationalistic middle class (cf. Diamond, 1996:230). In effect, ethnic and religious organizations do not, by definition, belong to civil society. But Ekeh's study of the circumstances under which the primordial public emerged suggests that ethnicity was very fundamental to the development of civil society in Africa, a conclusion which

[5] This possibility is reinforced by Ekeh's (1994:4) own definition of civil society as comprising "free associations whose operations have the consequences, whether intended or unintended, of promoting individual liberty and whose existence is related to the functioning of the state and the public domain".

several studies of the shadow state roles of voluntary urban-based ethnic organizations have also reached (cf. Imoagene, 1967; Cohen, 1969; Barnes, 1975; Osaghae, 1994; and Honey and Okafor, 1998). A slightly different but related explanation for the ethnicization of civil society has been offered by Mamdani (1996:15-21). This had to do with the exclusionary character of colonial civil society which was racialized – the excluded natives basically retained (or exited into) their old but in most cases transformed tribal formations. The attempt to reconstruct that society as part of the anti-colonial struggle and the incorporation of the natives into the civic sector involved deracialization and Africanization. But with emphasis on deracialization, the tribal structures of the rural countryside were left virtually intact such that "the more civil society was deracialized, the more it took on a tribalized form".

Several other consequences follow from the centrality of ethnicity in the structuration of civil society. Foremost among these is that, as the site of exit and parallel state activities, the primordial public would remain a strong rival or contender of the state – and this not simply because it provides security for the bourgeois classes, but because it has enough attraction for those who believe the state has failed. Second is contested citizenship, which makes civil society not the consensual or cohesive arena that is assumed by some Western versions, but an arena of vigorous contestation (see Ekeh (1987) for an elaboration of the implications of the two publics for citizenship). Fatton (1995:73) makes the point fairly well:

> If civil society is to be a useful heuristic tool in deciphering contemporary African history, it has to be conceptualized as the realm of collective solidarities generated by processes of class formation, ethnic `inventions' and religious `revelations'. As such it does not always embody the peaceful harmony of associational pluralism...In fact, civil society in Africa is conflict-ridden...It is the prime repository of...ethnic hierarchies, conflicting class visions, patriarchal domination and irredentist identities fuelling deadly conflicts in many areas of the continent.

The conflictual character of civil society is a product of the contradictory pulls of the two publics as Ekeh (1994:12) argues:

> The dynamics of African politics have been generated from the fact that individuals have fought to expand their, say, ethnic spheres of influence by controlling the state so as to be able to dominate the public realm and use its resources for the benefit of their own primordial public. In so doing, the commonness of civil society is diminished.

Another consequence has to do with the relationship between civil society and the state. In 1975, Ekeh argued that associations that belong to the primordial public "do not complement the civic public; they subtract from it". This can only be to the extent that the primordial public engages the civic public for the purpose of extracting gain or benefit. But its constituents do also play a crucial role in keeping the state under check, as adherents of 'liberation ethnicity', notably Doornbos (1998) and Mohammed Salih (2001) argue. According to Mohammed Salih (2001:24), "in Africa, elite and ethno-nationalists have…[developed] ethnicity into a liberating force against colonialism and, after independence, against authoritarian states". The point that emerges from this is that ethnicity is not altogether disruptive of or dangerous to the health of civil society. The primordial public is therefore capable of serving as a reform agent, as the various ethnic organizations that were part of the anti-colonial nationalist coalitions and, more recently, the ethnic minority rights groups in Nigeria which were an integral part of the democratization movement of the 1990s have amply demonstrated.

To conclude this paper, it should be stated that the point in emphasizing the centrality of ethnic formations to the development of civil society, especially under colonialism, is not to suggest that the society is all about ethnic identity, security or interest-begotten mobilization. To be sure, civil society presents a more complex and plural face than the accent on the primordial public alone can account for. Today, apart from the 'traditional' constituents like labour, professional, youth and women's associations, there are several other kinds of non-governmental organizations – environmental, human rights, service delivery, research, etc – that have come with the NGO-isation of the African sociopolitical landscape. It is obvious that most of the latter-day NGOs (which some erroneously regard as the "real" civil society) are not primordial; yet, it cannot be denied that members of these organizations also belong to various primordial publics. What the theory of the two publics does is to provide an explanation for the ineffectiveness of civil society based on this dialectical bifurcation.

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