Statehood Without Substance? The African State and the Crisis of Legitimacy

Odhiambo Alphonce Kasera

Department of Political Science, Maseno University, Kenya

DOI: https://dx.doi.org/10.47772/IJRISS.2025.90400268

Received: 06 April 2025; Accepted: 11 April 2025; Published: 10 May 2025

ABSTRACT

Exploring the complexities of African International Relations (AIR), this paper examines the evolution of the African state amid the legacies of colonialism and contemporary global dynamics. It identifies three primary perspectives from recent literature, addressing the impact of historical narratives on current state-building efforts. The disconnection between juridical and empirical statehood in post-colonial Africa is emphasized, highlighting how this separation has led to governance challenges and a neglect of development. Through critiques of the gatekeeper state model, the paper argues that African states cannot merely replicate European governance structures due to the distinct historical and socio-political contexts they inhabit. With emphasis on the ongoing influence of international resource flows, the study foregrounds the legitimacy deficits that persist within many African states, complicating their governance and stability. Additionally, it advocates for a normative approach that seeks to unify diverse identities and promotes cooperation over division. Ultimately, the discourse surrounding the future of African states is framed within the recognition of their unique historical trajectories and the potential for transformation in the 21st century. Through this examination, the paper contributes to a nuanced understanding of the changing nature of African statehood in the global arena.

Keywords: African Statehood, Postcolonial Governance, Practical Realism, Legitimacy Crisis, International Relations (IR)

INTRODUCTION

Three Lenses for Analyzing Africa in International Relations African International Relations (AIR) is one of the most currently attractive issue-domains for the field of International Relations. Kasera et al. (2024) identify three main perspectives from the burgeoning literature on AIR, especially as Africa engages with global public policy. These include pessimists, afro-optimists, and a third perspective that Kasera et al. (2024) do not do much to elaborate, practical realist perspective. The first and perhaps the oldest view[1] is an overly pessimistic view of Africa that does nothing than to characterize Africa as the old "dark world". The view appraises not the changes that seem to be pushing African leadership toward pursuing developmental trajectories (Leftwich, 2010; Nyong'o, 2007; Beaumont, 2011). It is a reductionist view as it focuses on the external sources of African woes, the Eurocentric cataclysms. The conclusion, the pessimist perspective makes is that the legacy of colonialism, and other cataclysms before it, have encircled Africa in a complex of historical, cultural, and intellectual encirclements of underdevelopment and non-development. Consequently, Africa has no capacity whatsoever to transcend such an environment and assert itself as sovereign state among the family of nations (Rieff, 1999; Bayart, 2009; Berman, 1974; Brown & Harman, 2013; Buba, 2019).

While optimists like Nkhuruma declared in 1957 that an independent Africa would be "a paradise", hope was lost nearly a decade later, when in 1970s onwards, Africa became "charity case", a chaotic continent composing of states which were described using all the negative phrase such as quasi, failed, among others. The concept Afro-Pessimism became the catchword for Africa. As Africa struggled and stagnated across all measures of development between 1970 – 1990s, her peers in Asia – Taiwan, Singapore, Malaysia, Thailand etc., were almost discarding all under-developmental features and experiencing Asian Boom at the same period

[1] Commonplace in political and critical economics literature that analyzed Africa 1970s – mid-1980s.

(Rieff, 1999). Africa from the pessimists' view is a problem case across social, cultural, political and economic spheres. But political underdevelopment and economic mismanagement are the most emphasized (Collier, 2010; Collier & Hoeffler, 2005; Chauvet & Collier, 2008). Their nexus, political economy of African underdevelopment, is the decision point for change or lack for it. African leadership therefore is seen as one that does nothing but to conspire with the Western bourgeoisie in order to plunder the vast mineral, and other resources, including recently labour through such schemes as mass labour migration, at the expense of Africa's emancipation. As we will see shortly, mass labour migration out of Africa could be the latest of those tricks that African governments are using to cement the "gatekeeper" stateness.

But there are also Afro-optimists who see Africa as a rising giant, and a continent of hope. Perhaps of most important sub-perspective from this school of thought is that which emerges from marketing and economics literature. Professor Mahajan's book, Africa Rising: How 900 million African Consumers Offer More than You Think is, perhaps, the most optimistic of all. The focus of the book is to open Africa for global entrepreneurship, describing in a lot of detail, the customer tastes of the African 900 million consumers, and educating the global entrepreneur how long the African potential has been overlooked. By African potential he does not mean what kinds of reparations colonizers and enslavers can bring to make right for their wrongs done in Africa, but that African population is increasingly swelling and that this presents what he calls a "market opportunity" for the world (Mahajan, 2009). Critical assessment of optimistic Africa Rising discourse[2] reveal it as largely about identifying the good sides of Africa, its rich culture, unique politics, talents, unexploited opportunities, including the technology tastes of its close to a billion population, and to tap such opportunities for not for Africa's change but for the change of others without Africa. Consequently, important projects for afro-optimist rationalization include such so-called innovations as the African Continental Free Trade Area (AfCFTA) New Partnership for African Development (NEPAD), Silencing the Guns, Africa Agenda 2063, among others (Apiko, Woolfrey, & Byiers, 2020).

Yet a mid-ground, largely emerging, and undeveloped perspective on Africa discernible in the AIR literature is what I call the practical realist perspective. Instead of enumerating and theorizing the sources of African underdevelopment – as does the pessimists. Instead of identifying innovations and opportunities in Africa for actors from without Africa to exploit; the practical realist perspective critically engages with African history/historiography and sociology and political development trajectories, identifies the critical conjectures that define the character of Africa and discusses critical pathways for change. According to Rita Abrahamsen, a leading exponent of this view, this is the radical intellectual endeavor that can help transform Africa. Rita argues, and I agree, we cannot continue to theorize about Africa the same ways USA government sponsored her scholars to study Africa within parameters of area studies in the early 1950s. Instead, we must study Africa not generate strategic data from comparative foreign relations of developed world, but to change our Africa. We cannot lament about our woes and stop there, we must be critical about the power configurations that conspire to maintain Africa as the old dark world, and make radical suggestions for change. In other words, instead of continuously lamenting of about Africa's problems using the very Western Tools of knowledge production, or justifying local cleavages that perpetuate underdevelopment in Africa by choosing to fully explain Africa using exogenous factors, a practical realist perspective is the nexus of pessimists and afro-optimists.

Against this backdrop, the present paper examines the character of the Africa state, its static or dynamic nature, taking care of its 21st century manifestations. The paper briefly comments on the implications both the character of the African state and the 21st century transformations have on the capacity of Africa to assert itself on the international scene. I rely on secondary materials published on respected academic journals to identify 5 characteristics of the African state and discuss these in the context of practical realism, merging pessimism and optimism to discuss pathways that are available for Africa's transformation.

[2] Though is obviously not just about the simplistic "marketing" view painted by Prof. Mahajan.

CHARACTERIZING THE AFRICAN STATE

Juridical Statehood and the Crisis of Empirical Sovereignty in Post-Colonial Africa

The first paper analyzed in this article is Jackson & Rotberg (1986), one of the most referenced papers on the subject of African statehood. The scholars examine the concept of "juridical statehood" and its implications for political and economic development in post-colonial Tropical Africa. It argues that the separation of juridical from empirical statehood, and the establishment of a collaborative states-system in Africa, marks a revolutionary change with significant but largely unexplored implications for especially state-building and the theory of the state generally.

Analyzing statehood comparatively, the authors argue that the classical European states-system was defined by the priority of empirical over juridical statehood, where statehood was rooted in conditions and institutions that enabled territorial control and sovereignty. However, in post-colonial Tropical Africa, governments are not obliged to develop politically or economically in order to become or remain independent. The prevailing norms of international legitimacy that affect them are collaborative and liberate them from the competitive pressures of the classical states-system. The authors therefore argue that by their very foundations, African states are naturally meant to not advance empirically because of the following two reasons. First, the authors assert that African states are direct successors of European colonies that were alien entities to most Africans. Their legitimacy derived not from internal African consent, but from international agreements. Most sub-Saharan colonies were not substantially developed politically or economically by the end of the colonial era, and colonial governments were often remarkably thin, with small administrative hierarchies and military forces focused on internal control rather than external defence. Colonies had simple dual economies and did not require substantial development for the purposes of imperial control.

Second reason lies in events post-colonialism. Jackson and Rotberg posit the creations of states post-colonialism, especially the involvement of the UN, further made it difficult for a genuinely empirical state to form in Africa. Instead, decolonization marked a revolutionary change in the basis of statehood, where nominal sovereignty and normative international law replaced substantial sovereignty and positive international law. This was implemented when the international system of the 1960s, particularly under the auspices of the United Nations, collaborated to establish and preserve a large number of new and empirically marginal states in Tropical Africa, regardless of their political, economic or social readiness for self-government.

This separation of juridical from empirical statehood has significant implications for the transformation of statehood in Sub-Saharan Africa (SSA). African governments are under no compulsion to enforce their territorial jurisdictions or develop national authority for fear of losing their sovereignty. Juridical statehood provides them with general legitimacy and freedom from foreign intervention, but cannot provide them with much capacity for self-government apart from foreign aid. The paper outlines several ways in which juridical statehood has hindered political and economic development in Tropical Africa.

Firstly, juridical statehood has eliminated the international pressures that would have compelled African rulers to develop national authority and integrate their political jurisdictions. Independence eliminated any compelling international pressures for state-building, and new African states were often defined by colonial boundaries rather than the political bases of their new rulers. Independence constitutions and nationalist parties also failed to provide enduring foundations of national authority.

Secondly, juridical statehood has allowed African governments to neglect development, as they are under no obligation to enforce their territorial jurisdictions or build effective state capacity for fear of losing their sovereignty. Governments can maintain power through personal patronage networks and control of the capital city, without extending authority across their full territorial jurisdictions. The result is that juridical statehood has contributed to the deterioration of civic and socio-economic conditions in many African countries. Thirdly, juridical statehood has limited the ability of international aid and institutions to enhance the capabilities of African states. Donors and international financial institutions have limited leverage to dictate terms or ensure

effective use of aid, as African governments' juridical rights of sovereignty protect them from external intervention in their domestic affairs, even in the face of mismanagement and corruption.

The paper argues that juridical statehood represents a new international institution that has significant but largely unexplored implications. It suggests that the divorce between legal and sociological theory in political science, and the predominance of the latter, has obscured the importance of juridical statehood as an independent variable in understanding political and economic underdevelopment in Tropical Africa. A neo-institutional approach that considers both the juridical and the empirical, the civil and the socio-economic, and their interaction, is needed to fully grasp the significance of this phenomenon.

Beyond Colonial Cartographies- Reconceptualizing African Statehood in the Euro-State Paradigm

Wallace-Bruce (1985) discusses the emergence of African statehood and the uniqueness that statehood in Africa exhibits in relation to post-colonial parameters of statehood. The author argues that at the start of the 20th century, only Liberia and Ethiopia were recognized as independent African states that could fully participate in international law. However, by the mid-20th century, with the exception of Namibia, the entire African continent was covered by sovereign states (p. 1, 2). The author, however, deduces to evidence that statehood was not a creation of post-colonialism. He shows that during the pre-colonial period, there were several well-organized political entities in Africa, such as the empires of Ghana, Mali, and Asante, that had attributes of effective governments, including centralized administrations, taxation systems, and judicial institutions. These African states engaged in diplomatic relations not only with each other and with some European powers. However, international law at the time did not have clearly defined rules for determining statehood, and often only recognized entities that were accepted by the "Family of Nations" in Europe (p. 10, 7, 9, 8).

According to Wallace-Bruce (1985) the colonial era only reversed the history of organic statehood development and ended up interrupting the sovereignty of these indigenous African states, as European powers partitioned the continent and established colonies and protectorates. According to the author, the effect of colonialism was not to extinguish the sovereignty of these African states, but rather to place it in abeyance. This assertion leads him to posit that when African states began achieving independence in the mid-20th century, they were in fact regaining the independence they had previously enjoyed:

When African states began to achieve independence, they were reverting to sovereignty. It was a case of re-emergence on the international plane (p. 587).

Wallace-Bruce the proceeds to discuss the criteria for statehood in international law, including the 1933 Montevideo Convention's requirements of a permanent population, defined territory, government, and capacity to enter into relations with other states, highlighting how African states long before portended these features. The article then highlights how the concept of "effective government" has been interpreted flexibly, with the UN sometimes admitting states even when they lacked full governmental control, showing that many pre-colonial African states were fully states, admissible to the UN, taking current practice very critically. The recognition of many new African states such as South Africa begs the question as to whether the requirement for “effective government” is useful requirement at all.

The article examines further legal statehood in international law. It examines the role of recognition and non-recognition in the emergence of African states. It discusses how the "constitutive" and "declaratory" theories of recognition have both played a part, with collective non-recognition being used to deny statehood to entities like entities such as Somaliland, Rhodesia and the South African Bantustans that were seen as violating international norms.

Overall, Wallace-Bruce’s article provides a detailed historical account of the path by which African states emerged to full statehood and participation in international law, overcoming the legacy of colonialism and the limitations of earlier international legal frameworks. It highlights the diversity and sophistication of pre-colonial African political organization, and the complex interplay of legal principles and political realities in the process of decolonization.

Afro-State Versus Euro-State- Colonial Legacies and the Crisis of Political Legitimacy

Clapham (2001), *Rethinking African States* constitute another significant analysis of the character of African state and statehood. The author examines the contrasting state formations and implications for conflicts in Africa and Europe. He highlights the historical development of nationalism in Europe and the nature of African statehood influenced by colonialism. The exploration begins with a visual comparison of the geopolitical landscapes of Europe and Africa as they were structured in 1900. Here he notes that while Europe has undergone significant transformations, often in response to nationalist movements, Africa's political boundaries have largely remained static due to colonial imposition. In this visualization, European states are characterized by a strong sense of national identity that shapes boundaries, while African states are criticized as weak and artificial constructs lacking internal cohesion.

The analysis go on to unpack how European states evolved to reflect the identities of their communities, where statehood is an expression of a cohesive national identity. There is recognition, though, that this ideal is imperfectly achieved in some regions, leading to tensions like those seen in Belgium and Northern Ireland, and even, deductively, Ukrain. In contrast, African states primarily arose from arbitrary borders drawn during the colonial era, with many emerging as mere reflections of colonial partition rather than organically developed entities. Consequently, attempts to address political instability through boundary modifications are met with resistance, as African leaders are often heavily invested in preserving this arbitrary colonial legacy.

A crucial question on the survival and resilience of African states the author possess is: Can they withstand challenges similar to those that led to the fragmentation of European states, notably those seen in the collapse of the Soviet Union and Yugoslavia? According to Clapham (2001), the first challenge to this question is the undiagnostic framing that is often attached to it. He argues that the historical context of nation-building in Africa is often framed within ideological beliefs that leaders could construct a cohesive national identity among diverse ethnic groups. However, the failures of this ideology became evident as many African states continued to struggle with ethnic tensions and governance challenges after gaining independence (p. 5, 9).

Despite these setbacks, argues Clapham, certain African nations such as Ghana and Senegal have made significant strides in cultivating a sense of national identity. These states exemplify the possibility of developing stable governance structures that prioritize citizen welfare and maintain social cohesion. Clapham also acknowledges that the African pursuit of national coherence has yielded mixed results, with some states emerging as successful examples of governance while others experience vulnerability and collapse, particularly in cases like the Democratic Republic of Congo (DRC) and Somalia (p. 5, 6).

Upon attempts at critical comparison, the paper critiques the assumptions that all African states can transform into stable and functional entities based on European models of governance. To illustrate this, it brings attention to a series of states regarded as "failed," highlighting issues in Angola, Sudan, and notably Nigeria, where deep-seated socio-economic and political challenges threaten national unity. The narrative continues to elaborate on how challenges in governance lead to spirals of violence and conflict, accentuated by the absence of established frameworks to foster social harmony or state legitimacy (p. 9). Instances such as the DRC and Nigeria, demonstrate how shared identity under oppressive regimes does not equate to an effective state structure. Previous aspirations for nation-building have thus been met with resistance, often leading to violent conflict as seen in Rwanda in 1994 or the warlord dominance observed in Somalia. This situates African states in a precarious zone where the legitimacy of existing political structures is continuously under threat, giving rise to alternative forms of authority, such as warlordism, which disrupt the notion of a unified statehood (p. 5, 10).

The emergence of warlords is depicted as a byproduct of the fragmentation of state authority, echoing traditional political dynamics from pre-colonial African societies. These actors leverage existing ethnic loyalties to construct personal armies that operate in competition to state entities. Clapham's findings suggest that modern challenges resulting from colonial legacies and the complexities of ethnic identities require a re-evaluation of the conventional understanding of state formation in Africa.

One way in which Claphams contribution begins such as call to reevaluation of statehood in Africa is his attempts to reconceptualize territoriality. He asserts that the concept of territoriality, shaped by colonial inheritance, is critiqued as becoming less relevant in the modern world, as shifts in global economics reduce the significance of large state structures in favor of trading functionality. The paper navigates through the evidence showing that effective governance has correlated with geographic and resource distributions, reflecting a paradigm where access to wealth-generating resources becomes paramount. Conflicts, particularly those revolving around oil in Nigeria or diamonds in Angola, reveal an evolved notion of political territory where influence emanates from economic capital rather than static geographical boundaries (p. 11, 12). The result from such newly emerging "empirical statehood" is a hybrid governance system emerging under crisis. The argument is that as state structures struggle, regions once thought to be under state control are increasingly characterized by hybrid governance systems, displaying pockets of authority interspersed with zones of instability. The text emphasizes that in many parts of Africa, traditional statehood concepts have eroded, giving rise to areas where the state's grasp is questionable. This critique extends to the global system, which is still entrenched in the principles of recognized sovereign statehood, necessitating a re-evaluation of how the international community perceives governance legitimacy amid shifting realities in Africa (p. 9, 11, 12).

Toward the conclusion, the paper posits that the architecture of post-colonial Africa remains complex and in flux, characterized by varying degrees of governance legitimacy. It provokes critical reflection on existing power structures and how they interact with modern socio-political realities, calling for a dialogue that respects emerging identities. The author contemplates the potential for gradual change in political identities and governance structures rather than abrupt transitions witnessed in Europe during the late 20th century. Ultimately, the discussion encourages a recognition and acceptance of the evolving nature of statehood in Africa. A future political order, one that genuinely reflects the continent's complexities and multi-faceted identities, may emerge beyond the rigid colonial frameworks established in the past, as local leaders and communities negotiate new socio-political terms that respond to their needs and realities. The call to action emphasizes breaking the intellectual barriers surrounding such discussions, leading to a more adaptive and realistic approach to what statehood and governance mean in contemporary Africa.

African States at the Gate: Aid, Alliances, and the Struggle for Sovereignty

One of the most important characterizations of the African state is the that it is a gatekeeper state. Dorman (2018) is one such recent treatments of this concept. The author explores the concept of African states characterized as "gatekeepers," a term developed by historian Fred Cooper to depict how these states interact with both external and internal political and economic forces. The gatekeeper model suggests that African states are shaped not only by their domestic practices but significantly influenced by international resource flows, for example, the phenomenon of official development aid (aka. ODA). This framework is useful, analytically in this paper insofar as it helps in understanding the complexity of African statehood, which has evolved from colonial origins and remains heavily impacted by global economic dynamics.

The notion of the gatekeeper state highlights the concept of *colonial revenue imperative*, where African states were established primarily to control resource flows to foreign powers (*Ibid*). The resulting political structures and economic policies reinforced a pattern of dependence on external resources, creating a dynamic that persists post-independence. These gatekeeper states often developed weak infrastructure and comprehensive political systems that concentrated power within a small elite. A small elite is perpetuated through "elite concentration" which refers to the consolidation of political and economic power within a small group of individuals or entities in African states, which results from the colonial legacy of gatekeeping. This concentration often leads to weak governance structures and fosters a competitive environment for state resources as opposed innovation and the quest to thrive in the private sector as is the norm in countries like USA; contributing to instability and conflict. The political landscape in many African countries has evolved into a zero-sum game where competition for state resources often leads to instability, coups, and civil wars (*Ibid*; Bayart, 2009).

However, Dorman sees that the future is not fully bleak as structural factors may usher in radical changes that will push forced-change in Africa. He argues that the dawn of the twenty-first century has brought significant changes to Africa's political and economic landscape, raising questions about the viability of the gatekeeper

state model. The emergence of new economic players, such as China and other rising powers, for example within BRICS, combined with developments in technology and communication and their capacity for transnational mobilization, have undermined traditional modes of governance, as evidence through the Arab Spring and the Kenyan Gen Z uprising. These changes suggest that African states might be moving away from the gatekeeper model, leading to new forms of governance and state interaction. Dorman emphasizes that post-colonial African states face new challenges that could potentially transform their internal politics and relationships within the international system as well. Despite these pressures, the resilience of the gatekeeper functions persists. The ongoing dependence on resource flows from external sources evidenced by the fact that all the 46 SSA are aid-dependent; means that many states continue to exhibit traits of gatekeeping, even as they strive to assert greater autonomy or are forced to change by structural forces such as changing geopolitics, and the impacts of communication technology on transnational citizenship and bottom-up democratization.

Additionally, massive infrastructure developments, the likes being funded under the Chines Belt and Road Initiative (BRI), especially in underrepresented regions of developing worlds, could play a crucial role in redefining state functions (*Ibid*). Investments in regional infrastructure can create opportunities for economic integration and trade that might alter power dynamics within the states, in effect challenging the established gatekeeper model[3]. The implications for international relations are profound; as states interact more freely within regional contexts, their ability to engage with global powers may change, fostering new alliances and economic partnerships.

As we wind up on this feature of the African state, the analysis of African states as gatekeepers is useful framework but also underscores the problematic nature of understanding these states in isolation. It suggests that focusing solely on the gatekeeper characteristics can obscure the complex realities of diversity in state practices across the continent. Scholars caution against homogenizing African nations under a single theoretical framework, arguing that each state's interaction with global systems varies widely based on unique historical and social contexts. Which means the gatekeeper concept may be best used to analyze politics within a specific African nation, or a small region such as East Africa. Nonetheless, while the gatekeeper model has provided valuable analytical insight into African states and their international relations, the dynamics of the twenty-first century present new challenges and opportunities that must be considered. The interplay between domestic politics, external influences, and emerging economic realities will continue to shape the evolution of African statehood, indicating a potential shift away from traditional gatekeeping mechanisms. A re-examination of the role of African states in international relations and their potential transformation is thus necessary for understanding the continent's future trajectory in a rapidly changing global context.

Exogenous Statehood and the Legitimacy Crisis of the African State

The other feature of the African state is that it is exhibits legitimacy deficit. Englebert (1997) is one of the most cited scholars on this subject and so I chose it for analysis. Lie others' whose worst have been analyzed, the idea of legitimacy deficit is practically realist insofar as it presents us with a middle-ground between pessimism and afro-optimism. analyzes the African state as neither African not state. According to Englebert (1997), like Clapham (2001), the contemporary African state is characterized by its origins in arbitrary colonial administrative units, designed to serve the interests of colonial powers rather than reflect the social realities of African societies. Despite over 40 years of post-colonial developments (based on the time he writes), these states primarily display an exogenous nature, leading to a disconnect from local cultures, norms, and institutions. This situation has rendered African states as entities that struggle to fulfill the classical Weberian definition of a state, characterized by a community that successfully claims a monopoly on legitimate physical force within a defined territory. African states often manifest as heterogeneous and conflict-ridden entities unable to establish effective governance or legitimacy, giving rise to patterns of predation, neo-patrimonialism, and administrative decay (*Ibid*).

The scholar argues that the challenge for Africa is legitimacy deficit-the most important feature of statehood on which all other depend. Englebert posits that **t**he legitimacy deficit inherent in the character of African

[3] This maybe farfetched especially in the context of regional neopatrimonialism where mega projects are conceived and undertaken by the very polit-preneurs and adventurers who collide with mega projects funders lie Chines investers.

states leads to continuous failures and crises, often fueling societal exit and disillusionment with the notion of statehood. This framework leads to a plethora of terms used to describe the African state—quasi-states, collapsed states, and weak states—alluding to their failure to embody genuine state attributes. While some scholars, like Mamadou Dia, propose that the issues stem from a disconnection between formal institutions and indigenous institutions, others argue for the potential of imported state structures to adapt over time with local interactions. Nonetheless, the challenges of integration remain vital, and the need for an inclusive understanding of the complexities involved in state-society relations becomes essential (p. 4).

Englebert then analyzes a select perspective on the African state that emerge as a result of widespread non-acceptance of the state by many sectors of the society (legitimacy deficit). Contrasting views arise in the examination of the state through the lens of various scholars. Dia emphasizes a dichotomy between imported institutions and indigenous ones, advocating for a reconciliation process aimed at cultivating loyalty and fostering ownership of the state apparatus (*Ibid*). Englebert further highlights the necessity for reformative strategies that consider cultural dynamics within governance. Conversely, scholars like Jean-François Bayart argue that while original state structures were certainly imposed from the outside, they have been endogenized through local power dynamics and have become instrumental in elite strategies. This depiction of the African state, influenced by a historical perspective, suggests that colonial legacies entail not just detriments but also opportunities for local agency and historical continuity (*Ibid*).

William Reno's analysis imparts a different dimension, suggesting that informal markets have become intertwined with state functions, forming a “Shadow State” where local strategies of informal economic authority and state governance coalesce (Englebert, 1997). Kleptocracy and opportunism characterize political behavior in such contexts, where the formal state apparatus decays as informal networks complicate forms of authority and capital flow. Despite the qualifications around the Shadow State, which encapsulates elements of dependency theory, it illustrates the impacts of local and international dynamics on formal state capacities (*Ibid*). Mamdani extends the understanding of the African state by exploring colonial legacies and their impact on political structures. He asserts that the bifurcated nature of post-colonial states—whereby colonial rulers left power structures intact, including tribal leadership—prolonged the effects of colonialism and facilitated a re-tribalization of political authority. This has significant implications for ethnic identity and governance practices that continue to manifest in contemporary African states (*Ibid*).

From these characterizations, the implications for Africa's ability to assert itself in international relations are multifaceted and challenging. The limited legitimacy and effectiveness of African states impede their diplomatic maneuverability, presenting difficulties in establishing robust international relationships. Exogenous statehood influences internal cohesion, often leading to fragmentation and conflict, which risk perceptions of instability among external actors. Consequently, the African state’s character as an incomplete political entity compromises its sovereignty on the international stage, affecting negotiations, policy implementation, and regional cooperation.

Moreover, the disconnection between governance forms and societal expectations results in a legacy of dependency and challenges in asserting agency on a global scale (Beaumont, 2011; Berman, 1974). Consequently, Africa’s strategic interests may suffer when states operate as mere actors responding to external pressures, rather than entities conveying shared national visions. To navigate these challenges, African states must strive for a deeper integration of indigenous governance systems and institutions that resonate with the populace, thereby fostering legitimacy, accountability, and productive engagement in the international arena.

Statehood Without Substance? Africa and the Westphalian Dilemma

Peter Ola analyzes the experiences of the making of a Westphalian state in independent Africa. According to Ola, the African state emerged from the decolonization process (Ola, 2023). This presented it with the first problem of being unable to forge capabilities necessary for the development of a sound national spirit required for nations that have only recently come to self-consciousness. In this sense, the modern state structure introduced by European colonialism is viewed as not well-suited for Africa.

Simultaneously, the problem for nation-building lies in the intentions of the nationalist project itself. According to Ola, the emergence of African states was driven more by nationalist aspirations for self-determination rather than the organic development of viable nation-states. This has resulted in the post-1960s, in artificial territorial entities with shaky foundations, as the arbitrary colonial boundaries brought together historically hostile groups (*Ibid*). The problem was further complicated by the post-independence realities. The African states that emerged post-the Whiteman lacked experienced leadership and governance capabilities, as the departing colonial powers deliberately denied Africans the opportunity to develop the necessary skills for advancing societal progress. Instead of visionary leadership that could propel Africa forward, Africa saw the rise of a class *of political entrepreneurs* and *adventurers* as the new rulers of independent African states (*Ibid*).

Consequently, the African state has been plagued by various fault lines - ethnic, racial, religious, sectarian, and geographic - which have undermined efforts at forging a common national identity and purpose. Primordial loyalties and divisions have hijacked the state from serving broader societal interests (*Ibid*). Making the African state to largely fail to fulfill its core functions of providing security, revenue, and effective governance. It has been unable to gain legitimacy through service delivery, accountability, and meeting the expectations of the citizenry. This has led to a crisis of confidence in the state among the African people (Nyong'o, 2007). Coupled with the involvement of external powers during the Cold War era, driven by strategic interests rather than a genuine commitment to African state-building, has further constrained the ability of African states to assert themselves in international relations. The African state has been reduced to a pawn in global power politics. To move forward, the African state requires visionary, accountable, and empathetic leadership that can forge a new social compact with the citizens. Inclusive governance, respect for diversity, and harnessing indigenous resources and knowledge are critical for strengthening the African state and enhancing its ability to assert itself globally.

Maxi Schoeman also joins hands with Ola to assess African statehood through the lens of Westphalian Peace Treaty. Schoeman (1997) does his analysis by way of recounting for the notion of a Westphalian state during the 350th day of the Westphalian Peace Treaty for the Southern African state. The discussion commemorating the 350th anniversary of the Peace of Westphalia provides a lens through which to analyze the state of governance and the concept of the state itself, particularly in relation to Southern Africa. The Peace of Westphalia is significant as it marked the establishment of the modern state system characterized by sovereign entities governed within specific territorial boundaries. While European nation-states evolved over centuries, socio-political and economic forces facilitated the emergence of states that presented themselves as sovereign outside Europe, including in Africa (*Ibid*).

An essential realization is that the Treaty of Westphalia did not create states but reflected a historical transition leading to the recognition of states in Europe, which were the products of evolving power dynamics and social constructs. This contrasts with the manner in which African states were established, primarily through colonial processes that imposed artificial boundaries and structures of governance. This colonial imposition did not account for the existing socio-political realities on the ground; hence, African states often lack the underlying legitimacy that characterized the construction of European states (*Ibid*).

Schoeman (1997) asserts that to understand the future of states in Southern Africa, it is crucial to comprehend the nature of these states as they were formed through colonial endeavors, often lacking the foundational societal structures to ensure the legitimacy of the ruling authority. The history of state-making in Southern Africa includes various dynamics, notably the exertion of colonial powers and the responses of local populations. For example, in territories that became South Africa, increasing self-governance was granted over time, while other areas, such as Botswana, Lesotho, and Swaziland, encountered complex negotiating positions that emphasized the competing interests of colonial and local powers. A central theme that emerges in the examination of the state in Southern Africa is the disparity between the external recognition states receive and their internal capacity to deliver governance and services effectively. Many states in the region, while recognized in the international system, function poorly and are often characterized by instability, a failure to provide basic services, and limited engagement from their populations.

From Schoeman's analysis, the examination of African states as social constructs that differ qualitatively and quantitatively from their Western counterparts allows for a deeper discourse around state survival in the

context of globalization. Scholars contest various perspectives on state dynamics; some suggest states are becoming obsolete in the face of globalization, while others argue that they are merely evolving (Alden & Arran, 2016). This discourse is particularly pertinent in Southern Africa, where factors such as economic globalization influence governance structures and challenge traditional concepts of statehood (Schoeman, 1997).

In sharp contrast, however, three key aspects contributing to the survival of Southern African states despite evident economic and governance challenges are identified. First, the mere acknowledgment of a state via international recognition allows it to maintain a façade of sovereignty. This recognition helps retain certain privileges provided to states within the global community, regardless of the actual effectiveness of governance. The continued survival of weak or failed states may not have significant implications for the populace; instead, it serves interests that benefit from the persistence of the state structure (*Ibid*). The second aspect is the internalization of state legitimacy by sections of the population. Initial identities within communities may not align with the state as a construct. However, as states occasionally fulfill specific roles and function for their citizens, identities can shift to include the state, providing grounds for it to be seen as a legitimate authority (*Ibid*). Finally, fragmentedness—where certain populations within the state feel no connection or obligation to the state—exemplifies the complex landscape of governance. For many marginalized groups, the state may seem wholly disconnected from their existence, reinforcing feelings of invisibility and disconnection. This phenomenon elucidates disparities and represents the historical and ongoing challenges faced by states in capturing their populations within their territorial boundaries (*Ibid*). Alongside these three factors, globalization plays a significant role in redefining state dynamics in Southern Africa. Both positive and negative impacts of globalization are evident. It invites new transformative changes and connects Southern Africa to broader economic and cultural shifts. However, it also underscores the unevenness of globalization, whereby its effects can be distinctly felt in some communities while others remain more detached, particularly in developing regions that struggle to engage with the global economy actively (*Ibid*).

The conceptual challenge of understanding the state within global contexts, particularly at the intersection of localization and globalization, highlights the changing dynamics of power and governance structures. Moreover, while globalization threatens to diminish the state's control, it simultaneously necessitates the intervention and adaptation of state structures to evolve and maintain relevance in an interconnected world. As governance structures in Southern Africa adapt or resist these pressures, the very notion of what constitutes a state remains under scrutiny. Moving forward, scholars and practitioners must navigate the complexities of power, identity, legitimacy, and the evolving nature of statehood, taking into consideration both historical precedents and modern challenges. The future of Southern African states, shaped through centuries of tumultuous development and ongoing global influences, reflects a nuanced and multi-layered political reality that resists simplistic interpretations or predictions. The discourse highlights the need for continuous investigation into the nature of governance, the role of the state, and the interconnectedness of historical and contemporary factors impacting state survival in Southern Africa (p. 3, 16, 17).

Toward a Normative Turn in African Statehood: Unity, Identity, and Cooperation

Lastly, a practical realism view of African statehood calls for a return to a normative aspect of statehood, as the solution out of the quagmire of the statehood in Africa. Abumere (2020) is a recent work in this direction as was chosen to clarify this view. Abumere (2020) Africa, with its fifty-four states, exemplifies the complexities of the Westphalian model, experiencing various fragmentation issues that exacerbate the challenge of "othering." He asserts that the divisions that occur in Africa, for example in state-society relations, reflect contemporary African realities by highlighting how identities differentiate and divide populations. The article advocates for a reconfiguration of international politics, promoting non-discriminatory, unifying identities and shared values to overcome entrenched divisions. Emphasizing cooperation as a core organizing principle, it introduces the concept of a "fusion of horizons" as a transformative approach to achieving this goal, aiming to replace existing differences with constructive, collective identities that foster unity among Africans (*Ibid*).

The paper discusses the formation of norms in international relations as norm emergence, norm cascade and norm internalization. He lays the distinction between norms and institutions is vital in international relations, with norms representing collective expectations of appropriate behavior. Norms are characterized by a dual

nature, perceived as both internal and external rules by actors. The life cycle of norms consists of three stages: emergence, cascade, and internalization, influenced by factors such as altruism and peer pressure. In the African context, norm subsidiarity and localization are crucial, reflecting local autonomy amidst powerful actors. Pan-Africanism drives consensus and ethical standards among African leaders, impacting international relations and emphasizing unity and cooperation, essential for understanding the dynamics of Africa's international politics.

Divisions among Africans are classified into geographical, racial, linguistic, and religious categories. According to Abumere, these divisions reflecting a Weberian ideal type analogy. Geographical divisions include state and regional distinctions that shape African identity and political relations. Racial and linguistic differences, influenced by colonialism, impact intra- and inter-continental relationships, creating alienation among diverse groups as often manifested in African Union Chairperson elections where AU members are sharply divided along language lines. Implicit systemic causes can exacerbate problems without being readily observable, influencing national identity and affiliation. The fragmentation into fifty-four Westphalian states complicates interactions and cooperation, with historical conflicts arising from these artificial divisions. Strengthening continental integration through effective regional organizations like the AU is crucial for addressing transnational challenges and fostering an Africa unity. Such a move will have ripple effect in creating legitimacy within African states, as pressure to provide public goods may be diffused to regional organizations.

Divisions based on geography, race, language, and religion in Africa create inclusionary and exclusionary identities that structure relations among states and individuals. Relationism emphasizes bonds formed through shared relationships, while non-relationism prioritizes common humanity. According Abumere, both concepts impact the moral dimensions of identity formation. Although these divisions can foster discrimination, they also offer opportunities for positive identity development. The potential for African states to evolve from a Hobbesian adversarial paradigm to a Kantian cooperative one hinges on their choices regarding these identities. Embracing a pan-Africanism that transcends specific divisions can enhance continental relations and foster unity among African states (*Ibid*).

The concept of "fusion of horizons," rooted in Gadamerian philosophy, emphasizes the need for individuals to engage with differing perspectives to expand their understanding. It identifies three horizon types: internal (object's nature), external (relationship with the environment), and temporal (context's spatio-temporal aspects). Fusion occurs through dialogue, allowing for the integration of novel insights, which can enhance pan-Africanism and foster collaborative international relations. This process can mitigate conflicts by promoting recognition over othering and fostering democratic transitions through dialogue. Ultimately, norms derived from this fusion can shape collaborative practices in African international relations and reduce conflict proclivity (*Ibid*).

To sum this section, Abumere’s work is unique relative to the analyses done in this paper because it underscores Africa's condition as shaped by divisions and differences, which hinder continental cohesion and complicate governance. It advocates for normative international politics by emphasizing the need for non-discriminatory, unifying identities and shared values to foster cooperation. Abumere’s synthesis posits that acceptance of norms and fusion of horizons are essential for establishing cooperative frameworks. Ultimately, a multifaceted approach to relations is proposed, spanning interpersonal, transnational, and regional dimensions, underlining cooperation as a core principle.

Discussions and Closing Remarks; Beyond Borders and Bureaucracy: The African State’s Crisis of Legitimacy through a Practical Realist Lens

The African state's crisis of legitimacy is deeply intertwined with the tension between juridical and empirical statehood, a dichotomy that has become even more pronounced when viewed through the lens of practical realism. Juridical statehood refers to the legal recognition of African countries as sovereign entities, achieved primarily through international law and the recognition of their borders by external actors. However, this legal statehood often does not correspond with empirical statehood—the actual ability of the state to function effectively, provide security, justice, and essential services to its citizens. Practical realism, as a framework,

recognizes the importance of acknowledging these gaps and contradictions rather than dismissing them. The tension between juridical and empirical statehood is not just an abstract issue but a deeply practical concern, one that must take into account the historical, cultural, and socio-economic contexts of African states. In this light, the discrepancy between the legal sovereignty of African states and their inability to fulfill their core responsibilities is a manifestation of the broader crisis of legitimacy, where the state exists on paper but fails to provide meaningful governance in practice.

The concept of pre-statehood versus re-statehood offers another crucial perspective on the legitimacy crisis, especially when examined through the lens of practical realism. Pre-statehood refers to the political and governance systems that existed in African societies before colonialism, which were often decentralized and rooted in local customs and collective identities. These systems, while not always formalized or centralized, represented functional forms of governance that were deeply connected to the lived realities of African communities. The colonial imposition of European-style statehood disrupted these indigenous systems, creating a mismatch between the imposed legal frameworks and the realities of local governance. Practical realism, which stresses the importance of historical continuity and local context, suggests that re-statehood, or the process of rebuilding African states, must account for these indigenous forms of governance. It is only by recognizing and integrating these pre-colonial practices into modern state-building efforts that African states can begin to address the legitimacy deficit they face. However, re-statehood must be a pragmatic process—one that adapts traditional governance structures to contemporary political realities, while also recognizing the challenges of moving beyond colonial legacies.

The dichotomy between Afro-state and Euro-state further deepens the legitimacy crisis when viewed through a practical realist lens. Euro-state norms, derived from the Westphalian model, emphasize centralized authority, territorial integrity, and absolute sovereignty, characteristics that were foreign to many African societies prior to colonialism. Practical realism emphasizes that state-building in Africa cannot simply replicate European models but must adapt to the realities of African societies, which were historically organized in more decentralized, kinship-based, or regionally distinct ways. The imposition of Euro-centric statehood on Africa created a state apparatus that was often disconnected from the people it was meant to serve. This mismatch between the Euro-state model and African realities contributes to the legitimacy crisis by alienating citizens from the state. In practical terms, many African states struggle to balance the demands of centralized control with the diverse needs and identities of their populations. As a result, the African state often functions more as a "gatekeeper state"—a state focused on maintaining order and extracting resources for elite interests—than as an entity that serves the public good. Practical realism stresses that addressing this issue requires more than merely adopting Western notions of governance; it demands a deep understanding of African socio-political structures and a reimagining of statehood that bridges the gap between European-derived norms and African realities.

The gatekeeper state model, explored in the context of African statehood, highlights the practical challenges faced by African states as they attempt to provide for their populations. In the gatekeeper state model, political elites use the state apparatus not to deliver public goods but to extract resources and maintain their hold on power. This dynamic often leads to a lack of accountability and responsiveness to the needs of ordinary citizens, exacerbating the legitimacy crisis. From a practical realist perspective, this model is not merely a result of mismanagement but is rooted in the structural and historical realities of African states. Many African countries were established with artificial borders and state systems that were designed to serve colonial interests rather than the needs of indigenous populations. In the post-colonial era, these structures continue to prioritize elite control over the welfare of the population. Practical realism posits that this extraction-driven model of statehood cannot be dismantled by simply adopting foreign governance frameworks; it requires a nuanced understanding of how African states function in practice and the challenges posed by global and regional power dynamics. Only through a pragmatic approach that addresses both local and global factors can the gatekeeper state model be transformed into a more legitimate and accountable system.

The impossibility of fully attaining Westphalian features in African states further emphasizes the limitations of applying Eurocentric models of statehood in Africa. The Westphalian model, with its focus on territorial integrity, centralized authority, and absolute sovereignty, assumes a level of state cohesion and institutional

capacity that many African states have not attained, and may never fully achieve. Practical realism stresses that it is unrealistic to expect African states to replicate the Westphalian features of European states, especially given the complex legacies of colonialism and the artificial borders imposed by colonial powers. Instead of adhering strictly to the Westphalian model, practical realism advocates for a more context-specific approach to statehood that recognizes the diversity and historical realities of African societies. African states must find ways to foster state cohesion and sovereignty that are appropriate to their unique political, social, and cultural contexts, rather than adhering to externally imposed standards. This might involve redefining sovereignty to allow for greater local autonomy or adapting governance structures to reflect the decentralized political traditions that pre-date colonialism. By embracing this pragmatic approach, African states can move toward a more functional and legitimate form of statehood that better serves the needs of their populations.

Abumere's (2020) work on normative African statehood offers further valuable and somewhat unique insights into the deepening legitimacy deficit faced by many African states, especially considering the fragmentation and division inherent in the Westphalian state system. From a practical realism perspective, the legitimacy crisis is not solely an issue of governance efficiency but is also a consequence of deep-rooted identity divisions—whether geographical, racial, linguistic, or religious—that hamper national cohesion. These divisions, often a legacy of colonialism, have left African states with fragmented national identities, creating barriers to the formation of a collective, unifying statehood. Practical realism suggests that addressing this legitimacy crisis requires not only the recognition of these divisions but also a practical approach to mitigating their effects. The "fusion of horizons" proposed by Abumere is an embodiment of this realist approach, wherein African states must engage in dialogue that transcends divisive identities to build a more cooperative and unified national framework. In practical terms, this means fostering cooperation at the regional level, particularly through organizations like the African Union, which can alleviate pressures on individual states to provide public goods and contribute to regional stability. This shift from divisive national identities to a more collaborative regional approach can significantly contribute to addressing the legitimacy deficit that plagues African states, ultimately promoting a more cohesive and sustainable form of statehood.

Practical realism provides a lens through which to understand the broader implications of these issues on the legitimacy of the African state. It emphasizes the importance of confronting the complexities and contradictions inherent in statehood in Africa, particularly the tension between idealized notions of governance and the lived realities of African societies. Practical realism does not call for the abandonment of ideals such as sovereignty or territorial integrity, but it recognizes that these concepts must be adapted to the African context in order to be meaningful. The crisis of legitimacy in African states is not simply a product of external pressures or colonial legacies but is also a consequence of the failure to develop governance systems that reflect the practical realities of African societies. By focusing on pragmatic solutions that take into account both historical legacies and contemporary challenges, practical realism offers a path forward for African states to reclaim their legitimacy. This approach calls for a more inclusive, context-aware process of state-building—one that acknowledges the diversity of African experiences and the complexities of governance in the post-colonial era, ultimately paving the way for a more legitimate and sustainable African state.

ACKNOWLEDGEMENTS

I would like to express my gratitude to Dr. Gilbert Kimutai, who taught the course unit, DPS 911 - African International Relations, from which the term paper was expanded into this article. I am also deeply thankful to my family: my loving wife, Phennie, my wonderful daughter, Conslate Anyango, and my hardworking sister, Clare. Their continuous encouragement and, most importantly, the supportive environment they provide allow me to undertake challenging academic tasks like this one. And of course, a cup of coffee from Mum, Phennie, always helps.

Author Contribution

OAK conceived, researched, wrote, revised, and submitted the article.

Declaration of Conflict of Interest

The author declares no conflict of interest in the conceptualization, research, writing, revision, or submission of this article.

About the Author

The author is a PhD student at the School of Development and Strategic Studies (SDSS), Maseno University (oakasera@maseno.ac.ke). He is an adjunct lecturer in Political Science, International Relations, Public Administration, and Human Rights at the main campuses of three Kenyan universities: Maseno University, University of Kabianga, and Rongo University.

REFERENCES

1. Anyang'Nyong'o, P. (2007). A leap into the future: a vision for Kenya's socio-political and economictransformation. African Books Collective.
2. Apiko, P., Woolfrey, S., & Byiers, B. (2020). The promise of the African Continental Free Trade Area(AfCFTA). ECDPM Discussion Paper, 287, 1-16.
3. Bayart, J. F. (2009). The State in Africa: the politics of the belly.
4. Beaumont, E. (2011). Promoting political agency, addressing political inequality: A multilevel model of internal political efficacy. The Journal of Politics, 73(1), 216-231.
5. Berman, B. J. (1974). Clientelism and neocolonialism: center-periphery relations and political development in African states. Studies in Comparative International Development, 9, 3-25. Brown, W., & Harman, S. (2013). African agency in international politics. In African agency in international politics (pp. 1-16). Routledge.
6. Buba, I. A. (2019). Aid, intervention, and neocolonial 'development'in Africa.
7. Chauvet, L., & Collier, P. (2008). Elections and economic policy in developing countries. Paper presented at the 48th Economic Policy Panel Meeting, October 2008, Paris.
8. Clapham, C. (1998). Degrees of Statehood. Review of International Studies, 24(2), 143–157. http://www.jstor.org/stable/20097515
9. CLAPHAM, C. (2001). RETHINKING AFRICAN STATES. African Security Review, 10(3), 6–16. https://doi.org/10.1080/10246029.2001.9628110
10. Collier, P. & Hoeffler, A. (2005). Resource Rents, Governance, and Conflicts. Centre for the Study of African Economies, Department of Economics University of Oxford. JOURNAL OF CONFLICT RESOLUTION, Vol. 49(4),pp. 625-633. DOI: 10.1177/0022002705277551.
11. Collier, P. (2010). Political economy of natural resources. Social Research Vol 77 (4). Winter 2010. Pp. 1105-1132.
12. Frank Aragbonfoh Abumere (2020) Introducing Normativity in African International Politics, Politikon, 47:3, 342-360, DOI: 10.1080/02589346.2020.1796001.
13. Jackson, R. H., & Rosberg, C. G. (1986). Sovereignty and Underdevelopment: Juridical Statehood in the African Crisis. The Journal of Modern African Studies, 24(1), 1–31. http://www.jstor.org/stable/160511
14. Kasera, O. A., Odhiambo, O. M., & Oloo, B. C. (2024). Africa in Global Public Policy: Theoretical Perspectives and the Role of International Law in Shaping Public Policy in Africa. International Journal of Research and Innovation in Social Science, Query date: 2024-12-22 11: 50, 51, 910-937.
15. Leftwich, A. (2010, March). Beyond institutions: Rethinking the role of leaders, elites and coalitionsin the institutional formation of developmental states and strategies. In Forum for DevelopmentStudies (Vol. 37, No. 1, pp. 93-111). Routledge. Alden, C., & Arran, A. (2016). Foreign policy analysis: new approaches. Routledge.
16. Mahajan, V. (2011). Africa Rising: How 900 million African consumers offer more than you think. Pearson Prentice Hall.
17. Maxi Schoeman (1997) Celebrating Westphalia's 350th birthday: Reflections on the state of the state in southern Africa, South African Journal of International Affairs, 5:2,1-20, DOI: 10.1080/10220469709545222.

18. Pierre Englebert (1997) Feature review The contemporary African state: Neither African nor state, Third World Quarterly, 18:4, 767-776, DOI: 10.1080/01436599714759.
19. Rieff, D. (1998). In defense of afro-pessimism. World Policy Journal, 15(4), 10-22.
20. Sara Rich Dorman (2018) Beyond the Gatekeeper state? Studying Africa's states and state systems in the twenty-first century, Third World Thematics: A TWQ Journal, 3:3,311-324, DOI: 10.1080/23802014.2018.1556968.
21. Temitope Peter Ola (13 Jun 2024): Westphalia state building in independent Africa, African Identities, DOI: 10.1080/14725843.2024.2365653.
22. Wallace-Bruce, N. L. (1985). Africa and International Law – The Emergence to Statehood. The Journal of Modern African Studies, 23(4), 575–602. http://www.jstor.org/stable/160680