

New Contours of Public Space in Africa

Aminata Diaw

Introductory remarks

(1) When I say Africa, what do I mean by that word? There are several Africas with different trajectories, diverse histories and memories, experiences of the Political that are far from identical. Any discourse on Africa can be valid only if it assumes the idea of a deconstruction of Africa as a homogeneous reality. Africa is not a geographical space but rather a plurality of imaginaries, cultures and temporalities.

(2) In the questioning about emerging humanisms proposed by UNESCO, what is new, and does what is new express the emergence of a certain humanism? The processes at work do not always offer readability and globalization does not really help us to decipher their complexity.

(3) If we have to talk about contours of public space, are these stable? Do they give a shape to something stable? Can we not rather talk of moving territories, a shifting geography of the Political, with a centre (the state) which, because it has less and less control over its space, turns out to be increasingly decentred, and margins that invite themselves into the public space by breaking in.

These preliminary remarks and questions enable us to say that interrogation of the Political in Africa can no longer simply relate to institutions, the institutional mechanism. Indeed the last decade has seen changes which, though they have at certain times and in certain places meant democracy and pluralism, rediscovering speech and public space, reconstituting the Political and the continent entering into liberal civilization, are nevertheless associated with crucial questions to do with the exegesis of the Political, and at its heart democracy, citizenship and the management of violence. If we position ourselves in a context of the globalization that is outlining a completely new prospect for the nation-state, we may ask ourselves what are the representation and reality of public space in the African environment? What imaginary includes or excludes the public space? What is the underlying logic that

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the actors in the public space set in motion and that sets them in motion? These questions are raised by a common element that could be labelled, following J. Copans, an 'emergency object' and which happens to be the body. That mutilated, massacred, putrefying body displayed in Côte d'Ivoire, Algeria, the charnel-houses of Rwanda, the Democratic Republic of Congo, in the streets of Liberia or waiting in the refugee camps is associated with a space that is no longer a public space governed by law and in accordance with the norms and processes accepted by consensus, but instead a space that can be thought of as a place of obscenity, of departure from society and culture and of affirmation of local identities. From the body politic to the human body is being drawn the path of social dissolution, a public entity that deconstructs itself immediately it tries to base itself in exclusion and the radical nature of difference, both of which produce violence.

With reference to this marginal place we can say that violence definitely appears to be a constant of contemporary political experience in Africa; it works as one of the most common political idioms at the very moment when democracy is becoming the universal unavoidable model. I am not describing an African specificity that can be encompassed in culturalism. Indeed the category of the Political is consubstantial with the category of violence because of a reversal that proceeds via monopolization and legitimation. Even if this is an extreme example at the heart of absolutist theory, we can refer here to Hobbes's *Leviathan*, which offers an illuminating take on the definition of the Political as a body enclosing all the other bodies and which thus moves from the natural to the artificial body. The English philosopher Thomas Hobbes demonstrated quite adequately how the state-Leviathan¹ exclusively appropriated violence into its mode of government, how it becomes a body by a reversal that moves from the state of nature to the civil state via a contract, and in particular how violence is made to serve the interest of subjects and their security. And so the Political appears as a way of escaping the equal power of homicide which every individual had, and humans decide to replace individual natural sovereignty with the Commonwealth out of fear of violent death. Thus the body of the Political confers on the human body its full humanity by integrating it into a sphere of civility that produces civilization; it places it beyond harm from barbarism by declaring inalienable rights that it holds merely by virtue of its humanity. However, the fact remains that the withdrawal of the body from the Political often occurs in the name of identity, whether ethnic, regional, confessional or religious. Must we conclude that public space cannot display those kinds of identity without compromising the social bond? Insofar as they are more related to the symbolic and imaginary, are the areas where these identities are rooted not in the process nowadays of emerging as the means of access or non-access to citizenship and inclusion in the public space? Should we see this as the emergence of a space for living together that is attempting to combine 'identity and democracy in a global world' (Otayek, 2000)? But these various questions cannot conceal the central issue of the state, in that it sets the line of separation between private and public.

The problematic African state: where should the frontier be between private and public?

A whole literature has proliferated among Africa specialists defining the African state south of the Sahara: belly politics (Bayart, 1989), imported state, replacement state (Bayart, 1996), state historicity, privatization of the state, criminalization of the state (Bayart et al., 1997), indigenization, patrimonial state, etc. This profusion of concepts and descriptions is not unconnected with what Etienne Leroy has called the mystery of the state, which places it in a domain of initiation, secrecy and even exclusion: 'the initiated are the employees of the state who are supposed to serve it but may take advantage of this insider knowledge to serve their own interests' (Leroy, 1997). This perception of the state necessarily describes less of a separation than an overlap between private and public.

The same literature on Africa has described African societies' backlash, their inventiveness in escaping the subjection that the post-colonial African state tried to impose on them in its slide into authoritarianism, which turned it into a theologian state; this state's aspiration was to see itself and been seen as an instituting principle, a cultural and symbolic system. The definition given by A. Mbembe is quite explicit in this regard: 'The theologian state is the state that does not concern itself only with the practices affecting distribution of power and influence, social relations, economic arrangements and political processes. It is also one that explicitly aspires to define, for social agents, the way they should see and interpret themselves and interpret the world' (Mbembe, 1988: 128). It has managed to do so by unilaterally and undemocratically granting itself this threefold monopoly: of legitimate violence, economic resources and truth.

Indeed there has been a general economy of violence that has shut peoples and society into the triptych of 'power–violence–accumulation'. The political domain has privately awarded itself the threefold monopoly of violence, economic resources and truth (Bangoura, 1997) that is normally assigned to the state. Thus this state-ization of society has been able to take place only by operating the levers of allegiance and violence.

Any challenge to the system of truth and its signifiers imposed by the political authorities has been combated by the coercive force of the state. And so a logic of more or less blind repression has been superimposed on processes of unification and coopting sites formulating other truth regimes, whether political or social in nature (trade unions, political parties, guilds, village associations . . .). Arbitrary arrests or physical liquidation of opponents, banning or disbanding of parties, trade unions and newspapers, violation of academic freedoms have been techniques that have very frequently been mobilized to ensure the political authorities' truth regime prevails, using the monopoly of violence. From an economic viewpoint the result has been a situation of near-general failure in productivity, aggravated by corruption and reduction of the state's ability to repeat the same types of handouts and largesse in order to perpetuate allegiance to it.

The threefold monopoly fell apart with the crisis of the 1980s–90s, which saw the loss of legitimacy of many regimes in power and thus began a phase of political liberalization or diminishing authoritarianism. In this context, which is also that of

globalization, the African state does not seem any longer to be able to guarantee its citizens' safety: its territory is permeable and it does not any longer have the monopoly of violence there. In fact what is fundamentally challenged is the state's essential determination, in other words its sovereignty. The desubstantialization of this sovereignty is causing a fragmentation of command that is taking the form of privatization: command is no longer assigned to a site that normally has to be institutional, but to a plurality of sites selected by the arbitrary nature of power relations. This is the considerable political consequence of globalization in the African context: state sovereignty is no longer an exclusive site for articulating the political and because of this it does not now promote the symbolic construction of a people that transforms the state into the nation-state. Barbarity in its most sophisticated form is supplanting civility, no-go areas are encroaching on the city's space, a settled way of life, which is one of the marks of citizenship in that it indicates establishment in a territory, is increasingly becoming enforced mobility (migrants, refugees, people forced out . . .) when it doesn't simply turn into captivity: people become hostages of power relations they find it hard to decipher. Human bodies become an integral part of those territories, those places where conflict is going on: it is possible to rape them, kill them with machetes (Rwanda), amputate their limbs (Sierra Leone, Liberia), destroy innocence there by turning it into an armed force (the child soldiers). Can we still talk about a nation if we understand, following Habermas, that a nation's members are responsible for one another, and in particular that 'it is the national consciousness that brings to the territorial state the cultural substrate that guarantees its civil solidarity'.

Following some analysts' invitation,² in order to better reconstruct the complexity of the processes at work as an effect and in the context of globalization, the desubstantialization of the state, mentioned earlier, should rather be understood as a privatization of the state: in fact it is indirect private government (Mbembe, 1999). Revisiting the notion of contracting out borrowed from Max Weber (Weber, 1991), they have been able to see how the state was intervening more and more indirectly through private actors, who were thus taking part in a form of desubstantialization.

Direct government, which is the job of the state, or indirect government, which is performed by private actors, must not conceal the state's absence or non-stateism, which is 'linked to the emergence in national territories of spaces that evade the state's control. These are places that contain, among other things, what is known as the *informal* sector, places that grow up outside the legal norms' (Fall, 1997: 249).

Above all it appears that the state's absence, which is called *anétatisme*³ (non-stateism), expresses this discontinuity of the African state on the social and economic as well as the political level. The fact that the effects of this process are restored in terms of desocialization, withdrawal of the state, fragmentation, privatization should not allow us to lose sight of the essential point: the nature of that state, the external and internal constraints acting on it explain the private–public border's loss of clarity and the intertwining of private and public. The state is no longer the centre, it is being overrun by its margins and interstices.

Then how should we conceive of the idea of public space, its contours and modalities? How should we imagine a space for interaction where collective matters are put up for discussion?

Recovering humanity through citizenship

In the end the rebellious nature of African societies has deconstructed the fiction the state tried to impose on them. Because authoritarianism was legitimated only by the Nation that was to be built and the development that was to be achieved, the state's failure automatically resulted in a loss of political legitimacy. Some saw this phenomenon as African societies' backlash when it was nothing other than the freeing of their pluralism, their multi-cultural, multi-ethnic dimension, their emergence into those territories left fallow by the state. Unfortunately the present situation on the continent has shown that expression of this pluralism has not always been accompanied by an absorption of democratic values; very often political transitions have turned political spaces into areas of chaos, similar to what is happening in Côte d'Ivoire.

On the basis of ethnic group, region, religion, associated with the local areas that call up the symbolic register and that of memory, peoples have cobbled together new identities, 'imagined communities' to use Benedict Anderson's expression. In this way local or native citizenships are being built up which do not define themselves interactively but on the basis of radical difference and the principle of exclusion, as we see with the example of Ivoirian identity in the proceedings of the CURDIPHE Forum (Cellule Universitaire de Recherche et de Diffusion des Idées du Président Henri Konan Bédié – University Centre for Research and Dissemination of the Ideas of President Henri Konan Bédié), held 20–23 March 1996.⁴ The Ivoirian philosopher Niamkey Koffi gives the following explanation: 'in order to construct an *Us*, we have to distinguish ourselves from *Them* . . . We must be able to discriminate between *Us* and *Them* in a way that is compatible with the pluralism of nationalities.' Another detail from that Forum: 'To define theoretically the unitary category of the Ivoirian nation's cultural realities requires a territorial marking off of its conceptual space.' The head of state, His Excellency Henri Konan Bédié, marks out this space using the emotive figure of a metaphorical image: 'having the image of our country as a nation that has achieved an original and fertile cultural synthesis under the white cloak of Ivoirian-ness' (p. 37).

The idea of purity explicitly evoked here cannot conceal the fear of purification and purging. The logic of exclusion redefines the new Ivoirian nationality; it says who is an Ivoirian citizen and in particular who is not, who can be given a national identity card and who cannot. The property issues lying behind the question of Ivoirian-ness, which were brought out into the open by the slowing of the Ivoirian miracle, even though they originate in the colonial phase, and the power issues that this new ethno-nationalism is attempting to resolve, clearly show that we are faced with the classic tradition–modernity dichotomy: the state and its institutions being associated with modernity and the ethnic group with tradition and archaic practices. The fabrication of Ivoirian-ness as an identity indicates that we are confronted with new modes of inclusion in the public space that turn on the logic of exclusion. What should be especially highlighted is the fact that the public space is not conceived here as a space for interaction where collective matters are put up for discussion, it is not a space for turning individual thinking into dialogue and politicizing group issues. It seems to me very possible to talk about the privatization of public space: one can

be included in it only by excluding others, depriving them of space, stripping them of any political meaning, reducing them to negative citizens, that is simply making them Foreigners. Excluding them from the community means excluding them from public safety, from the right to be protected by the community's laws, from the right to be protected as a citizen, a human being, a free creature. As Hannah Arendt says, 'without a politically guaranteed public life freedom does not have the communal space to make its appearance' (Arendt, 1972: 193).

We might take as a counter-example to the Ivoirian paradigm the procedures for registering women's citizenship in Africa, and particularly in Senegal, in order to demonstrate the complex gestation of the new contours of public space. Despite the constraints it brings to bear on the African state and the fact that it is accompanied by a weakening of identity, globalization has to a certain extent helped African women renegotiate the contract between women and the state.

When society and the political authorities impose on women policies that are backed by culture, tradition or religion, African women respond by appealing to secular values, democracy, human rights: it is women who choose the sources legitimizing the debate. This stance has led to a re-drawing of the connection between private and public:

- emergence of the private into the public arena with the issue of domestic violence or excision (see the law on violence against women in Senegal approved by the parliament in 1999);
- relegation of religion to the private sphere, as shown by the debate on the reform of the family code in Senegal.

Though at the time the 1972 family code represented a definite advance, for example by opposing repudiation and only recognizing divorce before a court of law, by imposing civil marriage and making the consent of both parties compulsory, it is nevertheless the case that it bore the marks of a patriarchal society by conferring on men the status of head of household and giving them paternal power. The need to reform it thirty or so years after it was adopted is justified, women believe, by the requirement to respond to principles of equity and equality in a democracy, and especially by the concern to make the law reflect reality, that is to say its socio-economic environment. For the various women's associations, replacing paternal power with parental authority is an expression of integration into the modern world, since they are no longer subject to any supervision. Indeed it is simply a matter of having laws that express the authentic nature of their existence: as mothers and wives, granted, but above all as legal persons. This demand places women in the vanguard defending the principle of the secular state, guarantor of the strict neutrality of public institutions. The tentative moves of certain religious groups, who wish to impose Sharia law on Senegalese Muslims via a code of personal status and leave application of the 1972 code for non-Muslim Senegalese, illustrate to perfection the tensions disturbing the public space in Senegal and challenge a Senegalese identity as defined by a republican constitution based, following Kant, on the principle of freedom of a society's members, everyone being subject to a single common legal system, and the law of equality of all subjects as citizens. In addition to the fragmentation of the Senegalese nation, which one suspects is this position's definite

error, one cannot help wondering whether the status of Muslim is determined by the public imposition of Sharia law or rather by the exclusive relationship one has with god, quite autonomously and in a strictly private space. Should female being be defined only by dogma?

Globalization is helping African women to integrate their societies and politics into the present-day world. They are no longer willing to be told who they are: they are constructing their identity themselves. Taking on their past and their memory matters to them only because that past or memory helps them define themselves as a project. In so doing they are showing that tradition should only be understood in terms of evaluation or re-evaluation. The subversion they are devoting themselves to in the public arena to get their status as legal subjects recognized is possible because between private and public are appearing chinks that are negotiating spaces for citizenship and not spaces for expressing dogma and Absolutes.

Since the state no longer holds the monopoly of truth because it does not produce a system for validating its own truth any more, the public arena becomes *de facto* an open space for discussing and comparing ideas and representations. Here we can clearly see an ethics of dogma has been replaced by an ethics of discussion. More than the outcome of discussion, what is important is discussion itself, which assumes a plurality of positions and values.

This example of the construction of women's citizenship demonstrates that the public space in Africa is not dominated by the Ivoirian paradigm, privatizing the public arena. For that arena to become an institutionalized space for living together, a space for citizenship, a space open to the public, it needs to adopt two principles, consensus and compromise: consensus as to the wish to live together, compromise as to the choices and negotiations that are constantly testing consensus.

Of course it is necessary to respond to an ethical demand that is accepted by the human, for the individual's need to live well by agreeing to 'rehabilitate that primary intersubjectivity that reaches across cultures by virtue of being human, of which human rights are the symbolic, active expression; they are capable of being legally formalized, philosophically inexhaustible, and can only be brought together at a time that is open to transcendence' (Bowao, 1998: 118). Africa cannot be constructed outside the time-scale of the present-day world because it is a participant in its topical issues: it can be a part of the world only by establishing a horizon of meaning, embracing that time that is open to the transcendence that expresses what is beyond cultures, the human.

I would like to endorse the approach, outlined by Wiredu,⁵ that accepts communication theory as the basis of cultural universality. In Wiredu's analysis I would particularly stress the principle of sympathetic impartiality; this is the principle on which moral universality is based and built up, and also happens to be a critique of Kant's categorical imperative, which lacks that sympathetic dimension. I think this principle is acceptable because it is essential for humanity's survival and because it promotes dialogue between contingent ways of life and different customary systems.

When analysing the Rwandan tragedy Vénéranda Nzambazamariya said the following, which demonstrates, if this were needed, that the human does not belong to any culture because it belongs to all cultures:

In the face of the clear nature of this case it is time to come to the sad conclusion that the Rwandan genocide, which could threaten other parts of Africa or the world, was the result of a long process of political, social and economic exclusion that ended in an impoverishment, a dehumanization and a depersonalization of *ubuntu*: a Rwandan word meaning both humanism and generosity, seen as the chief motors of human society and the essential basis for all human action. That dehumanization can be seen and felt in the psychological, intellectual and economic poverty rife on the African continent.⁶

Aminata Diaw

Department of Philosophy, Cheikh Anta Diop University, Dakar

Translated from the French by Jean Burrell

Notes

1. Hobbes (1991).
2. See Mbembe (1999).
3. Fall (1997).
4. *Politique Africaine* 78: 65–70.
5. See Masolo (2004).
6. Nzambazamariya (1998).

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