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The Administrative Officer
Centre for Social Science Research
University of Cape Town
Private Bag
Rondebosch, 7701
Tel: (021) 650 4656
Fax: (021) 650 4657
Email: kforbes@cssr.uct.ac.za

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Democracy in Africa Research Unit

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Etannibi Alemika is a Professor at the University of Jos, Nigeria and a Research Fellow of the Democracy in Africa Research Unit at the Centre for Social Science Research, University of Cape Town.

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Abstract

The aim of this paper is two-fold. First, the paper analyses how citizens in fifteen African countries perceive key elements of governance, including the extent of legitimacy of constitutional, juridical, economic and political systems in Africa as well as perceptions of rule of law and violent conflicts in each of the fifteen countries. Second, the paper investigates the level and source of trust in government institutions. The analysis is based on the round 2 version of the Afrobarometer survey and employs descriptive analysis, factor analysis, scale item reliability analysis as well as OLS multiple regression analysis. Key findings show that the majority of respondents prefer a mixed economy, democratic governance, support the national constitutions and accept that courts and police should enforce the law in the respective countries. Violent conflicts are perceived to be caused by a multitude of factors (not just ethnic and religious factors), but are not acceptable to the respondents as a means of achieving political objectives. Generally, findings show that trust in public institutions is low and that political trust is primarily influenced by how government performs in the arenas of socio-economic management and civil rights protection. Perceptions of corruption among elected and public officials are high. The paper concludes by highlighting that democratic transition in Africa has progressed, but still faces many dangers. The major threats to democratisation are the social, economic and political crises in Africa which have been worsened by IMF/World Bank Structural Adjustment Programmes.

1. Introduction

Why should citizens voluntarily obey the commands of the state? Why should they trust or support the government of their country? A very plausible answer to the two questions that has been offered by social philosophers and theorists over the ages is that obedience and support are justifiable only if the state and government are legitimate. This implies that a citizen is morally obliged to obey the state and support the government only if they are *rightly* constituted in accordance with *popularly accepted constitutional and legal order* aimed at

promoting the common good and realising the aspirations of the generality of the people through *widely preferred political and economic regimes.* Simply stated, the state commands should be obeyed and the government should be supported if they are legitimately constituted organs of society for the pursuit of safety, security, welfare and liberties (Rousseau 1947; Locke 1988).

The term 'consent' features in philosophical discourse on power, authority and legitimacy. Classical social philosophy and theory placed consent at the heart of power relations in society. Several classical social philosophers and theorists like Plato, Hobbes, Rousseau, Locke and Weber articulated the grounds for the constitution of societal sovereign authority. The social philosophers and theorists devoted their efforts to articulating grounds or conditions for legitimate exercise of power in the context of collective social, economic and political life. Citizens can invest and disinvest their consent or legitimacy in a state or government based on the extent to which the common good (security of life and person; safety of property, economic and social welfare of individual citizen, and liberties from violence, exploitation and oppression) is promoted and guaranteed for every citizen on the basis of inherent equal worth (Plato 1955; Hobbes 1992; Rousseau 1947; Locke 1988; Weber 1978, Mills 1964).

Legitimacy is the basis for voluntary obedience to state laws and support for government. It is in this light that St Augustine conceives the guarantee of justice to everyone as the legitimate basis for the existence of the state. According to him, the guarantee of justice by the state distinguishes its exercise of power from the command or use of force by bands of robbers. Thus, St Augustine argues that a state without justice is nothing but a band of robbers. In the Augustinian tradition, which found expression in the natural law approach in jurisprudence, justice – treating everyone as persons with inherent equal worth, rendering unto each what they deserve on account of what they have done, and ensuring or guaranteeing the security and welfare liberties of every citizen – is the foundation of legitimacy of state, regimes and governments (St. Augustine 1998). In complex modern societies, how can the consent of the citizens to the powers and activities of the state be expressed and determined? Contemporary social science offers an answer. Consent is expressed through elections and expression of trust or confidence in the government. As a result, empirical social science literature uses political trust or confidence in and support for government as proxies for consent and legitimacy (Weatherford 1992; Levi and Stoker 2000).

The rule of law is a cornerstone of democratic governance (Rosenfeld 2001). However, rule of law is compatible with non-democratic governance, to the extent that it focuses on process rather than substance of law (Hayek 1944, Raz 1979; Alemika 2003a). Democratic governance must embody the rule of law.

The rule of law doctrine embodies the principles that: (a) citizens should be subjected only to the law; (b) laws should be promulgated to take effect prospectively rather than retroactively; (c) legislative functions should be independent of executive functions and duties and subject only to judicial review in accordance with the provisions of a national ground juridical norms - constitution or convention; (d) judicial functions and officials should be independent of interference from the executive and legislative arms of government and granted powers to review executive and legislative decisions in a accordance with constitutive laws, and (e) all citizens are equal under the law and no one within the polity is above the law. The essence of the rule of law is to limit arbitrary exercise of power by the state, protect human rights, guarantee equality and ensure effective enforcement of law. These principles coincide with some of the constitutive elements of liberal democracy. They also mirror the fictive compact between the state and citizens as postulated by social contract philosophy of the state and citizenship (Dicey 1982; Dahl 1989; Rosenfeld 2001).

Social conflicts are embedded in social interactions. The coexistence of individuals and groups necessarily entails plurality of competing interests. If the competing interests are not regulated, or if there are no institutionalised mechanisms for resolving conflicts, violence may be employed as an instrument for the pursuit and realisation of interests by groups. In essence, violent conflicts emanate from absence of consent over the management of competing interests and absence or weakness of institutionalised mechanisms for the management of conflicting interests (Coser 1967; Boulding 1963; Oberschall 1978). In governance, therefore, legitimacy, rule of law and conflicts are interrelated and characterised by dynamic tension (Rosenfeld 2001; Dicey 1982; Dahl 1989). Empirically, how are they related? This paper analyses legitimacy, rule of law and violent conflicts in Africa.

2. Focus of the Study

This paper examines the perceptions of citizens in fifteen countries on legitimacy, the rule of law, and incidence of violent conflicts in their respective nations. It also analyses the sources or determinants of trust in government institutions among the citizens in the countries. Descriptive and multivariate analyses are undertaken in this study.

At the descriptive level of the study, we examine the following issues:

1. The extent to which the national constitutions of the 15 African countries[1], included in the round 2 survey of *Afrobarometer*[2], are perceived by the citizens as expressing their values and hopes. In other words, to what extent do citizens regard their national constitution as legitimate? Constitution is the primary juridical norm that governs the structure of the state, powers of the state and government, citizenship and the overall political economic structure. Its legitimacy or otherwise in the perception of the citizens has serious implications.
2. The extent to which the citizens perceive their nations' political and economic regimes - democracy and market economy - to be legitimate as well as their assessment of their functioning.
3. Extent of trust in the core political institutions by the citizens of the fifteen African countries. Trust is generally used in the literature as proxy for legitimacy.
4. Citizens' assessment of the capacity of their country's government to enforce the law if they violate it. This aspect assesses perceptions of state legal capacity and equality of enforcement and administration of law, which are very crucial to the rule of law.
5. Extent of violent conflicts and criminality in the countries. Violence erodes legitimacy of and trust in government because of failure to guarantee the fundamental needs of security and safety.

The multivariate analysis component of this study examines the extent to which the legitimacy of government measured by trust correlated with citizens' perceptions of the management of economic and social services, civil rights, conflicts, corruption, legal capacity, age, gender and party affiliation.

3. Literature and Conceptual Framework

The major features of the crises in many African countries are (a) contestation of the legitimacy of regime and government; (b) repression and non-observance of rule of law, impunity by government institutions and officials; (c) poor

[1] The countries are Botswana, Cape Verde, Ghana, Kenya, Lesotho, Malawi, Mali, Mozambique, Namibia, Nigeria, Senegal, South Africa, Tanzania, Uganda and Zambia.

[2] "The Afrobarometer is an independent, nonpartisan research project that measures the social, political and economic atmosphere in Africa. Afrobarometer surveys are conducted in more than a dozen African countries and are repeated on a regular cycle. Because the instrument asks a standard set of questions, countries can be systematically compared. Trends in public attitudes are tracked over time" (www.afrobarometer.org, accessed 13 July 2004).

economic, political and social performance[3] and (d) incivility and violence by politicians and segments of the public. These problems have arisen largely from the authoritarian and patrimonial political economy of the nations. Unfortunately, the problems are mutually reinforcing to the extent that a vicious circle of authoritarianism, arbitrariness and impunity, poor economic and social performance and erosion of legitimacy fuel armed conflicts or intermittent violent conflicts.

Democratisation offers promise for breaking the vicious circle. However democratisation must involve or bring about structural transformation, value reorientation, inclusive participation and efficacious citizenship rather than mere electoralism. Current forms and waves of political and economic liberalisation in Africa may only deregulate the material, intellectual and moral poverty which may lead to either state collapse or reinstallation of authoritarianism. Most African countries that have implemented the structural adjustment programmes (imposed by IMF, World Bank and advanced capitalist, especially the G8 countries) since the mid-1980s, are worse off – economically, politically and socially – than they were prior to the introduction of such programmes.

3.1 Legitimacy of Regime (System) and Government (Incumbent Ruling Group)

There are two major dimensions of legitimacy. First, legitimacy of the institutions and rules that structure, define and regulate fundamental juridical, socio-political, economic and cultural relationships, power, means and goals or ends in society, which may be referred to as the *constitutional, political and economic regimes.* Second, the government's use of the constitution, political and economic rules to achieve the goals to which the society commits itself, in other words *performance.* Legitimacy enhances the credibility, stability and the institutionalisation of state structure and governments. The recurring crises in African polities are symptomatic of the lack of legitimacy. In classical social

[3] Performance in (a) economic terms (job creation to prevent high unemployment, poverty reduction, reducing wide inequalities, promoting industrial productivity, efficiency and equity in the use of resources and distribution of resulting benefits; enhancing economic diversification, investments and international trade, human capital development and scientific/technological development); (b) political terms (promoting social and efficacious citizenship through the guarantee of participation, inclusive governance, and generally social democratic governance, rather than limited capitalist/free market driven liberal democracy with its shallowness of emphasis on electoralism and formal equality rather than substantive equality), and (c) social terms (guaranteeing human rights, universal access to (i) cultural, scientific and technological education and development; (ii) food security, (iii) health care, and safety and security).

philosophy and theories that have evolved around the social contract doctrine, the state exists for instrumental reasons and therefore derives its legitimacy (acceptance and support by citizens as expression of their sovereign will and rights) only if it effectively carries out the envisaged duties of guaranteeing everyone the security of their person, property and dignity. Social scientists, especially sociologists and political scientists, continue to examine the extent of legitimacy enjoyed by state institutions and officials in nations.

There are very few concise definitions of legitimacy in social science literature. Max Weber identified three types of domination (power or authority) – tradition, charisma and legal rationality as well as the grounds for legitimising them. Traditional domination is legitimised by tradition or culture. For example, the right to 'traditional or customary leadership or chieftancy' is justified on historical practices or customs, delineating who is qualified and through what process of selection and installation. In Africa, this form of claim to domination existed before colonial rule, reconfigured during the colonial and post-colonial eras, no longer as autonomous power but a subordinate coalition with the national (trans-cultural) state (Ekeh 1980, Mamdani 1996).

The legitimation of power may also depend on the charisma of the ruler. This is more frequently found in, but not limited to, the religious arena. But, even modern rulers are frequently evaluated as to whether or not they possess charisma to supplement their power derived from the constitution or statutes (legal rational form of legitimation). Weber noted that charismatic domination tends to be short-lived because it is dependent on personal attributes of the ruler, which is not transferable. Therefore, for charismatic domination to persist in the community, it must be routinised as either customary power or as a legal-rational form of power. The legitimacy of powers exercised by modern states and bureaucracies is governed by legal rationality, characterised by impersonal rules, roles and status which are at the same differentiated and coordinated horizontally and vertically.

Legitimacy has normative and evaluative dimensions as well as objective and subjective components. Ultimately, it expresses relationships between groups: governed and governors, employers and employees, law enforcement institutions and crime suspects, cleric and congregation. It raises the question of the grounds relied on (i.e. rights) to demand compliance with commands or directives to perform given duties. Suchman (1995: 577) offers a definition of legitimacy that underscores the inter-subjectivity of the concept. According to him, legitimacy refers to "a generalized *perception or assumption* that the actions of an entity are desirable, proper, or appropriate within some socially constructed system of norms, values and beliefs, and definitions" (emphasis added). He suggests that:

> '… when one says that a certain pattern of behavior possesses legitimacy, one asserts that some group of observers, as a whole, accepts or supports what those observers perceive to be the behavioral pattern as a whole – despite reservations that any single observer might have about any single behavior' (*Ibid*: 574).

Legitimacy or illegitimacy is ascribed to institutions, rules, offices, commands and actions based on the evaluative criteria of appropriateness, propriety, efficiency and equity.

Social scientists have attempted to construct empirical referents for the concept of legitimacy. However, Weatherford (1992:149) observes that "the concept is too unwieldy and complex … to be grappled in a frontal assault". As a result, the concept is often broken into components like "alienation, political trust, mode of participation, and political efficacy" (*Ibid*: 149). The most common measure of legitimacy in empirical political science literature is trust in society's regime of rule, administration and production/distribution (constitutional, political and economic systems); institutions (executive, legislative, judicial, military, law enforcement, financial, industrial and religious bodies, etc.), and officials (president, judges, police, law-makers, etc.). Legitimacy of liberal democratic governance is evaluated by the majority of political scientists in terms of rules and process rather than on substantive outcomes of distributive justice and *de facto* equality. This approach is dictated by the form and character or content of liberal democracy as a method and process (Dahl 1989). Weatherford (1992) points out that:

> 'Historians and political theorists distinguish legitimate from illegitimate governments by focusing on constitutional provisions that establish the opportunity for wide participation and ensure procedural regularity, especially provisions dealing with majority rule, minority rights, and accountability in regular and frequent elections' (*Ibid*: 150).

This conception emphasises constitutionalism and electoral process. Nonetheless, Weatherford proposes that four concerns should feature in the evaluation of the legitimacy of a democratic regime: accountability, efficiency, procedural fairness and distributive fairness. Expectations and performance play a critical role in the ascription of legitimacy to political institutions by citizens. Peet and Simon (2000: 659-660) state that:

> 'Political authority is granted legitimacy to the extent that the power is exercised in a manner that complements the social expectations between the rulers and the ruled. To maintain legitimacy,

> governments must use political power in a manner consistent with the purpose for which it is granted. Thus, governments are constrained by the legitimate social purpose of political power'.

The terms 'attitudes' and 'belief' have featured in the attempt to operationalise and empirically measure democratic legitimacy. Montero *et al*. (1997: 126) defines democratic legitimacy as "citizens' positive attitudes towards democratic institutions, which are considered to be the most appropriate from of government". Similarly, Linz defines it as "the belief that, in spite of shortcomings and failures, the political institutions are better than any others that might be established (Linz 1988: 65 – cited in Montero *et al.* 1997). These conceptions differ from the dimension of legitimacy measured by trust, which are nonetheless conflated by many. Definitions provided by Montero *et al.* (1997) and Linz (1988) measure system or regime legitimacy while trust measurements gauge the legitimacy of the incumbent government, usually based on perceptions of its policies, programmes, decisions, actions and performance. There is a need to assess the two levels independently – regime or system legitimacy and government legitimacy.

The critical question is what do citizens evaluate when determining the legitimacy or otherwise of regimes and governments? Do they distinguish between system (regime) legitimacy and government (ruling groups in power) legitimacy? Does the performance of government in critical areas of governances such as the economy and social services provisioning influence citizens' evaluation of regime legitimacy or government legitimacy or both? Empirical social science literature show that the evaluation of system legitimacy is more stable than that of government legitimacy which is more likely to be influenced by the performance of the incumbent government (Weatherford, 1992; Vassilev 2004; Lewis *et al.* 2001; Levi and Stoker 2000; Weil 1989). As indicated above, the concept of trust has often been used as an indicator of the extent of the legitimacy of government – its institutions and officials in empirical social science literature.

Trust judgments are believed to be influenced by an array of factors. Levis and Stoker (2000: 480) state that they are "influenced by evaluation of the performance of incumbent president, particularly in economic realm; by evaluations of the leaders' personal qualities; and by dissatisfaction with the policies being promoted for implementation by the current government". The implication for the social science research and theory is that citizens' evaluation of legitimacy includes, but is not limited to, the narrow constitutional and procedural parameter employed in accordance with the minimalist definition of democracy (Dahl 1989). The wider perspective of the citizens is captured by Miller and Listhaug (1990: 358) observation that trust judgment:

> '… reflects evaluations of whether or not political authorities and institutions are performing in accordance with normative expectations held by the public. Citizen expectations of how government should operate include among other criteria, that it be fair, equitable, honest, efficient, and responsive to society's need. In brief, an expression of trust in government (or synonymously political confidence and support) is a summary judgment that the system is responsive and will do what is right even in the absence of constant scrutiny'.

In the context of Africa, two factors – corruption and violent conflicts - have been identified as sources of distrust for regimes and governments. However, there have been very few attempts to empirically examine their impacts. The *Afrobarometer* data set contains information that can be employed to fill this gap, and this paper will explore the problem in later sections. For now, we discuss the literature on the impact of corruption on legitimacy.

3.1.1 Corruption and Legitimacy

Corruption erodes democratic principles of accountability, transparency, equality and fairness (Anderson and Tverdova, 2003: 92) as well as efficiency in the use of resources. All countries manifest varying levels and types of corruption which are embedded in their social, economic and political structures (Zack-William and Alemika, 1986; Alemika, 2002; Anderson and Tverdova, 2003). In many African countries, corruption is widespread and permeates transactions in the public service, private corporations and civil society (Alemika 2002). Corruption is also rooted in the clientelism or prebendalism that characterises African political economies (Joseph 1987; Alemika 2002). A consequence of prebendalism is that politics and electoral competition become means of corrupt accumulation, as access to the state guarantees opportunities for illicit private enrichment, thereby turning competition for political power into a warfare that threaten credibility of elections and triggers electoral violence in African countries (Ake 1996a, 1996b; Alemika 2004). The problem of corruption in Africa is complicated by the fact that the agencies responsible for its control (especially judiciary and the police) are some of the most corrupt public institutions (Alemika 2003a, 2003b). The overall effect is that the legitimacy of government is undermined because corruption violates the principles of democratic governance, leads to gross inefficiency, widens inequality, engenders and aggravates political instability and repression.

Anderson and Tverdova (2003) found a strong correlation between high levels of corruption and negative evaluations of the political system as well as low

level of trust in public officials. They attribute the relationship to the nature of democratic ethos:

> 'The principles underlying democratic political systems presume that governments are accountable to their citizens, that they administer laws equitably and fairly, that their actions are transparent, and that all citizens have access to the political process' (Anderson and Tverdova 2003: 91).

They rightly argue that when a system fails to satisfy these expectations, it will be plagued by legitimation crisis. Corruption is a major factor that undermines the fulfillment of these expectations by political and other organisations and actors.

Democratisation is often prescribed as a cure for corruption and mechanism for ensuring accountability. In Africa, democratisation has been accompanied by economic liberalization (deregulation, privatisation and commercialisation of public utilities and social services). In the context of Africa and Latin America, such adjustment programmes were usually introduced following the advice of the IMF, World Bank, WTO and the G8 countries. Among other requirements, they prescribe government abdication (withdrawal) of responsibility for the economic and social security of citizens and the transfer of public/national wealth into private (cartel of local and foreign) hands (e.g. privatisation). These have either created or aggravated serious problems of poverty arising from retrenchment, lack of access to education, health care, housing and employment. The implementation of such adjustment has, in many contexts, spurred repression of workers and students who are opposed to such programmes, while the privatisation of public enterprises are characterised by corruption. The experience of Nigeria is illustrative of this point. The adjustment programme embarked upon since the mid-1980s has contributed to the increasing level of poverty (from under 50 percent in early 1980s to 70 percent living below poverty line in 2003), deterioration of industrial production and social services, corruption and repression, and identity politics that have exacerbated ethnic, religious and communal violence (Jega 2000; Alemika 1998; Olukoshi 1993; see also Storeym 2001).

Democratic transition may generate new forms of corruption and compound existing ones, as has been demonstrated by the evidence from Eastern Europe following the 'collapse' of state communism. However, in the long-term, if democratisation is successfully consolidated, petty and undisguised corruption should diminish as accountability and transparency are institutionalised (Moran 2001). But in the short-run, corruption coupled with authoritarian implementation of economic adjustment towards capitalism can generate levels

of inequality, poverty and violence that may undermine and reverse transition to liberal democracy and capitalism. Moran (2001) highlights the relationship between corruption and crime, legitimacy and government's economic and social services provisioning:

> 'State strength and/or legitimacy is an important correlate with corruption. Where state capacity in the areas of law enforcement/social control is limited in the face of increased social and political freedom, corruption and crime may develop. Where the state cannot satisfy demands for basic social services, regime legitimacy may decline, leading to petty corruption and crime' (*Ibid*: 389).

Corruption undermines the legitimacy of government because in a society where the practice is widespread and endemic, the expectations of governance, security and safety, economic and social welfare, rights and freedoms, and especially the rule of law cannot be fulfilled. Social sciences in Africa need to examine and empirically establish the linkages among corruption, legitimacy, rule of law, economic and social services management by the government.

3.2 Rule of Law in African Countries

The rule of law doctrine expresses several elements of democratic governance. Central to the doctrine are precepts of equality under law and equal protection by law as well as prohibition of arbitrary (unpredictable) exercise of power by the government and especially its coercive agencies (police and security services). The modern conception of the term "rule of law" is traced to A. V. Dicey, an English jurist. According to Dicey, the rule of law implies that:

> 'No man is punishable or can be lawfully made to suffer in body or goods except for a distinct breach of law established in the ordinary legal manner before the ordinary court of the land. In this sense the rule of law is contrasted with every system of government based on the exercise by person in authority of wide, arbitrary, or discretionary powers of constraint' (Dicey 1982: 110)

Dicey's definition emphasises what in the American legal tradition is referred to as due process of law, especially precedent to coercive restraint and liability. Another principle of the "rule of law" stipulated by Dicey is that "no man is above the law …" Consequently, he argued that "every man, whatever may be his rank or condition is subject to the ordinary law of the realm and amenable to the jurisdiction of the ordinary tribunals" (Dicey 1982: 114).

Hayek (1944: 75) argued that the rule of law "means that government in all its actions is bound by rules fixed and announced beforehand". The significance of this element of the rule of law is to **"**make it possible to foresee with fair certainty how the authority will use its coercive power in given circumstances, and to plan one's individual affairs on the basis of this knowledge". Again, Hayek's description underscores predictability of the actions of government or organisations based on pre-existing rules. Similar definitions of the rule of law have been provided by Nwabueze (1992), a leading Nigerian constitutional lawyer. He argues that the basic concern of the rule of law is to ensure "that the government is executed and administered according to law; that disputes are adjudicated impartially according to law by regular, ordinary courts which are independent of disputants" (*Ibid:* 18). Nwabueze points out that the doctrine of the rule of law implies "that the ordinary laws applied in the execution of government and adjudication of disputes are made according to some basic, fundamental rules which regulate both the permissible content and the form of such laws, as well as the procedure for making them" (*Ibid:* 18). The overall goal of the rule of law doctrine, argues Nwabueze, is "is to limit, and thereby to check, the arbitrary, oppressive and despotic tendencies of power and to ensure equal treatment and protection for all, irrespective of sex, class, status, religion, place of origin or political opinion" (*Ibid:* 18).

Lon Fuller in his work on the *morality of law* extends the debate on the features of the rule of law by linking it with the natural law principles and as preconditions for legal efficacy. He identified the following actions that will constitute a perversion of the law:

1. Failure to achieve rules at all, so that every issue must be decided on an *ad hoc* basis;
2. Failure to publicise, or at least to make available to the affected party, the rules he is expected to observe;
3. Abuse of retroactive legislation, which not only cannot itself guide action, but undercuts the integrity of rules prospective in effect, since it puts them under the threat of retrospective change;
4. Failure to make rules understandable;
5. Enactment of contradictory rules; or
6. Rules that require conduct beyond the power of the affected party;
7. Frequent changes in the rules such that the subject cannot orient his actions by them; and finally
8. Failure of congruence between the rules as announced and their actual administration (*Ibid* 1991: 182).

Fuller also linked the rule of law to the legitimacy of government as well as citizens' duty to obey the law. He argues that "there can be no rational ground

for asserting that a man have a moral obligation to obey a legal rule that does not exist, or is kept secret from him, or that came into existence only after he had acted, or was unintelligible, or was contradicted by another rule of the same system, or commanded the impossible, or changed every minute (*Ibid* 1991: 182).

Raz, an English legal philosopher, following the argument of Fuller contended that the requirements of the rule of law are that:

1. All laws should be prospective, open and clear, relatively stable, guided by open, stable, clear and general rules;
2. Independence of the judiciary must be guaranteed;
3. The principle of natural justice must be observed;
4. The courts should have review powers over the implementation of the other principles;
5. The court should be easily accessible' and the discretion of the crime-preventing agencies should not be allowed to pervert the law (*Ibid* 1979: 214-218).

These elements are very critical and span the three major spheres of a legal order: law making, enforcement and adjudication. This brief discussion indicates that the rule of law doctrine is multi-dimensional with wide-ranging implications for governance.

Observance of rule of law is either weak or eroded in many African countries for several reasons:

1. African governments, for most of their existence, have been totalitarian in the form of colonialism, apartheid, post-colonial one-party and military regimes.
2. Legislatures are emasculated and therefore are unable to produce a strong juridical framework for the rule of law. The emasculation of African legislatures was effected through authoritarian party structures, executive control and manipulation of budgetary allocation and disbursement, and corrupt inducement of individual legislators (Alemika 2003a; Monga 1997).
3. The judiciary is weak and dependent on the Executive organ for several reasons. Firstly, the mechanism of funding often renders the judiciary under-funded and at the mercy of the executive. Secondly, the military regimes and one-party system in African countries weaken the judiciary through either ouster clauses or the appointment and security of their tenure of judges. Thirdly, the executive and wealthy members of society corrupt a significant proportion of the judges. Some judges are also

swayed or influenced by ethnic and religious considerations. These considerations have weakened the judiciary and prevented it from serving as a restrain on executive lawlessness.

4. The capacity of the citizen to ensure adherence to the rule of law through litigation is inhibited by several factors including: (a) mass poverty and the absence of public assistance in litigating human rights violations; (b) the physical distance of courts from many communities, especially in rural areas; (c) alienating technical language and proceedings of courts, and (d) public mistrust of the courts.
5. The transition to a multiparty system has not necessarily translated into a fundamental restructuring of socio-political institutions and civil society; they are thus not strong enough to restrain the government from arbitrariness and make government institutions accountable. Many factors weaken the capacity of citizens to demand and ensure that their governments observe and guarantee the rule of law. These include: the rapidly growing level of poverty, deterioration of social service; exorbitant cost of health, educational and other social welfare goods occasioned by government privatisation and abdication of duty in the areas; unemployment, especially among graduates of secondary and tertiary institutions which has accompanied democratisation and liberalisation.

These reasons combine to explain the weakness or erosion of the rule of law in many African countries, which also in part account for the tendency of individuals, communities and groups to resort to self-help and lawlessness when they are in conflict or dispute with others. Although law enforcement agencies have great power, the grossly inadequate scrutiny of executive police powers and activities post a threat to the rule of law.

3.3 Social Conflict and Violent Conflict

Frequently social conflict and violent conflict are used interchangeably. However, sociologists and criminologists make a distinction between the two concepts. Sociologists insist that social conflict is endemic and sometimes functional in enhancing social solidarity and catalysing social changes in society (Boulding 1963; Coser 1967). It is important that the characteristics of the concepts are distinguished in social scientific analysis.

Social conflict is a wider term than violent conflict because it incorporates violent and non-violent conflicts. From a sociological point of view, most conflicts, which occur on a daily basis as part of social relations are non-violent

and regulated through numerous institutionalised mechanisms. Social conflict is a product of and embedded in interaction between groups. Conflicts of interests between groups lead to the questioning of social relations and the values, norms and rules that underlie them. Consequently, with struggles, balance of power may be altered and so also social relations. The changes may create a new level of stability that will enhance development in society. Social conflicts may either be transformative or destructive depending on how they are managed and the compromise that combatants are willing to make.

Violent conflicts results from absence, failure or weakening of institutionalised mechanisms for channeling and regulating social conflicts. In short, violent conflicts can be conceptualised as unregulated social conflicts. Coser (1967: 232) defines social conflict as "a struggle over values or claims to status, power, and scarce resources, in which the aims of the conflict groups are not only to gain the desired values, but also to neutralize, injure or eliminate rivals". His definition covers the full range of non-violent and violent conflicts. Boulding (1963: 5) observes that conflict "is a situation of competition in which the parties are *aware* of the incompatibility of potential future positions and in which each partly *wishes* to occupy a position that is incompatible with the wishes of others". In a society with effective conflict management mechanisms, the sort of conflicts alluded to by Boulding can be negotiated and resolved on the basis of compromise and win-win principle of conflict management to the advantage of both parties. However, where an effective conflict resolution mechanism is absent, conflict assumes zero-sum warfare in which an attitude of victory or defeat prevails. The ubiquity of social conflict is demonstrated by Obserchall (1978:291) observation that "social conflict encompasses a broad range of social phenomena: class, racial, religious, and communal conflicts; riots, rebellion, revolutions; strikes and civil disorders, marches, demonstrations, protest gatherings, and the like". This statement points to both the sources (social differentiation) and expressions or manifestations of conflicts.

Violence is a multidimensional phenomenon that manifests in different ways at interpersonal, family, group, intra-state and inter-state levels. Attitudes to violence are ambiguous. It is widespread yet condemned. Its use is praised in some circumstances such as war but abhorred in other situations. It is often employed in different sites such as family, class, ethnic, religious, political, socio-cultural and economic interactions. Tilly (2003), a notable scholar on violence, states that collective (as opposed to individual or interpersonal) violence involves

'….episodic interaction that:

- immediately inflicts physical damage on persons and objects ('damage' include forcible seizure of persons or objects over restrain or resistance);

- involves at least two perpetrators of damage; and
- results at least in part from coordination among persons who perform the damaging acts' (*Ibid*: 3).

Tilly identified two groups of actors that are critical to the initiation, pattern, scale and termination of collective violence. These are the political entrepreneurs and specialists in the deployment of violent means. He argues that political entrepreneurs "specialize in activation, connection, coordination and representation" (*Ibid*: 34). Their activities involve

> 'activating (and sometimes deactivating) boundaries, stories, and relations … connecting (and sometimes disconnecting) distinct groups and networks … coordination, as when those leaders organize joint action on the part of those coalitions, and finally … representation' (*Ibid:* 34).

As a result of their activities, "political entrepreneurs wield significant influence over the presence, absence, form, loci, and intensity of collective violence" (*ibid*: 34). Tilly provides us with useful information for the analysis of the dynamics of violence, especially of ethnic, religious, political and economic types that are commonly witnessed in Africa. Political entrepreneurs in African nations mobilise one group against another or others, often to benefit themselves more than the generality of the group memberships which they claim to represent in the articulation of grievances and negotiating settlement. The specialists in the deployment of violence include the state security agencies, state-sponsored militias and death-squads, ethnic and religious militias, political thugs, roving bandits and vigilantes.

The past century has witnessed many wars and different types of conflicts with varying consequences in different part of the world. There have also been shifts in the character of violent conflicts during the period:

> 'During the first half of the twentieth century, massive interstate wars produced most of the world's political deaths … During the century's second half, civil war, guerrilla, separatist struggles, domestic political repression and conflicts between ethnically or religiously divided populations increasingly dominated the landscape of bloodletting' (Tilly 2001: 13).

Notwithstanding the ubiquity of violence, it is nonetheless recognised that social life and social order are adversely affected under conditions of violent conflicts, precisely because life and activities become uncertain and unpredictable. Violence destroys life, the basis and feeling of humanity and community as well

as property. It thereby erodes trust and associational life on a relatively large scale. The consequences of violent conflicts are predictable – they include death, injury, trauma, homelessness, poverty which often result from destruction of property (including farmlands and consequently famine), displacement (both internally and international) and erosion of the rule of law and wastages of resources for the democratic and economic development of society.

Africa has for various historical political, economic and socio-cultural factors been a theatre of large-scale violent conflicts and violence. Violent conflicts involve the use of lethal weapons by antagonistic groups to pursue political, economic, ethnic, religious or cultural objectives. In many parts of the world today, inter-state and intra-state wars, rioting, terrorism, inter-ethno-religious conflicts, state repression, military rebellion and coups, militias and crime are lived experiences of millions of people. Africa has witnessed numerous civil wars, coups, state repression, insurgency and counter-insurgency, and economically induced violent conflicts that often manifest in protracted or intermittent ethnic and religious conflicts that undermine economic development, democracy and good governance. A vicious circle of violence, undemocratic rule and economic backwardness has developed in Africa. This needs to be broken in order for the continent to pursue sustainable development and democratic governance by guaranteeing citizens continuously improved material conditions of existence, rule of law, human dignity and liberties.

Contrary to the image of Africa in the Western media as the main site of collective violence, more violent conflicts have been reported outside Africa during the past two decades. Erickson *et al.* (2003) recorded and analysed 226 armed conflicts in 148 locations that occurred between 1989 and 2002. They classified 104 of them as minor (involving 25-1000 deaths); 11 as intermediate (involving 1000 or more deaths but producing less than 1000 deaths in any given year, and 111 as war (involving more than 1000 deaths in any given year). Wallensteen and Sollenberg (2000) listed 467 instances of conflicts between 1989 and 1999. Analysis of the data presented by them provides the following regional distribution – Africa (155), Americas (39), Asia (174), Europe (46), and the Middle East (53). Nearly one-third of the conflicts occurred in Africa. As of 2002, there were ongoing armed conflicts in Central Africa Republic, Chad, Congo Brazzaville, Ethiopia, Cote D'Ivoire (Ivory Coast), Liberia, Rwanda, Somalia, Sudan and Uganda. The severity of the conflicts oscillated from minor to serious incidences. Some have persisted on a continuous basis while others erupt intermittently.

Several explanations have been proffered for violent conflicts around the world. Bonneuil and Auriat (2000: 563) based on their analysis of 163 ethnic conflicts across Africa, Asia, Europe, Middle East and Americas between 1945 and 1994

reported that "mobilization, slight discrimination, migration distress, religion and repression" were responsible for the violent conflicts. Gurr (1993: 189) also reported that "economic and social grievances and demands for greater political rights … were weakly but consistently correlated" with violent conflicts and communal protests. He also reported that "resentments about restricted access to political positions and a collective history of lost autonomy drive separatist demands and rebellion generally" (*Ibid*: 189).

Other researchers have also identified many other factors that induce violent conflicts have also been identified by several researchers They include repression; failure of nation-building; worsening economic conditions that acerbate clientelism and disaffection by excluded groups; land dispossession; migration and conflicts between settler and their host populations; election-related grievances; appointment/grading of traditional rulers by government; mineral exploitation and environmental degradation which cause rivalry among groups in the environment; resentment among local population that are excluded from the benefits of mining; weakening of state power due to a variety of reasons – including democratisation accompanied by adjustment programme that widens inequality and worsens poverty among a large proportion of the population (Zack-Williams 1999; Lewis *et al.* 2001; Bratton *et al*. 2004; Collier and Hoeffler, 2002; Moore 1998; Bonneuvil and Auriat 2000, Gurr and Moore 1997; Blomberg and Hess, 2002; Lind and Sturman 2002; Alemika 2002; Imobighe 2003). On the other hand, Hegre, *et al.* (2001) found that strong authoritarian and democratic states experience few civil wars compared to states that are weakly authoritarian or democratic. The enumerated sources of violent conflicts support the observation by Neumayer (2003) that 'good political governance and good economic policies' can reduce violence.

4. Method of Data Collection and Analysis

4.1 Data Collection

The data for this study were obtained from round 2 of the *Afrobarometer* survey in fifteen African countries. Data were collected through interviews of a representative sample of adult population (those eighteen years and older) in each of the countries based on a multi-stage, stratified, clustered sampling approach. A total of 23,197 respondents were interviewed in the countries. In most of the countries, sample sizes of 1,200 respondents, large enough to produce a margin of sampling error of (+ or -) 3 percent at a confidence level of 95 percent was drawn. The sample size for each of the countries were Botswana

(1200), Cape Verde (1268), Ghana (1200), Kenya (2398), Lesotho (1200), Malawi (1200), Mali (1283), Mozambique (1400), Namibia (1200), Nigeria (2438), Senegal (1200), South Africa (2400),Tanzania (1200), Uganda (2400) and Zambia (1200). In some of the countries (Cape Verde, Nigeria, Kenya, South Africa, Tanzania and Uganda), certain groups were over-sampled in order to permit analysis of sub-national groups. However in country analysis and in this pooled data for the fifteen countries, within-country and across-countries statistical weights were introduced to ensure that national samples were representative and each country adjusted or standardised to 1200 respondents. The protocol of sampling and the questionnaire for *Afrobarometer* survey are available on the network's web (www.afrobarometer.org).

4.2 Methods of Analysis

Several statistical analytical techniques were employed. They range from descriptive analysis (frequencies, percentages and means), factor analysis, scale item reliability analysis and correlation analysis to multiple (OLS) regression. The descriptive statistics were in many cases those already computed and published in the *Afrobarometer Round 2: Compendium of Comparative Results From a 15-Country Survey* by Bratton *et al.* (2004: www.afrobarometer.org). Details of the analytical procedures used in the analysis component of the study are described later in the relevant sections.

5. Analysis

5.1 Perceptions of Legitimacy, Rule of Law and Violent Conflicts

This section analyses the perceptions of the respondents regarding the legitimacy of the constitutional and legal order, and the political and economic regimes of their respective countries. It also discusses the respondents' experiences of violent conflicts within their families and communities, and between groups within their countries.

5.1.1 Legitimacy of Constitutional and Legal Order

Legitimacy involves expectation and evaluation because it may be ascribed to regimes and institutions prospectively, temporally, and retrospectively.

- In prospective terms, legitimacy is accorded in expectation that regimes and institutions will meet certain goals and advance some interests.
- In temporal terms, institutions and regimes are evaluated as to whether they are satisfying the needs which they are obliged to satisfy.
- In retrospective terms, evaluation is backward-looking regarding whether or not regimes and institutions satisfy the needs of their constituencies.

The last two dimensions of legitimacy relate to the performance of governments while the first concerns system legitimacy.

Several factors have impaired the legitimacy of regimes and governments in Africa, amongst which is the colonial legacy of authoritarianism. The colonial political economy has been variously classified as imperialistic, despotic, authoritarian and exploitative. Shivji (1990: 383) observes that it was despotic. According to him:

> 'Its legal order was exactly the opposite of that prescribed by constitutionalism. Power was concentrated in the executive, usually in the person of governor, while justice was dispensed by an administrator, often a district commissioner. The legislature, if one existed at all, was packed by the governor's appointees while fundamental human rights, particularly those which might have had any political impact, were conspicuous by their absence … Forced labour and unlimited power of arrest by administrators completed the armoury of an essentially quasi-military colonial state.
>
> The deeper structures of the colonial political and legal order were inherited or, in some cases, reorganized to reinforce despotism in the post-independence period. The constitutional order established at independence was therefore, as it were, an excrescence. Through amendment, modifications or overthrow, constitutions soon came to correspond to the overall legal order'.

Post-colonial African states were characterised by authoritarianism, patrimonialism or outright kleptocracy. While embracing the despotism of the colonial state, they sought for its justification in African tradition, where it was said (usually a misrepresentation of power configuration in pre-colonial Africa), that power was undivided in the king who symbolises a father figure. The

ideology was given a boost by the departing colonisers who advised that emergent post-colonial states needed strong states and government to hold together the marriage of the diverse peoples that they had forcibly solemnised during colonial domination. Post-colonial states became characterized by not only despotism but exclusion, non-alternation of power, corruption, and ethnic and religious identity mobilisation, leading in many cases to economic decline, civil wars and violent conflicts. Under these circumstances, the state itself, rather than being a conflict mediator, became the object and theatre of conflict.

Constitution is the primary law of modern society. It defines the nature and structure of government; function and constitution of government; the scope and limitation of governmental power; political rights and obligations of the citizens, framework for the economy and the mechanisms for conflict resolution between levels and organs of government; between citizens and governments, between private corporate groups and among citizens. In a democracy, therefore, governments derive their power and authority under or from the constitution.

Citizens in the fifteen African countries covered by *Afrobarometer* in Round 2 survey were asked whether they agree or disagree that their national constitution expresses their values and hopes. The majority (more than 50%) of citizens in fourteen countries agree that their "constitution expresses the values and hopes" (table 1). In Mozambique, less than a half (48%) of the respondents agreed that their constitution expresses their values and hopes. But this represented a majority (63%) of those who offered opinion on the question. A high percentage of the sample (25%) chose 'don't know' response, and only 18% actually disagreed that the constitution represent the values and hopes of people in the country.

A significant proportion of respondents in many countries (Mozambique, Cape Verde, Senegal, Mali, Ghana, Tanzania and Zambia) said they do not know whether or not their constitution represents their value and hopes. This may be attributed to a number of factors such as illiteracy and the crafting of constitutions in technical and English or other foreign language without translation to or dissemination in local languages. The provisions of the constitution, in the absence of relevant and comprehensive civic education, are inaccessible to the average citizens in African countries. But lack of knowledge of constitutional provisions is not a peculiar problem of African countries and citizens. The problem draws attention to the exclusionary and elitist process of constitution-making and the disconnectedness of the government from a vast majority of the citizens.

Table 1: Perceptions of the Constitution and Legal Order

Please tell me whether you disagree or agree with the following statements:	BOT	CVE	GHA	KEN	LES	MWI	MALI	MOZ	NAM	NIG	SEN	SAF	TAN	UGA	ZAM	Mean
A. Our Constitution expresses the values and hopes of our people [in this country]	57	51	65	64	74	57	61	48	77	56	53	61	58	64	56	60
-Agree/strongly agree	8	7	8	7	1	4	9	9	10	15	11	16	10	5	5	8
-Neither agree nor disagree	30	16	10	20	13	29	13	18	10	23	16	14	14	17	25	18
-Disagree/strongly disagree	5	25	17	10	12	9	17	25	3	6	19	9	18	13	15	14
-Don't know																
B. The courts have the rights to make decisions that people always have to abide by:	63	83	70	66	63	64	70	71	76	70	66	68	68	80	69	70
-Agree/strongly agree	9	4	5	8	2	6	12	10	15	13	12	12	14	5	2	9
-Neither agree nor disagree	24	6	18	21	30	24	11	8	8	15	19	17	14	14	27	17
-Disagree/strongly disagree	4	4	7	5	5	5	6	11	1	2	3	3	4	2	2	4
-Don't know																
C. The Police always have the right to make people obey the law:	62	81	85	67	75	79	87	73	76	70	87	67	66	88	78	76
-Agree/strongly agree	6	4	3	8	3	6	4	8	13	14	5	12	14	3	2	7
-Neither agree nor disagree	30	12	9	23	20	13	7	9	10	16	7	19	16	9	20	15
-Disagree/strongly disagree	1	2	3	2	3	3	2	9	1	1	1	2	3	0	1	2
-Don't know																

The cardinal element of the rule of law is the subjection of every citizen to law administered by the ordinary court of the land. This is often expressed by the antinomy of the 'rule of law versus rule of man'. An independent judiciary, capable of protecting the rights of citizens and administering law impartially, is a precondition for the consolidation of the rule of law. To what extent do citizens in the countries ascribed legitimacy to the powers of the police and courts to enforce and administer law respectively? The information in table 1 shows that citizens in the countries generally recognise or accept that the courts and police have rights or power to administer and enforce the law. Therefore, there is no generalised contest of the rights and powers of police and courts regarding law enforcement and administration in the countries. But there is a difference between rights to enforce and administer law and the efficacy or capacity of the agencies to perform the duties. From the analysis in table 1, it may be inferred that the constitutional and legal order in the countries enjoyed moderate legitimacy from the citizens.

5.1.2 Legitimacy of Economic and Political Regimes

The fifteen countries in the survey have embraced reforms toward political and economic liberalism. Economic reforms formally adopted by the countries emphasize deregulation, privatisation and in some cases commercialisation of social service provision by the state. In essence, the countries are in transition to liberal democracy and its economic foundation – capitalism. What are the attitudes of the citizens towards free market and the economic reforms being pursued by their respective governments? Data presented in table 2 provide some answers. In all the countries, citizens preferred a mixed economy – one in which both the private sector and the state play important roles. However, countries differ in terms of which of the two – free market or the state – should play a dominant role. A marginal majority of respondents from Ghana, Malawi, Mozambique, Nigeria and Tanzania preferred a 'free market economy to an economy run by the government'. In contrast, more respondents from Botswana, Kenya, Lesotho, Mali, and Senegal prefer a government-run economy to a free market economy. Overall, an average of 44% of respondents from all the countries prefer free market economy compared to 37% who prefer government-run economy, while an average of 13% of the respondents were indifferent to whatever economic system is adopted.

Table 2: Attitude to a Market Economy and Economic Reform

Which of these statements is closest to your own opinion?	BOT	CVE	GHA	KEN	LES	MWI	MALI	MOZ	NAM	NIG	SEN	SAF	TAN	UGA	ZAM	Mean
A: A free market economy is preferable to an economy run by the government.	24	43	51	43	26	54	41	52	39	50	42	37	53	57	46	44
B. A government-run economy is preferable to a free market economy	58	24	31	48	55	32	44	27	29	33	44	28	27	33	41	37
C. For someone like me, it doesn't matter what kind of economic system we have.	12	14	11	5	11	11	13	8	28	13	12	23	9	8	11	13
• Don't know	6	19	8	5	8	3	2	14	4	4	2	12	11	2	3	7
Which of these statements is closest to your own opinion?																
A. The government's economic policies have helped most people; only a few have suffered.	39	27	28	23	41	26	33	42	45	24	25	25	35	25	24	31
B. The government's economic policies have hurt most people and only benefited a few	53	58	60	67	47	71	58	38	46	73	69	64	56	73	73	61
• Do not agree with either	4	6	6	4	4	1	5	6	6	2	4	6	5	1	2	4
• Don't know	4	9	6	6	8	2	5	13	3	1	2	5	4	1	1	5

At least three alternative explanations can be offered for the preference for mixed economy. First is historical. After independence, the modernisation ideology and policies that guided development planning in African countries stressed the need for strong governments to hold together the countries from falling apart due to primordial cleavages and conflicts. It was also stressed that the governments needed to play a dominant role in the economy. The reasoning was that widespread poverty and lack of entrepreneurship that characterised the newly independent countries necessitated government involvement in investment in the economy so as to stimulate 'development'. In some cases, arguments for equity and prevention of gross inequalities between groups and regions were also made in support of a 'mixed economy' in Africa. The extent to which this perspective, widely canvassed by former colonisers on the continent and the international 'development' agencies, influenced the freezing of the political space (in the form of one-party or military authoritarianism from the second-half of the 1960 decade until recently) has not been adequately explored by social scientists and historians.

Second, the adoption of the mixed economy system by African countries provided the rulers with strategic resources for clientelism at two levels – in respect of the relation between citizens and government, and between the rulers and their supporters/cronies. In relation to the citizens, successive governments gave the impression that they were able to provide access to education, health care and other social welfare without fees. As a result, political campaigns were dominated by promises of free education, free health care, and universal free access to all sorts of public utilities such as water and electricity. But most of the facilities were not provided and are not being provided for the majority of citizens, and where they are/were provided, public utilities and social services are/were grossly inefficient. However, this does not prevent citizens from continuing to demand that government play a dominant role in the economy and delivery of services, which allows the government to continue to use promises of their provisioning to sustain a patron-client relation. In relation to the elites, the mixed economy provided enormous opportunity for various patronages and corrupt enrichment.

Third, preference for a mixed economy by the citizens may be interpreted as a reflection of their vision of a good society – one in which the state plays an active role in the economy to moderate deprivation or poverty, unjustifiable inequality, and exploitation. In any case, advanced capitalist societies frequently intervene in their economies to influence foreign exchange rates, interest rates, to control inflation, provide subsidies, to protect local industries and of course to deliver social welfare services. But these same countries ask less developed countries to refrain from such interventions and to rather open their economies to dumping and exploitation by foreign industries.

In at least two-thirds of the fifteen countries, more than 50% of the respondents say that the "government's economic policies have hurt most people and only benefited a few". More than 60% of respondents in Ghana, Malawi, Nigeria, Uganda and Zambia offered this response. Overall, an average of 61% of the respondents from the fifteen countries say that government economic polices have hurt most people and benefited only a few. The high percentage of response may be an explanation for the preference of mixed economy. There is no widespread support for the economic policies and programmes of the countries.

There are different types of political regimes. What sort of regime is preferred by citizens in the fifteen African countries? A significant majority of them in each of the countries preferred democracy to any other form of government (table 3). However, about 1 in 5 respondents in Lesotho, Malawi, Namibia and Nigeria said that non-democratic government can be preferable in some circumstances. Overall, more than three-fifths of respondents preferred democracy to any other form of government.

The data suggest substantial support for democratisation in the countries. Citizens also variously describe the current level of democracy in their countries. The majority of them consider their countries to be either a democracy with minor problems or a democracy with major problems. Only a small proportion classified their country an entirely undemocratic. There is substantial preference for democracy as well as favourable perceptions of the constitution as an expression of the values and hopes of citizens by majority of respondents in all the fifteen countries. However, citizens in many countries reported dissatisfaction with the way democracy works, which is a reflection of the government in power rather than the democratic regime. The implication is that elected officials – executive and legislature are not showing satisfactory performance. There are variations across the countries regarding satisfaction with democracy. The highest levels of satisfaction were reported in Kenya, Ghana, Mali, Namibia, Tanzania and Uganda while high levels of dissatisfaction were recorded in Nigeria, Lesotho and Malawi (Table 3).

Table 3: Preference for and Satisfaction with Democracy

Which of these three statements is closest to your own opinion?	BOT	CVE	GHA	KEN	LES	MWI	MALI	MOZ	NAM	NIG	SEN	SAF	TAN	UGA	ZAM	Mean
A. Democracy is preferable to any other kind of government	75	66	82	80	50	64	71	54	54	68	75	57	65	65	70	64
B. In some circumstances, a non-democratic government can be preferable.	11	8	7	8	22	22	12	16	20	20	4	16	13	13	15	13
C. For someone like me, it doesn't matter what kind of government we have	14	12	10	5	13	10	15	10	20	11	7	18	10	10	10	11
Don't know*	0	15	0	7	16	4	2	20	5	2	14	9	12	12	5	11
*In your opinion, how much of a democracy is [your country]** today?*																
-Full democracy	20	7	29	12	19	17	30	29	30	7	17	13	12	10	10	17
-A democracy, but with minor problems	50	33	47	64	29	21	33	38	30	25	41	34	51	43	38	37
-A democracy, but with major problems	25	41	21	15	28	39	24	15	29	52	20	36	19	31	42	28
-Not a democracy	5	6	3	2	5	19	5	4	2	13	6	7	7	7	4	6
- Don't know/don't understand*	0	13	0	7	18	5	8	15	10	3	16	10	12	8	6	13
*Overall, how satisfied are you with the way democracy works in [your country]?**.*																
-Very satisfied	19	11	30	19	21	23	28	16	25	6	18	10	18	13	14	17
-Fairly satisfied	47	22	41	60	27	24	35	38	44	29	39	34	45	47	40	37
-Not very satisfied	17	44	16	12	14	24	20	26	18	31	18	28	16	22	25	22
-Not all satisfied	15	16	10	4	21	25	12	8	7	31	11	19	9	10	13	14
-Not a democracy	1	1	2	0	2	2	1	1	1	2	2	3	3	1	1	1
-Don't know*	0	7	0	5	15	2	4	11	5	2	13	7	10	7	6	9

*The percentages of respondents in Botswana and Ghana who chose 'don't know' in their answer to questions presented in this table were very high, and percentages were calculated only for respondents who chose the three statements. However, the mean included 'don't know' responses from the two countries See Bratton *et al* (2004).

** The questionnaire contained the name of the country.

5.1.3 Legitimacy of Government

Analysis of legitimacy should distinguish between system (democracy, free market, planned or mixed economy) and government legitimacy. The first is fundamental and has to do with the consensus as to the way society should be politically and economically organised. The legitimacy of government refers to the extent to which the incumbent government is considered desirable or acceptable based on the manner in which it ascended to power, its policies, programmes and performances. Trust questions tap the legitimacy of government rather than the system or regime legitimacy.

A common indicator of legitimacy of government in the literature is the extent to which citizens express trust in their leaders or rulers. Citizens in Ghana, Mali, Mozambique, Namibia, Senegal, Tanzania, Malawi and Uganda express a lot or a very great deal of trust in their President. In contrast, citizens of Cape Verde, Nigeria and South Africa show marked distrust for their leaders. The extent of trust in the army, courts of law, police, parliament, local government and electoral commission is presented in table 4.

Overall, level of trust in political institutions was weak ranging from an average of 56% for the presidents to 36% for electoral commissions. The mean scores on a composite scale for trust in core political institutions are presented in table 11.

5.1.4 Official Corruption

Corruption mitigates trust and legitimacy in government institutions and officials. Citizens in the various countries think that most or all people in some institutions are corrupt. Nigerians, in particular, think that most or all of the people in the police, electoral commission, elected officials as well as the president and officials in his office are corrupt. Across the countries, citizens perceive more corruption in the police and electoral commission (Table 5).

Composite corruption scale mean values for each country are presented in table 11. The mean figures indicate a very high perception of public corruption in Nigeria, Mali, Malawi and Uganda. In contrast, respondents from Namibia, Cape Verde, Lesotho and South Africa have lower perceptions of public corruption in their countries.

Table 4: Trust in Public Officials and Institutions

How much do you trust the following, or haven't you heard enough about them to say*	BOT	CVE	GHA	KEN	LES	MWI	MALI	MOZ	NAM	NIG	SEN	SAF	TAN	UGA	ZAM	Mean
The President:																
-A lot/ a very great deal	44	22	65	70	58	48	71	75	76	18	73	37	79	61	46	56
- A little bit/not at all	51	69	30	28	33	48	21	22	23	80	24	59	17	38	50	40
The Army:																
-A lot/ a very great deal	60	35	54	58	50	72	79	49	50	21	82	32	72	51	51	54
- A little bit/not at all	38	56	41	36	45	24	16	41	48	77	13	61	26	48	45	41
Courts of Law:																
-A lot/ a very great deal	57	43	45	37	58	61	50	59	42	22	68	39	54	51	49	49
- A little bit/not at all	39	49	49	58	37	34	42	33	56	74	26	55	43	46	49	46
The Police:																
-A lot/ a very great deal	57	36	51	28	51	64	63	50	48	11	70	35	51	43	42	47
- A little bit/not at all	42	58	46	71	46	33	31	45	52	88	25	63	47	56	56	51
Parliament:																
-A lot/ a very great deal	37	22	48	53	49	38	62	54	47	11	52	31	69	48	40	44
- A little bit/not at all	58	65	43	43	41	57	25	26	47	84	38	63	27	50	56	48
Local Government:																
-A lot/ a very great deal	34	18	38	36	49	33	51	42	31**	17	52	20	60	77	16	39
- A little bit/not at all	62	65	49	59	37	60	29	33	65	79	33	70	35	22	76	51
The National Electoral Commission:																
-A lot/ a very great deal	27	16	49	51	46	38	46	51	41	12	49	31	60	20	21	37
- A little bit/not at all	60	68	41	42	42	53	32	32	53	83	22	56	32	74	66	50

* Percentages do not add to 100 because the categories "don't know" and "haven't heard enough" are not reported in this table.
** In Namibia, not applicable responses (60% of respondents) are not reported.

Table 5: Perception of Corruption among Public Officials

How many of the following people do you think are involved in corruption?	BOT	CVE	GHA	KEN	LES	MWI	MALI	MOZ	NAM	NIG	SEN	SAF	TAN	UGA	ZAM	Mean
<u>The President and officials in his office:</u>																
-None/some of them																
-Most/all of them	45	37	68	77	51	45	48	47	76	47	61	69	54	53	66	56
-Don't know/haven't heard enough	16	6	9	8	11	35	37	14	15	48	15	13	10	28	19	19
	39	57	24	16	39	20	16	40	9	4	23	18	36	19	15	25
<u>Elected leaders- Parliamentarians and local councilors</u>																
-None/some of them	49	38	65	75	50	46	47	44	69	43	57	66	55	63	64	55
-Most/all of them	21	8	13	15	14	36	38	18	22	53	21	22	17	27	27	23
-Don't know/haven't heard enough	30	54	22	10	36	18	15	39	10	5	21	12	28	10	9	22
<u>Judges and magistrates</u>																
-None/some of them	52	40	46	60	55	44	33	41	68	48	50	65	51	50	59	51
-Most/all of them	14	8	35	28	15	36	57	16	22	42	33	15	28	38	28	28
-Don't know/haven't heard enough	34	55	19	12	30	19	10	44	9	10	17	20	21	12	12	22
<u>Police</u>																
-None/some of them	52	46	36	37	55	37	35	44	60	28	45	56	42	29	44	43
-Most/all of them	23	8	53	59	28	48	55	33	37	70	41	38	44	67	47	43
-Don't know/haven't heard enough	25	46	11	4	17	16	10	24	3	2	14	7	14	5	9	14
How well or badly would you say the current government is fighting corruption in government?																
-Fairly/very well	49	24	63	85	35	25	40	27	53	26	42	29	52	30	53	42
-Fairly/very badly	40	40	23	11	46	68	51	53	43	71	42	63	41	65	38	46
-Don't know haven't heard enough	11	37	14	4	19	6	10	21	4	3	16	8	7	5	9	12

5.1.5 Rule of Law

The rule of law doctrine seeks (a) to prohibit arbitrary, discretionary and oppressive exercise of power by government organs and private agencies; (b) to enhance the freedom and dignity of citizens, and (c) to promote openness or transparency in the enforcement of laws. Therefore, the rule of law is absent or weak wherever and whenever governance is characterised by arbitrariness, *ad hoc* rules, executive lawless and impunity, unequal treatment of citizens under the law, retroactive legislation, disregard of constitutional and statutory provisions by government and citizens, and discrimination by public agencies. To what extent are the countries governed in accordance with the rule of law? Table 6 presents the responses of the respondents to questions on equal treatment of citizens under the law, and presidential impunity. In most countries, with the exception of Nigeria, citizens reported that their President rarely or never ignores the constitution. Presidential impunity was reported by the majority (53%) of Nigerians and to a lesser extent by citizens of Malawi (31%); Uganda (30%); Kenya (29%) and Senegal (25%) where at least one-quarter of the respondents said the president always or often ignores the constitution (Table 6).

Citizens in fourteen countries say that 'freedom from being arrested when you are innocent' is better or much better under the present government. The exceptional case of Botswana is not surprising because of the country's long democratic culture. But nonetheless, it has the highest percentage of citizens (24%) responding that such freedom has become worse or much worse. However, nearly three-fifths of respondents from the country also responded that the freedom is the same – neither worse or better, which reflects stability in the protection of freedom. This shows that though the country has a satisfactory level of protection of freedom from unwarranted arrest, the situation may be slipping and requires action to halt a further slide.

In the majority of the countries, less than 50% of the respondents say that 'equal and fair treatment for all by people by the government' is better or much better. The exceptions are Ghana (54%); Kenya (65%); Malawi (56%); Mali (58%); Namibia (79%) and Uganda (51%). In Nigeria, more citizens (38% against 34%) say that equal treatment is even worse or much worse under the present elected government than the former military government. In South Africa, as many as 29% of the respondents also say that the unequal treatment of citizens by government is worse or much worse (although they are not as near as high as 48% who felt there has been better or much better condition of equality of treatment by government).

Table 6: Rule of Law, Equality and Protection under the Law

Please tell me whether you disagree or agree with the following statements:	BOT	CVE	GHA	KEN	LES	MWI	MALI	MOZ	NAM	NIG	SEN	SAF	TAN	UGA	ZAM	Mean
In this country how often are people treated unequally under the law:																
-Always/often	44	45	28	44	50	36	60	31	22	61	51	45	34	45	36	42
-Rarely/never	46	41	55	48	36	53	32	48	75	34	41	47	56	48	49	47
-Don't know	11	14	17	7	14	11	8	22	3	6	8	9	10	7	15	11
In this country how often does the President ignore the Constitution																
-Always/often	20	16	14	29	22	31	17	12	14	53	25	20	13	30	21	23
-Rarely/never	57	48	61	55	37	57	60	54	77	34	54	57	65	56	56	55
-Don't know	23	36	25	15	41	13	23	34	9	13	21	22	22	15	21	22
Comparing the our present system of government with former system of government, are the following things better worse or better than they use to be, or about the same?																
Freedom from being arrested when you are innocent:																
-Better/much better	13	65	69	69	62	76	82	49	75	53	63	59	59	67	66	62
-Same	59	13	17	21	9	7	6	17	15	25	20	18	19	11	14	18
Worse/much worse	24	10	6	8	21	14	5	20	8	20	11	14	16	19	12	14
Don't know	4	12	7	3	8	2	7	14	3	3	6	9	7	3	8	6
Equal and fair treatment for all people by government																
-Better/much better	19	36	54	65	42	56	58	43	79	34	49	48	47	51	47	48
-Same	50	25	24	25	16	13	17	17	11	27	29	19	23	12	20	22
Worse/much worse	28	25	12	6	34	28	17	23	9	38	17	29	26	33	21	23
Don't know	3	13	10	4	9	3	9	17	1	2	5	5	5	4	12	7

The rule of law also requires effective and equitable enforcement of law against offenders. More than three-quarters of the citizens in each of the countries say that it is very likely or likely that the law will be enforced against them if they committed a serious crime (table 7). This reflects a high perception of capacity of law enforcement and administration by the relevant agencies. However, the extent to which this perception reflects reality is a different issue, especially in the light of chaos and conflicts that prevail in many African countries. Of significance is the fact that criminologists regard such a perception as an important deterrent against involvement in criminal behaviours and activities.

In many of the countries (especially Kenya, Uganda and Lesotho, and also Namibia, Zambia, Ghana, Mali and Tanzania), citizens felt that their new government is more or much more able to enforce the law than the previous system of government (Table 7). However, of serious concern is that in Nigeria and South Africa, two important countries with a legacy of authoritarian military rule and an obnoxious apartheid system (SA), substantial proportions of the citizens felt that their presently elected governments are less or much less able to enforce the law. The two countries do experience high level of violent conflicts (Nigeria) and violent crimes (South Africa).

5.1.6 Violent Conflicts

The majority of African countries have witnessed and continue to experience violent conflicts and civil wars since the 1960s. Notable among these in sub-Saharan Africa are Rwanda, Burundi, Liberia, Sierra Leone, Democratic Republic of Congo, Sudan, Ethiopia-Eritrea, Angola, Uganda and Nigeria. Sources of conflicts include authoritarianism of one party or military rule, imposition of Islamic rule in a multi-religious society, ethno-regional and religious antagonism due to clientelism and mobilisation of primordial identities, and conflict over resources. The mis-governance of African nations created a large army of unemployed persons, deprived within the context of gross inequalities. Thus, politicians on both sides (i.e. government and opposition), have a ready market from which to recruit warriors.

Table 7: Perceptions of Law Enforcement Capacity

	BOT	CVE	GHA	KEN	LES	MWI	MALI	MOZ	NAM	NIG	SEN	SAF	TAN	UGA	ZAM	Mean
*How likely do you think it would be that the authorities could enforce the law if a person like yourself committed a serious crime**																
-Very Likely/likely	85	95	92	91	87	87	76	85	87	81	94	78	82	95	95	87
-Not very likely/not at all likely	12	4	49	6	11	11	18	13	13	16	6	13	12	4	4	10
*Comparing the current government with the former system of government, is the one we have now more or less able to enforce the law?**																
-More/much more	23	50	59	86	70	43	59	50	64	34	59	39	56	84	63	56
-About the same	50	13	18	11	8	12	10	17	12	26	23	17	23	7	14	17
-Less/much less	24	19	15	2	14	41	25	18	23	38	14	41	16	8	19	21
-Don't Know	3	18	8	1	8	5	7	16	2	2	4	4	5	2	4	6

*Percentages do not add to 100 because don't know response category are not reported.

Most African countries have experienced some form of violent conflicts since the 1960s when many of them gained independence from their colonisers. Such conflicts range from civil war, intermittent ethnic and religious violent conflicts; rebellion and armed opposition to communal violence arising from disputes over resources, elections and appointment of traditional rulers. Data presented in table 8 indicate high incidences of violent conflicts within community and between different groups in most of the fifteen countries. A large majority of respondents in Nigeria (74%) and Uganda (75%) reported frequent (sometimes, often/always) incidences of violent conflicts between groups in their countries. More than half of the respondents in Ghana (54%), Kenya (63%) and Lesotho (61%) also reported high incidences of inter-group violent conflicts. High levels of violent conflicts within community were also reported in Uganda, Lesotho, Zambia, Botswana and Kenya. While incidences of violent conflicts within the family was not as high as that within community and between groups, it was nonetheless substantial especially in countries like Botswana, Ghana, Kenya, Mozambique, Namibia, Tanzania, Uganda and Zambia where at least 20% of the respondent say that violent conflicts occur sometimes, often or always within their families (table 8).

What sort of grievances lead to violent conflicts in these countries? Overall the leading sources of violent conflicts between groups in the country, identified by the respondents (table 8) were grievances or disputes relating to politics and political leadership (16%), resource and boundary/land (15%) and economic problems and poverty (10%). Beyond this overall picture for the fifteen countries, there are some important sources in different countries. In Nigeria, major sources of conflicts are religious differences (24%), resource and land/boundary disputes (21%), politics and political leadership disputes (16%) and ethnic differences (14%). Personal misconduct and lack of respect featured prominently as sources of violent conflicts in Botswana, Cape Verde and Lesotho. In Cape Verde, Lesotho and Namibia alcohol and drugs were identified as sources of violent conflicts by fourteen percent or more respondents. Disputes over traditional leadership feature as important source of violent conflicts in Botswana and Cape Verde. Ethnic differences were indicated by respondents from Botswana as a major source of conflicts. Generally, violent conflicts in the countries were due to political, economic and socio-cultural factors. However, no single factor was so dominant in any country as to indicate that the disputes associated with them cannot be resolved by democratic and good governance that allow for negotiation, compromise and tolerance.

Table 8: Extent and Sources of Violent Conflicts in Family, Community and among Groups

	BOT	CVE	GHA	KEN	LES	MWI	MALI	MOZ	NAM	NIG	SEN	SAF	TAN	UGA	ZAM	Mean
In your experience, how often do violent conflicts arise between people within your own family?																
-Never/rarely	71	92	79	74	82	86	80	77	78	84	90	85	74	69	66	79
-Sometimes	22	5	16	21	9	9	14	13	18	13	8	12	20	25	29	16
-Often/always	7	3	4	5	9	5	5	7	3	3	2	3	6	5	4	5
-Don't know	1	0	1	0	0	0	1	2	1	0	0	0	0	0	1	1
In your experience, how often do violent conflicts arise between people within the community where you live?																
-Never/rarely	47	56	63	51	36	66	64	66	56	59	65	65	58	35	44	55
-Sometimes	32	23	28	39	33	21	22	15	31	31	25	22	29	48	41	29
-Often/always	18	19	7	10	29	12	11	16	11	10	8	11	12	16	14	14
-Don't know	4	2	2	0	2	1	3	3	2	1	2	2	1	1	1	2
In your experience, how often do violent conflicts arise between different groups in the country?																
-Never/rarely	46	66	39	34	29	63	51	55	55	25	52	44	48	20	69	47
-Sometimes	30	13	39	42	24	16	23	10	27	42	28	26	30	45	23	28
-Often/always	14	12	15	21	37	14	19	18	14	32	13	22	19	30	8	19
-Don't know	10	0	8	2	10	7	7	17	4	1	7	7	2	5	0	6
*Over what sort of problems do violent conflicts most often arise between groups in your country?**																
-Politics/political leadership	10	12	12	19	16	23	7	17	7	16	11	20	22	20	18	16
-Resource/boundary/land disputes	12	<1	20	29	15	7	20	4	5	21	13	8	12	14	13	15
-Economic problems/poverty	3	11	3	8	4	5	18	25	13	7	10	9	12	16	8	10
-Ethnic differences	19	<1	5	9	1	9	4	4	8	14	9	9	6	7	11	8
-Personal misconduct (disrespect)	16	21	6	5	12	9	7	7	13	3	11	3	10	5	9	8
-Alcohol/drugs	2	15	1	1	14	9	0	3	19	<1	<1	3	4	5	4	5
-Religion	<1	1	3	1	3	2	1	1	1	24	2	2	7	3	1	4
-Traditional leadership	15	0	16	0	<1	2	<1	<1	<1	2	<1	1	<1	<1	5	3

* Percentages do not add to 100 because some responses are not reported in the table.

One of the theoretical explanations of violence in criminology states that violence is learned within a cultural or value system that either encourages or rewards it or at least tolerates it. Stated otherwise, the theory posits that positive values and attitudes towards violence increase the incidence and prevalence of violent conflicts and behaviours (Wolfgang and Ferracuti 1968). Responses presented in table 9 indicate that a large majority of citizens in the fifteen countries (a) do not subscribe to the use of violence in politics; (b) did not 'use violence for a political cause' during the past year, and (c) would turn to the police for help if they were a victim of violent crime rather than resort to vigilantism or self-help as a means of revenge (table 9).

The performance of the government in managing conflict is, however, rated average, as only an average of 56% of the respondents across the countries say that their government is 'handling conflicts between communities' fairly or very well. More than 70% of respondents in Ghana, Kenya, Mali and Tanzania rated their governments handling of inter-group conflicts as fairly well or very well (table 9).

5.2 Sources of Political Trust

This section employs multivariate statistical analytical methods to explore the sources of political support in the fifteen countries as well as in each country in the survey. Factor analysis of responses to several questions was undertaken. The selection of questions for analysis was guided by both theoretical and empirical literature on sources of political support. We developed six composite scales on trust, performance of government, civil rights condition, corruption, effective law enforcement and poverty. The variables are interrelated. Corruption, for example, will hinder performance, civil right protection, rule of law and effective law enforcement while aggravating poverty and inequality.

5.2.1 Factor analysis and scale reliability of variables in the regression analysis

The *Afrobarometer* survey instrument contained several questions that tap different aspects of governance (already analysed in tables 1-9). Six scales were constructed using factor analysis method.

The description of the scales is provided in table 10.

Table 9: Attitude to Use and Handling of Violence

Which of the following statements is closest to view, A or B (% agree/agree strongly)	BOT	CVE	GHA	KEN	LES	MWI	MALI	MOZ	NAM	NIG	SEN	SAF	TAN	UGA	ZAM	Mean
A. The use of violence is never justified in the [country's] politics	83	53	82	80	81	84	70	47	67	73	80	73	75	73	75	73
B. In this country, it is sometimes necessary to use violence in support of a just cause.	11	31	11	18	16	14	23	27	26	22	17	15	22	25	17	20
- Do not agree with either (A or B)	3	4	5	1	2	1	3	10	5	2	3	7	3	1	4	4
- Don't know	3	12	2	1	2	1	4	10	3	2	1	5	0	2	4	4
A. If you were a victim of violent crime, you would turn to the police for help	92	90	89	93	89	90	69	79	77	81	79	84	87	92	91	86
B. If you were a victim of violent crime, you would find a way to take revenge yourself.	6	7	7	5	10	8	17	15	21	16	10	11	11	7	5	10
- Do not agree with either (A or B)	1	2	4	2	1	1	12	4	1	2	11	3	2	1	3	3
- Don't know	0	2	0	0	1	0	1	2	1	1	0	1	0	0	1	1
*During the past year, did you use force or violence for a political cause?**																
-Yes, often or several times	3	<1	2	2	2	1	1	2	<1	3	3	2	6	1	1	2
-Yes, once or twice	1	2	2	2	3	1	<1	3	2	4	2	4	2	1	1	2
-No, but would do it if had the chance	7	6	3	8	3	14	10	11	8	10	11	11	8	9	12	9
- No, would never do this	88	91	92	87	92	83	86	79	89	83	83	82	81	88	85	86
How well or badly is the current government is handling conflicts between communities:																
-Fairly/very well	60	33	70	76	48	39	71	52	64	45	61	38	71	64	52	56
-Fairly/very badly	30	35	19	16	38	51	21	27	33	51	28	46	21	31	27	32
-Don't know/haven't heard enough	10	32	11	8	15	10	8	20	4	3	11	16	9	6	21	12

* Percentages do not add to 100 because don't know response category is not reported.

Table 10: Factor Analysis and Scale Reliability Analysis Scores

Description of scales used for regression	*No. of questions*	*Factor analysis*	*Scale reliability score*
		Variance explained	*Cronbach's alpha*
Trust: Level of trust in core political institutions (president, elected officials, national and state legislatures, army, Police, courts and electoral commission).	9	17.68	.87
Performance – How well government is managing the economy and social services.	6	8.86	.79
Civil right – Human rights protection under present government compared to the past system of government.	6	7.98	.83
Corruption – Extent of corruption among officials of core institutions of the state – presidency, elected officials, police, customs, public/civil service and courts.	6	7.08	.85
Law enforcement: Perception of whether or not the government is likely to enforce the law if respondents committed crimes or violate the law.	3	5.99	.79
Poverty: How often respondents have gone without access to basic or essential needs and services (food, clean water for home use, medicines or medical treatment, fuel to cook food, and electricity – where service is available in community).	6	5.28	.74

These six scales explained 52.8% of the total variance of the issue of which they are sub-domains. Our interpretation is that all six scales measure aspects of democratic governance or democratic legitimacy. The questions that were loaded on each of the scales were subjected to reliability analysis, the results of which are also presented in table 10. Each of the scales exhibited at least .74 reliability coefficients, which is relatively high.

5.2.2 Analyses of the countries' mean scale scores

Table 11 presents descriptive statistical information for each of the scales for each of the fifteen countries. The mean scores provide a measure for all of the countries. From the figures in table 11, perceptions of government's proper management of the economy and social sectors were most positive in Kenya, Namibia, Tanzania, Ghana and Mali but were most negative in Malawi, Nigeria, and Zambia. Elected and public officials in Nigeria, Mali, Malawi and Uganda were perceived as largely corrupt. In contrast, such officials were seen as less corrupt in Namibia, South Africa, Cape Verde, Botswana and Kenya. The lowest incidences of poverty were reported in Namibia, South Africa and Kenya while the highest incidence was recorded in Malawi.

The data as analysed in table 11 also indicate that political trust was highest in Senegal, Mali, Tanzania, Mozambique and Malawi but lowest in Nigeria, South Africa, Cape Verde and Zambia. These results were derived through a composite scale in which nine different officials and institutions (e.g. president, legislatures (national and regional), police, courts, electoral commission, etc.) were included, some of which were highly trusted and others highly distrusted (see table 4). In all the countries, protection of civil rights was perceived as relatively better under the present government compared to the past system of government. The majority of the respondents in all the countries also reported that the law was likely to be enforced if they violated it. This belief was highest in Ghana, Zambia, Senegal, Uganda, Botswana, Cape Verde and Kenya, and lowest in Mozambique.

Law enforcement capacity is an aspect of the rule of law. Citizens' perception of high capacity for law enforcement by their government may be interpreted in two different ways, as either an indicator of repression in the form of a police state, or in terms of effectiveness of the law enforcement and administration machinery. In Africa, police capacity for democratic policing is generally low due to a legacy of repression and impunity stretching back to colonial rule (Alemika 2003a, 2003b, 1993; Shivji 1990). Given the level of conflicts and chaos in many of these countries, the feeling by the respondents that law will be enforced against them may be mistaken.

Table 11: Mean Scale Scores for Pooled Data and Individual Country

Country	*Performance*	*Crights*	*Corruption+*	*Poverty+*	*Law enforcement capacity*	*Political trust+*
All 15 countries	2.86	3.40	1.79	1.39	4.02	2.02
Botswana	2.95	2.97	1.64	1.22	4.16	2.00
Cape Verde	2.77	3.38	1.54	1.38	4.11	1.68
Ghana	3.17	3.49	1.71	1.16	4.30	2.04
Kenya	3.44	3.54	1.65	1.05	4.11	2.03
Lesotho	2.82	3.36	1.59	1.60	3.78	2.04
Malawi	2.18	3.61	2.06	2.05	4.02	2.22
Mali	3.15	3.63	2.27	1.45	3.72	2.56
Mozambique	2.85	3.31	1.72	1.43	3.40	2.31
Namibia	3.26	3.70	1.43	0.70	3.86	2.08
Nigeria	2.23	3.16	2.31	1.29	3.88	0.94
Senegal	2.79	3.39	1.78	1.51	4.26	2.69
South Africa	2.43	3.40	1.54	0.72	3.81	1.56
Tanzania	3.21	3.37	1.74	1.38	3.94	2.44
Uganda	3.03	3.23	2.10	1.69	4.17	2.04
Zambia	2.56	3.50	1.76	1.64	4.22	1.63

+ Every question used for the constructions of the scale was measured on five points lowest – highest. However, those marked with a plus sign were on 0-4 scale while the rest were on 1-5 scale.

5.2.3 Correlates of Political Trust

Political trust is correlated with a number of factors involved in governance. Table 12 presents the bivariate correlation between political trust and the independent variables in the regression analysis. Of the nine independent variables, trust is correlated with eight, gender being the only exception. The strength of the correlation coefficients in table 12 is not very high and indicates that multicollinearity is not a problem in the regression analysis.

Trust is relatively highly correlated with performance and civil rights, both of which are indicative of how well or badly a government is administering a country. Bivartiate correlations, however, do not provide a strong evidence of relationship as it may be influenced by a third (extraneous) variable. This is where multivariate analysis like multiple regression provides better evidence.

Table 12: Bivariate Correlations of Scales and variables in the Regression Equation

Scales and Variables	*Trust*	*Crights*	*Enflaw*	*Poverty*	*Performance*	*Corruption*	*Residence*	*Party affiliation*	*Gender*	*Age*
Trust										
Crights	.274*									
Enflaw	.068*	.081*								
Poverty	.061*	-.023*	-.044*							
Performance	.376*	.277*	.030*	-.116*						
Corruption	-.182*	-.118*	-.028*	.076*	-.209*					
Residence	-.168*	-.056*	.033*	-.316*	-.070*	.030*				
Party affiliation	.159*	.089*	-.007	-.007	.099*	-.048*	-.096*			
Gender	.014	.025*	.011	.015	.01	.020*	-.01	.082*		
Age	.107*	.030*	.003	.084*	.01	-.016	-.01	.095*	.105	

* = Significant at .05 (two-tailed).

5.2.4 Determinants of Political Trust

Two sets of analyses are presented in table 13. The first presents the result (coefficients) of regression analysis of determinants of political trust for all the 15 countries, while the second presents estimations for each of the countries. In both sets of analysis, the same variables were used.

The main findings from the regression analysis in table 13 can be summarised as follows:

- Performance of government in the management of the economy and social sector is the most important predictor of political trust. This implies that in countries where government is adjudged to have handled the management of the economy and social services (education, health and water supply) either well or very well, citizens would have greater trust in their political institutions.
- Civil rights condition is also an important predictor of political trust. Citizens of countries in which civil rights (expression, voting, non-arbitrary and repressive arrests, association) are better protected than the previous system government will have greater trust than countries where this was not the case.
- Corruption diminishes citizens' trust in the country's political institutions.
- While poverty, law enforcement capacity, party affiliation, residence and age were significant predictors for the pooled data in respect of the countries, they were not consistently significant across the countries.
- Gender was not a significant predictor in most countries except in Cape Verde, and three contiguous Eastern African countries of Tanzania, Uganda, and Zambia. Of all the variables, gender, has the least predictive value. And this confirms the bivariate correlation estimation (table 12).
- Malawi virtually reproduced the results obtained for the combined fifteen countries.
- The overall explanatory power of the regression estimation is modest for the combined 15 countries (R^2 = .220) and for several other countries, especially South Africa (R^2 = .322); Nigeria (R^2 = .285), and Ghana (R^2 = .254).

Table 13: Regression Estimates for Pooled Data and Individual Country Data

Country	*Dependent Variable: Trust in Political Institutions*										*Adjusted R^2*
	Con-stant	*Perfor-mance*	*Civil rights*	*Corrup-tion*	*Poverty*	*Law Enforce-ment*	*Party Affilia-tion*	*Resi-dence*	*Age*	*Gender*	
All 15 countries	**-.284***	**.326*** (.301)	**.303*** (.161)	**-.103*** (-.094)	**.078*** (.065)	**.048** (.049)	**.187*** (,092)	**-.205*** (-.102)	**.006*** (.074)	**-.003** -	**.220**
Botswana	.296 -	.349 (.301)	.109* (.056)	-.125* (-.112)	.079* (.076)	.043* (.055)	.167* (.093)	-.104* (.060)	.007* (.119)	-.019 -	.153
Cape Verde	.324* -	.474* (.379)	.003 -	-.032 -	-.021 -	.059* (.053)	.186* (.105)	-.026 -	.008* (.154)	.102* (.059)	.196
Ghana	-.310 -	.296* (.312)	.271* (.156)	-.141* (-.141)	-.009 -	.134* (.125)	.111* (.061)	-.136* (-.081)	.003* (.061)	.023 -	.254
Kenya	.462* -	.218* (.190)	.242* (.130)	-.177* (-.158)	-.001 -	.043 -	-.008 -	-.234* (.118)	.009* (.149)	-.022 -	.150
Lesotho	.413* -	.360* (.305)	.191* (.107)	-.266* (-.222)	.035 -	.069* (.072)	.176* (.083)	-.037 -	.020 -	.027 -	.213
Malawi	.364 -	.240* (.239)	.306* (.176)	-.135* (-.147)	-.099* (-.074)	.076* (.092)	.364* (.185)	-.175* (-.064)	.005* (.076)	-.016 -	.220
Mali	1.08* -	.207* (.191)	.375* (.163)	-.212* (-.236)	-.032 -	-.003 -	.003 -	-.167* (-.080)	.006 -	-.003 -	.181
Mozambique	-.195 -	.163* (.132)	.516* (.256)	.006 -	.024 -	.043 -	.345* (.158)	-.270* (-.124)	.005 (.064)	-.033 -	.167

Table 13 - continued

Namibia	-.288 -	.322* (.285)	.335* (.152)	-.038 -	-.097* (-.052)	-.027 -	.356* (.158)	-.342* (-.186)	.040 -	-.035 -	.210
Nigeria	- .330* -	.355* (.416)	.192* (.148)	-.062* (-.079)	.046 -	.008 -	.117* (.075)	-.094* (-.062)	.003 -	.020 -	.285
Senegal	1.04* -	.184* (.206)	.291* (.160)	-.150* (-.171)	.080* (.095)	.079* (.082)	.145* (.094)	-.251* (-.163)	.006 -	.025 -	.223
South Africa	- 1.04* -	.305* (.271)	.494* (.292)	-.112* (-.102)	.002 -	.076* (.089)	.248* (.120)	-.174* (-.095)	.009 -	.012 -	.322
Tanzania	.379* -	.381* (.379)	.224* (.134)	-.118* (-.110)	-.037 -	-.030 -	.174* (.090)	-.039 -	.006* (.086)	-.097* (-.056)	.247
Uganda	-.211 -	.180* (.176)	.335* (.242)	-.193* (-.202)	.110* (.104)	.070* (.067)	.128* (.081)	-.120* (-.063)	.004* (.064)	-.098* (-.062)	.242
Zambia	.137 -	.280* (.251)	.287* (.145)	-.128* (-.120)	-.022 -	-.024 -	.007 -	-.179* (-.096)	.052 -	.109* (.061)	.149

* = Significant at .05

Values in parentheses are standardised beta weights and indicated only for variables which estimates show statistical significance at .05

The analysis confirms the findings in many previous research works in terms of the significance of performance in political trust in government. Satisfactory performance enhances trust in government while poor performance undermines trust. However, poor performance of government in power does not threaten the legitimacy of the regime or preference for juridical and democratic political regimes in the short-run (Weil 1989; Vassilev 2004). Despite dissatisfaction with governance in many of the countries and the relative distrust of government, preference for democracy has been relatively stable (see *Afrobarometer* working papers on preference for democracy in the round 1 and 2 surveys for various countries (www.afrobarometer.org); Bratton *et al*. 2004; and for Nigeria, see Lewis *et al*. 2001).

6. Discussion

In this paper, we have provided a descriptive statistical analysis of the extent of legitimacy of constitutional and juridical, economic and political systems in 15 African countries. We also analysed the level of trust in the political institutions of these countries, as well as the rule of law and violent conflicts within the nations. The analyses indicate the following:

- There is support for the national constitutions by the majority of the respondents in all the countries;
- Citizens in the countries generally accepted that the courts and police have the right to administer and enforce the law respectively. Thus, a diffused legitimacy was accorded the institutions.
- African citizens preferred a 'mixed economy' in which both the government and market play active role. This runs counter to the economic policy of privatisation of public enterprises and utilities as well as state abdication of responsibility for basic social services (especially education and health care) being forced upon African countries by IMF, World Bank and advanced capitalist societies. It is therefore not surprising that more than three-fifths of the respondents in the 15 countries said that government economic policies have hurt most people and benefited only a few.
- Democracy is the preferred form of governance in all the countries. However, although more than one half (54%) respondents across the fifteen countries express satisfaction in the way democracy works in their countries, more than one-third (36%) of respondents in those countries were dissatisfied.

- Trust in public institutions was generally low, although a marginal majority expresses trust in their president, the army and the courts of law.
- Unequal treatment of people under the law was reported by more than two-fifths (42%), although 47% said unequal treatment rarely or never happened. Disregard for national constitutions was reported by 23%, such impunity was reported by a majority in Nigeria. However, in all the countries, except Botswana, freedom from being arrested when one is innocent was said to be either better or much better under the present system of government compared to the past system. In Botswana, such freedom was widely reported as being the same during the two periods, and this was perhaps due to a relatively long-term culture of absence of authoritarianism in that country.
- There was a relatively high perception of corruption among elected and public officials in the fifteen countries. The lowest level of corruption was perceived in respect of the president and officials in his office (19%), while the highest level was perceived among the police. There is a need, however, to appreciate that perception is affected by contact. Of all the listed agencies, the police are the ones that citizens are most likely to have contact with and often involuntarily. These may affect both the level of awareness and perception of corruption. Presidents, especially African ones, including their activities, are inaccessible to the average citizens, and therefore there will be poor knowledge of corruption in his office. However, more citizens said that their governments were fighting corruption either fairly badly or very badly.
- More than two-fifths of the respondents reported that violent conflicts occur sometimes, often or always in their communities and among different groups in their countries.
- Contrary to the distorted picture of conflicts in Africa, as solely expressions of ethnic and religious antagonisms, projected by Western media and scholars, violent conflicts in the countries were caused by several factors. Disputes and grievances (not greed as IMF/World Bank researchers insist - e.g. Collier and Hoeffler 2002) over political leadership, land and resources, economic problems and poverty, ethnic differences, personal misconduct and drugs/alcohol were reported as sources of violent conflicts by the respondents. Only in Nigeria, where 24% and 14% identified ethnic and religious differences respectively, and Botswana where 19% identified ethnic differences, were the two factors identified by a significant proportion of the respondents (table 8).
- In all the countries, the use of violence for the pursuit of political objectives and resorting to vigilantism were rejected by the respondents. However, nearly a third of the respondents said that the government was handling conflicts between communities fairly badly or very badly.

- Political trust is influenced principally by the performance of government in the management of the economy and social services and the protection of civil rights. Corruption also negatively influences trust in political institutions.

These findings point to both the progress as well as the challenges of democratic transition and consolidation in Africa. As Monga (1997) has pointed out, democratisation in Africa has been characterised by many problems including the return of previous autocrats to power through elections; weak and fragile political parties; manipulation of electoral process; a narrow political field; a constrained civil society; a controlled press; the absence of civility among the rulers in their relations with opposition and citizens at large, and support by powerful nations for friendly dictators on the continent. These problems, along with the attempt at a hasty imposition of capitalist political economy through adjustment programmes by IMF, World Bank and advanced capitalist nations may delay democratic consolidation if not reverse democratisation in many of the transitional countries in Africa.

The greatest danger to democratisation on the continent is the structural adjustment programme which has been implemented by many African countries under the dictation and supervision of IMF and World Bank with the support of the G8 countries since the 1980s. Such adjustment programmes have produced serious social, economic and political crises. These crises manifest as deterioration of social services (especially education and health care) and public utilities, intensification of violent conflicts among groups competing for scarce resources; deepening economic crises of poverty, unemployment and retrenchment, de-industrialisation, net capital outflow and weak currencies and economic-related conflicts such as strikes, state repression of labour rights, protests against government economic deregulation and privatisation programmes. The programmes negate the interests of the African peoples expressed in this study. Not surprising, an overwhelming majority of the citizens in the countries reported that such programmes hurt most people and benefited only a few. Herein lies the threat to democratisation in Africa - exogenous imposition of economic programmes that are harmful or hurtful to the African peoples and citizens.

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