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Everyday Strategizing in Africa: Local Actors Negotiating State Norms, Histories and Local Custom

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Everyday Strategizing in Africa: Local Actors Negotiating State Norms, Histories and Local Custom*

Competing Norms: State Regulations and Local Praxis in sub-Saharan Africa is a collection of essays that comes out of a collaborative and DFG (*Deutsche Forschungsgemeinschaft*)-funded research project called »the Formation of Normative Orders« (Cluster of Excellence / *Exzellenzcluster* at the Goethe University Frankfurt). The volume brings together ten diverse and promising African case studies that examine in various ways how »local actors« in their everyday lives deal and cope with the co-existence of often conflicting official norms and local customs or praxis. The case studies – written by young African and German researchers from different disciplinary backgrounds – relate to one of three contexts, which can be read under the headings of »Markets, governance, and resources« (Part I); »Land, environment, and resettlement« (Part II), and »Media, society, and politics« (Part III). Many of the chapters examine the role of history, the legacy of colonial administrations, and the influence of international institutions and NGOs that form part of the puzzle explaining particular strategies or approaches used by local actors. While the title and introduction both utilize the (historically loaded and problematic) term »sub-Saharan Africa«, the chapters focus on individual countries (and regions or cities within those countries), in particular on Mali (five chapters), Cameroon (two chapters), Niger, Ghana, and Kenya (each one chapter).

Since the focus lies on the coping mechanisms adopted by the relevant local actors to manage tensions or encountered conflicts between different norms, rather than on the »African administrative machine« (i. e. from the position of the police officer, teacher or judge), the book contrasts

with other scholarly work, such as James Scott's *Seeing Like a State* (1998) and *States at Work in West Africa* (2014), edited by Thomas Bierschenk and Jean-Pierre Olivier de Sardan, which examine the daily functioning of public services and the practices of civil servants.

Who are these local actors? In parallel with the diversity of contexts, such actors under purview in *Competing Norms* include pastoralists and farmers in the Office de Niger zone, one of largest irrigated perimeters in Africa (Boureima Touré); communities subject to state-planned resettlements due to natural conservation in Ekondo Kondo, Cameroon (Kerstin Schopp), or due to mining-project plans in Kwale, Kenya (Andreas Jacobs); Malian radio hosts in Bamako, Mali (Anneliese Sozanski); the role of »earth priests« in the land tenure system of the Navrongo region of Ghana (Patricia Awiah); and brides and grooms (and their families) separated between Moghamo, Cameroon, and the US (Isaiah Afu).

How do these protagonists relate to or anticipate »official norms«? (How) do they circumvent them? How do they deal with the inevitable tensions and clear contradictions between statutory law and local praxis, each of which may be considered influences or defined by historical forces, as well as between the colonial past and development efforts? For instance, how do brides and grooms manage to comply with different laws and regulations (in this specific case, those of both Cameroon and the US) as well as Moghamo customary marriage practices, which call for the sharing of raffia palm wine between the bride and groom in a locally made cup, called an *asha*, in the

* *Competing Norms: State Regulations and Local Praxis in Sub-Saharan Africa*, edited by MAMADOU DIAWARA and UTE RÖSCHENTHALER (Normative Orders 19), Frankfurt / New York: Campus Verlag 2016, 271 p., ISBN 978-3-593-50653-1

presence of their family and friends when the groom has migrated to the US and is unable to travel back to Moghamo?

These are in effect the very issues that the prolific and established legal anthropology literature on legal pluralism has explored since at least the 1970s. The lack of thorough engagement with some of this rich literature is unfortunate; indeed, developments or observations taken from an African context should not be isolated from other scholarship. In fact, the interdisciplinary project screams out for broader comparisons and interconnections.

The essays provide useful introductions to and examinations of issues involving land and natural resources, media, and society in a number of regions of Africa, many with ramifications for future development in the region. Also commendable is the intensification of dialogue and collaboration between researchers from Africa and Europe. This work will no doubt lead both students and scholars interested in such areas as African studies, political science, and anthropology to important insights and academic work on some underdeveloped areas of inquiry. Touré provides a rich historical background to the complex land management issues faced by farmers and pastoralists in the Office du Niger zone, noting the contradictions between the present government norms and »certain land practices that derive from older forms of government« (46). Mamadou Diarra, in discussing the operation of community health centers in Bamako, Mali, also sets out the relevant colonial legacies and »the disconnect between local practices and official rules for the operation of a public health facility« (52). The impact of technological advances is investigated in the essay by Issa Fofana on the regulation in the grain market in Mali, Bamako and Office du Niger via mobile phones, which also offers an apt history of grain market liberalization in Mali. Discussing the land tenure system in Ghana, a blend of customary and statutory tenure systems rights, Patricia Awiah notably and earnestly writes »in spite of ... statutory and customary regulation, actors do what is convenient to them ...« (99). Awiah also uses interesting sources, such as the »White Fathers« Diaries (1906–1945) of the Navrongo Catholic Missions to trace the history of land rights and practices in that part of Ghana (101). She warns that despite the official rhetoric, the evident contradictions – for instance, where local norms recog-

nize the earth priest as the controller of the land but the state marginalizes his (spiritual) role and recognizes the chief instead – are an »impediment to development« (115). Certainly, the suggestions that local praxis needs to inform appropriate public policies and development programs is crucial. Anneliese Sozanski's chapter focuses on Malian (private and public) radio hosts in Bamako, Mali, and it asks how these societal influencers »deal with rules and regulations, and handle the repercussions of state control over their work«, in particular, with regard to evolving gender relations. She notes earlier work pointing out the role of African radio hosts as »an important channel for gender inequality« (228). Sozanski points to double standards in the radio hosting profession where »women were expected to have acquired more specialized knowledge before they were considered eligible for the same positions in the media as men, although there is no regulation that specifies the requirements in private radio stations« (231).

In the last chapter, Isaiah Afu gives us a glimpse into the world of emerging, transnational marriage practices in Moghamo, Cameroon, which in some cases lead to the practice of the »wedding without the couple«. In the context of international migration, it becomes a challenge to abide by local customary marriage practices, in this case requiring, i. a., the physical presence of the bride and groom drinking from a cup of raffia palm wine at the ceremony surrounded by their families (for as Afu explains, Moghamo marriages remain »still very much an economic arrangement between two families« (244)). The physical absence of migrants at their own marriage ceremony is a growing tendency, an arrangement which is also more economically feasible for many migrants and their families but can also be dictated by US immigration laws. Out of necessity, new practices are emerging that include using substitutes representing the actual bride or groom (often an unwed family member or friend) and displaying pictures of the prospective spouses. (»The male representative plays his role by standing as the real husband of the bride, accepting the cup of raffia palm wine from the bride, receiving all the advice meant for the groom, and sitting beside the bride during the marriage ceremony.« (257))

It is clear that the complex interactions between layers of norms and people's strategizing or coping in everyday life can only be revealed through detailed descriptions of the relevant tensions, devel-

opments, and dynamics, which, of course, necessitate long-term field observations. In the introduction, the editors announce that the focus will be on ethnography. Yet many chapters seem to have run out of space before they could engage in the deep descriptions that focus »on the details at the heart of everyday events« (14). Andreas Jacobs' fascinating essay on mining-induced resettlement in Kenya stands apart as one of the few essays to use quotes from his interviewees. Certainly, there are other standouts, such as Isaiah Afu's chapter. Noting a generational divide and resistance to changing marriage customs in Moghomo, Afu writes: »while older people believe that marriage should be conducted in accordance with Moghomo customs and without any alterations, the younger generation believes that these customs need to be stretched to allow them to satisfy tradition while in the pursuit of a better life in the diaspora« (258). An elderly wedding invitee expressed his dissatisfaction when after »looking closely at these pictures, [he] got annoyed, and decided to leave the celebrations. He questioned whether people had come for a marriage or to look at photos. He was so disappointed that he said: »marriage cannot be reduced to photos, because of migration.« Such fieldwork examples provide the reader with memorable and

striking illustrations of the lived experiences of local actors. More chapters would have also strongly benefitted from such examples and quotes, where the local actors themselves are allowed to speak in their own voices as well as by supporting visual illustrations, whether in the form of pictures, graphs, or maps. (The volume includes only one map, which provides the location of phone booths in the Office du Niger zone (85)). Finally, a comparative chapter comparing and contrasting – more or less tying together – the different chapters would have made a welcome addition, certainly from a legal history perspective. Such comparisons often produce observations that separate chapters cannot, offering insights relating to common or distinguishing factors such as (legal) history, political context, development features or relevant social characteristics, as well as addressing specific public policy implications. As it stands, the connections between the various contributions and research projects are left unexplored. Nonetheless, the contributions in *Competing Norms* form welcome additions to empirically-informed studies on engagements between local actors and legal norms in the African context.

