CITIZENSHIP, CONSTITUTIONAL LEGITIMACY AND IDENTITY IN POST-COLONIAL AFRICAN NATION-STATES

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ABSTRACT

BERHANE BERHE ARAIA: Citizenship, Constitutional Legitimacy and Identity in Post-Colonial African Nation-States.
(Under the direction of Judith Blau)

The dissertation investigates the institutional and attitudinal effects of postcolonial citizenship on the stability of nation states and on the popular attitudes of citizens of selected African nations. The study of how citizens are connected to and perceive the state is an important question in understanding the long-term sustainability of African democratic systems. The dissertation is organized into three distinct chapters that are tied by common theoretical and empirical questions. Each employs different methods and levels of analysis in answering fundamental political questions about African postcolonial societies. These crucial questions revolve around institutional differences between urban and rural sectors and citizens of Africa. It studies the effects of urban- rural institutional dualisms in geographic, legal and citizenship dimensions. Furthermore, this work develops various statistical models to test the cross-national differences on various issues of importance to the continent. It looks into the effect of institutional dualism on state stability, constitutionalism and national identity in postcolonial African states and societies. Statistical analyses confirm that there is strong evidence for duality between urban and rural citizens in their support of constitutions and endorsement of traditional form of authority. This duality is stronger when inter-ethnic differences are controlled. Results also confirm that there is fundamental urban-rural duality in citizens' construction of national and group identity in African states.

I dedicate this dissertation to my late parents Berhe Araia and Negeset WoldeGebriel. I know you will be proud of my accomplishments, as always.

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CHAPTER 1:

INTRODUCTION

Most African countries attained political independence and sovereignty within the last forty years. The road to independence took different trajectories that range from armed struggle against former colonial powers to peaceful organization of nationalist movements. These nationalist movements were able achieve the desired political sovereignty of the political system and to a large extent deracializae their civil society.[1] It can be argued that the nationalist movements in all of Africa were successful in achieving a limited goal of creating sovereign African states. This achievement, however, was very limited as a result of what it didn't create and what it didn't destroy.[2] Most nationalist movements faired to create constitutionally democratic political systems. Initially some regimes were democratic, but they were not long lasting. The popular sovereignty movements wrongly assumed that the control of the state without fundamental reform in its structure would guarantee the goals of many nationalist struggles.[3] Therefore, the postcolonial state fell short of democratizing the state and civil society, both in its urban and rural forms (Mamdani, 1996). Nevertheless, many African states witnessed remarkable political movements, mostly urban based, in the

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[1] In some former settler colonies such as South Africa and Zimbabwe, the anti-colonial struggle took a long period of time and there are still racial problems.

[2] There is burgeoning literature on state failure in Africa that argues that the state is so weak and its structures are collapsing. The argument in this dissertation is that in spite of the weakening of the state and reforms, there are certain institutional structures that have survived in the postcolonial states.

[3] This does not take away the role of international affairs in the choices postcolonial states made, especially the division of the world into two camps during the cold war.

late 1980's and early 1990's that resulted in several transitions to democratic forms of government. These changes have been termed the 'second liberation of Africa', 'fourth wave of democracy' and the like (e.g., Diamond, 1999; Bratton 1992). But what is important about these movements is that they are about reconstituting the political structure of African states and currently, irrespective of the extent of the democratic nature of regimes, almost all African countries have drafted constitutions as supreme laws of the nation. These changes have not all been happy ones and we have also seen some of the worst forms of conflicts in the same period of time. However, there is now a general trend towards developing democratic institutions and practices in Africa now.

Despite the growing trend towards democratization, African states still have many problems of structures of power because they were unable to destroy, change or reform some institutions. African states and societies have inherited difficult political, legal and geographic structures constructed by 19th century European colonial powers based solely on economic, territorial and political consideration of European powers of the 19th century. One fundamental structure is the territorial make-up of African nation-states that newly independent African states of 1960s did nothing to transform into socially responsive borders. Accompanying this territorial structure is the inherited segregation of African citizens in terms of geographic location and legal systems. All these make the task of integrating societies and democratizing the state more so difficult. Recent scholarship has focused on the failure of the African states in changing geographic, legal and political features that were inherited from colonialism (Herbst, 2000; Mamdani, 1996, 2001). This failure to reform or at times to acknowledge these systemic problems remains to be a

potential problem in achieving stability and democracy in African states (Mamdani, 1996). In the following sections, I will briefly discuss the encouraging changes in the state of democracy in Africa, their limitations and the role of institutional forms that have not been yet reformed. I will then argue why understanding the institutional and public factors that enable states to be stable, democratic and legitimate in the eyes of their citizens is necessary. I will end the introduction, by briefly introducing the chapters in the dissertation.

There are several positive political advances in African nations. Many African states now elect their leaders through competitive elections. The African Union introduced a peer review mechanism whereby countries would be monitored for their democratization. Constitutional documents are becoming the normative point of reference for African politicians and citizens. Democratic and other political reforms have also opened the way for a new citizen to evolve in Africa, who is neither exclusively ethnic nor monolithically national (Gyimah-Boadi, 2004). Using the series of Afrobarometer data surveys, the same datasets used in this dissertation, Bratton and Mattes (2004) hold that Africans are beginning to think more like citizens of a constitutional state than clients of a personal patron. Much of the academic and political hope for the growing movement towards democratization and constitutionalism in Africa is premised on the strength of civil society. However, this civil society perspective tends to be more prescriptive of the kinds of right institutions needed for the sustainability of democracies. It thus lacks historically specific analytic tools to look at the situation of civil society in Africa. A common African experience is the colonial construction of the African state and its distinctive dualism that marked its organization of power and mode of rule. This institutional dualism juxtaposed modern and customary law,

civil and traditional society, rights and customs, town and country and citizens and subjects (Mamdani, 1996). The first historical moment in the development of civil society in Africa was the coming of the colonial state as the protection of the society of the colons. Thus, a civil society along side an unreformed and undemocratic customary sector is a potential for problem for the future of democracy in Africa. So we need to look in to the historical construction of dual forms of social and political organization and their lasting impact on the nature of the African state and the public opinion of its citizens.

Rural-Urban duality in institutions of Rule and Political Opinion

The study of state stability, constitutionalism and national identity are timely issues for Africa. The fact that the African state was a colonial creation implies that it was imposed on a multiplicity of nations and formerly autonomous political communities. This creation of the state was a territorial logic of state creation that didn't take population and ethnic distributions into account. The legacy of this form of state creation is still prevalent in Africa and results in territorial segregation of citizens of states in almost all countries. The history of African state creation also led to indirect forms of rule, which in turn led to legal segregation and decentralized despotism (Mamdani, 1996). In addition the African model of citizenship is also greatly affected by this territorial logic. In this dissertation, I try to investigate how these different legacies of the construction of African states have affected the stability of African states so far by looking at their effect on different state failure events. The dissertation is also about citizenship. I argue that the issue of citizenship and the determination of who is a citizen and who is not are central to the future sustainability of African political systems.

Citizenship is not just about determining the answers to the juridical questions of who is to be included as a citizen, it is also cultural. Citizenship is cultural in the sense of having a national political culture that puts national constitutional order ahead of other sub-national forms of allegation and authority (Wallerstein, 1999; Calhoun, 1997). I thus develop theoretical questions about the ideals of national culture and its legitimacy providing function to a given political system. I review comparative literature on this topic and complement it with historical and theoretical examples in the continent of Africa. Research on Africa has been mainly theoretically comparative to the extent of neglecting empirical facts in placing the problems and institutions of Africa in the context of comparative and historical lessons. This approach neglects the historical specificity of Africa and this is what Mamdani (1996) termed as 'history by analogy'. So we need to understand Africa in its historically specific and culturally particular realities. The best way to do this is to undertake empirical research on political opinion and see all potential forms of variation and patterns across African countries by following methodological individualism.

I argue that a strong support and attachment to constitutions will be a necessary condition for the sustainability of Africa's new democracies. I also start with Mamdani's claim that a unified national legal system and loyalty to it are necessary for the existence of a constitutional state. I acknowledge that the presence of a strong attachment to a traditional source of authority amid growing constitutional order might make democratic consolidation very unlikely. This dual obligation to constitutional and traditional authority is not randomly distributed among all African citizens but it might manifest itself along urban-rural and inter-

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ethnic lines. So I propose series of hypotheses based on the institutional history of African states and societies.

One outcome of the construction of African states is that they have resulted in fundamental institutional differences between urban and rural citizens. Historically this stems from the indirect form of rule that resulted in dual civic and customary legal frameworks to exist simultaneously in Africa. The dissertation is by and large about finding out the effect of such duality has on different political behaviors. The duality is manifested in institutional as well citizen political opinions. The study specifically asks how the logic of dualism - of spatial, institutional and territorial segregation and laws figure as a predictor of variations in state failure events among sub-Saharan African countries between independence and the year 1999. It also asks how urban and rural citizens conceptualize the legitimacy of the national constitutions and an alternative form of tradition rule.

In addition, the dissertation studies if African citizens are divided along the urban-rural line in their conceptualization of national and sub-national identities. By viewing citizenship as identity, the dissertation investigates if citizens can embrace the nation and its fragmented identities simultaneously or if to develop national identity, citizens need to do away with their other identities. I argue theoretically and test empirically the notion of ethnicity as a category. I argue that ethnicity as solidarity and small level associational formation cannot be antithetical to national identity. However, when ethnicity takes the same scale and magnitude as national identity to become an imagined categorical community, it can definitely compete and come in contention with national identity. I propose that African citizens have high levels of national and group identity simultaneously- but that urban

citizens and rural citizens in all postcolonial African states would entertain very different views of what it means to be nationalist or ethnocentrist. For example, I expect rural citizens to have a view of ethnicity that closely resembles solidarity whereas urban citizens would think of ethnicity in more categorical terms. .

Organization of Chapters

The dissertation is organized as article style chapters that address self-contained topics but are tied by underlying research questions on the urban-rural duality in terms of institutional and political opinion. Chapter two looks into the legacy of territorial and institutional segregation on state failure events for African countries since their independence. The chapter integrates two separate research traditions by using relevant statistical methods to estimate the historical pattern of state failures in Africa since independence. It integrates the comparative research on state failure and the African specific research on territorial and institutional legacies of colonialism that is regarded to disproportionately affect the occurrence of state failure in Africa. The chapter uses territorial and institutional variables as predictors of the concentration of state failure events in some countries more than others. The chapter uses data on state failure and ethnic conflict that comes from the State Failure Project based at the University of Maryland and adds new institutional variables in order to estimate effects of institutional and geographic factors on cross-national and overtime concentration of state failure events. The chapter adds institutional segregation variables such as citizenship regime, customary-civil law divide and center-periphery geographic divide in addition to the variables such as trade and democratic openness, urbanization and levels of ethnic discrimination that are usually used as predictors

of state failure in cross national research. The analysis for the chapter is mainly based on pooled data for 46 sub-Saharan African countries.

Chapter three is about rural-urban variations in constitutional legitimacy. It looks at the legitimacy of 'new democracies' from the perspective of citizens and conceptualizes constitutional legitimacy form a historically particular African experience of colonialism and survival of institutional segregation between the urban and the rural segments of African society. This chapter investigates popular perceptions of legitimacy by using Afrobarometer surveys in ten new democracies by looking at sub-national sources of variation in constitutional legitimacy. It measures constitutional legitimacy with citizens' agreement of the representativeness of the constitution with their values and the rejection of alternative traditional form of rule. Therefore, the chapter sets out to investigate the different degrees of constitutional legitimacy that exist between ethnic groups, regions and among members of the same national groups. I estimate individual and contextual effects of cross-national variation in constitutional legitimacy. The chapter also uses multilevel analysis (or hierarchical linear modeling) by assuming that the level of constitutional legitimacy is a variable factor between individuals as citizens of a nation-state and across sub-national categories of ethnicity and region. Multi-level analysis demonstrates legitimacy both at the individual citizen and community level (ethnic group and national regions) are a function of both individual and group level variables simultaneously.

In chapter four, I study cross-national differences in national and sub-national identities. Drawing from the literature on nationalism and citizenship, I develop theoretical

arguments on the causal relationship between national and group identity in modern nation states and propose hypotheses on the variations in structures of national and group identity among citizens of postcolonial states. I develop measures of group and national identity for samples from eight African countries to investigate if citizens within nations and across nations share the same conceptual structures of national and group identity. That is, in addition to measuring variability in level of national and group identity, I also question if citizens of these eight African nations share or differ in what they think it means to have national identity and group identity. This chapter uses multiple-group analysis in estimating latent variable (or Structural equation) models for national and group identity. The data set for this chapter also comes from Afrobarometer surveys conducted on selected African countries between 1999 and 2000. The chapter finds a strong empirical support of urban-rural duality in national and group identity, but also concludes that the duality is not shared equally across postcolonial African states.

In the final conclusion chapter, I develop synthesized arguments in the nature of the postcolonial state, its institutional problems and the future of its democratization. I discuss the results from the three empirical chapters in the context of theoretical and practical questions of democratization, citizenship and identity in the continent. I argue for the need to democratize social institutions for both the civil and customary sectors in Africa. I outline the implication of the results from the study for future democratic course and the need for institutional reforms and what public opinion has to offer to make democratic changes sustainable.

CHAPTER TWO:

AFRICAN NATION-STATES AND THE CONSTRUCTION OF POWER: THE LEGACY OF TERRITORIAL AND INSTITUTIONAL SEGREGATION ON STATE FAILURE

In this chapter, I integrate two different theoretical and empirical scholarly works in the study of state failure in Africa. Academic works interested in the comparative difference in the failure of modern nation-states have resulted in the collection of broad data on states and their histories. I use data developed from this perspective that was collected to investigate the likelihood of state failure and ethnic conflicts globally. The State failure task force data contains a rich source of information and reports on the global and regional similarities and differences of the occurrence of state failure in the second half of the 20th century. Previous research (e.g. Goldstone et al, 2000) have found that the region of sub-Saharan Africa has had more occurrences of state failure and ethnic conflicts than other regions in the world and that lack of economic development and urbanization, lack of democracy and presence of ethnic discrimination in part account for the high prevalence. Despite their systematic collection and analysis of historical event data, these researches do not include important institutional factors that recent scholars of African history and society have regarded as important explanations for the plight of African state failure and problems of societal integration. These latter works bring compelling evidence primarily based on historical research on few case studies and their generalizations have yet to be tested across all nation-states of Africa. More specifically, I draw heavily on the works of Mahmood Mamdani and

Jeffrey Herbst to develop cross-national testable hypotheses on the institutional factors, specific to Africa, that have led to high prevalence of state failure. I thus integrate the variables developed from these scholars and complement them with the data on state failure maintained by the state failure task force project. Therefore, the chapter is an initial and systematic test of these institutional arguments in cross-national data by adding more predictive factors to the models developed by the state failure task force. However, this study is more interested in the cross-national variation and concentration of state failure among certain countries and how institutional and territorial variables explain this pattern. I therefore use a statistical method that allows estimating the fixed effects of legal and geographic segregation inherited at independence for each country in the prediction of state failure events overtime.

Citizenship and the Nation-State

Nation-states are composed of people of different cultural backgrounds and membership in nation-states would indicate more than membership in a cultural community; that is, a nation-state t is not merely a community united by common culture. Thus, one of the principles of most sovereign states in the last two centuries has been that they are composed of citizens and therefore represent a category that is more juridical than cultural in character (Wallerstein, 1999:105). That is, citizens are legal members and citizenship is an indicator of membership in a state. Historically, the process of constituting a political community in Europe that is autonomous and capable of self-determination resulted in two ways of acquiring membership. The former stresses on ethnic or cultural similarity of members of political community and the other on their common citizenship in a specific state

(Brubaker, 1992; Calhoun, 1993). In its ideal-typical form the concept of citizenship implies that membership in the nation state is egalitarian, takes a sacred nature. National membership is also unique and exclusive of outsiders and it is democratic in its participation of members and membership is consequential as citizenship carries duties and rights (Brubaker, 1992, 1998).[4]

In the construction of classical nation-states in Europe in the 19th century, the question of who is to be included in the nation-state membership and who is to be excluded resulted in different forms of citizenship. Broadly, two ways of acquiring citizenship can be traced to the state formation in European nations: *jus soli-* those born in the territory were citizens, irrespective of the nationality of their parents; *jus sanguinis* - citizenship through descent irrespective of the location of birth (Brubaker, 1992, 1998; Wallerstein, 1999; Herbst, 2000). In spite of globalization and reorganization of international relations of power, the nation-state model still remains the dominant approach, as it still figures prominently in the discourse of struggles for autonomy and self-determination in contemporary world (Calhoun, 1995b; 1997).[5]

The culmination of long historical process in the modern nation-state resulted in relative stability and national integration at then end of the 19th century (Tilly, 1999). Another European development was the colonization other societies and the exportation of the European nation-state model to these societies. However, this exported model was

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[4]Brubaker lists six dimensions of the ideal-types of citizenship : 1. Egalitarian, 2. Sacred, 3. Nation-membership, 4. Democratic, 5. Unique, 6. Consequential

[5]Calhoun argues that the idea of nationhood is still an important factor in the construction of new political communities and states.

introduced under historically specific situation. That is, its focus was more about how to easily control colonized subjects and the colonial model focused on certain exclusionary dimensions of the nation-state citizenship model. Brubaker (1998:138) notes that variation in focus in the different dimensions of the ideals of citizenship resulted in variations over historical time and political space in the normative and institutional construction of the nation-statehood. As such, focus on some norms of citizenship at the expense of others would affect the admission to citizenship differently. "The norms of egalitarian and democratic membership require the admission of long term residents to full citizenship. But the norms of unique, sacred, and national membership can be used to justify a series of more or less restrictive preconditions for admission" (Brubaker, 1998:136).[6]

Unlike the classic German and French cases that Brubaker discusses at length, the construction of contemporary African states, as former colonial states, resulted in unique institutional and normative focus of citizenship. I argue, for example, that in post colonial African states it is the democratic and egalitarian norms of citizenship that are important for stability and the sustainability of democracies whereas the unique and sacred dimensions of citizenship have worked instead to make national integration more difficult in the past. That is, to define who becomes a citizen based in colonial territorial definition amidst population divided by borders and history of migrations has led to the fixation of identities and overemphasizing ethnic origins in many African states. This failure of the postcolonial

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[6]I am only referring here to the principle of citizenship admission. It should be noted that many societies with inclusive principles of citizenship have excluded many of their citizens from equal access to citizenship rights. However, in many cases the universalistic principles were used ways of getting included in the benefits of citizenship.

citizenship regime is demonstrated better by how stable African political systems have been since independence.

State Failures

Comparative research on state failures shows that on average African states have had more instances of state failure and ethnic conflicts than other regions of the world. In sub-Saharan Africa, almost all partial democracies failed within few years and even full democracies confronted the odds of failure five times as large as autocratic regimes (Goldstone et. al, 2000). Between 1995 and 1998, Africa had the highest incidence of ethnic wars at 21. A recent report by Gurr, Harff, and Marshall (2003) defines state failure as indicated by four types of events each indicating severe political instability. These include revolutionary wars, ethnic wars, adverse regime changes, and genocides and politicides.

The study of ethnic conflicts as indicator of the strength of the nation-state model in Africa is important. Most of the time African conflicts tend to be internal civil wars that are fought when different social sectors do not agree in the constitutions of the political community common to all of them. In addition, most of the interstate conflicts in Africa that have occurred were not, as in Europe, wars of conquest that threatened the existence of other states, but conflicts over lesser issues that were resolved with out threatening the existence of another state (Herbst, 2000). In both cases, the conflicts would mean more of weak nation-state that is unable to integrate its population rather than a strong conquest state. But, it is important to keep in mind that the magnitude of civil wars is not the same in all cases, since some are more threatening to the nation-state as a political community than others. It then

becomes important to differentiate between a politically primary or politically secondary

civil conflict (Mazrui, 2001). A politically primary civil war is one that seeks to redefine the

boundaries of the political community, for example, secessionist or fundamentally separatist

wars. A secondary civil war is concerned not with changing the boundaries of the political

community, but with redefining the goals of the community, or enlisting new leadership and

therefore disputing the goals or leadership of the political community. "Countries that are

torn by a primary civil war are probably at a lower level of national integration than countries

that are quarrelling about goals or 'who rules' (Mazrui, 2001: 174-175).

Ethnic war and state failure are often associated with the diversity of the national

constituents of a state interms of their ethnic or religious make up. On a global study, for

example, Goldstone et al (2000) found that the more ethnically diverse a society is the greater

the risk of ethnic war. Other comparative researches have also linked ethno-linguistic

diversity with low levels of positive developments of the nation state such as

democratization. The degree of diversity is generally greater in the late developing countries

and it may deter democratization by fostering conflict and inhibiting the possibilities of

coalition building and compromise across groups (Bollen and Jackman, 1985). Ideally,

societies with homogeneous populations and cultures may more easily avoid turning every

policy decision into a debate on the distribution of the social pie (Centeno, 1994). However,

Goldstone et al (2000) found out that not ethnic diversity but the presence of ethnic

discrimination that explains the variation in state failure events among countries in sub-

Saharan Africa. In essence ethnic diversity in itself does not diminish the prospect of

democracy. One view suggests that if no one group is strong enough to gain complete power,

the result is the development of tolerance (Vanhanen, 1990). In somewhat different approach Lijphart (1977) suggests that consocianalism makes possible democracy in heterogeneous societies. As this remark implies, diversity makes tolerance across ethnic groups possible. Another argument in the context of Africa is that ethnic diversity may in other cases facilitate the struggle for democracy by making political demands inevitable (Bangura, 1996). For instance, internal divisions within the military, which mirror the ethnic and regional division in the country, may help strengthen the resistances of civil forces. Empirical research by Jenkins and Kposowa (1990) found out that ethnic antagonism rooted in cultural diversity and competition between two largest ethnic groups was a central force behind military coups in sub Saharan Africa.

On the other hand, theoretical and historical studies on Africa have depended on two opposing views in interpreting the prevalence of state failures and conflicts in Africa. One strand takes a 'weakness of society' argument in that it argues that the general heterogeneous character of the societies makes it difficult for a state to exercise power. This perspective varies from those who hold that the concentration of power in the hands of the state have led to social fragmentation and polarization of society and to those who attribute the problem to the inherent heterogeneity of communities that are under the umbrella of one nation-state. An alternative view focuses on the "weakness of the state" to penetrate and fully control society. Under the state perspective, the power of the state is the main variable and a successful state power would result in the stability and peaceful coexistence of the society. Power, viewed here, does not exclusively mean democratic power. Rather, it means the ability of the state to provide order and get legitimacy. Both perspectives lack a deeper understanding of the

history of state formation in Africa and the incorporation of different autonomous communities in one nation-state system.

As a result, recent scholarly attention has focused on the historical and institutional construction of the state-society relations in the colonial and postcolonial state in Africa. These studies attempt to go beyond such a state and society dichotomy to look at the historical particularity of the process of state formation in Africa. The historical particularity of African colonial legacy is its hierarchical and dualistic citizenship regimes. This duality is reflected in the institutional as well territorial composition of African nation-states. Most notable recent works are Herbst's (2000) concept of 'territorial segregation' and Mamdani's (1996) idea of "institutional segregation" and "legal dualism" in African states. Mamdani's (1996, 1998) work is on institutional analysis of the construction of citizens and subjects in colonial Africa and of its legacy to the state-society relations in post-colonial states. Mamdani's work grew mainly out of case studies in central and southern African countries and has yet to be tested on a larger comparative scale. Herbst (2000), on the other hand, focuses on the political geography of the countries as well as on regulations on citizenship and customary laws and their impact on state power to govern. Herbst developed comparative typologies of political geographies, citizenship and customary regulations but did not systematically test them against different variables on state success or failure. In the following section, I review these territorial and institutional approaches and propose including them in the study of state failure and ethnic conflict in African nation-states. I argue that understanding the effects of legal and citizenship factors is important in African societies that are struggling to create a democratic and legally unified state system.

Territorial and Institutional Segregation: the Specificity of Africa

African nation-states are political communities that were constructed as a result of territorial logic and considerations than of nation or ethnic consideration. The colonial scramble for Africa for the first time in history developed territorially based nation-states and in doing so incorporated previously autonomous communities together while dividing the same community in more than one nation-state. After independence, the territorial logic of the nation-state did not change. Instead, the Organization of African Unity (OAU) included in its charter the sanctity of colonial borders in 1964 and made it difficult the construction of nation-states outside this territorial model as defined by colonial power.[7] During colonial times the majority of the colony's population were subjects but independence brought the status of full citizenship. At a time when international borders became symbols of sovereignty, African leaders had to define permanently who legitimately lived in their societies and who did not. Earlier, the territorial scrambling of Africa had ended many traditional patterns of migration across state boundaries. Postcolonial states took the territory of the nation-state as the starting point and thus issued nationality laws in defining the shape of the nation.

Initially, it seemed that the idea of citizenship acquired a greater salience than the tie between ethnic groups separated by a border and all countries tried to develop a common

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[7] This decision was made in 1964 in Cairo, one year after the OAU was formally set up, and it looks like it was a preventive measure against different sub-national and cross national movements that wanted to change the colonial boundaries of Africa. Notable movements that might have affected the leaders of Africa at that time were: Somali irredentist movement of greater Somalia, secessionist movements in Nigeria (Biafra region) and Congo (Katanga region) and the Eritrean movement to return to colonial boundaries. The Eritrean case is different in that the Eritrean liberation movement was movement to return to colonial territorial sovereignty from its incorporation with Ethiopia (first as a federal union, 1952-1961 and then as a province 1961-1991), as an Italian colony between 1890 and 1941.

sense of membership in a nation state. In hindsight, however, countries have not developed innovative citizenship regulations that might establish a strong national bond between state and citizen (Herbst, 2000). Political independence had provided new regimes with the opportunity to redefine citizenship in ways that are more inclusive, egalitarian and democratic. Nevertheless, in Herbst's view, most new governments in Africa either followed the same models as used by the colonial state or if there was any change it was towards more exclusionary form of *jus sanguinis*. Consequently, citizenship laws have tended to reinforce territorial boundaries and thus parochial national interests quickly triumphed over pan-African aspirations.[8] Nation-states became more and more internally divided as in some cases some communities would have more loyalty to their kindred in other nation-states than to their state. What this territorial based model of citizenship neglected was the cross boundary location of communities who share a sense of history, identity or precolonial political unity. Ethnicity can also have a pan-African character in uniting different social groups, which might threaten national sovereignty based on territorial criterion. Ethnicity in Africa is not only a fragmenting force with in countries; it can also become a transitional or supra-national force linking one country to another (Mazrui, 2001).

Herbst (2000) argues that the process of state consolidation that European countries went through is different from that of Africa largely due to the nature of Africa's geography. He thus shows how states in pre-colonial Africa operated as the low density of populations

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[8]The history of the creation good the OAU in 1963 as a negotiated organizational form among the Monrovia, and Casablanca group is a good example of this triumph of territorial logic over a pan-African population based reorganization of Africa colonial states. Although these two groups had similar goals—pan-Africanism—they had divergent ways of reaching this goal. The Casablanca Group favored political unity and viewed strident anticolonialism as a unifying force. The Monrovia Group was more moderate, placing more emphasis on economic cooperation and less on politics unity.

and inhospitable environments made centralization less efficient form of state rule and so most pre-colonial polities were not based on control of land. "Formal political control in pre-colonial Africa was difficult and had to be earned through the construction of loyalties, the use of coercion, and the creation of an infrastructure" (Herbst, 2000: 41). The result was the rise of states without maps whereby the center had strong political control and the buffer zones were not fully controlled by the center. In sum, pre-colonial Africa was characterized for the most part with lack of territorial boundaries, the ease of exit of different groups from the central state and the existence of traditions of shared sovereignty. European Colonialism, Herbst argues, brought changes in frontiers, as colonialism could not continue with the ambiguous sovereignty of pre-colonial Africa. Rather, each square foot of land could be controlled by one and only one power. Besides, the Berlin Conference was exceptionally successful in establishing the rules for the conquest of Africa without requiring extremely expensive formal systems of administration (Herbst, 2000:73).[9] As a result, a common colonial failure was the inability to extend the infrastructure of power such as transportation and the inconsistent allocation of administrative duties to locals. Herbst attributes this failure to the successful delineation of boundaries that avoided competition among colonialist and hence less push to making hinterland rules stronger.

Independent African states, according to Herbst (2000), were faced with the same problem of extending power over their territories as they inherited incomplete and highly variable administrative systems from European colonialists. "The nationalists received states that were appropriate to the way they had conducted their politics: primarily urban, with few links to the surrounding countryside where most of the population lived. And thus African

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[9]The Berlin conference of 1884 was the official European meeting for the division of Africa among themselves.

leaders still find physical control over substantial parts of the population to be difficult issues" (Herbst, 2000:18). In sum, Herbst argues that such territorial segregation has a lasting impact for the success of the states in Africa. *That is, territorial segregation, characterized by difficult political geography that does not link the center with the periphery results in less integrated societies, and thus can be associated with more state failure and conflict.*

Mamdani (1996, 1998) on the other hand, attributes the problems of sub-Saharan Africa to the legacy of colonialism in terms of institutional and legal segregation. He argues that the colonial state was characterized by a distinctive dualism that marked the organization of power. The dualism juxtaposed modern and customary law, civil and traditional society, rights and customs, town and country and citizens and subjects. This legal and institutional duality was reflected in the contrast between a civil power claiming to guarantee civilized rights for a racialized citizenry, and a customary power claiming an ethnicized custom on native subjects. Subjects didn't have one custom but they were put under many customary laws in the name of enforcing tradition. This entailed "the construction of a 'customary' law, whereby authoritarian strands in tradition would form the building blocks of a legal regime disciplining 'natives' in the name of enforcing tradition" (Mamdani, 1998:223). Thus, political and civil inequality was grounded in legal dualism: customary power spoke the language of tradition while civil power spoke the language of rights. This was the introduction of indirect rule as a decentralized despotism. Such institutional segregation was needed in order that a tiny, foreign minority would rule over an indigenous majority and thus was economically efficient for the colonial state. But the legacy is that the colonial power was able "to turn a growing racial contradiction into an ethnic one" (Mamdani, 1998:224).

As central to this indirect rule grounded in legal dualism was construction of an administratively driven justice called customary law, which Mamdani considers an antithesis of the rule of law and a legal arbitrariness. Anti-colonial revolts also took an ethnic form because to oppose the colonial state meant first and foremost revolting against the local tyranny. This meant that ethnicity ('tribalism') was simultaneously the form of colonial control over 'natives' and the form of revolt against it. Thus in African history, Ethnicity is both a feature of power and resistance. As the local apparatus of the colonial state was organized along ethnic or religious basis, Mamdani argues, all-major peasant uprisings were either ethnic or religiously inspired.[10] "This is for a simple basic reason: the anti- colonial struggle was primarily a struggle against the hierarchy of the local state, the ethnically organized native authority that claimed an ethnic legitimacy" (Mamdani, 1998:227). So this view links ethnic conflicts not to the survival of pre-colonial tribal identification that would die out with the growth of the nation-state, but to the fundamental organization of state-local power relations reminiscent of colonial rule and still continuing to exist. That is, ethnic groups were political in their creation as administrative units and that's the reason why most conflicts easily take an ethnic form (Mamdani, 2001).

Post-independence regimes still manifest the urban-rural, right- custom dualism that was inherited from colonialism irrespective of democratic reform and electoral politics. Among conservative nationalist regimes, Mamdani (1996) argues multiparty elections were

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[10]This seems to have been a typical form of pre-nationalist struggles in Africa. A good example is the Mau Mau rebellion of the Kikuyu in Kenya. I have also come to think of the Eritrean revolt of the Tigre against Shimagle in west Eritrea and the eventual growth of the movement into becoming the Moslem league of Eritrea advocating for the independence of Eritrea from British mandate administration. This is an extreme example of local autocracy that was consolidated during the Italian colonialism that mirrored serfdom between the majority Tigre population and Shimagle. For full discussion see Jordan Geberemedhin (1989) –Peasant and Nationalism in Eritrea.

held in which urban areas are administered through electoral civil order but rural areas through appointed chiefs. Electoral systems in such context continue the duality by making the winning party simultaneously a representative of citizens in urban areas and a master of peasant subjects. Consequently, the city was linked to the country through patronage organized along ethnic lines institutionalized in the political party system carried by election. In the case of radical liberation regimes, there was an attempt in dismantling the colonial structures of indirect rule and replacing them with universalistic institutions of a modernizing state. However, Mamdani adds that the effect was the creation of authoritarian and ineffective form of direct rule by the cadres of the single ruling party. In countries like Uganda, the result was to develop a single countrywide 'customary' law, applicable to all peasants regardless of ethnic affiliations, functioning along a 'modern' law for urban dwellers. While it dismantled chieftainship in rural areas, replacing them with cadres, the single party tended to depoliticize civil society in urban areas. The state became central by using administrative coercion in the language of 'revolution' and 'development'. In both cases, Mamdani argues postcolonial states have not abolished the institutional segregation between rural and urban populations and customary and civil laws. It is this duality that still affects the stability of African polities in spite of some forms of democratization in the governments.

Both Herbst and Mamdani are interested in institutional similarities that are common to colonial and postcolonial states across nations. As such they are more interested in how even political regimes of different ideological strands tended to have the same problems and challenges owing to territorial and institutional nature of the states. For example, Mamdani

(1996) argues that both conservative and radical political regimes alike have introduced different reforms; nevertheless they have not abolished the institutional segregation between rural and urban populations and customary and civil laws. Herbst also seems to argue that the effect of territorial relation between the center and the periphery and how they are linked in terms of the legislation on citizenship laws and customary laws is more lasting than the ideology of political leadership. However, Neocosmos (2003) links the problem of territorial and institutional segregation with the reign of undisputed liberal ideology in African nation-states. He argues that, unlike the European nation-state formation process that was characterized by constant debate and conflict between the conservative, liberal and radical ideology on the role of the state (e.g. Wallerstein, 1999); colonial and postcolonial liberalism in Africa is premised on liberal assumptions of an independent domain of the political that is dominated by state institutions.[11] And thus this resulted in the fixation of citizenship with indigeneity and territorial identity. This makes national integration very difficult, as it results in politics, society and culture to be deeply intertwined and inflexible. Instead,

> "The result was the dominance of particularism over the development of a universal conception of nation, precisely because of the absence of a democratic debate and the flexibility necessary for the development of such a universalistic conception of the nation (originating beyond colonial boundaries), lack of authenticity or on the basis of threat to national unity. Indigeneity was defined in colonial terms, as involving both territory and paternal descent within it. Citizenship was defined on the basis of indigeneity. Tribal loyalties were seen as competitors to the party=state=nation". (Neocosmos, 2003: 13)

Thus, the territorial model of citizenship not only determines the shape and structure of states but also who is to be considered as citizen. In determining citizenship based on

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[11]I read this as an indication that the preference to customary law in postcolonial Africa comes from elitist and state administrative driven logic and not from a conservative social constituency that is trying to conserve a tradition from past in history. For this reason, the customary usual remains a vague and residual category usually activated in order to do things outside the parameters of the national legal system.

indigeneity, the postcolonial state thus uses customary definition of indigeneity and taking

the period of colonial control as the starting time period. This is the main contradiction in the

postcolonial state. It denies tribal loyalties as sectarian but draws on tribal indigeneity in

determining the basis of civic citizenship.[12] This contradiction gets worse in times of crisis

and civil conflict or inter-state conflicts. In such circumstance, a state can sometimes deny

citizenship to its hitherto juridical civic citizens by employing a descent-based criterion of

indigeneity. The Eritrean-Ethiopian border conflict (1998-2000) serves the best

contemporary example in Africa that led into the denial of citizenship and deportation of

Ethiopians of Eritrean origin.[13]

**Cross-National differences in State Failure and Territorial and Institutional
Segregation: Hypotheses**

The literature reviewed so far may imply a sense of homogeneity among African states.

Of course, postcolonial states share common institutional factors and history. Research also

shows that on average African states have had higher incidents of state failure and ethnic

conflicts than other regions in the world between 1955 and 1999.[14] However, African

nation-states have factors that are unique to each country and that have changed over time

since their independences. Therefore, African nation-states are heterogeneous, both in terms

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[12]For further discussion of tribe/ethnic as association and categorical references see chapter 4.

[13] See Asmarom Legesse The uprooted (part two): A scientific survey of ethnic Eritrean deportees from Ethiopia conducted with regard to human rights violations. Asmara: Citizens for Peace in Eritrea, 1999. Also see, Craig Calhoun. "Politics abroad: Ethiopia's ethnic cleansing". Dissent (Winter 1999).

[14]An ANOVA test shows that there is significant difference in average occurrence of state failure (F= 30.4, p=. 000) and ethnic conflict (F= 5.1, p=. 000). The values for state failure vary from no failure of occurrence since independence (as long as 40 years) for some to 3.6 in just 25 years for Angola.

of their share of state failure and ethnic conflicts as well as their institutional forms and reforms. The role of territorial and institutional factors in the variability of state failures has not been studied in any great depth. The works of Herbst and Mamdani are new works to that end, but they focus more on what is common among African countries than on what differentiates them. However, they have several implicit assumption and case examples on the heterogeneity of the territorial and institutional make up of African countries. In this section, I develop these assumptions into testable hypotheses and then use them as predictors of state failure and ethnic conflict.

I focus on three factors that capture the segregation and dualism that both Herbst and Mamdani discuss. The three factors are: *citizenship duality, legal duality and territorial segregation*. Citizenship duality is manifested in the ways each nation-state defines how national membership is acquired. I am defining citizenship duality as the existence of a decent based, jus sanguinis, form of citizenship. My argument is that given the history of population movement and migration in Africa and the sacrosanct acceptance of colonial borders as political boundaries, having a residence based, or jus soli form of citizenship is the ideal institutional structure for Africa. So, the presence of jus soli indicates an absence of citizenship duality. Legal duality is manifested in the existence of more than one law of the land in a nation-state. This is what Mamdani refers as the existence of the customary law that governs the rural population in conjunction to a civil law that is supposed to be national in nature. Territorial segregation is evident in the size, population density and topography of the territory of a state. That is to say, some central government would have hard time administering some parts of the country as a result of the dispersion and organization of

population. I argue here that these three factors would determine the outcome of state failure and ethnic conflict independently and in interaction with each other. That is, the individual effect of each variable is mediated by its interaction with the others. In addition, the effects are also mediated by other national factors such as urbanization, democratization level, economic development and distribution. In this section I develop the individual and interactive effects of the two institutional and the territorial variable.

Earlier I briefly mentioned that citizenship laws tend to be based on either membership in the state or particular nation with in the state. The former tends to be more inclusive as residency in the state is enough to guarantee citizenship and it is what was termed as *jus soli*. The latter is more exclusionary in that it is based on descent and identification with a certain social group before one could claim citizenship in the state irrespective of residence in the state. This is what is called *jus sanguinis*. The main distinction is that the former is based on civic citizenship where as the latter is based on ethnic citizenship. Though it would be impossible to argue that all countries would categorically fall in either one of the two, based on how they grant citizenship and the naturalization process we can put them into these categories. For example, several African countries do not automatically give citizenship to those born in the state unless they prove that they have descent in a certain locality or village. People can be citizens through naturalization or special legislation but when the focus is on descent there is always a sense of being less of a citizen among those who can not claim descent.[15] We can think of these countries as following jus sanguinis. Herbst (2000: 236)

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[15]The typical examples are colonial subjects that were settled in Africa, as urban dwellers that cannot claim any descent to the rural descent. Mamdani (1996) discusses the Asian community in East Africa that are civic citizens but cannot never be "native ethnic citizens". But this is also typical of migrants during colonial period

hypothesizes that citizenship regulations such as jus sanguinis that pose high barriers to entry

may generate more intense levels of identity whereas those countries that do not have as high

barrier to entry will find it more difficult to define national identity and how it relates to

citizenship because they have chosen to manage their naturalization process in a far less

active manner. Consequently, an intense identity resulting from jus sanguinis could take an

ethnic or other sub national form. Alternatively, Herbst argues, jus *soli* countries have lower

hurdles to citizenship than countries that determine citizenship in the first instance by

ancestry and correspondingly have scored some notable success in uniting their populations.

Hypothesis 1: Compared to countries that adopted jus soli, countries that introduced jus sanguinis at time of independence are more likely to experience more events of state failure.

However, these citizenship regulations in individual African countries are highly

dependent on how power is organized in the ethnic and civic spheres. Mamdani (1996)

argues that legal dualism, characterized by civic-ethnic divide, results in the perpetuation of

dual authorities and thus ethnic conflicts erupt as an affirmation of customary power. That is,

countries that have both civil and customary laws governing important social relationships

would be more likely to have occurrences of state failure. This duality is manifested better in

how land, an important asset for majority rural population is administered.[16] The indirect rule

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that settled in a neighboring colony as urban migrants. In many postcolonial states that follow the jus sanguinis, these people are citizens but are considered as outsiders, not ethnic citizens.

[16]The best contemporary example I can think of this duality is the case of rural villages being included into cities in Eritrea. In the villages surrounding the capital Asmara while the villages are incorporated into the municipality administration, the government has used the traditional, rather a revised version of it, system of tiesa land to allocate land for people who can establish descent to the villages. Under the tiesa system of highland village society, every married resident is eligible for land to build their homesteads. The land is not private but belongs to the community. Theoretically, the land would go back to the village after the owners are

of colonialism has left the administration of land issues in rural areas to be under customary law. The extent to which postcolonial regimes reformed this would then determine the level of state strength and societal integration. This legal dualism interacts in creating different outcomes with the citizenship dualism proposed earlier. For example, countries that fall in between the direct and indirect form of colonial rule are more likely to produce politicized identities that lead to ethnic conflict and genocide (Mamdani, 2001). That is, countries that tend to be more liberal in their citizenship regime in the civic sphere but still retain customary power in the rural, ethnic sphere might be more explosive than jus sanguinis countries. The effect of legal dualism, measured by the presence of customary law in a given country, on state failure and ethnic conflict might be greater for countries with jus soli citizenship model than jus sanguinis. This is for the simple fact that the two would reflect more contradiction in terms in the construction of customary power and rights of national members.

Hypothesis 2: countries that are characterized by legal duality, indicated by the existence of civil and customary law together, are more likely to have more occurrences of sate failures.

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deceased or move out. Usually, the youngest male son would inherit the homestead but would not get another land in the village, whereas, other siblings would be granted land in the village. The new tiesa system is revised in that in addition to establishing descent in the village, it requires fulfillment of national service requirements, military service for those living in Eritrea and financial obligation for people who live abroad. One change here is that establishing descent now can be done both through the mother and father line. In the traditional system, not only descent but also residence and establishing your own family were the requirements to get land for new homestead. In this new system people who do not or have not lived in the village are claiming and getting land in some cases. While people who reside in or close to the villages but cannot claim descent would not be guaranteed to get land for housing. This to me is a more conservative regime of property distribution than the customary tiesa based on residence.

Hypothesis 3: legal dualism, indicated by the existence of civil and customary law together, may be more likely to result in occurrences of sate failures for countries with jus soli than jus sanguinis citizenship model.

State crises and conflicts occur in geographically defined populations. The cases of Rwanda and Congo can be used for illustration. Rwanda is characterized by a state that has small landmass and high population density that would ideally be easy to administer from a geographic perspective. However, a form of citizenship duality overtime led to constructing the Hutus as native and the Tutsi as settlers (Mamdani, 2001), which in turn resulted in the failure of the state and the worst form of ethnic conflict: the 1994 genocide. We probably could argue that the ethnic tension took a genocidal tendency because the Hutu and Tutsi could not be distinguished geographically; they lived together in same villages and towns together. The civil war that preceded the genocide was a conflict to control the state, not a secessionist movement to create separate Tutsi homeland in Rwanda. On the other hand, vast land with less dense population and geographically difficult terrain like Congo or Sudan may make the center-periphery relationship difficult and thus governing problematic. This may lead into civil conflicts as different communities try to break away from the center and subsequent state failure. The Rwandan example shows that even when political geography is favorable for governance, institutional and legal problems may lead to the worst form of conflicts. It also follows that difficult geography of a country need not lead to conflicts and failures of state authority if it is complimented with the relevant citizenship and legal models. Thus, I expect that:

Hypothesis 4: the effect of jus sanguinis on state failure would be bigger for countries with a difficult political geography than for countries with favorable geography.

Hypothesis 5: the effect of legal duality, indicated by the existence of civil and customary law together, would be bigger for countries with a difficult political geography than for countries with favorable geography.

Even though I develop these hypotheses from the recent institutional perspectives that focus on the historical specificity of Africa, there are other factors that have been associated with state failure and ethnic conflict globally, as well as in the case of sub-Saharan Africa. Goldstone et al (2000), using the same data set that will be used for this study, found out that globally as well for sub-Saharan Africa the strongest factor for state failure was regime type. That is, all other things being equal they found out that the odds of failure for partial democracies were seven times as high as they were for full democracies or autocracies. In sub-Saharan Africa, almost all partial democracies failed within few years and even full democracies confronted the odds of failure five times as large as autocratic regimes. In addition, low material life measured by infant mortality rate, low trade openness and presence of civil conflicts in two or more neighboring countries increased the odds of state failure globally. With respect to Africa, ethnic discrimination and uneven pattern of developments, measured by low trade openness and low urbanization levels, increased the odds of state failure. They found out those countries with at least one ethnic group that is subjected to significant economic or political discrimination face the odds of failure five times as high as countries without such practices.

Therefore, in the estimation of the effects of institutional and territorial segregation variable on the risk of state failure, I add some controls variables to see how their effects are

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mediated by these new institutional variables.[17] Actually, one reason the study is trying to introduce these variables as predictors of state failure and ethnic conflict is because Mamdani and Herbst argue that they are more important and sustainable factors in explaining the problem of stability and interaction in sub-Saharan Africa.

Research Design: Data, Variables and Models

Data:

The data for the dependent variables and control variables come from the State Failure Project: Internal Wars and Failures of Governance, 1955-2002, based at the Center for International Development and Conflict Management (CIDCM), University of Maryland. I use the State Failure Task Force Phase III dataset (Goldstone et al, 2000; Gurr, Harff, and Marshall, 2003) and restrict the analysis only to countries from sub Saharan Africa. I complement this data set with the territorial and institutional variables hypothesized as new predictors in this study. Herbst (2000) has developed categories for the three variables for sub-Saharan African countries and I use them here as my main predictor variables. These variables reflect the characteristics of the countries as of independence. Thus they are not time varying characters. We can only expect a state failure once there is an independent state even if some conflicts may have occurred before formal independence. As such formal independence entails the first legal and historical chance to solve and compromise difficult institutional legacies by constitutional design, I use the year of independence as the origin of time that a country is at risk of state failure. The state failure dataset has information for all countries between 1955 and 1999. However, most countries in Africa secured their

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[17]I restrict the analysis of the control variables to those variables that were found to be significant predictors of state failure in Africa from the state failure task forced project.

independence in the 1960s with the exception very few in the second half of 1950s. For the few countries that were never colonized and their time origin would go before 1955 (Ethiopia, South Africa, Liberia), to make use of the available data I use 1955 as time of entry into nation-state and then at risk of state failure.

Dependent Variable: State Failure

The recent report by Gurr, Harff, and Marshall (2003) defines *state failure* as indicated by four types of events, each indicating a severe political instability. State failure was defined to include four categories of events: 1) Revolutionary wars (episodes of sustained violent conflict between governments and politically organized challengers that seek to overthrow the central government, to replace its leaders, or to seize power in one region); 2) Ethnic wars (episodes of sustained violent conflict in which national, ethnic, religious, or other communal minorities challenge governments); 3) Adverse regime changes (major shifts in patterns of governance, including abrupt shifts away from more open, electoral systems to more closed, authoritarian systems; revolutionary changes in political elites and the mode of governance; contested dissolution of federated states or the secession of a substantial area of a state by extrajudicial means; or complete or near-total collapse of central state authority); and 4) Genocides and politicides (sustained policies by states or their agents, or, in civil wars, by contending authorities, which result in the deaths of a substantial portion of members of communal or political groups).[18] The variable is measured as a sum total of the number of

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[18]The definition of state failure here is very broad. Some of the indicators of state failure may be different from others and may be more important for some of the hypotheses developed in the chapter. For example, ethnic conflicts may be better explained by legal dualism that adverse regime changes. However, I settled for using this broad measurement of the dependent variables for two reasons. First, I am analyzing state failure in the context of my practical question of democratic sustainability of the 'new democracies' in Africa and I believe all forms of state failure are important from the perspective of the democratic sustainability. I would argue if we would find effects of the institutional variable on these broad indicators of state failures, it adds to the strength

state failures a given country experienced in a given year. That is, it is the maximum score of all state failure events for a given country in a given year.

Institutional and Territorial Variables:

No-Citizenship duality: This is measured by whether a country has *jus soli* citizenship regulation or not (Herbst, 2000). I regard jus sanguinis that determines membership based on descent as dual form of citizenship as it would be difficult for civic citizens such as settlers and migrants to get citizenship. The variable can be interpreted as having a jus soli citizenship versus having jus sanguinis. The effect size of no citizenship duality is expected to be negative on state failure.

No Legal duality: This is measured by whether or not a country has an explicitly recognized customary land tenure system (Herbst, 2000). I take the presence of customary law as a form of indirect rule that perpetuates the duality or even multiplicity of legal regimes in a given country. The variable compares countries with no customary law to countries that have a dual legal system.

Scale of Political Geography: Based on the population density[19] and territorial distribution of countries and using some geographical information systems analysis, Herbst

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of the explanation for the saliency of these institutional issues in Africa. The second is data related. The structure of the data makes it difficult to separate state failure into its component parts without loosing vital information on covariates. It would require a different dataset to do separate analysis.

[19]"…Population distribution is the critical political challenge facing state builders in Africa- opens the door to explaining how the size and shape of nations affects the consolidation of power. …. In the precolonial era, population distributions yielded boundaries. In the modern era, boundaries define a people. "(Herbst, 200:145)

(2000) categorized African countries into four clusters (in terms population distribution, transportation and communication): geographically unfavorable, favorable, hinterland and neutral countries. This variable is a measure developed from the perspective of administration and center-periphery relations. Thus, those with difficult geography are those countries that are difficult to govern from the central government's perspective due to sparsely populated areas, lack of transportation and communication or combination of all of them. The four types of political geographies used in this study are the following:

Difficult Political Geography: These are states challenged by geography. These countries are large, and have areas of high population density that are not contiguous or near each other. The combinations of large distances and the geographic distinctiveness of different groups put them at high risk of conflict and state failure.

Hinterland Countries: These countries can be exceptionally large but they do not have dispersed areas of population density. The empty areas are not internal to the country but constitute a vast, largely empty, hinterland. The political geography of these countries may seem almost impossible to govern. On the other hand, the African construction of sacrosanct boundaries and the assumption that physical control of the capital can be equated with control of the countryside is more appropriate to hinterland countries than those with dispersed areas of high population density.[20]

Favorable Geography: In these countries, the highest concentration of power is found in one area, usually around the capital, and then population densities become lower as distance from the capital increases. These countries tend to be small and distances between

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[20]Herbst, 2000: pg.145

areas of relatively high population density are not large. In these countries it is easier for the state to reach the hinterland and during wars; the capital itself becomes the battleground.

Neutral geography: These countries are located in Eastern and Southern and coastal West Africa and they have dispersed populations. However, the population distributions are not so discontinuous nor are their hinterland areas so large as to present insurmountable problems. These countries are certainly not among the microstates of Africa.

Control variables:

The choice of control variables is informed by previous research findings. In the previous research by the state failure task force report (Goldstone et al 2000), the model on sub-Saharan Africa found few variables to be significant predictors of the odds of state failure in Africa. The variables include trade openness,[21] level of democracy and regime type, level of urbanization, prevalence of ethnic discrimination[22] and the legacy of the former colonial power. Thus in this analysis, I include these variables that were found to be significant predictors in addition to the institutional and geographical variables that I am introducing to the models of state failure in Africa.

Democracy-Autocracy Index: The State Failure task force result found out that partial democracies nearly always fail in sub Saharan Africa and that even for matured

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[21] Level of development as measured by GNP per capita was not found to be a significant predictor. Instead, the openness of the country through trade with the external world was associated with lower odds of state failure. I do not simply disregard GNP as a predictor. I did include it in the models I estimated but it was never statistically significant and I thus dropped it from the models.

[22] I also included a variable that measures ethnic homogeneity in the models that will be reported in the following pages to see if its exclusion would result in a loss of explanatory power. As expected the variable was not a significant predictor and I thus dripped it from the models.

democracies there is a high risk of state failure in Africa. This variable measures the difference between the level of democratic openness and autocratic closeness of the polity and it can measure the level of democracy in a given country and it can also be a good indictor of the nature of the regime in a given country.[23] This is a good measure as it takes into account the difference between democratic openness of a country in some areas and its autocratic nature in other areas. The greater the value of this variable, the better a political system's democratization is and thus lower occurrence of sate failures are experienced.

Urbanization: the state failure task force found out that urbanized African countries tend to be more stable than their more rural neighbors. However, overall total population size was not found to have any significant effect on the odds of state failure. The variable measures the percentage of the country's population who lives in urban areas. I add that the effect of urban population can be moderated by the institutional factors as proportion of urban population would clearly be affected by the political geography of a given country, which in turn would determine whether the country uses a separate customary law to administer hinterland regions or if it adopt a unitary national legal system. Thus, the higher the level of urbanization, the fewer events of state failure recorded for the country.

Trade openness: the task force results found a strong correlation between trade openness and political stability in sub-Saharan Africa, as the odds of failure for countries below the median value of trade for the continent was two and half times more. Trade

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[23]This variable is an extract from the polity IV database, which includes annual data on authority characteristics of all states in the international system. The autocracy and democracy indicators are based on an eleven point scale (0 to 10). The difference between a country democracy and autocracy score would be a better measure as it takes into account the positive as well as negative changes in a given year.

openness is a better predictor of state failure than the size or the growth of the economy because it indicates openness of the society to many external influences. The variable is measured by dollar values of a country's imports plus exports divided by its GDP. In this study, it is measured as a continuous variable and the higher the value of trade openness, the lower events of state failure a given state experienced.

Ethnic discrimination: as an indicator of the level of ethnic discrimination. This signifies the existence of at lest one politically significant communal group that was subject to significant political or economic discrimination or that sought greater political autonomy from the state. The higher the value of ethnic discrimination, the number of annual state failure events increases.

Former colony status: the task force results found out that former French colonies have relatively lower risk of state failure compared to other countries in sub-Saharan Africa.[24] Thus in this study I also include a categorical variable of whether the country was a former French colony or not. However, given the arguments made by Mamdani that holds that to one or another degree all colonial administrative structure was characterized by indirect forms of rule, I do not expect any significant difference between French colonies and the rest.

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[24]A good part of previous research finds a positive effect of British colonial status on democratization. But democracy and stability are two different things. Once they pass the threshold of stability former British colonies might be more democratic. We are interested here in the French/British colonial differences but the reducing effect of French colonialism on state failure can be interested from the institutional segregation approach developed in this chapter. That is, the prototypical indirect form of British rule relatively might create more institutional dualities than the relatively more assimilationist French policy.

Table 2.1: Descriptive Statistics of All Variables

	Mean (Std. Dev.)	Median
Sum of maximum annual state failure events[25]	.54(1.17)	.000
Urbanized population %	25 (14.4)	23.3
Democracy-Autocracy index[26]	-3.7(5.8)	-7.00
Ethnic Discrimination[27]	.09(.17)	.000
Trade openness	65.5(33.1)	58.8
Countries with legal duality	37%	
Countries with Jus Sanguinis form of citizenship	66.7%	
Difficult political geographies	21.6%	
Hinterland countries	21.8%	
Favorable geographies	31.5%	
Neutral geography	25.0%	

Estimating State Failure:

The hypotheses developed in this study are questions to test the cross-national

difference in state failure in sub-Saharan Africa in a time span that starts from a post colonial

status, which is independence from colonial power, until 1999, the last year data is available.

There are several alternative ways of estimating models to test the hypotheses developed

earlier. One is to look at the overall picture of the general sub-Saharan African state failure

occurrences over the last thirty or more years. This method generally looks at the average

tendency for all countries in the region. I call this approach a cumulative effects model. It is

cumulative in that it measures the state failure events not as something that is time varying

but as a sum total of all events that have occurred for each country since its independence.

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[25]The values for this variable range form .00 to 5.

[26]The values for this variable range form –10 to 10.

[27]The values for this variable range from .00 to .84

As I reviewed in the literature, stat failure trends also differed based on factors such as the form of citizenship laws, the existence of legal duality (measured by the existence of customary land tenure in this paper), and the political favorability of the countries natural geography in terms of the state's ability to have its control extend over the country.[28] The hypotheses developed in this chapter hold that some countries are at more odds of state failure as a result of institutional dualisms that have long term effects. The research questions in this chapter are more interested in finding out the stable and lasting effects of institutional and territorial make up of African states on their likelihood of failure and conflict experience overtime. Thus we need to estimate a model that exclusively measures the lasting effects of each country's institutional variables over time.

Simple regression and ANOVA separately run would not enable us to test the interactive effects of legal dualism and citizenship dualism for example. Unlike the regression model, we can investigate interactions between institutional factors as well as the effects of other covariates, some of which may be random. In addition, the main effects of covariates and covariate interactions with institutional factors can be included. This may be called Fixed-Effects *of the institutional factors* model. Initially I considered using an event history analysis of the risk of state failure over time for countries as a function of the institutional and territorial segregation variables.[29] However, the hypothesized arguments

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[28]As an exploratory data analysis, I estimated ANOVA and simple regression separately results but the models do not give us a full picture of the cross-national variation as well as over time variation within a country's risk of state failure.

[29]This model might be still helpful in showing us the longitudinal growth of the odds of state failure and ethnic conflict. Clearly, all countries are not equally at risk of failure and the previous models would clearly show us the institutional and other factors that are responsible for the variation in the risk of failure. But they would not be able to show us the effect of each successive year and factors associated with each year in the likelihood of

hold that colonial legacy in terms of the territorial and institutional design of African national states leaves a lasting impact irrespective of regime types. So we are interested in the lasting effects more than the changing effects of institutional factors while the control variables are changing. The resulting coefficients are those that would be obtained if dummy variables for each year and each country had been included in the regression coefficients. This is an OLS regression after subtracting from each control variable its country mean across years and year mean across countries and adding the grand mean from the pooled cross-section time-series (England et al, 1988). The unique effect of the stable institutional characteristics of each country is the fixed factor effect. In addition, we can test the interactive effects of the institutional duality indicators with and without other variables such as level of urbanization.

Results and Discussion

The range of state failure events recorded for a year is between zero to five; that is, some countries have five state failure experiences in some years. However, the average for all countries throughout the years is .54 with a median value of .00. That is at least half of the countries have not had a state failure occurrences. The country with the highest value is Angola at a 3.6 mean value followed by Sudan (2.6) and Uganda (2.09).

ANOVA mean difference tests for the different regions of Africa shows that eastern Africa is by far the area that experienced the most state failure events.[30] The southern Africa

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failure, stability or relapse for each country in the model. And we need to know whether some countries are more likely to relapse to state failure, while others might be improving their level of stability with each passing year, and other institutional reform and regime characteristics factors. But my hypotheses are not necessarily about time-varying nature of state failure and so I finally decided to use fixed effects models.

[30]Since east Africa includes the regions refereed to as the Horn of Africa that includes Eritrea, Djibouti, Ethiopia, Somalia and Sudan, I run an ANOVA mean difference test for the horn of Africa compared to the rest

region has the second largest state failure events value followed by central Africa. Interestingly, West Africa has the lowest value for mainland Africa, even though island African nations are much less likely to experience state failure events.

The Mean difference tests (Table 2.2) show that there is a significant difference in state crisis based on whether or not an explicitly recognized customary land tenure system exists in a country. The mean value is greater for the countries with an explicitly recognized with no customary laws. This result seems to be in line with what Mamdani argues about the duality of laws in African countries. That is, we see more occurrences of state failure in those countries that have customary tenure as that indicates that there exist two laws in the country thus making it difficult to have an integrated national society.

With respect to Citizenship admission laws, countries with descent based form of citizenship had lower levels of state crisis compared to those with a citizenship law not based not descent. This result is again contrary to my hypothesis following Herbst's that countries with citizenship based on descent leads to less levels of innovation and thus are more likely to have higher levels of state crisis. However, it is difficult to determine both the effects of customary land law as well jus sanguinis without simultaneously considering other factors.

The political geography variable also shows similar trends in the mean difference of failure events. There is a significant difference in the means of failure events among the four clusters of geographies. Countries with difficult political geographies have on average three

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of the other countries in Africa and the mean value for the horn of Africa was 1.43 where as that of the rest of the countries was .44, yielding a statically significant difference. The result found for the horn of Africa is also higher than that of the eastern African region indicating that many countries in the horn of Africa had higher state failure events per annum.

times more state failure events than countries with favorable geographies. This exploratory

result indicates that geography plays a very big role in predicting state power and failure. But

this cannot be definite with out looking at other control variables and the interaction between

citizenship and legal dualities. Therefore, I estimate ANCOVA models that take into account

the interactive effects of our main institutional factors and the regression effects of the

control variables in the following section.

Table 2.2: ANOVA Table of Annual State Failure Events:

		Mean
REGIONS **F=51.7, p=. 000**	Southern Africa	.69
	East Africa	1.18
	Central Africa	.47
	West Africa	.17
	Island	.047
Political geography **F=39.7, p=. 000**	Difficult political geographies	1.46
	Hinterland countries	.69
	Favorable geographies	.45
	Neutral geography	.38
Citizenship duality **F=. 91, p=. 34**		
	Jus soli	.66
	Jus sanguinis	.59
Legal duality **F=7.9, p=. 000**		
	Explicit Customary law	.71
	NO customary law	.50

Effects of Institutional and Geographic Segregation on State Failure

Our main interest is testing the lasting effects of institutional and geographic variables, which are by and large legacies of the geographic and institutional makeup of African colonial states, in determining the chances of stability and state consolidation in Africa since independence. I have measured the institutional segregation variables as citizenship and legal duality and the geographic segregation as the political geography variable based on the discussion by Mahmood Mamdani and Jeffrey Herbst. More specifically, we are interested in the lasting effects of these variables on the occurrence of state failure over the years for each of the countries. However, since other variables definitely affect the odds of state failure for each country, I add some other control variables as covariates. I inform my decision based on previous studies on state failure that have and include variables that were found to be significant predictors of state failure.

The ANCOVA models were estimated using the General Linear Model procedure in SPSS. The General Linear Model (GLM) univariate procedure provides regression analysis and analysis of variance for one dependent variable by one or more factors and/or variables. The first series of models estimated predict the dependent variable of state failure by the fixed effects institutional and territorial variables. Next, these variables will be estimated with controlling for all the variables listed under the control variables section, and include interactive terms among the institutional variables.

Results from the ANCOVA models are summarized in table 2.3 and 2.4. The first model includes only the control variables and it is basically a simple regression model of the covariates that were found to be significant predictors of state failure in sub-Saharan Africa.

Interestingly, all the variables are significant predictors except the democracy minus autocracy score variables. That is, urbanization as well as former French colony status and trade openness reduced the occurrences of state failure whereas ethnic discrimination increases the occurrence of state failures. These variables in general explain 22 percent of the variations in state failure observed in sub-Saharan African countries since independence.

    In model 2 only the institutional and geographic factors are estimated separately. This is a model of the three variables we are introducing as new predictors of state failure in sub-Saharan Africa. We observe some interesting results from this model. Citizenship regime does not have any significant effect; that is, countries with ethnic model of citizenship did not experience more state failures than countries with liberal version of citizenship. This is again contrary to our hypothesis that proposed that descent based jus sanguinis would result in more state failure; but it is the same result as in the simple ANOVA difference test in table 2.2. However, the political geography of countries makes a big difference. Countries with difficult geography and hinterland countries experienced more state failure events compared to countries of neutral political geography. But there is no difference between countries that have a favorable geography and those with neutral geography. This is similar difference that we found in our simple ANOVA difference between political geographies but it is interesting to note here that the difference remains even after taking into account the citizenship and legal regime differences among countries. Besides, the size of the difference is much bigger in this model than it was in the simple ANOVA model. On the other hand, countries that have no legal duality or explicit customary law experienced less state failure events when their geography and citizenship regime are taken into account. This was the direction

hypothesized in hypothesis 2. However, model 2 only accounts for 11 percent of variation in state failure events. These results suggest that there may be interactive effects of citizenship regime, legal duality and political geography with each other.

In model 4, I add interactive effects of the factors and the results show some changes. There is a significant interactive effect between citizenship regime and political geography as well as between citizenship regime and legal dualism (table 2.4). That is, the presence of citizenship duality varies by the political geography of countries and by the absence or presence of customary law in a given country. This makes sense as the kind of citizenship regimes African countries adopted after independence in many ways is a reflection of the geography and the nature of the civil-customary divide that they inherited. Looking at each of the interactive terms in model 4 of table 2.3, they show that the presence of the liberal jus soli form of citizenship decreases the likelihood of state failure for all political geographies when compared to having a restrictive jus sanguinis form of citizenship. It is interesting to note that all political geographies have in general more state failures than neutral geography, our reference category. But, when countries in each political geography adopt jus soli form of citizenship, their state failure events are much lower than neutral geography countries with jus sanguinis. This seems to go along with our expectation from hypothesis 4.

Table 2.3: ANCOVA Models of State Failure

	Model 1	Model 2	Model 3	Model 4	Model 5
Intercept	2.225	.425	**2.109**	.113	1.802
	(.238)***	(.091)***	**(.345)***	(.109)	(.478)***
Ethnic discrimination	.871		**.691**		.709
	(.498)*		**(.621)**		(.711)
Democracy-Autocracy Index	-.005		**.018**		.034
	(.015)		**(.021)**		(.023)
Ex-French Colony	-.604		**-.460**		-.588
	(.193)**		**(.338)**		(.415)
Urban population	-.018		**-.049**		-.049
	(.007)**		**(.011)***		(.011)***
Trade openness	-.010		**-.004**		-.001
	(.003)**		**(.005)**		(.005)
FIXED EFFECTS: INSTITUTIONAL AND TERRITORIAL VARIABLES					
No citizenship duality[31]		.124	**.104**	1.979	1.049
		(.097)	**(.243)**	(.218)***	(.575)*
Difficult political geography		1.171	**.612**	1.803	.639
		(.125)***	**(.351)***	(.168)***	(.653)
Hinterland countries		.390	**.108**	.487	.028
		(.113)**	**(.351)**	(.181)**	(.683)
Favorable geography		.133	**.496**	.401	.626
		(.102)	**(.256)***	(.175)**	(.451)
Neutral geography (reference category)		---	**---**	---	---)
No legal duality[32]		-.192	**.496**	-.113	.923
		(.090)**	**(.261)***	(.170)	(.661)
INTERACTIVE EFFECTS OF INSTITUTIONAL VARIABLES					
*No citizenship duality * Difficult political geography*				-.989	.107
				(.279)***	(.915)
No citizenship duality * Hinterland countries				-2.579	-1.439
				(.452)***	(1.110)
No citizenship duality * Favorable geography				-1.747	-.659
				(.299)***	(.761)
No citizenship duality * No legal duality				-1.736	-1.521
				(.318)***	(1.009)
Hinterland countries * No legal duality				.282	.161
				(.241	(.849)
Favorable geography * No legal duality				-.038	-.446
				(.233	(.657)
R-Square	.215	.106	.314	.199	.347
Levene's test of equality of error variances[33]		36.6***	6.5***	39.9***	7.02***

Notes: ***= <.001, **= <.05, *= < 0.1

[31]The reference category is the presence of citizenship duality or the presence of a jus sanguinis.

[32]the reference category is the presence of legal duality or exclusively acknowledged customary law

[33]Tests the null hypothesis that the error variance of the dependent variable is equal across groups. A statistically significant value indicates that the errors are not equal across groups.

However, the presence of legal duality is not dependent on the kind of political

geography a country has. This is evident in the lack of significant difference between those

with customary law and those with out customary law. So hypothesis five does not find any

support from our model. This is surprising, as we would have expected countries with

relatively difficult geography to have more customary laws than those with favorable

geographies. On the other hand, the countries with ideal institutional arrangements (countries

with no citizenship duality and no legal duality) are by far less likely to have experienced

state failure events than the ideal countries for state failure (countries with jus sanguinis and

customary laws) as indicated by the significant negative coefficient of the interactive terms

between citizenship and legal duality variables. Overall, this model with interactive effects

explains more variation that the previous one, about 20 percent, but the R-square is still

smaller than the one from the control variables model. We need a different model with a

better explanatory power.

So in model three, I estimated a full model that includes the main effects of the control

variables and institutional and geographic factors. This model is an ANCOVA model as it

includes fixed effects of the main institutional factors and regression of the control

covariates. The combination of these two different groups of predictors yields some

interesting findings. The addition of the fixed institutional factors makes all the control

variables but urbanization statistically insignificant. That is, the significant coefficients of

trade openness, former colonial status, and ethnic discrimination in model 1 lost their

statistical significance indicating that the institutional variables might predict the occurrences

of state failure in Africa more than economic and political variables. However, the effect of

urbanization is still negative and strong and it can be interpreted as an indirect measure of institutional and geographic variables as it might be the case that the bigger is the urban population in a given country, the greater likelihood that there would less legal duality and there would be less difficult political geography from the state's administrative perspective.

 In this model, we also notice some significant changes in our institutional factors. The coefficient of our legal duality variable is positive and marginally significant indicating that the presence of one national legal system compared to the presence of customary laws increases the number of state failure occurrences. This result is against our hypothesis and opposite to the results in the simple ANOVA and the multiple factors ANOVA model 2. In the two previous models, not having legal duality decreased state failure by about .20 but in our current model not having legal duality increases the occurrence of state failure by .50. In other words, once we include the control variables into the model, countries with legal duality experienced fewer state failures than countries without legal duality. This suggests that there may be an advantage for recognizing customary law by a state. "States that either do not recognize or that actively oppose traditional practices might conventionally be seen as posing more of a direct challenge to customary practice" (Herbst, 2000:183). Another interesting result in this model is the difference between countries of favorable and difficult political geography. In this model, both have significantly higher events of state failures compared to geographically neutral countries. After taking into account the political and economic variability among countries as predictors of state failure, countries with favorable geography are not in any way better at avoiding state failure. They both have a higher state failure occurrence compared to hinterland and neutral geography countries. This might also

be an effect of urbanization as in hinterland countries the control of urban capital is the best

indicator of state stability, as Herbst argues. Both these results are different from the

previous models and do not seem to be what we would expect. To further test if these results

hold true, I estimate interactive effects among the institutional factors and with the

urbanization variable.

Table 2.4: F Statistical Values of Main Factors and Interaction on Selected Models

	Model 4	Model 5	Model 6[34]	Model 7[35]
Citizenship duality[36]	2.74*	.303	1.63	.53
Political geography	34.8***	2.15*	2.7*	1.3
Legal duality	32.3***	.024	4.9**	.099
Citizenship duality* Political geography	20.62***	.59		
Political geography* Legal duality	1.08	.53		
Citizenship duality* Legal duality	29.7***	2.27		
Urban population		18.7***	11.9**	4.44**
Citizenship duality * Urban population			1.07	.48
Political geography * Urban population			1.53	3.91**
Legal duality * Urban population			2.73	1.5
R Squared	.199	.35	.35	.13

***= <.001, **= <.05, *= < 0.1

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[34]This is the full model (model 3) plus interactive effects of the fixed factors with urbanization.

[35] This is a new model that includes the three factors and only urbanization as a covariate.

[36]The reference category is the presence of citizenship duality or the presence of a jus sanguinis form of citizenship.

Model 5 in table 2.3 is the full model plus interactive effects of the institutional and geographic factors. The addition of interactive effects does not the change the direction and significance of our control variables but we notice some changes in our institutional factors. In table 2.4, we notice that there are no significant interactive effects between the institutional factors. In addition, the only significant F-value for our institutional factors is for political geography where as the urbanization variable retains its strength. This means that only the different political geography clusters have a different rate of failure between them but the differences in legal and citizenship regimes among countries does not contribute into differences in state failure events. So the marked difference we noticed in model 4 between the two ideal institutional structures ceased to exist if political and economic variables are added to predict state failure.

The addition of interactive effects changes the significance of the citizenship variable into marginally significant and like the factors with interaction model (model 4) having a liberal regime of citizenship increases state failure. But unlike model 4, the interactive term between political geography and citizenship duality is not significant; hence, jus soli citizenship regime does not help countries with difficult political geography decrease their state failure occurrences. This is not a plausible direction of effect for citizenship regime and since there is no significant interactive effect, it makes more sense to interpret the results from the model without interaction, model 3. Nevertheless, we have found a strong effect of urbanization and I had suggested earlier that the effect of urbanization might have to do with the effects of urbanization in allowing certain institutional regimes to be adopted.

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So I estimate a final model where I specify an interactive term of urbanization with each of the three fixed factors. I do not report the individual coefficient parameters, but the F-tests are reported in table 2.4 column three under model 6. The model also yields similar results in that there is no significant variation of urbanization level based on citizenship regime, political geography or legal system when we control for other important covariates. Since urbanization was the only significant covariate, I alternatively estimated a model with urbanization as the only predictor and the three factors as fixed effects and in interaction with urbanization (model 7, table 2.4). The estimation of this model with interaction terms shows that there is a significant interactive effect between political geography and urbanization level but level of urbanization is not significantly different based on citizenship regime or legal status. Countries could be grouped into different political geographies based in their level of urbanization. But the level of urbanization has no bearing on whether a country adopts an ethnic based model of citizenship or a customary law. The addition of this interaction also stops the difference in state failure among countries of different political geography. This seems to support my earlier argument that the effect of urbanization is mediated political geography of countries.[37]

Furthermore, this interaction demonstrates that there was no variation in occurrences of state failure based on citizenship and legal duality. The explanatory power of the urbanization as covariate model is very small (R-square is .13) indicating that this model cannot be considered a proper model for the data. So our final explanatory model is the full

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[37]An ANOVA mean difference test of percentage of urban population between the four geographic clusters yields an F-value of 6.7, p=. 000. the actual mean values are : difficult political geographies (19.6), hinterland countries (19.4), Favorable geographies (22.1), Neutral geography (23.2)

model without interactions in model 3. In interpreting model 3, we can conclude that there is no difference of state failure by type of citizenship regime but the presence of legal duality decrease state failure occurrence, and countries at the two extreme ends of political geography have much higher level of state failure than those with neutral geography.

Summary of the analysis by Country

I summarize the results from the full model (that is model 3) on a country-by-country basis, which includes our institutional and geographical variables and our control variables. The summary in table 2.5 will serve to further test our hypotheses by showing the classification of countries along our main predictors. The columns in the table are the four geographical clusters developed by Jeffrey Herbst where as the rows indicate whether a country has legal and citizenship duality. In light of our hypotheses, the second column, **bold** interface, would be the ideal category that could be expected to have a good citizenship and legal institutional base. That represents a category of countries where there is the most liberal regime of citizenship that is based on residency but not ethnic descent and where there is a common national law. One interesting observation here is that no country with an administratively difficult political geography falls in this ideal category. This could be interpreted in several ways. One interpretation is that countries with difficult political geography could not afford to introduce a universal legal regime and a liberal regime of citizenship, as they have to depend on presence of multiple customary laws and on ethnic model of citizenship to administer their territories. This is the same argument put forth by both Herbst and Mamdani as the fundamental administrative logic of the colonial state and the post colonial state to make the integration of various communities in its system efficient

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and cheap. This is solely from a perspective of administrative convenience but not legal equality. So here it seems that political geography is by far the most determinant factor in the kind of institutional setup countries choose.

This could be illustrated by looking at the countries with difficult political geography, a liberal forms of citizenship regime and yet do have legal duality. This group of countries represents Angola and Nigeria, which experienced substantial events of state failure events since independence, as well as Tanzania with its mainland and island problem. Thus the negative effect of legal duality is not randomly distributed among all countries but is highly concentrated in countries with difficult political geography and thus the relationship between regime of citizenship and political geography might have a circular chain. But this argument is hard to make as the countries with favorable geography also have a high average value of state failure. For example, from an institutional and geographic perspective, the favorable and neutral geography categories in our ideal row would be the ones that would avoid state failures. However, record shows that Sierra Leone has an average of 2.25 state failures per year and Uganda has a 2.13 average. Zimbabwe has not experienced state failure since independence but political events since 1999 have put the state in a crisis, which in one or another has to do with issues of citizenship and land tenure.

Table 2.5: ANCOVA Model with institutional Factors and Covariates Results Classified by Country

Citizenship Duality[38]	Legal Duality[39]	Political Geography[40]			
		Difficult Geography (1.79)	Hinterland Countries (.71)	Favorable Geography (1.24)	Neutral Geography (.59)
Jus Soli (1.24)	*Explicit Customary law* (1.32)	Angola Nigeria Tanzania (1.42)			Kenya (1.13)
	NO customary law (1.17)		**Namibia** (.00)	**Sierra Leone Zimbabwe** (1.20)	**Uganda** (2.13)
Jus Sanguinis (.96)	**Explicit Customary law** (1.16)	*Congo-Kinshasa Ethiopia Sudan* (2.19)	*Chad Mali Mauritania Somalia* (.96)	*Burundi Central African Rep. Gabon Guinea Senegal* (1.21)	*Cameroon Cote d'ivore[41]* (.00)
	NO customary law (.60)		Mozambique Niger (.50)	Botswana Rwanda (1.31)	Ghana Malawi Zambia (.53)

Notes: This is an equivalent of model 3 the values in parentheses indicate the average annual state failure occurrence events for each category.
The average value for all countries with explicit customary law is 1.20 and those with no customary law are .83 and the difference is significant at the .01 level of significance.

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[38]The difference between the two was not significantly different but it got significant in model 5 once we included interactive terms. But since the interactive terms were not significant we do not interpret that significance as being meaningful.

[39]Earlier in model 3, this factor was found to be significant With a coefficient of .496(.26), that is significant at the .01 level of significance

[40]The average from each political geography cluster are consistent with the previous models that predicted that countries with difficult and favorable geography have higher values of state failure than hinterland and neutral geographies when the two institutional and control variables are included as predictors.

[41]This value for cote d'ivore is only up to 1999. But it has slipped into occurrences of state failure in the four to five years.

Alternatively, the ideal recipe for state failure according to Mamdani would the case where you have jus sanguinis form of citizenship that is based on nativity and ethnicity and there is customary law along side modern civil law. The countries in that row, row 4 with *italic* interface, are the majority of our case studies and they are well represented in all the political geography categories. What's interesting about this row is that the prevalence of citizenship and legal duality is evenly distributed among countries of different political geographies. We also proved this by the insignificant value of the interactive values of political geography clusters with citizenship and legal duality in model 5. However, as represented by the number of countries in table 2.3 and the significant coefficients in model 3, state failure for countries with difficult and favorable geography is higher than for countries of neutral or ambiguous geographies. This is an interesting finding in that it demonstrates that once we control for all institutional, economic and political variables, the two extreme political geographies do seem to be different in their outcome of resulting in state failure. Interestingly enough, the country with the highest score of state failures does not fall in our typological box of state failure. Instead, Angola has a good citizenship regime even though it has a legal duality and shares a difficult political geography. Nigeria and Tanzania also share pattern with Angola but their state failure average score is much lower than that of Angola.[42]

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[42]Whereas the annual average occurrence count for Angola was 3.43 for Angola, Nigeria and Tanzania has an average that is almost zero. However, it is important to remember that external contributing factors to the long civil war in Angola that was exacerbated by the cold war divide between communist and western allies reflects in the governments and the opposition UNITA support from each camp globally and regionally.

Conclusion:

In conclusion, the addition of the institutional and geographic factors takes away the explanation of state failures in Africa from political economic variables that were found to be significant predictors in previous studies. The strong effect of urbanization in reducing state failure goes hand in hand with our institutional arguments, as the main thesis of urban-rural duality in laws and geographic administration is a result of the integration of the majority of the rural population into the modern state in Africa. Therefore, I interpret the effects of urbanization not as an indicator of modernization or development per se but as a population change that indirectly reduces the national population that would be legally segregated, geographically dispersed and thus in turn making it easier for countries to adopt citizenship, legal and administrative systems that make state failure less prevalent.

The analysis in this chapter demonstrated several important historical trends in the distribution of state failure in Africa. I have established the importance of the historically specific institutional and geographic structures of African states and how they perpetuate certain features that put sub-Saharan Africa relatively at higher risk of instability and failure. I have also demonstrated that institutional and geographic variability among African states can be explained to some extent by political, demographic and economic differences among these countries. However, there is no one simple effect of our variables and it would be a mistake to draw conclusion that simplify the situation into categorical division of African states. Instead, so many things are contextually different and this study has shown us the importance of country history and the relevance of historical approach into understanding the institutional evolution of states.

The practical and political implication of these results can be illustrated by discussing them in the context of the assumptions and hypotheses developed earlier. I started with the assumption that a citizenship regime that is based on indigeneity, jus sanguinis, would be associated with problems of political stability of the state in Africa. In addition, I stressed the desirability of a unified legal regime that integrates the customary and modern/civil legal systems under a national legal structure. But I also recognized the relevance of the geography in providing countries with opportunities and challenges to select regimes of citizenship and customary or civil legal forms. Our results have shown us that the impact of citizenship regime (whether it is based on residency or indigeneity) is dependent on the customary provisions of the local authority. Thus, the mean value of state failure counts per year was higher among countries that simultaneously have a liberal residence based (jus soli) regime of citizenship and a customary based land allocation system. In contrast, countries that have both ethnic and indigeneity based citizenship as well as strong customary law at the local level had fewer failures of the states.

The above findings seem contradictory at face value. But they reveal an interesting historical finding in the context of African history. I have argued that an ideal citizenship regime would the residence based or jus soli form of admission. Nevertheless, the arguments made so far have been only at the level of national citizenships. The results of my analyses are also based on a state level unit of analysis. The implication of the findings can also be extended to a local level of interpretation. That is, they indicate the need to move to a residence based regime of rights - as opposed to common descent or indigeneity- at the local and customary level. This is evident in the high prevalence of state failure when there are two

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opposing institutional ideals (liberal citizenship and restrictive local legal regime). When the national entry into citizenship is liberal and inclusive but local customary laws govern land tenure issues, all forms of state failure are more prevalent.

Thus liberalization of citizenship at the national level is a necessary but insufficient factor for state stability. Local legal regimes of access to vital resources also need to be democratized and reformed by modeling them after the residence based citizenship regime. Otherwise, it would lead to a tendency of the growth of ethnic citizenship and identity, resulting in persons that would be national citizens but not ethnic citizens (Mamdani, 1996). The lesson from this analysis is that partial reform in institutions may result in more state failures than when legal and citizenship regimes are restrictive at both the national and local levels. In general, to have a unified legal regime of land tenure, for example, decreased occurrences of state failures but its effect was much bigger when the national citizenship regime was more inclusive. Interestingly, the average occurrences of state failure for an ideal institutional unity and perfect institutional duality were almost the same. In conclusion, the reform of the customary and unifying legal regimes has a stronger impact on reducing state failures and thus the future direction should be to move the customary sector claim of rights from culture and common descent to one based on residence and national citizenship.

CHAPTER THREE:

CONSTITUTIONAL LEGITIMACY AMONG AFRICAN COUNTRIES: RURAL-URBAN, ETHNIC AND REGIONAL VARIATIONS. A MULTI-LEVEL ANALYSIS

Introduction: Democratic Transition and Sustainability

After the demise of the former soviet bloc and the culmination of the cold war, many sub-Saharan African countries have had attempts to transition to democracy. Many authoritarian leaders and single-party regimes of all shades increasingly came under great pressures between 1990-93 to liberalize and permit more participation in the African political process. Such unprecedented transitions have been labeled to be the second liberation of Africa (Young, 1996; Diamond, 1999; Bratton, 1994) and are usually refereed to as fourth wave for democratization (Diamond 1999). However, the sustainability of such democratic transitions depends on many variables. Democracy may be diffusing around the world, but succeeding only where high degree of structural conduciveness to democracy exists (Crenshaw, 1995). Such a diffusion of democracy continues despite assertions made by previous evolutionary approaches that countries with certain structural and economic features are more likely to be democratic thank those who lack those traits. Nevertheless, during the same decade of democratic transitions, Africa has also witnessed the worst forms of state failure, ethnic conflict and genocidal wars, notably the Rwanda genocide of 1994. Such

events demonstrate a crisis of legitimacy of the state and the precariousness of the democratic transitions.

Even though several African countries have had some democratic elections in the last fifteen years, the long-term sustainability of these democratic experiments is still under question. The mainstream scholarship on democracy of the 1960s was preoccupied with the search for the necessary conditions and prerequisites for the emergence of a stable democracy. The central argument of the "social requisites" group is that social and economic conditions in a political economy constrain the opportunities for establishing and maintaining democratic institutions. A key group of this political modernization school (mainly Lerner 1958; Lipset 1959) asserts that industrialization entails urbanization, and such population concentration exposes large segments of national population to literacy, mass media and interest groups (Crenshaw, 1995). Accordingly, high levels of socioeconomic development create diverse pressure groups including social classes. Lipset's (1959) seminal work outlines two structural characteristics of a society that sustain a democratic political system: economic development and legitimacy. The economic development complex comprises of industrialization, wealth, urbanization and education. High levels of education, industrialization and urbanization, larger size of working and middle class, are thought to positively contribute to democracy. Lipset's influential hypothesis is that the more well to do a nation is the greater the chances that it will sustain democracy. He also emphasizes education as a necessary condition for inaugurating democracy.[43] However, historical and

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[43]A more recent contribution by Lipset (1994) clearly states that the diffusion of democracy to some poor less developed countries in recent years also undermines the correlation between economic development and the presence of democratic governments. He nonetheless adheres to the position that the socio-economic correlations point to probabilities. That "socioeconomic correlations are merely associational and do not

theoretical evidence suggests that the structural prerequisite argument is not so deterministic

that a democratic political culture need not exist before the consolidation of democratic

structures of rule.[44] In sum, this line of argument is based on the correlation between high

economic development and democratic forms of government, though research has shown that

the way wealth is converted into democratic rule is not clear (e.g. Bollen and Jackson, 1985).

The problem of legitimacy has to do with the degree to which institutions are valued

for themselves, and considered right and proper. This depends upon the ways in which the

key issues that have historically divided the society have been solved. Legitimacy is more

affective and evaluative. A major test of legitimacy is the extent to which nations develop

common secular political cultures. This depends on historical experiences related to the way

in which societies handle the 'entry into politics problem' (Lipset, 1959). Therefore, the

development of tolerant political culture is a necessary condition of democratization. And we

can argue that the political culture prevalent in a given society is both a reflection of

trajectory of its historical entry to politics and it also determines the long-term outcome of its

political democracy.

However, recent studies have opted to use the concept of facilitating or obstructing

factors or conditions (Shin, 1994) and focus more on causers of democratization than on

necessary and sufficient causes (Huntington, 1991) as a result of the nature of late transitions

necessarily indicate cause" and the other variables such as historical incidents, cultural factors and diffusion effects and leadership and movement behavior can also affect the nature of the polity (1994:16).

[44]Kurzman (1998) argues that democratic mechanisms predate democratic political cultures even among the highly democratic societies of today. He argues that the lack of proto-democratic institutions today should not be considered a barrier to democratization in the newly democratizing nations. He rejects the idea that some countries are not ready for democracy because they lack the necessary preconditions.

to democracy, or third wave democracies. Schatz and Gutierre-Roxach (2002:18) that the

third wave of democratization are different in that the call of democratizing by the pubic

actors is mostly for the 'reform' of the state". This is in contrast to the early democratic

struggles of the first and second wave that was mainly about entrenchment of the categories

and infrastructure of democracy.[45] For example, there is not much struggle about universal

suffrage rights now, but these democratic struggles revolve more on changing the

authoritarian nature of the state. As such, the great prospect for democracy in sub Saharan

Africa is associated with rejection by African populations of all the forms of authoritarianism

as a model of governance (Chege, 1995; Diamond, 1999; Saine, 1995).

In addition to these new demands and process of transition among late democratizing

nations, countries that were put under colonial rule also find themselves in a more complex

transition and reform challenges. Africa, as a continent colonized late, was put under indirect

form of colonial rule and still lives with the legacy of such entry into the modern nation state

model. The entry to politics problem that is common to all African countries is the colonial

experience and the post colonial reforms in political and administrative institutions that

Mamdani (1996, 1998) argues are still reflection of the colonial legacy of institutional

segregation. It is this historical specificity of the "mode of rule" of the colonial and

postcolonial state and its subsequent reform in the face of the democratization of the state

that I study in this article. In this article, I first discuss the concept of political legitimacy as

general construct and then go into how the "entry into politics" of colonial Africa and the

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[45]"The third wave is distinctive not because socioeconomic or geopolitical factors no longer matter. They still do. Rather, what is now distinctive is that social actors are battling for greater access to states that are highly legal-rational and highly bureaucratized, as compared with the states against which democratizing struggles in the first and second waves of democratization occurred" (Schatz and Gutierre-Roxach, 2002:17).

forms of rule and subsequent reforms of post-colonial states require a historically specific

conception of legitimacy for African state-society relations. After this theoretical and

comparative review, I go into the measurement and design of studying cross-national

variation of constitutional legitimacy bestowed on states from African societies.

Conceptualizing Legitimacy

Following the entry into politics perspective aforementioned, the extent to which

contemporary democratic political systems are legitimate depends in large measure upon the

ways in which the key issues that have historically divided the society have been resolved

(Lipset, 1984: 88). Thus, legitimacy involves the capacity of the system to engender and

maintain the belief that the existing political institutions are the most appropriate ones for the

society. Legitimacy indicates a normative justification of a political system.[46] For this reason,

the assumption of political power and the functioning of state system would be possible with

the necessary type and level of legitimacy bestowed on it by citizens of a given political

system. Thus, the source of legitimacy of the state is based on civil society. Calhoun (1993;

1995) links civil society with nation building and democracy for its legitimacy-providing role

in the political system. He argues that domestic acceptance of governmental institutions and

practices depend on the willingness and ability of ordinary people to incorporate expectations

of the institutions and practices into the plans they make for their daily lives. It is once

institutions have become organic part of the members of the society that it can sustain

overtime.

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[46]According to Berger and Luckman (1966) legitmation justifies the institutional order by giving s normative
dignity to its practical imperative.

Power, Legitimacy and Liberalism

Weber (1914) was one of the earliest sociologists to theorize about legitimacy. He conceptualized legitimacy as an important explanation of authority. To Weber, any power needs to be legitimated in order to be an authority, which would be accepted by those who are subordinated to it. Thus he developed his famous sources of legitimate authority: charismatic, traditional and legal. Thus the main question for any political system is how it can have a political system that is viewed as legitimate in the eyes of its citizens and at the same time imposes its power over its citizens.

Is legitimacy so important for a liberal democratic state power to exist as orderly and stable as possible? The answer is usually in the affirmative and many social and political studies map the level of support for the legitimacy of a political system to predict the maturity and sustainability of a democratic system. That is, the more legitimate citizens think a political system is, the better the chances for the political system to be sustainable and orderly. Broadly speaking, modern political systems require active citizen participation and thus active acquiescence from citizens. " Most forms of contemporary economic life demands levels of voluntary participation and responsiveness to changing conditions that place new demands on governments and encourage new sorts of challenges to their legitimacy" (Calhoun, 1995:2).

In defining what legitimacy means, there are many approaches that span from performance based to institutional legitimacy. One point of contention in the conceptualization of legitimacy is the relationship between support for the system and legitimacy of the system. Lipset (1984:18) also makes distinction between effectiveness and

legitimacy. While effectiveness is primarily instrumental, legitimacy is evaluative. "Groups regard a political system as legitimate or illegitimate according to the way in which its values fit with theirs". Similarly, some scholars equate legitimacy with compliance; others treat legitimacy as one of many possible causes of compliance. However, "to treat compliance as evidence of legitimacy makes tautological the relationship between perceived legitimacy and compliance and precludes consideration of any determinants of compliance that is not grounded in legitimacy" (Gibson and Caldeira, 2003: 4). Still others, for example Beetham (2004), argue that the effectiveness and the legitimacy of a system of power are not distinct and separable elements.

For those who argue that the legitimacy of a system of power is based on the effectiveness of its economy of power, power is legitimated to the extent that citizens internalize the forms of power and are subjected to it. I draw here from the Governmentality perspective associated with Michel Foucault (1977, 1991) as it sees the legitmation of power coming from how mechanics of state power make subjects accept and subjectify themselves to the power than from the expressed support or legitimacy given by citizens. The most relevant lesson from this perspective for our purposes here is Foucault's treatment of liberalism as a rationality of government and that the form of rule of liberalism and its success has to do more with its technology of power than with its constitutional and ideological advantage over alternative systems of rule. Foucault's account of liberalism focuses on the implication that government should aim to make use of this capacity, that the maintenance and promotion of suitable forms of individual liberty might be advantageous to the state itself (Hindess, 2004). Thus, in this perspective there is no such thing as 'citizen' as

ways of governing people as citizens' change, just as citizens' subjectivity changes (Procacci, 2004). In sum, the peculiarity of modern political legitimacy is neither violent imposition nor a voluntary contract, but the existence of a repertoire of techniques of power involving the subjectivity of the governed. This is important in the study of legitimacy of African political systems because we can correlate the level of political legitimacy in each country with the strength, or the techniques of power, of each country. But, in this study when we talk about legitimacy it does not mean whether or not citizens subject to a particular form of power or regime, rather it refers to how they evaluate the basic principles and structures of the political system.

An alternative perspective puts legitimacy of power system on the support given by citizens and thus focuses on the deliberative nature of legitimacy. This view locates the source of legitimacy for the democratic state in civil society. A given society encourages democracy by having citizens engage in joint action, deal effectively with power relations, and share a broad commitment to the fostering of public judgments, civil responsibility, and problem-solving capacities (Calhoun, 1993; Roniger, 1994). Influential work in this tradition is that of Habermas (1989), which introduces the idea of 'public sphere,' a specific organization within civil society characterized by a rational-critical discourse. Central to Habermas' theory is the idea of communicative rationality and the role of communication and discourse for the maintenance of legitimate political order. The argument is that citizens can address problems with rational-critical analysis and may enter into arguments with the presumption to solve public issues through communication, even across lines of basic difference. This is the ideal deliberative political public sphere that Habermas argues is

central for a vibrant democracy and as a source of legitmation. However, this has been

criticized for being too idealistic and neglecting the actual organization of power and

legitimacy in state-society relations. That is, this deliberative model of legitimacy, fails to

recognize a different link between legitimacy and power.[47] Many (e.g., Kasfir, 1998;

Mamdani, 1998) point out that the concept of civil society has been shaped to serve the goal

of better governance, particularly democratic reform, rather than a deeper understanding of

the relationship between social formations and thus tend to be programmatic than analytical

in the study of African transitions.

    Beetham (2004: 110) argues that a political authority is legitimate to the extent that: a)

it is acquired and exercised according to established rules (legality); b) the rules are

justifiable according to socially accepted beliefs about (i) the rightful source of authority, and

(ii) the proper ends and standards of government (normative justifiability); c) positions of

authority are confirmed by expressed consent or affirmation of appropriate subordinates, and

by recognition from other legitimate authorities (legitmation). By extension, "if the rules are

weakly supported by societal beliefs, or are deeply contested, we can talk of 'legitimacy

deficit'; if consent or recognition is publicly withdrawn or withheld, we speak of

'delegitmation'" (Beetham, 2004: 111). According to this conceptualization, what

distinguishes liberal democracy from other forms of governance is that "the process through

which consent is conferred – popular election- is the same as that that though which political

authority is appointed in the first place, whereas in all other systems expression of consent

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[47]There is a gap between power and legitimacy in that: a) if any power has been able to impose itself, it is because it has been recognized as legitimated in some quarters; and b) if legitimacy is not based in an a prioristic ground, it is because it is based in some form of successful power (Mouffee, 1999). Instead, it posit the possibility of a type of rational argumentation, where power has been eliminated and where legitimacy is grounded on pure rationality, and leaves out the politics of agonistic and confrontational legitimacy.

follows the process of appointment to office, which is determined by other means" (Beetham, 2004:113).[48] Furthermore, its distinctive mode of legality lies in the constitutional rule of law. The liberal nation-state was predicated on constitutionalism, submersion of racial and ethnic identities in to national identity, rule of law and sovereign territory (Blau and Moncada, 2005).

The form of liberal democracy has become the global yardstick of political legitimacy in the last decades of the 20th century, despite several tensions that make the superiority and survivability of liberal democracy's legitimating procedures and principles problematic. One problem is the tensions between social and economic inequality and the equality of citizenship and political voice that democracy promises (Beetham, 2004; Blau and Moncada, 2005). Thus, a liberal democracy that perpetuates a regime of social and economic inequality nationally and globally may not be sustainable. In the case, of Africa's new democracies, Mkandawire (2002) refers to the new democracies that are accompanied with neo-liberal reform policies as "choiceless democracies". Another problem is the problem of political mobilization along ethnic lines in divided societies and its subsequent exclusion of minorities from political power due to majoritarian rule. This is nowhere evident than in African countries that have witnessed ethnic and tribal conflicts following electoral liberalizations. Thus, a constitutional liberal order that does not critically deal with the social division of societies and the politics of difference cannot be a sustainable and stable order. In the case of postcolonial Africa, the role of traditional power in constitutional order is very relevant factor that determines outcomes of transitions.

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[48]One reason I argue that that my case studies are in the process of liberal democratic transition is that they had undertaken elections to assume political power no matter how imperfect they might have been.

In spite of such potential problems, liberal democracy continues to be the best available (in the sense of its hegemony) legitimating political system and since 1989- with the end of the cold war- liberal democratic system has become an internationally accepted form. Thus, as a result of both internal and external pressures many former non-democratic societies and postcolonial political societies have began moving towards liberal democracy, including countries in Africa. This is what many have termed the third wave of democracy. However, the adoption of liberal-democracy gets to be more problematic when introduced under global diffusion of the model in postcolonial and divided societies. Therefore, I propose that constitutional legitimacy and alternative traditional or customary power as they exist in a given country are important dimensions of political legitimacy in the study of African postcolonial state-society relations and democratic consolidations. I will discuss these dimensions in detail in the next sections. I first discuss the nature and problems of legitimacy in general, and then in postcolonial Africa.

Entry to Politics, Form of Rule and Legitimacy

The argument of the 'entry into politics' view is that the ways initial forms of relationship are created in the formation of the state affect the nature of the state subsequently. This view discusses how social relations, class relations to be exact, were structured in the process of economic development and industrialization and how the variations in these class arrangements lead to different outcomes in political rule. Earlier works on democratization have noted very well the role methods of incorporating the peasant population of earlier democracies played in the outcome of regime types of European democracies. Barrington Moore (1966), in Social Origins of Dictatorship and Democracy,

outlines three paths taken by different countries based on the class alignments of the bourgeoisie and the landed upper classes. He traces paths to Capitalist Democracy, Fascism and Communism. Capitalist Democracy developed when the nobility had had relative autonomy from the monarchy and they transformed themselves into commercial agriculture and in this context, political democracy was good for the alliance between the urban bourgeoisies and the landed classes.[49] In his conclusion he stresses the importance of the bourgeoisie and its class alliances for democratic outcomes. He argued that the primary interest of the bourgeois class lies in the guarantee of the infrastructure of continued capitalist development and accumulation while their class interests oppose those of the proletariat and the traditional aristocracy. The bourgeoisie, therefore, wants a state that supports institutions that are universalistic and liberal. Increasing wealth generates a more educated, politically astute middle-class that will demand redress of their impotent political position and will work to promote a democratic state. O'Donnell and Schmitter (1986) for example, offer more empirical evidence for Moore's nomination of the urban bourgeoisie as the key actor in democratic transitions in Latin America. In like manner, many of the democratic transition in Africa of the late 1980's and 1990s are attributed to the role played by urban citizens in democratic transitions.

Later research has followed Moore's thesis and found out different paths taken by late democratizing countries. Rueschemeyer et al. (1992) following similar relative class power

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[49]In case of Fascist path, the landed classes needed a strong and repressive state to transform the agricultural base into industrialization. Where there was no commercial agriculture and masses of peasants existed in the country, the path taken was to communist revolution. In all the arguments, Moore focuses on the role of the bourgeoisie in taking different forms of political rule based on how that arrangement affects capital accumulation and creates alliances with the landed rural classes. It gives primary role to the bourgeoisie as the shapers of political democracy.

perspective show how the working classes have been consistently proponents of democratic rule and not the bourgeoisie as Moore emphasizes.[50] They argue that it is the alliance of the working classes with middle classes that have determined the forms of political rule in countries in the Caribbean, and Latin America. In both cases, the focus is on the relative power and alignments of classes in producing different political outcomes. Thus, these approaches are social class oriented.

An important factor to be taken from such views is the issue of the incorporation of different group into the political system. This is what Lipset (1956) calls the "entry into politics problem" and what Moore (1966) refers to as "the peasant problem". This is important to the extent the different ways social groups are incorporated into a political system determines the outcome of a political system in variable ways. In our case, the mode of incorporation of different nations or groups under one state system during colonial times, by and large, determines the political outcome of almost all postcolonial systems. In the colonial context in general and in the African colonial state in particular, the 'entry into politics' problems lies more in how different previously autonomous communities were integrated into the new colonial state structure and how that has shaped the nature of postcolonial Africa's state-society relations. This is what Mamdani (1996) termed as the "mode of rule" contrary to the "mode of accumulation" the previous class perspectives

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[50]But they acknowledge that the success of working-class led movements for democracy was dependent upon their making allies amongst the middle strata, particularly the independent strength of small farmers.

associated with political economy view of state-society relations or the current preoccupation with civil society.[51]

Mamdani (1996, 1998) characterizes the nature of colonial rule and incorporation of different communities as full of institutional and legal segregation. He argues that the colonial state was characterized by a distinctive dualism that marked the organization of power. The dualism juxtaposed modern and customary law, civil and traditional society, rights and customs, town and country and citizens and subjects. So the point is not whether the peasant was incorporated and linked with the urban middle and working class but what form of linkage it took.[52] Thus, the rural sector was put under customary form of rule as opposed to the urban civil legal regime. This duality was reflected in the contrast between a civil power claiming to guarantee civilized rights for a racialized citizenry, and a customary power claiming an ethnicized custom on native subjects. Subjects didn't have one custom but they were put under many customary laws in the name of enforcing tradition. This entailed "the construction of a 'customary' law, whereby authoritarian strands in tradition would form the building blocks of a legal regime disciplining 'natives' in the name of enforcing tradition" (Mamdani, 1998:223).

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[51]The distinction is important as 'mode of accumulation' views the problem where the majority of peasants not being yet captured or incorporated into the modern class based economic system. In the African context, Goran Hyden (1980) has termed African peasant economies as "economies of affection' that are not integrated with market economies. However, Mamdani's notion of 'model of rule' does see 'the peasant problem as lack of incorporation, as the peasants have always been incorporated with the state and market. The problem instead is with the kind of incorporation. So the focus is on what forms of rule and authority were imposed in the peasantry in integrating them with market economy and modern nation-state.

[52]It should be noted here that many perspectives on African political problem view the source of conflicts and lack of national integration as stemming from lack of incorporation of the rural peasant sector in the modern sector of governance. However, Mamdani is specifically arguing against this claim and holds that the rural peasant sector was incorporated from early in colonial times but the form of incorporation took an indirect form that divided societal legal frameworks of groups who supposedly are under one national state system.

A political legitimacy consequence of such form of entry into politics is the fact that national integration and legitimacy is usually problematic in societies that are institutionally and legally segregated in addition to the already prevalent ethnic and linguistic divisions. A central part of the indirect rule grounded in legal dualism was construction of an administratively driven justice called customary law. Customary law was used to subjugate the majority of colonial subjects through the selective use of its authoritarian elements. So the multiple customary laws were the immediate seat of local government. As a consequence of such institutional structures, the early form of anti-colonial revolts had to start as ethnic movement against local tyranny first. This meant that ethnicity ('tribalism') was simultaneously the form of colonial control over 'natives' and the form of revolt against it. Thus, ethnicity was both a feature of power and resistance. "This is for a simple basic reason: the anti- colonial struggle was primarily a struggle against the hierarchy of the local state, the ethnically organized native authority that claimed an ethnic legitimacy" (Mamdani, 1998:227). Therefore, this legacy still exists to this day and it is for this reason that we can consider ethnicity and tribalism as political identities.

Customary power and constitutional legitimacy in post colonial Africa:

Earlier I argued, following Mamdani (1996), that there is a historical specificity to the 'mode of rule' in African continent. However, the bifurcated state structure and legal dualism that Mamdani argues is unique to Africa at the institutional level exists alongside the same nation-state model that is characteristic of classical European nation states. Actually, it is this mismatch between the institutional organization of power and the ideology of nation-state

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that is at the heart of many African problems (Davidson, 1992). As such, postcolonial states are fashioned after classical European nation-states and they share the same and more pronounced problems of legitimacy. From comparative perspective, post colonies are not different in kind from the modernist nation-states. Instead, they have little option but model themselves in large part on the modernist nation-states and as such they are speeded up, hyper-extended transformations of those nation-states (Camaroff, 2004).[53] For this study, I take the concept of constitutional legitimacy and a unified regime of power (as opposed to civil – customary duality) as necessary features of modern nation-state and argue how the African experience makes these desired ideals problematic. Although this is the theoretical motivation, the empirical part of the research would study the conceptual framework of ordinary citizens on constitutionalism and customary power and is open to a wide possibility of patterns of perception. That is, the research hypotheses are open to a finding that constitutionalism does exist along customary power in Africa and that the two might not necessarily be opposed to each other. I first go into the review of the literature on crisis of legitimacy in Africa.

Mamdani (1996, 1998) attributes the legitimacy problems of sub-Saharan Africa to the legacy of colonialism in terms of institutional and legal segregation. He argues that the colonial state was characterized by a distinctive dualism. This duality that was reflected in the contrast between a civil power and a customary power entailed "the construction of a 'customary' law, whereby authoritarian strands in tradition would form the building blocks of a legal regime disciplining 'natives' in the name of enforcing tradition" (1998:223). Thus,

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[53]Calhoun (1995a) also notes that modernist discourse of nationhood and political community and sovereignty are still salient mobilization ideologies for states and separatism movements in the third world countries.

political and civil inequality was grounded in legal dualism: customary power spoke the language of tradition while civil power spoke the language of rights. This was the introduction of indirect rule as a decentralized despotism.[54] Such institutional segregation was needed in order that a tiny, foreign minority would rule over an indigenous majority and thus was economically efficient for the colonial state. But the legacy is that the colonial power was able "to turn a growing racial contradiction into an ethnic one" (1998:224).

The institutional outcome of this is that tradition or custom was politicized, categorized and fixed thus making it difficult for national integration and constitutionalism to flourish in independent states. Mamdani (1996) writes:

> " The more custom was enforced, the more the tribe was restructured and conserved as a more or less self-contained community – autonomous but not independent. Enclosed by custom, frozen into so many tribes, each under the fist of its own native authority, the subject population was, as it were, containerized" (p. 51)

Nevertheless, the democratic role of tradition in Africa is viewed in contradictory forms. Where as one views it as a basis for 'decentralized despotism' reminiscent of colonial legacy (Mamdani, 1996, 1998, 2001), an alternative view looks at it as forming the site for a 'convivial' alternative to western individualism and globalizing culture (Nyamnjoh, 2003). Nyamnjoh is critical of Mamdani for assuming that chieftaincy is of colonial origin and that it is antithesis to a constitutional civil sphere. Arguing critically against Mamdani's call for a common political and legal regime that guarantees equal citizenship for all and the abolition of bifurcation, he acknowledges the resurgence and importance of chieftaincy and retraditionalism.

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[54]Mamdani (1996:60) on indirect rule: "its point was to create a dependent but autonomous system of rule, one that combined accountability to superiors with a flexible response to the subject population, a capacity to implement central directives with one to absorb local shocks." The implication of this argument is that we have to think of despotism as decentralized as well. The colonial state was not necessarily a centralized despotic state directly controlling natives.

Nyamnjoh (2003) further argues that invented, distorted, appropriated or not, chieftaincy remains part of the cultural and political landscapes, but is constantly negotiating and renegotiating with new encounters and changing material realties. Contrary to Mamdani's duality of 'Power' and 'Right' that characterize, the traditional and the urban sector respectively,[55] he argues for an approach that are sensitive to the reality of intermediary communities between the individual and cultural communities seeking "right" and "might" both as "citizens" and "subjects" simultaneously. Using Botswana[56] as an example, he argues that despite their relative economic success and advances in modernization, most Botswana continue to be attracted to customary ideas of leadership in the face of the contradictions of liberal democracy, and that they realize that pursuing undomesticated autonomy is a rather risky business. Thus, he holds that Chieftaincy remains central to ongoing efforts at harnessing democracy to the expectations of Botswana as individual "citizens" and also as "subjects" of various cultural and ethnic communities. Chieftaincy, he argues, has been influenced by modern state institutions and liberalism and so "the adaptability and continuous appeal of chieftaincy makes democracy in Botswana an unending project, an aspiration that is subject to renegotiation with changing circumstances and growing claims by individuals and communities for recognition and representation (Nyamnjoh, 2003:111).

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[55]As creations of colonial form of rule Mamdani identifies two categories of people in the public sphere in the colonies: subjects and citizens or native and the citizen. The former corresponds to ethnic society is preoccupied with group rights while the latter corresponds to civil society in urban areas on individual rights.

[56]"Botswana is generally hailed as Africa's best example of liberal democracy. Hence my argument: if chieftaincy remains relevant even in countries that have made the most advances in modernizations and liberal democracy, then the assumption that the institution is incompatible with modernity and democracy has no empirical foundation (Nyamnjoh, 2003: p. 96)."

I do not necessarily see a contradiction with the political practices Nyamnjoh discusses and with the institutional legacy of customary power that Mamdani discusses. As in Mamdani's view, the customary can be the substantive and symbolic source of legislation and interaction in a constitutional civil order. His opposition is mainly in the duality as sources of authority as well as legal and administrative practices. The examples Nyamnjoh cites seem to be more of the use of the customary in the modern sectors as sources of inspiration and symbolic relevance to a large extent. If Nyamnjoh notices the survival and resiliency of chieftaincy, then the question becomes: Is chieftaincy antithetical to modern political legitimacy of constitutional order and democratic nature or does it go hand in hand with it? This will be the theoretical and empirical question that we can test in the context of this research undertaking.

Also as a critique to Mamdani's approach, Neocosmos (2003) locates the problem of citizenship and identity in Africa in the uncontested liberal ideology that characterizes postcolonial states. He argues that the overarching liberalism which was imported into Africa during the colonial period and which structure the thinking of the nationalist leaders are at the heart of many problems. More specifically, he asserts that the liberal assumptions of an independent domain of political dominated by state institutions resulted in a conflation of citizenship with indigeneity, and of identity with territoriality and culture. Thus in studying the relationship between human rights and democracy, Neocosmos (2003) argues for viewing the relationship not of modernity (or post-modernity) versus tradition but rather one of democracy whether within the liberal civic sphere or within that of tradition.

I think this distinction is important in investigating popular opinions on matters of democracy and citizenship in the context of the duality of regimes of power and representation available. It would therefore be important to see differences between rural and urban residents in their views on the liberal versus traditional version of democracy and representation. This would also help us take into account the nature of the state, and its varying degree of liberalism, and its impact on popular perceptions and attitudes. Therefore, by studying citizens of different states with potentially different state ideology and organization, we could better understand the legacy of colonial duality and how it differently affects popular perception as an exercise of political process. For example, Werbner (2002) notes a process of "minoritization" that creates minorities actively differentiating themselves from a majority and each other in Botswana that is carried out by a politics of recognition. He argues that minoritization gains its impetus largely from urban dwellers, a claim that contradicts Mamdani's characterization of the urban with rights and the civic sphere. Therefore, the chapter intends to find out the social patterns of traditional authority or chieftaincy support and constitutionalism among citizens. More elaborate hypotheses that take into account these conflicting views will be developed in the section on hypotheses.

Measures of constitutional Legitimacy

Legitimacy is not an intrinsic property of any political object and so it never exists independently of an observer (Lillbacka, 1999). The political object is of interest as something to which legitimacy is attributed. A good many studies on political culture and legitimacy follow David Easton's (1965) three-fold distinction between different objects of support –the political community, the regime and the authorities. Clearly, many have

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extended these dimensions into further multidimensional measures of democratic support (e.g. Norris 1999). The political object for our purposes here is the legitimacy of the state institution that has a constitutional democratic nature. A consolidated democracy requires citizens who support their democratic system. Ideally, this involves support for the *regime principles* (i.e., support for democracy, as a principle or an ideal, as the most appropriate form of government), as well as support for the *performance* of the regime (i.e., support for how it functions in practice) (Linde and Ekman, 2003).

In this chapter, I argue that political legitimacy in Africa cannot be simply understood as a reflection of the evaluation of government and administration alone. Rather, it should also take note of the basic constitutional legitimacy of the political system and citizens' perception of an alternative traditional power amidst central democratic state power. So I focus on the support citizens give to regime principles. I develop two measures that tap into political legitimacy of regime principles as seen by African citizens that take into account the historical specificity of the country experiences they live (that is, the entry into politics problem). The measures are that of constitutional legitimacy and rejection of traditional authority. In all cases, legitimacy is accordingly operationalized as expression of support for the state structure according to a value dimension and thus illegitimacy is demonstrated if an individual simultaneously expresses discontent with the constitution and accepts alternative traditional form of rule. In the following section I discuss the rationale for these measures.

DEPENDENT VARIABLES:

Constitutional Legitimacy:

At the heart of any given political system is the legitimacy of its constitution; its fundamental source of inspiration. The longer a democratic system lives, the more likely that constitution would be an organic part of its citizenry. However, new democracies rarely have such reservoirs of constitutional support. As a result, the recent academic and policy attention to constitutional development has largely been focused on how to build constitutional support among adults in new democracies (Moehler, 2003: 4). Viewed historically, Constitutionalism and Popular Sovereignty are two crucial distinguishable aspects in the process of democratization (Rudebeck, 2002). In the case of anti-colonial struggles, the claim for popular sovereignty was important as it was both conceived and perceived by the participants themselves as democratic struggles. However, the element of popular sovereignty was not generally underpinned with constitutional practice (Rudebeck, 2002) and we can view recent transitions to democratic regimes in Africa more as a shift towards constitutional sovereignty. This is a view of democratic transitions and constitutionalism as next steps in the process of Africa's decolonization and democratization.[57]

I here build on the argument by Schatz and Gutierre-Roxach (2002) that third wave democratization is mostly about state reform and the recent democratization movements, or 'second liberation" in Africa are search of constitutional reform of the state against the

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[57]In a similar way, Mamdani (1996) characterizes African postcolonial political systems as having deracialized society without fully democratizing it in the process of decolonization. Thus, the next step would be democratization characterized by the supremacy of constitutional order and legal universalism.

authoritarian state systems that followed the anti-colonial popular sovereignty struggles.[58] It should be noted that the consolidation of constitutional democracy and popular sovereignty requires modification of social and economic power in civil society (Rudebeck, 2002). But for our purposes here, we are interested in the constitutional legitimacy as value and opinion. The idea of democratic constitutionalism thus leads us into looking at the evaluation of the democracy by citizens. "A crucial condition of stable, constitutional rule is that the state for which a constitution provides continues to be regarded as legitimately "ours" by the vast majority of the citizens subject to it. They need not regard any specific government as the one they chose or would have chosen or even as chosen in the proper manner, but they do need to regard the state and the constitution as properly established and as their own" (Calhoun, 1995b: 15).

A constitution is important from the perspective that it is the national supreme source of legitimacy in a given political system. From the perspective of legal duality and segregation (Mamdani, 1996) lack of constitutionalism may result in having divided loyalties and institutions, thus making it difficult for the state to hold together. From a democratic transitions view, the lack of attachment to constitutions could be a major obstacle to Democratic consolidation (e.g. Habte Selassie, 2002; Hyden and Venter 2001; Oloka-Onyango 1995; Shivji 1991). For instance, without a citizenry that can defend the constitution, a leader can ignore constitutional limits on his power with impunity (Weingast

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[58]The recognition that social movements in Africa are not just about opposing the state, but also about redefining the form of the state (Mamdani, 1995). That is, popular democratic struggles were about constituting the nature of the state.

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1997).[59] More importantly, a constitution can't play the crucial role of mediating between different interests in society if it is not viewed as a mutually acceptable and binding social contract (Calvert 1995).

In this study, constitutional legitimacy is measured not by any substantive comparisons but the extent citizens think that a given national constitutions expresses their values and aspiration as citizens. I do not propose that constitutional legitimacy is a simple categorical trait that either exists or nor. Instead, I conceptualize constitutional legitimacy as a continuous trait and my interest is to find out cross-national and within nation variations in the values along that continuum.[60] In the Afrobarometer survey, respondents were asked if the "constitution expresses values and aspirations of citizens". The responses were coded in five categories in likert scale that go from 'Strongly Disagree" to "Strongly Agree".[61]

Rejection of Traditional Rule:

Rejection of traditional rule is important for democratic consolidation from the perspective of legal dualism. As the discussion of Mamdani suggests, if there is a significant part of the population that focuses on traditional rule and/or chieftaincy, this will make it difficult for a democratic order to emerge as tradition stresses customary power amidst

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[59]For example, in the countries included in the study leaders of Namibia and Zambia have tried constitutional reforms to extend their terms in office.

[60]I draw from the debate on the measurement of democracy on whether to measure it as a dichotomy - as an instance that is resent or not- (e.g. Sartori, 1987 cited in Collier & Adcock, 1999) or as a continuous variable - democracy as a trait regimes display in varying degrees- (Bollen and Jackman, 1989). I thus measure it as continuous variable as dichotomizing it may conceal the different degrees of legitimacy and would ignore the changing nature of constitutionalism. I also follow similar studies that employed the same approach to measuring constitutional support (e.g. Moehler, 2003).

[61]The categories are: 'Strongly Disagree", Disagree, neither agree nor disagree, Agree, "Strongly Agree".

democratic civil legal regime that is about the language of rights. Thus, it becomes difficult

for a constitutional legitimacy to exist within a divided society that has two different regime

principles; one of rights and the other of power. However, we have discussed the critique of

such views that holds that the division between tradition/ constitutional order, or power/right

is not categorically distinct and that a constitutional democratic order need not be followed

by rejection or weakening of traditional form of rules. These arguments leave us with two

competing hypotheses that we can test empirically. Nevertheless, we can take rejection of

traditional rule as a measure of political legitimacy for new democracies, as it indicates a

move to one overriding national law and loyalty.

This rejection of traditional rule variable is a good measure of political legitimacy in

that it reflects a rejection of legal duality that Mamdani's characterizes as central to the

problem of African post-colony. It would be impossible to expect citizens to submit to

central authority and view a unified citizenship and legal regime if they entertain big support

for the maintenance of traditional rulers such as chiefs.[62] This measure can be thought of as a

measure of traditionalism not in the economic or cultural sphere, but particularly in the

political sphere. Since it asks respondents if they support traditional leadership, it can be

assumed to be measuring political power and thus political identity. Similarly, I do not

characterize rejection of traditional rule as a value that is either existent or not. Rather, I view

it as a continuum of rejection value. This conceptualization also captures the debates earlier

discussed that hold that traditionalism cannot simply be viewed as opposed to modernity or

liberalism as it can and does exist alongside constitutions. Therefore, low scores on rejection

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[62]Traditional power here is outside the modern constitutional order. We are not talking about traditional leaders or chiefs getting elected to office under the constitution but rather assuming power outside the purview of the national state on certain matters such as land tenure, marriage arrangements etc…

of traditional rule can be interpreted as endorsements of traditional rule. In the Afrobarometer survey, respondents were asked if they "Reject if all decisions were made by a council of elders, traditional leaders or chiefs?" The responses were coded into a five category likert scale that goes from 'Strongly Disagree" to "Strongly Agree".[63]

Hypotheses

Now that I have outlined the concept and measures of constitutional legitimacy, the next step is to develop testable hypotheses on the patterns of constitutional legitimacy and its associated predictors. Before going into the hypotheses, let me briefly outline the broader research questions that drive the research for this chapter. The main central thesis that is common to all of the chapters in this dissertation is: How does the logic of dualism -- which Mahmood Mamdani (1996) characterized as a bifurcated state or the logic of decentralized despotism -- figure as a predictor of individual as well as ethnic and regional variations in levels of political legitimacy among citizens of African states? To elaborate, the questions are:

> Are there still the rural-urban, and the central-local dichotomies in citizens' approval of the legitimacy of these new African democracies and how are they to varying degrees related to individual citizens characteristics such as demographic, political and civic participation variables and categorical identity and location variables such as ethnicity and regionalism?

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[63]The categories are: 'Strongly Disagree", Disagree, neither agree nor disagree, Agree, "Strongly Agree".

Rural-Urban difference in Constitutional Legitimacy

I return to Mamdani's theory that colonial forms of rule resulted in having a rural – urban distinction of customary and civil law and further dividing the customary into multiplicity of ethnic customary laws. This indirect form of rule, he argues, has a lasting impact on the institutional and attitudinal make up of citizenship regimes in postcolonial African societies. In this section, I further develop the propositions on the rural-urban variation in citizens' perception of constitutional legitimacy and the salience of traditional forms of rule. In doing so, I propose testable research hypotheses that take into account how the urban-rural dichotomy interacts with ethnic and regional membership of citizens and their level of ethnic identity in terms of producing different outcomes of legitimacy.

The rural –urban distinction in the popular perception of 'right' and 'power' is central in Mamdani's thesis. He argues that from the start of colonial rule, the bifurcated way the rural and urban natives of African colonies were incorporated into the colonial state's form of rule have sustained over time to create a form of duality. "The effect of a decentralized customary despotism is immediately to impose two major tensions among the ruled: interethnic in the native authority and urban-rural in civil society" (Mamdani, 1996:218). Granted that postcolonial reforms have taken different paths to integrate the rural and the urban both in one-party and multi party political regimes, he notes that in both cases the difference between urban and rural forms of rule has not significantly been altered. The radical version of postcolonial reform for the most part reformed the rural customary power while maintaining a centralized and undemocratic form of rule in the center. On the other hand, the conservative version introduced a form of democratic rule in the center while

retaining a customary form of rule in the rural areas. In both cases, the duality between urban and rural forms of rule remains intact. Consequently, citizens' perceptions of the relationship between them as national citizens and members of the 'customary' social groups also demonstrate a dual nature. As a result, Mamdani characterizes Africa as a mix of the urban areas that speak the language of rights and democracy and the rural areas that use discourses of power and the customary.

If we take these two versions of postcolonial reforms as two extremes in a continuum, we can argue that most countries fall in between the two extremes. In Mamdani's (1996) conceptualization, Uganda and South Africa represent two paradigmatic examples of this.[64] It is proposed that rural residents would have low levels of mean score for constitutional legitimacy where as they would score lower on the rejection of traditional rulers. These propositions thus motivate the following hypotheses:

Hypothesis 1a: Overall urban residents will be more likely than rural residents to think the constitution is legitimate and represents their aspirations and values.

Hypothesis 1b: Overall urban residents will be more likely than rural residents to reject traditional forms of rule.

However, the effect of the rural and urban distinction is only important as it represents different historical forms of rule and consequent different forms of identity. Thus, Mamdani argues that in postcolonial societies ethnic identity still remains to be a salient political

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[64]Uganda reformed the rural sector by introducing a one universal customary law and introduced while retaining a one party democratic system in the urban sector. On the other hand, South Africa has the most vibrant urban civil society and multi party democracy in Africa and yet its rural sector still have a significant presence of customary law, exemplified by the power of the Zulu chiefs.

identity because of its institutionalization by the colonial state and its continuation even after democratic reforms. Therefore in addition to one's residence in rural or urban area, what is important is whether one identifies primarily with an ethnic, national or other market based identity. The discussion seems to suggest that the more one is ethnically self-identifying, the less likely s/he would give legitimacy to the constitutional order and instead might be in favor of customary power. Besides, the effect of rural- urban residence may be because it produces different sense of ethnic feelings among its residents. So once we control for ethnic self-identification, we might expect a reduction in the effects of the urban-rural residency variable. Therefore:

Hypothesis 2a: Citizens who do not primarily identify with an ethnic categorical identity are more likely to think the constitution is legitimate and represents their aspirations and values.

Hypothesis 2b: Citizens who do not primarily identify with an ethnic categorical identity are more likely to reject traditional forms of rule.

Citizens' perception of legitimacy is determined by characteristics and histories that are unique to their individual countries of citizenship. After all, the constitutions, and customary rule that they are evaluating are country specific. Thus, even if we would expect that overall rural-urban and ethnic self-identification determine differences among citizens perception of customary power and constitutional among Africans, this difference is mediated by country of citizenship of respondents.

The country cases selected for this study represent a range of political and historical variations in the colonial and postcolonial state of Africa. They have joined the list of post-colonial states at different times and have gone through different trajectories and are experiencing different challenges in governing their respective societies. They could be compared and contrasted as they represent different varieties in the post-colonial or developmental state model. In countries with the experience of "settler colonialism" like South Africa and Zimbabwe, the public image of difference is racial and it often provokes tension in the discourse on citizenship and sometimes facilitates inter-group conflicts in those countries. Similarly, a constitutional crisis occurred in Mozambique[65] in 1990 with respect to the question of citizenship. The issue centered on whether Mozambiquan citizenship should be limited to Mozambiquan natives (*originarios*), or extended to the Asian and Portuguese settler population (O'Lauglin, 2000). Botswana, Zambia, Mali, could be grouped in to what Mamdani calls the conservative regimes in terms of how they handle rural urban links and ethnic identities. Zimbabwe, Uganda and Namibia represent countries that have gone through some form of radical armed struggle to attain political independence and in the process transformed ethnic and other identities to different degrees. Thus the cases represent a wide array of historical trajectory and could provide an interesting insight into the nature of postcolonial citizenship and identity. On the other hand, the emphasis on free elections and an agreed constitutional framework for a controlled transition in Zimbabwe, Namibia and South Africa suggests important similarities in the shaping of the post-colonial environment. These cases represent example of liberation movements turning into parties to occupy political power in a formally independent, sovereign post-colonial state (Herring, 2003).

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[65]Though Mozambique is not in the sample for the study, the example illustrates the point very well.

In all these three cases, legitimacy draws as much from the claim of the liberation

movements as representative of the majority of the people as from constitutional and

electoral process. This may create a tension in the sources of legitimacy for the state and

ruing party as the situation the liberation movements find themselves was in many ways not

the one they had prepared for (Johnson, 2003).[66] Thus, many of their policies lack

commitment to democratic principles and/or practices (Herring, 2003), even when transitions

were internationally monitored and legitimated, and led to the establishment of constitutional

or parliamentary democracies in line with the western liberal model (Johnson, 2003). These

observations are more at the level of the liberation movements turned into political parties.

But, we can expect that political cultures are results of the particular nature of the nationalism

and liberation discourse and we can also expect similar perceptions among the citizens at

large.

Moreover, the relative strength of the state may determine the views of its citizens as

the bureaucratic and military strength of the state would affect its protection of economic,

civil, and political rights. Quite often, the post-colonial state is regarded as

"overdeveloped"[67] in its relations to internal society as it rises above class interests. But I

argue that the strength of the state can also be viewed in terms of its relation to foreign

capital and influence. The overdeveloped state hypothesis, however, seems to differ from

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[66]There are several other examples in Africa where former liberation movements are unwilling or unable to transform their source of legitimacy into constitutional order. The failure to implement a 1997 drafted constitution by the Eritrean government shows the ambivalence of former mass movement to continue on political reforms apparently started by the same movement.

[67]Hamza Alavi's (1972) discussion of India and Pakistan post-colonial states is the prominent one in the "overdeveloped" postcolonial state hypothesis. The cause for such an overdeveloped state is the result of the history of state formation of colonial states.

Mamdani's view of the postcolonial state that inherited a weak state structure with weak military and based on a legal dualism that divided the urban and the rural populations. In any case, I propose that there is some degree of variation between African states, and thus we can expect the country of citizenship of respondents to affect their perception of legitimacy. I expect a difference in the magnitude of the effects of predictors on constitutional legitimacy due to country of citizenship as the over developed state may show a sign of successful state power without necessarily having good constitutional legitimacy. The foregoing discussions thus motivate the following hypotheses:

Hypothesis 3a: Citizens of radical states may be more likely to score higher on constitutional legitimacy and rejection of traditional rule.

Hypothesis 3b: Citizens of radical states (Namibia, South Africa, Tanzania, Zimbabwe and Uganda) may be more likely to reject traditional rule as they might have gone through series of transformations of the local governance system as a result of radical changes.

The Hierarchical Nature of Legitimacy: Contextual Hypotheses

Citizens are not only members of countries alone but they also belong to other sub-national categories that serve as arenas of identity and networks. The citizen stands to the state not only as an individual, but also as a member of a variety of other organizations (class, professional, racial, ethnic etc) with which the state must relate, in relating to citizen (Walzer, 1970; Calhoun 1997; Mamdani, 1996, 2001). Theoretically, these multiple identities of the individual should not detract from his/her allegiance or commitment as citizen, to the state, but historical evidence on post colonial Africa shows that sub-national memberships do

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not always serve to increase level of legitimacy for the post colonial state. Rather, two notions of citizenship have competed for attention in postcolonial Africa: national and ethnic citizenship (Ekeh, 1972; Gyimah-Boadi, 2004).

Obviously, individual variation in the level of legitimacy citizens give to the state would be expected. Moreover, as discussed earlier, we would expect these individual variations to be dependent on one's residence (urban or rural), self-identification (whether one primary self-identifies with an ethnic category) and country of citizenship. But it is also more reasonable to assume that there are patterns of conception of legitimacy among citizens of the same state that may be delineated along ethnic or regional lines. Actually, the literature on African state and society relations to a great extent argues for the existence of ethnic and regional patterns of political legitimacy in African states.

This observed difference is mostly attributed to sub-national differences in contemporary and historical forms of rule and incorporation of groups as well as different reforms. Therefore, it is important to conceptualize legitimacy differences as contingent on regional and ethnic membership and the country specific history associated with such membership. That is to say, citizens perceptions are not only individually determined but they are also dependent on one's territorial and identity location in the given political communities. This conceptualization assumes a hierarchical construction of views that vary among individuals, regional and ethnic communities and also countries. Moreover, this assumes that the effect of rural–urban residence and other ethnic identification variables

varies according to one's territorial and ethnic location. This conceptualization leads us to the following research questions:

- What are the contextual factors responsible for absence or presence of dualism in citizens within and among nations? And how are perceptions aggregated and varied with respect to regions, and ethnic groups?
- If there are significant regional and ethnic differences, what are the factors that account for such observed differences?

Most of the literature so far reviewed on Africa takes an institutionalist view and makes more assumptions on citizens' views than empirically and rigorously identify the patterns of public opinion on legitimacy. What emerges from the review of the literature is that legitimacy is a function of both individuals' views and perceptions as well as their social location interms of residence, class, and ethnic groups. Usually studies focus on one aspect at the expense of the other. But once we accept the fact that individuals live in social groups that affect their views but simultaneously can develop their own distinct political views as individual citizens, we need to study the effect of both of these on perception of constitutional legitimacy. Therefore, as much as we would expect that there are rural-urban differences among citizens' perception of customary power and constitutional legitimacy, this difference is mediated by country level and sub-national level factors.

Ethnic Group Level Hypotheses

If ethnicity was constructed as a political identity that ties individual citizens to the post-colonial state, then we could expect members of a particular ethnic group to share

certain features that make them distinct from other groups. In the hypotheses developed

earlier (hypotheses 1 and 2), I proposed that urban residents overall would be expected to

have higher levels of legitimacy than their rural counterparts. I also hypothesized that those

citizens who do not primarily identify as belonging to an ethnic identity will have higher

levels of legitimacy scores in the measures of regime principles. However, the effect of

residency and self-identification are dependent on one's ethnic group. Therefore, even if we

propose that urban residents are more likely to score higher on legitimacy, urban residents

who belong to ethnic groups with higher levels of urbanization can be expected to have much

higher score than those coming from ethnic groups with low urbanism. This is in line with

Mamdani claim that the tensions in African state are a result of the distinction between rural-

urban and interethnic distinctions. Mamdani (1996:301) only sees hope when these

distinctions are "more fluid than rigid, more an outcome of social process than a state-

enforced artifact". So it is important to see how different ethnic groups have different

perceptions of political legitimacy based on their residency status (urban-rural) and sense of

identity.

Thus, the perception of legitimacy should be tested not by just taking all individuals as

undifferentiated whole but by disaggregating them into the different social categories that

potentially determine political views of citizens. First of all, it would be important to develop

a model of urban-rural difference between and within members of ethnic groups for all the

countries. Moreover, it would also be necessary to see how legitimacy varies within members

of the same ethnic group and across ethnic groups as a function of ethnic group

characteristics such as level of urbanization and salience of ethnic identification. With such

approach in mind, I propose that there is a significant difference in the perception of legitimacy among ethnic groups as well as between the members of the ethnic groups. This is the basic proposition that would also guide the previous proposed hypotheses. But, I do not just argue that ethnic groups as such have any innate characteristic that could determine the legitimacy perception of their members. I do, however, regard ethnic groups as an outcome of historically changing relations (Mamdani, 1996) and propose a comparative analysis that takes these contexts in account.

I first focus on the two previous predictors I hypothesized about at the individual level: urban-rural residency and ethnic self-identification as characteristics of ethnic groups that determine the legitimacy perception of citizens independent of and in interaction with individual personal characteristics. The residential distribution of an ethnic group, namely its urbanization, would affect the level of legitimacy view of its members as individual citizens and as group members as a whole. If urbanization level of an ethnic group is an indication of political attitude, it can mean two things. It may be the case that the more urbanized an ethnic group is, its members, as individuals and as members of the ethnic group in general, may tend to be more accepting of constitutional legitimacy and reject traditional authority. Also, if the "urban based rights" discourse is to hold true, we may expect them to be more in favor of constitutional legitimacy and reject traditional rule. Alternatively, a highly urbanized ethnic group may find itself in competition with other ethnic groups for resources (ethnic

mobilization theory)[68] and thus members may look for traditional symbols and values in the

growing urban competition and thus be accepting of traditional rule. Thus:

Hypothesis 4a: Ethnic groups with high levels of urbanization are more likely to think the constitution is legitimate and represents their aspirations and values.

Hypothesis 4b: Ethnic groups with high levels of urbanization are more likely to reject traditional forms of rule. However, in countries with acute urban resource competition, ethnic group's urbanization may lead to less rejection of traditional forms of rule.

Recent studies using the Afrobarometer Surveys attempt to understand ethnic and national

identity but do not systematically investigate the effect of different sub national categories.

Bannon and Posner (2004) use the Afrobarometer data for twelve countries to test the

individual and country level predictors of the likelihood that citizens would choose ethnicity

as their primary identity. Their results indicate that strong ethnic identification is positively

associated with education, employment and urban residency. An interesting finding is that

rural residents are less likely to identify with ethnic identity than their urban counterparts.

This could be read as evidence that contradicts Mamdani's assertion that that it is the rural

area that institutionally is configured with ethnic and customary power and thus more ethnic

identifying while urban areas have a liberal civic identity. On the other hand, the results

could be read as support of the ethnic competition model that proposes it is with

modernization and competition for resources that the competition between ethnic groups and

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[68]The theory argues that industrialization and urbanization may make ethnicity a more convenient basis for mobilization than class. See for example Francois Nielsen (1985) - Toward a Theory of Ethnic Solidarity in Modern Societies. *American Sociological Review*, Vol. 50, No. 2 (Apr., 1985), pp. 133-149

the resulting salience of ethnic identification become important. I thus develop the following **interactive effects** hypotheses:

Hypothesis 5a: The interactive effect of individual urban residency and level of ethnic urbanization on constitutional legitimacy will be positive, as urban residents who belong to more urbanized ethnicities would be more likely to think of the constitutional order as legitimate.

Hypothesis 5b: The interactive effect of individual urban residency and level of ethnic urbanization on rejection of traditional rule will be positive, as urban residents who also belong to more urbanized ethnicities would be more likely to reject traditional rule to exist as a legitimate system amidst of constitutional order.

Urban Residency also interacts with the level of identification at the ethnic group level. Membership in an ethnic group in itself may not determine one's view on legitimacy as such. However, if a person belongs to an ethnic group that on average tends to have high levels or strong sense of ethnic identity, we would expect him or her to score lower on the indicators of legitimacy. At the group level, we would expect members of the ethnic group with strong sense of ethnic identity to have a lower score for legitimacy. Therefore, I develop the following two hypotheses on the effect of salience of ethnic identity for an ethnic group on political legitimacy.[69]

Hypothesis 6a: Ethnic groups with a high proportion of ethnic identification are less likely to think the constitution is legitimate and represents their aspirations and values.

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[69]I do not develop separate hypotheses, but I estimate interactive effects between the individual ethnic identification variable and the ethnic level urbanization and salience of ethnic identity as I did for the urban residency variable. See the results and discussion section.

Hypothesis 6b: Ethnic groups with a high proportion of ethnic identification are less likely to reject traditional forms of rule.

Similarly, the salience of ethnic identity among ethnic groups should have an interactive effect based on the social location of citizens. It would make a difference if someone lives in urban area as opposed to rural area for the effect of salience of ethnic identity at the ethnic group level. That is, even if we expect urban residents to score on average higher in our legitimacy scale, members of ethnic groups who on average place high value on ethnic identity would have lower values than others. Or put another way, though we expect ethnic groups with high sense of ethnic identity to have low levels of legitimacy score, we would expect difference with in their members in terms of their residency. That is, urban residents would have better legitimacy views than rural residents even for those coming from highly ethnically identifying groups. For example, rural-urban migrants may represent a borderline group that would demonstrate such interactive qualities. The African migrant, according to Mamdani (1996: 184), "may simultaneously embrace tribal politics in a multi-ethnic urban arena and fight tribal authorities in the rural homeland". To put the propositions in a testable form:

Hypothesis 7a: The interactive effect of individual urban residency and percent of ethnically identifying members of that ethnic group on constitutional legitimacy will be negative as urban residents who belong to more ethnically identifying group would be less likely to think of the constitutional order as legitimate.

Hypothesis 7b: The interactive effect of individual urban residency and percent of ethnically identifying members of that ethnic group rejection of traditional rule will be

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negative as urban residents who belong to more ethnically identifying group would be less likely to think to reject traditional rule and rather may endorse it to exist as a legitimate system amidst of constitutional order.

Region level hypotheses

If we can argue that ethnicity was constructed as a political identity that ties individual citizens to the postcolonial state, we can make the same argument about regions.[70] Regions can be multi-ethnic or include only one ethnic group. In the same way that I developed the hypotheses about the relationship between residency and self-identification of the individual citizen with ethnic level variables, I argue that regional location and associated factors also determine the mean level of legitimacy score between and within regions and the effect of urban-rural residency is mediated by regional factors. That is, we could expect members of one region to share certain features that make them distinct from other regions in a given country. If the proposed individual level hypotheses hold true and that we find that urban residents overall to have higher levels of legitimacy than their rural counterparts, I further hypothesized that citizens who reside in more urbanized regions would have on average higher levels of legitimacy scores irrespective of their residency status (urban-rural). Or put another way, even though urban residents have higher scores, urban residents from more urbanized regions would have much higher scores than those from less urbanized regions.

Hypothesis 8a: Regions with high levels of urbanization are more likely to think the constitution is legitimate and represents their aspirations and values.

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[70]I argue that regions are also politically and historically constructed categories.

Hypothesis 8b: Regions with high levels of urbanization are more likely to reject traditional forms of rule.

The preceding hypotheses simply assume that legitimacy scores are systematically different between regions and among members of each region. They propose how regional levels of urbanization determine legitimacy outcomes. In the same way I proposed for the ethnic hypotheses, I argue that the effects of a region's level of urbanization are interactive with the residency status of members of the regions. I thus develop *interactive effects* hypotheses:[71]

Hypothesis 9a: The interactive effect of individual urban residency and regional urbanization level on constitutional legitimacy will be positive, as urban residents who belong to more urbanized regions would be more likely to think of the constitutional order as legitimate.

Hypothesis 9b: The interactive effect of individual urban residency and regional urbanization level on rejection of traditional rule will be positive, as urban residents from highly urbanized regions would be more likely to reject traditional rule to exist as a legitimate system amidst a constitutional order.

In the case of regions, I also propose that ethnic diversity and consolidation of ethnic identity are important factors that determine legitimacy perceptions of citizens within and across regions. Drawing from theory and research on diversity and consolidation in other fields (Blau, 2003; Blau and Schwartz, 1984), I propose that living in ethnically homogenous groups is disadvantageous in terms of political legitimacy among citizens. In addition, I

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[71]I also estimate interactive effects between the individual ethnic identification variable and the regional urbanization level and salience of ethnic identity as I did for the urban residency variable. See the results and discussion section.

propose that regions with high level of ethnic identity consolidation, measured by the proportion of people who primarily identify ethnically, would have lower levels of legitimacy. Contrarily, regions with little ethnic identity consolidation would score higher on legitimacy indicators. The impact of ethnic identity consolidation also interacts with residency status of citizens. So, for example, if a person belongs to a region that is ethnically diverse and also has lower level of consolidated ethnic identity, we would expect higher legitimacy scores for those from urban areas as opposed to those rural areas. Therefore, I develop the following two hypotheses on the effect of the salience of ethnic identity in a region for political legitimacy and the interactive effect of consolidated ethnic identity on residency.

Hypothesis 10a: Regions with higher proportion of primary ethnic identification or consolidation are less likely to think of the constitution as legitimate and represent their aspirations and values.

Hypothesis 10b: Regions with high proportion of ethnic identification are less likely to reject traditional forms of rule.

Similar to the ethnic interactive hypotheses, I propose interactive effects hypotheses between urban residency of citizens and the salience of ethnic identity (consolidation) in a region. Thus,

Hypothesis 11a: The interactive effect of individual urban residency and percent of ethnically identifying members in a region on constitutional legitimacy will be negative as urban residents who belong to more ethnically identifying region would be less likely to think of the constitutional order as legitimate.

Hypothesis 11b: The interactive effect of individual urban residency and percent of ethnically identifying members of a region on the rejection of traditional rule will be negative as urban residents who belong to more ethnically identifying region would be less likely to think to reject traditional rule and rather may endorse it to exist as a legitimate system amidst of constitutional order.

Research Design

Data and Independent Variables

The data set for this chapter comes from the public opinion survey project called Afrobarometer. The Afrobarometer Series, launched in October 1999, reports the results of national sample surveys on the attitudes of citizens in selected African countries towards democracy, markets and other aspects of development. The Afrobarometer is a joint enterprise of Michigan State University (MSU), the Institute for Democracy in South Africa (IDASA) and the Center for Democracy and Development (CDD, Ghana). The data for this chapter is restricted to the first round of surveys undertaken between 1999 and 2000. Out of the 12 countries surveyed in this round, I use the data for only 10 countries that have full information on the dependent variables of interest in this study. The Afrobarometer survey was based on face-to-face interviews by trained interviewers in the language of the respondent's choice. The sample is designed as a representative cross-section stratified national probability samples of all citizens of voting age in a given country. Sample size varies from a minimum of 1200 to 2400 among the ten countries.

Individual Level Variables:

Main Independent Variables:

Residence (Urban/Rural): one of the main important demographic variables for this study is the residence status of the respondent. This variable is important as it is an indicator of whether one is a rural or urban resident and this is important in testing the effect of duality in the level of political legitimacy. So, the variable values can be interpreted as urban residents compared to the reference category of rural residents. All countries have the same questions and response categories, and the answers are easily comparable.

Ethnic-Self identification: The self-identified identity question was an open-ended question where respondents choose what their primary form of identification is.[72] Afrobarometer survey has coded all the responses and the answers fall into the following categories. These were: Language/Tribe/Ethnic, Race, Region, Religion, Occupation, Class, Gender, Individual/personal, Other, Won't differentiate, Pro-movement, Traditional leader, Party, Age-related, and Continental. For this chapter, I further recoded the variable into a dichotomy of those who choose Language/Tribe/Ethnic versus the rest of the respondents. We compare those who didn't choose an ethnic identity against a reference category of those who primarily identified with an ethnic category.

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[72]The exact wording of the question was: "We have spoken to many (Name of country, e.g. Nigerians) and they have all described themselves in different ways. Some people describe themselves in terms of their language, ethnic groups, or religion, and others describe themselves in economic terms, such as working class, middle class, or a farmer. Besides being (Nigerian), which specific group do you feel you belong to first and foremost?"

Demographic and Socioeconomic Status-

Gender: we include gender of the respondent as a control variable that affects the level of political legitimacy evaluation of citizens. In all the models, the reference category is female and we interpret results as males compared to females.

Age: is another very important demographic variable in determining political legitimacy. The age distribution of respondents for all countries has a mean of 37 and median of 34 indicating that fifty percent of the respondents are between ages 18 and 34.

Education: this question asks the level of education one has attained. This variable is a four category ordinal variable where the reference category is secondary and above, and the three categories are no formal education, primary and secondary levels of education.

Institutional Factors of Political Exposure:

Viewing legitimacy in such context would also allow us to think of it as an evolving state of affairs that would change with time and several institutional factors in a given political society. The political and civic involvement of citizens could be expected to affect the levels of political legitimacy. The more deliberative democracy there is and the more participation there is, the higher the level of legitimacy could be expected.

Voting[73]: This variable measures whether or not respondent has voted in the last election. "The impact of multiparty elections- in the absence of a reform of rural power- turns out to be not just shallow and short-lived, but also explosive" (Mamdani, 1996:300). Voting can be both an instrumental expression of policy option put forth by political parties or it may mean an expression of identity: be it ethnic or otherwise. Especially in African countries, voting can be more of an identity affirmation than calculated policy choice. "Voting is not an instrumental calculation, but an expression of who a citizen is. A society in which most citizens are inclined to participate in democratic politics in part because they see the vote as an expression of their identity, is one in which the task of "winning society for democracy" may be relatively less onerous. It is also one in which the delivery of material good will not be sufficient" (Friedman, 2004: 282).

This variable asked respondents if they voted or not in the last election prior to the survey in that country. This variable asked if individuals voted or not but had more choices for reasons of not voting. I recode the variable to a yes or no variable. Those who answered as 'no election' in their area are coded into a missing value.

Associational affiliations[74]: Individuals who belong to voluntary organizations take cues from these institutions. I developed a civil membership score from four different

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[73]This variable was measured as an indication of voting in the previous year. So empirically it may not be expected to be affected by constitutional legitimacy. But since I am treating constitutional l legitimacy as a long lasting attitude, people's decision to vote or not vote can also be an effect of their constitutionalism. However, I estimated regression models that test for the possibility of reciprocal effects between constitutionalism legitimacy and traditional authority and voting behavior and it does not seem to be a problem.

[74]It can also be argued that participation in associations can be a result of constitutional legitimacy. That is, there may be a possibility of reciprocal effect between a person's constitutional legitimacy score and their decision to join associations. Even though I am interested in the one way effect of civil associational life on constitutionalism, in the analysis section I run tests of collinearly and two stage least squares in the context of

variables. These were whether or not the respondent is a member or attends: 1) Religious group; 2) Development association; 3) Business group and 4) Trade union. The Yes/No answers are added to create a score with a minimum value of 0 and maximum value of 4.

Ethnic Group Level Variables:

Ethnic Group Urbanization: This is a variable that measures the level of urbanization of a particular ethnic group. It is calculated by taking the percentage of respondents who live in urban areas for each ethnic group.

Ethnic Group's Ethnic Identification: This variable measures the magnitude of ethnicism within members of a particular group. It is measured as the percentage of respondents who primarily choose ethnic identity as source of identity for each ethnic category. This is a measure of the consolidation of ethnicity.

Region Level Variables:

Region's Urbanization: This is a variable that measures the level of urbanization of a particular region. It is calculated by taking the percentage of respondents who live in urban areas for each ethnic group.

Region's Consolidation of Ethnic Identification: This variable measures the magnitude of ethnicism within members of a particular region. It is measured as the

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linear regression and the results do not seem to suggest any reciprocal effect. However, as I am not able to test it in a multilevel context, I can not totally disregard the possibility. Therefore, for all the models of constitutional legitimacy and rejection of traditional rule I only consider the effect of civic membership on constitutional legitimacy.

percentage of respondents who primarily choose ethnic identity as source of identity for each region. This is a measure of the consolidation of ethnicity within a given region.

Method of Analysis: Multi-Level Analysis

The aforementioned conceptualization and hypotheses of citizens' perception on customary power and constitutional legitimacy among new African democracies requires a research design that methodologically acknowledges the multilevel nature of social life and estimates the relative effects of each level's life experiences on citizens' perceptions. In the literature on African political perceptions, such an assumption is not a new thing. Citizens' perceptions are assumed to be dependent on tribal and ethnic belonging of citizens. However, there are no researches that systematically test these assumptions yet (or that I know of). The principal investigators of the Afro-barometer survey (the data to be used for this chapter), Bratton, Mates and Gyimah-Boadi (2004) have tried to test different cross-national models on variations on democratic satisfaction, rejection of tradition and related issues but they do not take into account the relative impact of regional and ethnic membership in different variables of interest. So to my knowledge, there has not been a research design so far that systematically tests the variation of citizens perception of state legitimacy across a host of social categories such as generational, religious, ethnic, regional, occupational and rural-urban residence patterns.[75]

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[75]I intend to develop generational models of variations in constitutional legitimacy in the future. However, the Afrobarometer data set does not give a good measure of religious affiliation data and so I won't be able to do a religious variation model.

Methodologically, the perception on legitimacy should be tested not by just taking all individuals in an undifferentiated whole but by disaggregating them into the different social categories that potentially determine the pattern of legitimacy score of citizens. First of all, it would be important to develop a model of urban-rural difference between citizens of these different countries. Moreover, citizens have their specific self-identified ethnic groups and it would be necessary to see how legitimacy varies with-in members of the same ethnic group and across ethnic groups as a function of the particular ethnic group's level of urbanization and sense of ethnic identification. Thus it will be important to develop a series of historical and contemporary information on the different ethnic groups and use the information as predictors of the observed difference in identification across ethnic groups. The same approach could be used to estimate differences within and between regions in citizens' legitimacy views and how regional factors interact with individual citizen's residency and self-identification variables.

Such a perspective and conceptualization enables us to recognize that individuals are embedded in social contexts (Blau, 2003), and in the context of this study, it allows for the understanding of constitutional legitimacy as a result of both individual and group level variables. This means that we need to conceptualize the development of legitimacy as a multilevel or hierarchical process where in individual qualities and the different social categories one belongs to affect each other. This approach allows us to demonstrate legitimacy both at the individual and community level (be that ethnic group, or region) as a function of each other simultaneously. This is a social system approach (Riley, 1998) that simultaneously (1) uses groups as research unit and characterizes properties of individual members and by other group level properties or (2) use individuals as the research unit and

characterize individuals by properties of the groups to which they belong and by other individual level properties. These provide analytic techniques that use multiple equation systems in which macro-level variables may or may not be expressable as functions of micro level variables (O'Rand, 1998). This is possible methodologically as it can be demonstrated that the total observed variance in constitutional legitimacy is a combination of the within community and between community variances in many regards (Snijders and Bosler, 1999; Bryk and Raudenbush, 1992; Goldstein, 1995; Gamoran, 1992). Since most of the literature on legitimacy assumes that citizen opinion is highly contingent on ethnic or regional memberships, using multilevel modeling would also correct for the biases in parameter estimates resulting from clustering as observations in the same cluster tend to be more similar in their outcome measures (Guo and Zhao, 2000).

Model Specifications

Based on the previously outlined substantive hypotheses and the statistical methods of inference proposed, I specify a series of statistical models that will empirically test the hypotheses in this section.

Model 1: Random intercept or ANOVA model (for ethnic groups and regions)

A first step towards modeling between groups variability is to let the intercept vary between groups. This reflects that some **Regions /Ethnic Groups** tend to have, on average; higher mean average constitutional legitimacy responses and others tend to have lower responses. Thus for the intercept only model, the equation of the model can be written as:

$$\text{Level 1: } Y_{ij} = \beta_{0j} + r_{ij}$$

$$\text{Level 2: } \beta_{0j} = \gamma_{00} + u_{oj}$$

$$\text{Combined model: } Y_{ij} = \gamma_{00} + u_{oj} + r_{ij}$$

Where Y_{ij} is the score for the individual i in cluster j, and β_{0j} is the intercept for the cluster. However, γ_{00} is the fixed value of the intercept at the cluster level with u_{oj} as the random coefficient of the between cluster variability and r_{ij} measures within cluster variability in the dependent variable. Thus the cluster dependent intercept is a quantity, which varies randomly from cluster to cluster. **u_{oj} and r_{ij} are both randomly distributed with means of zero and variances of τ_{00} and σ^2, respectively**.

The random intercept model will demonstrate that ethnic and regional (contextual factors) can explain more individual variation in legitimacy than individual-level factors. If the analysis confirms that variation occurs at both the individual and the sub-national level, the next question is what predictors explain this variation?

Model 2: Random intercept plus main independent variables:

Once the prevalence of significant inter-cluster variation is tested (inter-ethnic or inter-regional), the next question to ask is how does the between cluster variation hold when we control for two important individual level variables. The first variable is whether the respondent resides in urban or rural area. This variable is important as Mamdani holds that there is an urban-rural duality in the levels of national and ethnic variations among citizens of Africa. The second variable is whether the respondent chooses his or her ethnic or language group as his or her primary identity. The latter variable is important, as it measures if people

who self-identify with ethnic group are in anyway different in their view of the legitimacy of the state system from the rest of the citizens. Equations are estimated with both this independent variables as predictors.

Therefore, this model would answer the hypotheses on how does variation between communities stand out when residence and primary identity variables are included. The addition of these predictors to the unconditional intercept model, thus can be written as:

Level 1: $Y_{ij} = \beta_{0j} + r_{ij}$; Level 2: $\beta_{0j} = \gamma_{00} + \gamma_{01} (X_i) + u_{oj}$; Combined model: $Y_{ij} = [\gamma_{00} + \gamma_{01}(X_i)] + [u_{oj} + r_{ij}]$. The only additions are X and γ_{01} and they represent the added variables and their fixed effects coefficients respectively; that is, any individual or community level variables and their fixed effect coefficient respectively.

Model 3: Random intercept plus main independent variables & country dummies:

I will use controls for countries as predictors of cross national difference in legitimacy when using individual and groups level factors. This is relevant as citizens are not only members of ethnic groups and regions but also citizens of countries. Moreover, in some cases, I would expect ethnic groups to cross national boundaries and the country dummies would control for the different effects of country in ethnic differences of the average value of legitimacy. I model the effects of country dummies both as fixed factor.

One alternative modeling techniques would be to use countries as third level variables where in individuals are located in ethnic or regional groups that in turn are located in

countries. But I opted to use the countries as dummies and control their effects since using a

three level analysis would be cumbersome and redundant given the number of countries used

in the analysis, which are only 10 countries.[76] I think by looking at the effects of the country

dummies we can get a sense of the magnitude and direction of effects by interpreting them

against each countries historical and contemporary issue. I draw parallel lessons from Blau

(2003) who uses neighborhood level factors to predict individual and school level effects,

while the school level variables are treated as second level variables with random intercept.

So, I can use country level information as fixed predictors if necessary. But for now I am just

interested in looking at the differences between countries while controlling for individual and

group level (ethnic and region) factors and how that difference changes with the inclusion of

different sub-national and individual predictors. In sum, controlling for country effect is

important as preliminary analysis using simple ANOVA as well as ANCOVA tests of cross

country and rural-urban differences showed[77] that there are interactive effects of national

membership and urban-rural residency in the variation on the scores of constitutional

legitimacy variables. HLM would allow us furthermore to estimate the random effects of

ethnic and regional membership of citizenship in addition to this cross national and

residential difference.

Model 4: Random intercept plus main independent and control variables:

      This model is nested on the previous model but adds several individual level control

variables on socio-demographic and political involvement of citizens on the score of

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[76]"It will usually be most efficient for multilevel software to choose the factor with the larger number of units as the nesting factor, and factor with the fewer units as the crossed factor" (Snijders and Bosler, 1999: 157).

[77]The results are not reported here.

legitimacy indicators. The equation notation format does not change and this model can be easily compared with the previous model. This test can help us assess the relative contribution of the base level independent variables and we can drop non-significant base level independents and covariances from subsequent models (Hox, 1995).

Model 5: Random intercept plus individual and group level independent variables:

The previous models would have already answered if the variance estimates indicate that the intercept term varied significantly across groups. Provided that there is significant variation among Ethnic groups/Regions, we can determine if these observed variations can be explained by ethnic group and regional level factors. In this model, I will estimate the effects of group level factors on individual as well as on the group level legitimacy scores. Subsequently, we would be able to determine if entering the group-level predictors in the group-level analysis substantially reduces the variance in the intercept term across groups.

Cross-level Interaction Effects Models (Models 6, 7 and 8)

Once we establish that there are significant variations in legitimacy scores among citizens with in and between Ethnic/Region groups, and also that individual citizen as well group level factors explain some of these observed variation, we would want to know how our urban-rural duality hypothesis contributes to this differences. That is, how urban-rural residency can randomly affect within and between ethnic group and region differences by allowing it to vary for each group that we estimate in our observed legitimacy scores. The effect of individual residency and self-identification on constitutional legitimacy can only be

understood in interaction with relevant ethnic and regional contextual factors. It would be also interesting to learn how certain factors interact by making some members of ethnic/region groups to have more or less legitimacy values based on their residency status and the characteristics of the groups they belong to.

Consider the following examples. Even if urbanization and consolidated ethnicity might not have significant effect on the mean level of legitimacy for all ethnic groups or regions, they might have specific effects on scores of legitimacy for citizens from particular residences of rural or urban background. It may be the case that consolidated ethnic identity of an ethnic group may be more influential in its effects for people who live in urban areas than for rural residents. Thus we need a model that tests the cross-effects of individual characteristics of citizens and the characteristics of the groups to which they belong. Analyzing cross-level effects helps us to distinguish the unconditional effect of social context from the conditional effects that impact only some individuals because of their particular characteristics (Blau, 2003: 12). With the Multilevel (HLM) models used in this paper, we would explore the effects of our contextual variables both on the dependent variable and on the individual-level coefficient of urban-rural residency status with two sets of critical multi-level interactions.

Following the interaction hypotheses proposed earlier, the model utilizes second level predictors to account for some of the variation in our first level predictor of residency. So we can investigate the effects of first and second level urban residency and also whether the effects of individual- level urban residency are uniform or heterogeneous across ethnic

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groups or regions. In sum, cross-level HLM analysis provides a summary of within group measures not explained by prior individual-level measures that can be linked to group-level characteristics not explained by prior group-level measures. Model 6 includes the interactive effects of Urbanization and ethnic identity consolidation with Urban-Rural residency. Model 7 tests the interactive effect of individual citizens' ethnic identification with regional or ethnic group's level of urbanization and ethnic identity consolidation. Model 8 is a combined model of these four interactive effects plus the main effects of urbanization and ethnic identity consolidation and all the individual level predictors.

Results and Discussion:
Descriptive Statistics

A simple descriptive statistics for all our sample countries show that the mean value of constitutional legitimacy is 3.56 and that of rejection of traditional rule is only 2.18. In general, people report a high degree of constitutional legitimacy but their rejection of traditional rule is much lower. A look at the median of both variables indicates that half of the respondents report a constitutional score of 4 and above where as half of them score 2 or less on traditional rule rejection. In other words, more than half of the respondents agree or strongly with the statement that their constitution is legitimate and representative of their values while an equal number of respondents disagree or strongly disagree with the statement about rejecting all traditional forms of rule such as chiefs. This can be an indication that constitutionalism exists amidst equal reverence for traditional power. This is a very big difference given the two variables were measures in the same scale. A correlation coefficient also shows that there is a small positive correlation between the two (.025) indicating that to a small extent having a good attachment to national constitution is associated with rejecting

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an alternative traditional form of authority. However, it is a very weak association and we can take it as a preliminary indicator of the survivability of constitutionalism and traditionalism hand in hand in the mind of African citizens.

Nevertheless, this trend is not uniform across countries and when divided by urban rural residency. In constitutional legitimacy, Uganda has the highest mean score where as Zimbabweans are the least likely to give high legitimacy to their constitutions. On the other hand, Mali has the highest score of rejecting traditional rule whereas Tanzania has the lowest score, followed by the second lowest score of Uganda. It is interesting to note that Uganda has a population that scores high on constitutional legitimacy, but still embraces traditional power. On the other hand, even though Zimbabwean has low score of constitutionalism they are among the highest in terms of rejecting traditional rule.[78] Interestingly, rural citizens have significantly[79] higher scores of both constitutional legitimacy (3.71 versus 3.47) and rejection of traditional rule (2.22 versus 2.09) than urban citizens. ANOVA[80] tests also demonstrate that ethnically identifying citizens have lower scores of constitutional legitimacy (3.5 versus 3.64) but higher score of rejection of traditional rule (2.43 versus 2.09) than those who do not self-identify with an ethnic category.

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[78]The mean values for constitutional legitimacy and rejection of traditional rule respectively for all countries are as follows: Botswana (3.62, 2.06), Lesotho (3.76, 2.32), Malawi (3.47, 2.09), Mali (3.75, 3.00), Namibia (3.87, 2.45), South Africa (3.61, 2.22), Tanzania (3.60, 1.65), Uganda (4.16, 1.85), Zambia (3.36, 1.90). Zimbabwe (2.38, 2.22). The cross-country mean differences ANOVA F value are 174.5*** for constitutional legitimacy, and 157. *** For rejection of traditional rule.

[79]The Urban-Rural mean differences ANOVA F value are 113.8*** for constitutional legitimacy, and 26.6*** for the rejection of traditional rule.

[80]The ethnic identifying versus not identifying mean differences ANOVA F value is 23.9*** for constitutional legitimacy, and 165.6*** for the rejection of traditional rule.

The average civic membership score is 1.3 and half of the population in all the countries belongs to at least one civic organization. The average age of our respondents is 37 years and the sample includes an equal number of males and females. The number of respondents from rural areas is slightly higher at 60 percent and 22 percent of the respondents chose ethnic identity as their primary self-identification. In terms of educational distribution, more than half of the respondents have an educational level of primary or less where as only 8 percent of them has an educational level that is postsecondary.

Table 3.1: Descriptive of Individual Variables

Mean	Mean (std dev.)	Median
Constitutional legitimacy	3.56 (1.30)	4.00
Rejection of traditional rule	2.18 (1.36)	2.00
CORRELATION (Constitutional legitimacy* Rejection of traditional rule)[81]	.025**	
Civic membership score	1.3 (1.1)	1.0
Age	37 (14.8)	34
	Percentage	
Male	49.7%	
Female	50.3%	
Urban	39.6%	
Rural	60.4%	
Not Ethnic identifying	77.8%	
Ethnic identifying	22.2%	
Voted in last election	71.5%	
No formal schooling	17.5%	
Primary only	38.6%	
Secondary	35.5%	
Post-secondary	8.4%	
Respondents Self-Identify With:		
Ascriptive (Ethnic, Region, Religion, Language)	58.2	
Market Based (Class, Occupation)	30.4	
Personal (Age, Gender...)	1.8	
Political (Party, Traditional Leader, Continental)	2.4	
Other (Not Clear, Undecided...)	910	

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[81]** Significant at the .05 level significance

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Multilevel Models

In this section, I report the results of the different models estimated to test the hypotheses developed in earlier section of the chapter. I estimated nested models separately for the dependent variables of constitutional legitimacy and rejection of traditional rule. In all cases, the model estimation starts with a basic ANOVA model (Model 1) that takes into account ethnic and regional level variation in each dependent variable. This is our basic intercept model in the multilevel analysis language. Subsequently, I develop models that include individual and ethnic or regional level predictors to model the variation in our legitimacy variables, inter and intra ethnic and regions as well as cross-nationally. All models were estimated using the SAS software Proc Mixed procedure, the residual maximum likelihood estimator.

Multilevel Models of Constitutional Legitimacy:
Regional variation in Constitutional legitimacy

The first series of multilevel models estimated are on interregional variation in the perception of constitutional legitimacy of citizens of our ten sample countries. Results are summarized in table 3.2. The intercept of constitutional legitimacy for the first model is 3.64 (p<. 001) and it indicates the grand mean of constitutional legitimacy score among respondents from different regions and countries when we allowed the model to have a randomly varying effect of regions on constitutional legitimacy. The variance estimates suggest that regions differ in their average score of constitutional legitimacy (τ_{00} = .30, p<. 001) and that there is even more variation among citizens within those regions (σ^2= 1.39 81, p<. 001). The variance within regions is by far greater than the variance among regions. The

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results are interesting in that they show that regions differ in their constitutionalism score while the variation among citizens within each of those regions is greater in magnitude. These results are what we would expect as political attitude is definitely going to be aggregated along regional and national lines.

Our main interest in this dissertation is the hypothesized urban-rural duality and how primacy of ethnicity accounts for differences in constitutional legitimacy. Thus, in model 2, I add the two main individual categorical indicators to the model; that is, an indicator of urban or rural residency and an indicator of whether the respondent primary self-identified with an ethnic category or not. The inclusion of these variables does not change the overall trend observed in our baseline model but it demonstrates that there is significant rural-urban difference in constitutional legitimacy while ethnic self-identification does not make any difference in constitutional legitimacy. The interesting finding is that urban residents score less on constitutional legitimacy than rural residents. However, this model is incomplete, as it does not take into account cross-national differences. So in model three, country indicators are included in addition to regional and urban-rural differences. Results show that once we control for the cross-national difference, the observed variation across regions is reduced by 68 percent (i.e. .30 to .097) and there is still significant urban-rural difference in constitutional legitimacy. As to the cross national difference, when we take Zimbabwe, a country with the lowest score on constitutional mean score as a reference country, all countries have significantly higher constitutional score results from Zimbabwe.

However, the addition of country indicators does not reduce the observed variability within the regions in each country. Thus in model four, I add individual level predictors such as demographic and political variables. I add gender, education and age as socio-demographic indicators and civic membership score and voting behavior as political variables. I also included the level of rejection of traditional power as a predictor variable for constitutional legitimacy. The addition of these individual level variables results in one major change in the model. The significant urban-rural-difference observed in previous models is not anymore significant. That is, once we take into account the demographic and political variables, they explain the urban-rural differences observed in the previous model. In other words, if there was any urban-rural difference it simply was a result of differences in age, gender, education, voting behavior and civic membership between urban and rural citizens. Age and gender do not make a significant contribution to the constitutional differences among citizens, however. A higher civic participation score increased constitutional legitimacy and people who have not voted in the recent election before the survey scored less on constitutional legitimacy. One unexpected outcome in this model is that those citizens with primary or less education are more likely than post-secondary educated citizens to endorse the constitution. It seems like the more education one gets the lesser they would think the constitution represents their values and aspirations. The models estimated so far do not account in any significant way for the observed difference across regions or with in regions and we need to include, regional level variables. The results from models that take into account regional level variables will be discussed later.

Table 3.2 HLM models of constitutional legitimacy by regional variation with individual predictors

Dependent Variable: Constitutional Legitimacy				
Variables	Model 1	Model 2	Model 3	Model 4
Level one:				
Intercept	3.64(.048)***	3.65(.05)***	2.41(.11)***	2.0(.12)***
Urban residents[82]		-.085(.026)**	-.08(.026)**	-.04(.028)
Non-Ethnic identifying[83]		.019(.027)	.02(.027)	.046(.029)
Country: Botswana			1.08(.16)***	1.16(.16)***
Lesotho			1.41(.15)***	1.45(.16)***
Malawi			.95(.14)***	.95(.14)***
Mali			1.39(.15)***	1.3(.15)***
Namibia			1.49(.15)***	1.58(.15)***
South Africa			1.31(.15)***	1.36(.15)***
Tanzania			1.11(.13)***	1.12(.13)***
Uganda			1.76(.12)***	1.78(.13)***
Zambia			1.0(.16)***	1.03(.16)***
Zimbabwe			-----------	------------
Male				-.022(.022)
Education: No formal				.19(.052)**
Primary				.16(042)**
Secondary				.10(.04)
Post secondary				------------
Note voted in election[84]				-.11(.027)***
Age				-.0009(.0008)
Civic Participation score				.041(.011)**
Rejection of traditional rule				.016(.009)*
RANDOM EFFECTS				
Level one variance (Residual)	1.39(.017)***	1.39(.017)***	1.39(.017)***	1.38(.018)***
Explained variation				
Level two variance (Regions)	.30(.03)***	.296(.039)***	.097(.015)***	.096(.015)***
Level one N	13880	13583	13583	12252
Level Two N	145	145	145	145

Notes: ***= <.001, **= <.05, *= < 0.1

However, since our interest in urban-rural difference, I estimated separate models for

each country (Table 3.3) to determine further reasons why the urban predictor for the whole

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[82]Versus rural residents

[83]Versus primarily ethnic identifying

[84]Versus voted in previous election

sample ceased to be significant. The table is a summary of the significance and direction of effect of urban residency and ethnic self-identification variables. In our earlier hypotheses, we developed that urban residents score higher on the constitutional legitimacy scale where as non-ethnicists would score more than ethnic identifying citizens. The **bold** in the boxes indicates a significant coefficient where as the columns indicate an increasing (+) or decreasing (-) value of the indicator variables; that urban residency and non-ethnic identification.[85] The gray boxes indicate the hypothesized direction of the effect of the indicator. Our results show a mixed result. For urban-rural difference, the only significant difference observed is for Malawi, South Africa and Zambia and the exact nature of the difference is that urban citizens still score less on constitutional legitimacy. All other southern African countries also have a negative coefficient for urban residency but the differences are not statistically significant.

On the other hand, the two east African countries, Uganda and Tanzania and Mali from West Africa have the hypothesized positive sign of urban residency on constitutional legitimacy score even if the coefficients are not statistically significant. When it comes to self-identification, the only three countries with statistically significant values are Mali, Uganda and Zimbabwe. In Mali, people who do not identify with any ethnic category score higher on Constitutional legitimacy scale compared to those who primarily identify with an ethnic category. In contrast, in Uganda and Zimbabwe, people who identify with ethnic categories score more than those who do not self identify with an ethnic category. It is the results observed in Mali that go along with our hypothesized relationships. These results

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[85]These are the same model with random regional variation and all the individual main and demographic and political variables but estimated separately for each country.

merit further interpretation and will return to it when we add region level independent

variables and interactive effects to the models.

Table 3.3. Summary of Main Predictors by Country (Model 4)

Constitutional legitimacy by Regional variation (Model 4)		
	Decrease (-)	**Increase (+)**
Urban residency	Botswana Lesotho **Malawi** Namibia **South Africa** **Zambia** Zimbabwe	Mali Tanzania Uganda
Non- Ethnic identification	Malawi Namibia South Africa Tanzania **Uganda** **Zimbabwe**	Botswana Lesotho **Mali** Zambia

Note: These are the same as in model 4 with random regional variation and all the individual main and
demographic and political variables but estimated separately for each country.
Gray boxes indicate the hypothesized direction of the effect of the indicator
The first column represents negative coefficients and the second column positive coefficient of the two
predictors for each country models.
Bold interface indicates that the coefficient was statistically significant at the .05 levels.
The comparisons are urban versus rural residents, and not-ethnicist versus ethnicist.

Regional urbanization and ethnic consolidation as predictors

In general, the inclusion of the two regional variables - region's urbanization and ethnicism (table 3.4) increase the average level of constitutionalism score for all regions (from 2.0 in model 4 to 2.6 in the interactive models). Model 5 includes the grand mean centered variables of urbanization and ethnicism for each region included in the sample.[86] The results are very interesting. An increase in a region's level of urbanization and ethnicism decrease constitutionalism among its member citizens. The size effect is bigger and stronger for ethnicism. The effect of regional ethnic consolidation makes sense, but regional urbanization was hypothesized to increase level of constitutionalism. We do not see any significant change in our two main independent variables or other predictors in general.

Earlier in the chapter, I hypothesized that there is an interactive effect of urbanization and ethnicism at the individual and regional level, and so, in subsequent models I add interactive effects of the individual and regional variables. Model six includes the interactive effects of individual urban residency and regional urbanization and ethnic consolidation. The results are interesting in that we find that there are no significant interactive effects for both urbanization and ethnic consolidation but in this model the individual urban residency variable becomes negative and statistically significant coefficient. That is, even after taking t the regional effects into account, urban residents score relatively less than rural residents. The interpretation is that irrespective of someone's region's level of urbanization and ethnic consolidation, urban citizens are less in favor of constitutionalism, whereas an increase in a

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[86]To help with our interpretation the regional variables are centered on their mean, so the coefficients can be interpreted as changes in constitutional legitimacy score where there is one standard unit change from the mean of regional urbanization and ethnic consolidation.

region's urbanization and ethnic consolidation overall decreases the level of constitutionalism for the region.

A separate interactive model of ethnic self-identification and regional urbanization and ethnic consolidation yields some different results. In this model, the urban deficit in constitutionalism both at the individual and regional level is not significant any more. However, regions with high level of ethnic consolidation have a lesser score on constitutionalism on average. Model 8 includes the main and interactive effects of all the variables used in the previous two models. The results are somewhat different and more meaningful. In this model, as in model 6, urban citizens score less irrespective of their regions' urbanization and ethnic consolidation but individual self-identification does not produce difference in constitutionalism. In addition, a region's level of urbanization does not affect the level of constitutionalism among regions while increase in regional level of ethnic consolidation greatly decreases sense of constitutionalism among regions. This in interesting in that, urban residency is important in explaining individual differences whereas ethnic identification is significant in explaining regional differences.

To help us compare the results that include regional variables and interactions with individual variables, I estimated individual country models and I report the similar results that were reported earlier in table 3.3. The separate models for each country are equivalent of model 8 and I report the direction and effect of the two main variables in table 3.5.

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Table 3.4) HLM models of constitutional legitimacy by regional variation with region level predictors and interactive effects

Dependent Variable: Constitutional Legitimacy				
Variables	Model 5	Model 6	Model 7	Model 8
Level one:				
Intercept	2.6(.16)***	2.62(.16)***	2.53(.17)***	2.57(.17)***
Urban residents[87]	-.031(.028)	-.11(.063)*	-.030(.028)	-.11(.063)*
Non-Ethnic identifying[88]	.036(.029)	.035(.029)	.11(.077)	.10(.077)
Country: Botswana	1.15(.16)***	1.13(.15)***	1.13(.15)***	1.13(.16)***
Lesotho	1.11(.17)***	1.09(.17)***	1.09(.17)***	1.09(.17)***
Malawi	.96(.14)***	.96(.13)***	.96(.13)***	.96(.14)***
Mali	1.34(.15)***	1.35(.15)***	1.35(.15)***	1.35(.15)***
Namibia	1.6(.14)***	1.60(.14)***	1.60(.14)***	1.60(.14)***
South Africa	1.28(.15)***	1.28(.15)***	1.28(.15)***	1.28(.15)***
Tanzania	.81(.15)***	.80(.15)***	.80(.15)***	.79(.14)***
Uganda	1.52(.14)***	1.5(.14)***	1.5(.14)***	1.5(.14)***
Zambia	.84(.16)***	.84(.16)***	.84(.16)***	.84(.16)***
Zimbabwe	---	---	---	---
Male	-.021(.022)	-.021(.021)	-.021(.021)	-.021(.021)
Education: No formal	.19(.052)**	.19(.051)**	.19(.052)**	.19(.052)**
Primary	.16(042)**	.17(041)***	.17(042)**	.17(042)**
Secondary	.10(.04)**	.10(.04)**	.10(.04)**	.10(.04)**
Post secondary	---	---	---	---
Note voted in election[89]	-.11(.027)***	-.11(.027)***	-.11(.027)***	-.11(.027)***
Age	-.0008(.0008)	-.0008(.0008)	-.0008(.0008)	-.0008(.0008)
Civic Participation score	.04(.01)**	.040(.01)**	.040(.01)**	.040(.01)**
Rejection of traditional rule	.016(.009)*	.017(.009)*	.016(.009)*	.017(.009)*
Regional Urbanization	-.24(.12)*	-.32(.14)*	-.15(.14)	-.24(.17)
Regional ethnicism	-.91(.26)**	-.98(.26)**	-.85(.28)**	-.92(.28)**
Urban residents * Regional Urbanization		.12(.13)		.12(.13)
Urban residents * Regional ethnicism		.18(.15)		.17(.15)
Non-Ethnic identifying * Regional Urbanization			-.11(.09)	-.11(.09)
Non-Ethnic identifying * Regional ethnicism			-.075(.18)	-.08(.18)
RANDOM EFFECTS				
Level one variance (Residual)	1.38(.018)***	1.38(.018)***	1.38(.018)***	1.38(.018)***
Level two variance (AREA)	.083(.014)***	.083(.014)***	.083(.014)***	.083(.014)***
Level one N	12252	12252	12252	12252
Level Two N	145	145	145	145

   Notes: ***= <.001, **= <.05, *= < 0.1

[87]Versus rural residents

[88]Versus primarily ethnic identifying

[89]Versus voted in previous election

The results are quite different from what we saw earlier when we estimated separate country models of model 4. One marked difference is most countries now fall under the hypothesized column for both urban residency and ethnic identification. In addition we see a total shift of the direction of effect for some countries. For example, Mali, Tanzania and Uganda had the expected direction in our previous summary but now the urban variables are negative and the urban-rural variable is significant for Tanzania. Along with Tanzania, Botswana has a negative urban variable, indicating that urban residency decrease constitutionalism score. On the other hand, out of the six countries that have the expected sign of urban variables, the only significant urban-rural difference is for Lesotho. With respect to ethnic identification, all countries but Tanzania and Zambia have the expected direction of effect but the difference between those who ethnically self identify and the rest are not statically significant. Again, Tanzania is the only country with a significant difference wherein those who do not self-identify with an ethnic category score less on constitutionalism. Tanzania clearly is a unique case where rural residency and ethnic self-identification becomes very important in increasing constitutional legitimacy. I suspect this might have something to do with the history of revolutionary ideology in Tanzania where there was a great deal of mobilization in the rural areas.

To sum this section, contrary to our hypothesis we find that urban citizens are relatively low in their constitutional score even after taking into account individual factors as well as regional variations in the proportion of urban population and proportion of people who self identify ethnically. It is interesting that no matter what kind of region or district one belongs- in terms of the region's levels of urbanization and ethnicism- overall urban citizens

express less agreement that the constitution represents their values and aspirations. Botswana and Tanzania are the two typical cases of this trend and only Lesotho represents an opposite direction where urban residency increases attachment to national constitution. Ethnic identification has a negative effect on constitutionalism as hypothesized but its effect is only significant at the regional level. Regions with greater level of ethnic consolidation have lower constitutional scores but there is no significant difference for most countries but Tanzania.

Table 3.5. Summary of Main Predictors by Country Including Regional Main and Interactive Effects (Model 8)

Constitutional legitimacy by Regional variation (Model 8)		
	Decrease (-)	**Increase (+)**
Urban residency	**Botswana** Mali **Tanzania** Uganda	**Lesotho** Malawi Namibia South Africa Zambia Zimbabwe
Non- Ethnic identification	**Tanzania** Zambia	Botswana Lesotho Malawi Mali Namibia South Africa Uganda Zimbabwe

Note: These are the same as in model 8 with random regional variation and all the individual main and demographic and political variables and regional main and interactive variables but estimated separately for each country.
Gray boxes indicate the hypothesized direction of the effect of the indicator
The first column represents negative coefficients and the second column positive coefficient of the two predictors for each country models.
Bold interface indicates that the coefficient was statistically significant at the .05 levels.
The comparisons are urban versus rural residents, and not-ethnicist versus ethnicist.

Ethnic Variations of Constitutional Legitimacy

In our earlier discussion and hypotheses we have shown that, ethnic categories are very important factors in determining their members' perception of the political system. Thus, I estimate models that take into account inter and intra ethnic variation of constitutional legitimacy and the results are summarized in table 3.6. The intercept of constitutional legitimacy for the first model is 3.75 (p<. 001) and it indicates the grand mean on constitutional legitimacy score among respondents from different ethnic groups and countries when we allowed the model to have a randomly varying effect of ethnic groups on legitimacy. It is the average value of constitutional legitimacy for ethnic groups. The variance estimates suggest that ethnic groups differ in their average score of constitutional legitimacy (τ_{00} = .17, p<. 001) and that there is even more variation among citizens with in those ethnic groups (σ^2= 1.43, p<. 001). The variance within ethnic groups is by far greater than the variance among ethnic groups as was for regional differences.

The results are interesting in that they show that ethnic groups differ in their constitutionalism score while the variation among citizens within each of those regions is greater in magnitude. This is a good evidence for not taking ethnic groups as homogenous categories and against exaggerating inter-ethnic variations. These results are what we would be expected as public opinion is definitely going to be dependent on ethnic group membership. However, it is interesting that we find the within ethnic group variation in constitutional variation to be far greater than the difference among members of the ethnic groups. Note here that some of the ethnic groups in the analysis are located in more than one country. Again, my main interest in this dissertation is the hypothesized variation between

the urban-rural, duality and sense of ethnicity of citizens, not simply their memberships in ethnic groups.

Thus, in model 2, the two main individual categorical indicators are added. The inclusion of these variables does not change the overall trend observed in our baseline model but it demonstrates that there is significant rural-urban and type of self-identification difference in constitutional legitimacy. Similar to our regional models, overall urban residents have lesser scores of legitimacy score than rural residents. On the other hand, citizens who do not self-identify with ethnic category have a much higher score of constitutionalism than those who self-identified with an ethnic category. Subsequently, model 3 includes country indicators. Results show that, the observed variation among ethnic groups is reduced by 58 percent (i.e. .16 to .068) and there is still significant urban-rural type of self-identification difference in constitutional legitimacy. As to the cross national difference, when we take Zimbabwe, a country with the lowest score on constitutional mean score, all countries have significantly higher constitutional score results from Zimbabwe. However, the addition of country indicators does not reduce the observed variability within the ethnic groups.

In model four, I add the same individual level predictors such as demographic and political variables. The addition of these individual level variables does not result in any major change in the significance or direction our main independent variables. The significant urban-rural-and type of self-identification difference observed in previous models is still significant. Actually, the size effect of the ethnic identification variables increases from

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previous models. However, the ethnic group level average score of constitutionalism is much lower (from 3.75 in model 1 to 2.25 in model 4). This indicates that a big part of the inter-ethnic variation is explained by differences in education, civic membership and voting of their members. That is, ethnic groups have different educational, civic association and voting behavior patterns that place them at different level in our constitutional legitimacy scale.

As in the regional models, I estimate separate models for each country (Table 3.7). The table is a summary of the significance and direction of effect of urban residency and ethnic self-identification variables. Our results show a mixed result. For urban-rural difference, the only significant difference observed is for Malawi, South Africa and Zambia and the exact nature of the difference is that urban citizens have lower score on constitutional legitimacy. All other southern African countries also have a negative coefficient for urban residency, but the differences are not statistically significant. On the other hand, the two east African countries, Uganda and Tanzania and Mali from West Africa have the hypothesized direction of urban effect on constitutional legitimacy score even if the variation is not statistically significant. When it comes to self-identification, the only three countries with statistically significant values are Mali, Uganda and Zimbabwe. In Mali, people who do not identify with ethnic category score more on Constitutional legitimacy compared to those who primarily identify with an ethnic category. In contrast, in Uganda and Zimbabwe, ethnicists score higher than non-ethnicists. One interesting finding here is that in countries that have

had revolutionary history like Uganda and Zimbabwe, it is self-identification with ethnicity that increases citizens' evaluation of the constitutions as legitimate.[90]

Table 3.6 HLM models of Constitutional legitimacy by ethnic groups with individual predictors

Dependent variable: Constitutional Legitimacy				
Variables	Model 1	Model 2	Model 3	Model 4
Intercept	3.75(.05)***	3.72(.05)***	2.45(.12)***	2.25(.14)***
Urban residents[91]		-.10(.02)***	-.093(.023)***	-.054(.025)**
Non-Ethnic identifying[92]		.091(.027)**	.093(.027)**	.13(.029)***
Country: Botswana			.83(.14)***	.86(.15)***
Lesotho			.62(.15)***	.70(.16)***
Malawi			.82(.14)***	.85(.15)***
Mali			1.35(.14)***	1.31(.15)***
Namibia			1.42(.13)***	1.54(.14)***
South Africa			1.07(.12)***	1.12(.13)***
Tanzania			1.32(.13)***	1.31(.14)***
Uganda			1.71(.13)***	1.74(.14)***
Zambia			.96(.13)***	1.02(.14)***
Zimbabwe[93]			-----------	-------------
Male				-.007(.022)
Education: No formal				.15(.052)**
Primary				.16(.042)**
Secondary				.099(.04)**
Post secondary				----------
Not voted in election[94]				-.11(.027)***
Age				.0005(.0008)
Civic Participation score				.021(.011)*
Rejection of traditional rule				.016(.009)*
RANDOM EFFECTS				
Level one variance (Residual)	1.43(.017)***	1.43(.017)***	1.41(.017)***	1.41(.018)***
Level two variance (ETHNIC)	.17(.032)	.16(.031)***	.068(.016)***	.064(.016)***
Level one N	13889	13586	13586	12253
Level Two N	86	86	86	86

Notes: ***= <.001, **= <.05, *= < 0.1

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[90]This probably could be interpreted as a sign of revolutionary histories that neutralized sub-national identities such as ethnicity and that there is resurgence to ethnicity and in this context attachment with that ethnicity makes citizens closer to their national constitutions.

[91]Versus rural residents

[92]versus primarily ethnic identifying

[93]Reference country

[94]Versus voted in previous election

Table 3.7. Summary of Main Predictors by Country (Model 4)

Constitutional legitimacy by Ethnic groups variation (Model 4)		
	Decrease (-)	**Increase (+)**
Urban/rural	Botswana Lesotho **Malawi** Namibia **South Africa** **Zambia** Zimbabwe	Mali Tanzania Uganda
Non- Ethnic identification	Malawi Namibia South Africa **Uganda** **Zimbabwe**	Botswana Lesotho **Mali** Tanzania Zambia

Note: These are the same as in model 4 with random Ethnic variation and all the individual main and demographic and political variables but estimated separately for each country.
         Gray boxes indicate the hypothesized direction of the effect of the indicator
         The first column represents negative coefficients and the second column positive coefficient of the two predictors for each country models.
         Bold interface indicates that the coefficient was statistically significant at the .05 levels.
        The comparisons are urban versus rural residents, and not-ethnicist versus ethnicist.

Ethnic Group's Urbanization and Ethnic Identity Consolidation

The addition of the Ethnic group's Urbanization and ethnic identity consolidation variables show different results from that of the regional model. The results are summarized in table 3.8. Throughout the models the urban variable remains the same in its direction and significance. In general, individual urban residency and ethnic self-identification decrease constitutionalism score. The addition of each ethnic group's proportion of urban population and proportion of ethnically identifying members within that ethnic group do not affect the variation in constitutional legitimacy score among the different ethnic groups. Thus, urban residency and ethnic identification are important predictors of the variations within members of ethnic groups but they do not account for the constitutional differences across ethnic groups. In addition, once we account for the interaction between one's ethnic identification

and their ethnic group's level of self-identification, the individual difference in ethnic self identification ceases to exist (models 7 and 8). So if there was any difference in individual self-identification it was a result of the strength of ethnic identification for all the members of each ethnic group.

The addition of interactive effects of urbanization and ethnic identification at the individual and ethnic group levels show some unexpected results. We do not find any significant interactive effects for all factors except in the interaction between urban residency and ethnic group's level of ethnic consolidation. In models 6, 7 and 8, this interaction effects remain consistently significant and positive. This can be interpreted as follows: even though individual urban residency decreases constitutionalism score, for urban residents who belong to ethnic groups with higher levels of ethnic consolidation, the constitutional score is higher than their rural counterparts. That is, the .22 deficit of urban residency is converted to .22 gains (-.22 + .44) for each standard unit increase in consolidation of ethnic identity in one's ethnic group. *Interestingly, this result shows that the strength of ethnic identity is helpful for urban citizens in increasing their attachment to their constitutions.* This is not what we earlier hypothesized but it does clearly show that ethnic identification does not necessarily lead to decreasing attachment to national values such as constitutionalism.[95] Instead, a high degree of ethnic attachment produces more attachment to constitutions among urban citizens.[96]

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[95]I go into details in this issue in the following chapter when I look into the relationship between national and group identity and how they differ along urban residency and ethnic identification.

[96]One important variable to include here would have been the timing of residency in urban areas, or differentiating migrants' from long term residents. Since the status of migrants is very important as they provide a link between the rural customary and the urban civil order. Unfortunately, the data limitation does not allow me to determine that. But since the interactive effect is on the general ethnic identity consolidation for the

This result becomes more interesting when we also note that the interactive effects of individual urban residency and ethnic group's level of urbanization are not significant. That is, whether an ethnic group is highly urbanized or not does not make any difference in the variation observed between urban and rural citizens. In addition, individual ethnic identification does not interact with ethnic group urbanization and ethnic consolidation. So, ethnic self-identifying individuals do not in any significant way score more or less than those who do not self identify with ethnic category irrespective of their ethnic groups' urbanization and ethnic consolidation levels. This in interesting in that, ethnic identification is not important at the individual level or at the ethnic group level in explaining variations in constitutionalism among citizens.

To further compare the differences these interactive models make on our main independent variables cross-nationally, I run separate models for each country equivalent to model 8 and I report the direction and effect of the two main variables in table.3.9. In line with the overall negative coefficient of the urban variable, most countries fall under that box but only Lesotho and Malawi has significant coefficients that differentiate urban and rural residents. South Africa and Namibia, countries that had significant coefficients earlier, do not show any fundamental difference now. Instead, Namibia has a positive coefficient now, and along with Mali, urban residents score higher on constitutional legitimacy. These two countries fall into our expected direction of our hypotheses. Tanzania has shifted position again here and Uganda maintains its positive but insignificant urban variable.

whole ethnic group, the results can be interpreted such that people who come from those ethnic groups with strong attachment and live in cities, possibly in interaction with members of other ethnic groups unlike those in rural area that tend to be mainly ethnically homogenous, that makes them feel closer to the nation-state and hence its constitution.

Table 3.8 HLM models of constitutional legitimacy by ethnic variation with ethnic level predictors and interactive effects

Dependent variable: Constitutional Legitimacy				
Variables	Model 5	Model 6	Model 7	Model 8
Individual variables:				
Intercept	2.29(.18)***	2.34(.18)***	2.35(.19)***	2.40(.20)***
Urban residents[97]	-.054(.025)**	-.22(.068)**	-.054(.025)**	-.22(.069)**
Non-Ethnic identifying[98]	.12(.029)***	.12(.029)***	.055(.097)	.054(.097)
Country: Botswana	.86(.15)***	.86(.15)***	.86(.15)***	.86(.15)***
Lesotho	.70(.16)***	.65(.16)***	.70(.16)***	.65(.16)***
Malawi	.85(.15)***	.85(.15)***	.85(.15)***	.85(.15)***
Mali	1.32(.16)***	1.32(.16)***	1.32(.16)***	1.32(.16)***
Namibia	1.55(.14)***	1.55(.14)***	1.55(.14)***	1.55(.14)***
South Africa	1.12(.13)***	1.12(.12)***	1.12(.12)***	1.22(.12)***
Tanzania	1.29(.15)***	1.27(.15)***	1.29(.15)***	1.27(.15)***
Uganda	1.72(.15)***	1.70(.15)***	1.71(.15)***	1.70(.15)***
Zambia	1.0(.14)***	1.02(.14)***	1.01(.14)***	1.02(.14)***
Zimbabwe[99]	-------------	-------------	-------------	-------------
Male	.007(.022)	.007(.022)	.007(.022)	.007(.022)
Education: No formal	.15(.052)**	.16(.052)**	.15(.052)**	.16(.052)**
Primary	.16(.042)**	.16(.042)**	.16(.042)**	.16(.042)**
Secondary	.099(.04)**	.097(.04)**	.099(.04)**	.097(.04)**
Post secondary	----------	----------	----------	----------
Not voted in election[100]	-.11(.027)***	-.11(.027)***	-.11(.027)***	-.11(.027)***
Age	.0005(.0008)	.0005(.0008)	.0005(.0008)	.0005(.0008)
Civic Participation score	.021(.011)*	.022(.011)**	.021(.011)*	.022(.011)**
Rejection of traditional rule	.016(.009)*	.016(.009)*	.016(.009)*	.016(.009)*
Ethnic variables				
Ethnic group's Urbanization	-.04(.19)	-.12(.21)	-.16(.23)	-.25(.24)
Ethnic group's ethnicism	-.10(.27)	-.25(.27)	-.14(.31)	-.28(.31)
Cross level interactions				
Urban residency * Ethnic group's Urbanization		.18(.14)	.18(.14)	.18(.14)
Urban residency * Ethnic group's ethnicism		.44(.16)**	.44(.16)**	.44(.16)**
Non-Ethnic identifying * Ethnic group's Urbanization			.15(.14)	.15(.14)
Non-Ethnic identifying * Ethnic group's ethnicism			.014(.20)	.013(.20)
RANDOM EFFECTS				
Level one variance (Residual)	1.41(.018)***	1.40(.018)***	1.41(.018)***	1.40(.018)***
Level two variance (LANGUAGE)	.064(.016)***	.065(.017)***	.065(.016)***	.065(.017)***
Level one N	12253	12253	12253	12253
Level Two N	86	86	86	86

    Notes: ***= <.001, **= <.05, *= < 0.1

[97]Versus rural residents

[98]versus primarily ethnic identifying

[99]Reference country

[100]Versus voted in previous election

With respect to ethnic identification, we see fundamental changes from the summary in table 3.7. In our latest model that includes interactive effects of ethnic and individual factors, seven out of ten countries fall into our expected direction, as opposed to half of them in the previous model. We also notice that some countries show fundamental changes. The two countries that in the previous model had a significant negative coefficient for non-ethnic identification, Uganda and Zimbabwe, now have a positive coefficient. Uganda and Lesotho have a significant coefficient indicating that not identifying with an ethnic category increases constitutional score. Conversely, Botswana and Tanzania have now shifted into a significant negative coefficient indicating that it is ethnic self-identification that increases constitutional score of citizens. The effect for Tanzania is consistent with that of regional variation models. The findings for Botswana also concur with the arguments by Nyamnjoh (2003) and Werbner (2002) who indicated that there is a shift towards ethnic traditionalism and chieftaincy in Botswana.

To summarize this section, contrary to our hypothesis we find that urban citizens are relatively low in their constitutional score even after taking into account individual factors as well as ethnic variations in the proportion of urban population and proportion of people who identify primary ethnically. However, urban citizens who belong to groups with high level of ethnic identification express more constitutional legitimacy than rural citizens and urban citizens from ethnic groups with less ethnic identity consolidation . Ethnic identification does not have any significant effect at the individual and regional level. One interesting finding is that ethnic identity consolidation has an increasing effect on constitutionalism for urban residents. In contrast, a region's strength in ethnic consolidation reduces the constitutional

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score for urban citizens. This could be because regions compose of different ethnic groups

and to have several ethnic groups with that level of ethnic identity consolidation might make

urban residents less close to their constitutions.[101]

Table 3.9. Summary of Main Predictors by Country Including Ethnic Main and Interactive Effects (Model 8)

Constitutional legitimacy by Ethnic groups variation (Model 8)		
	Decrease (-)	**Increase (+)**
Urban residency	Botswana **Lesotho** **Malawi** South Africa Tanzania Zambia Zimbabwe	Mali Namibia Uganda
Non- Ethnic identification	**Botswana** Namibia **Tanzania**	**Lesotho** Malawi Mali South Africa **Uganda** Zambia Zimbabwe

Note: These are the same as in model 4 with random Ethnic variation and all the individual main and demographic and political variables but estimated separately for each country.
Gray boxes indicate the hypothesized direction of the effect of the indicator
The first column represents negative coefficients and the second column positive coefficient of the two predictors for each country models.
Bold interface indicates that the coefficient was statistically significant at the .05 levels.
The comparisons are urban versus rural residents, and not-ethnicist versus ethnicist.

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[101]In the near future, I will collect information on each region's ethnic diversity to use it as a predictor of regional variation on constitutionalism score.

Traditional Power

Regional Variations on Rejection of Traditional Power

The results from the regional multilevel models are summarized in table 3.10. The intercept of traditional power for the first model is 2.07 (p<. 001) and it indicates that the grand mean on the rejection of traditional power among respondents from different regions and countries when we allowed the model to have a randomly varying effect of regions on traditional authority. This is the average value of rejection of traditional authority for all regions in the sample. The variance estimates suggest that national regions differ in their average score of traditional authority (τ_{00} = .23, p<. 001) and that there is even more variation among citizens with in those regions (σ^{2}= 1.6, p<. 001). The variance within regions is by far greater than the variance among regions. The results are the same as in previous models.

In model 2, I again add the two main individual categorical indicators to the model. The inclusion of these variables does not change the overall trend observed in our baseline model but it demonstrates that there is significant rural-urban and self-identification difference in rejection of traditional authority. Similar to our constitutional legitimacy models, urban residents score less than rural residents in their rejection of traditional forms of authority. On the other hand, citizens who self-identified with an ethnic category are more likely to report rejection of traditional authority. The latter finding is an opposite of what we found the effect of ethnicism to be on constitutional legitimacy. Model three, includes country indicators. Results show that, the observed variation among ethnic groups is reduced

by 62 percent (i.e. .22 to .084) and there is still statistically significant urban-rural and type of self-identification difference in rejecting traditional authority.

However, the grand mean or intercept of regions increases in model three when we account for national differences.[102] Another interesting finding here is that unlike previous models, not all countries have a higher score than our reference country of Zimbabwe. Rather, it is only Mali, Tanzania and Uganda that have any significant difference from Zimbabwe in their average score of rejection of traditional authority. When I estimated descriptive statistic on the variable rejection of traditional rule, Mali was the country with the highest levels of rejection of traditional authority where as Tanzania and Uganda had the lowest scores. The same trends are shown in this HLM model. So in a way, these three countries seem to be following different patterns than the rest of the countries. Tanzania to me is an interesting example where it has had a socialist radical regime experience that could have transformed both rural and urban society by integrating them under one unitary institutional regime but its citizens still hold higher values for traditional authority. Likewise, Uganda had a revolutionary experience in the sphere of customary authority as a result of the NRM introduction of one national customary law that goes hand in had with the modern common law. However, Uganda had also allowed for the Buganda monarchy to assume symbolic customary authority. It seems that countries that have attempted to reform the customary or traditional sector also produce citizens who retain strong attachment to traditional sources of authority. The case of Mali is interesting as it is the country with an established history of customary leadership existing in the postcolonial period.

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[102]I am puzzled by this value. I interpret it as to mean: if all countries were the same, or if there were no cross-national differences, the average value of rejection of traditional power would have been much higher than the average.

Dependent variable: Rejection of Traditional rule				
Variables	Model 1	Model 2	Model 3	Model 4
Level one:				
Intercept	2.07(.04)***	2.2(.05)***	2.42(.10)***	1.94(.12)***
Urban residents[103]		-.18(.27)***	-.19(.03)***	-.11(.03)**
Non-Ethnic identifying[104]		-.095(.028)**	-.08(.03)**	-.071(.031)**
Country: Botswana			-.19(.15)	-.20(.15)
Lesotho			.047(.14)	.063(.15)
Malawi			-.12(.13)	-.11(.13)
Mali			.71(.14)***	.57(.14)**
Namibia			.048(.13)	.007(.14)
South Africa			.069(.14)	.16(.14)
Tanzania			-.69(.12)***	-.67(.12)***
Uganda			-.50(.11)***	-.51(.12)***
Zambia			.28(.15)*	-.26(.023)*
Zimbabwe			--------	----------
Male				-.063(.023)*
Education: No formal				.48(.050***
Primary				.32(.04)***
Secondary				.17(.04)***
Post secondary				------------
Not voted in election[105]				.06(.029)**
Age				.0003(.0009)
Civic Participation score				.073(.011)***
Constitutional legitimacy				.018(.0096)*
RANDOM EFFECTS				
Level one variance (Residual)	1.6(.019)***	1.6(.019)***	1.6(.19)***	1.54(.02)***
Level two variance (REGIONS)	.226(.03)***	.22(.03)***	.084(.013)***	.078(.013)***
Level one N	15104	14776	14776	12252
Level Two N	145	145	145	145

Notes: ***= <.001, **= <.05, *= < 0.1

In model four, I add the same individual level predictors such as demographic and political variables. The addition of these individual level variables does not result in any major change in the significance or direction our main independent variables. The significant urban-rural and type of self-identification difference observed in previous models still exists.

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[103]Versus rural residents

[104]Versus primarily ethnic identifying

[105]Versus voted in previous election

However, the regional level average score of traditional authority is the lowest in all the models (from 2.42 in model 3 to 1.94 in model 4). The effect of all other control variables is till the same but for the first time in this model, males are less likely than females to reject traditional forms of authority. This is not surprising if we think that traditional authorities had historically privileged males over females.

I also estimate separate models for each country (Table 3.11). The separate country models indicate that cross-nationally rejection of traditional rule is not an urban or rural phenomenon. For urban-rural difference, the only significant difference observed is for Malawi, and South Africa and the exact nature of the difference is that urban citizens score less on the rejection of traditional authority. Like the previous regional model, all other southern African countries including Mali have a negative coefficient for urban residency but the differences are not significant. On the other hand, the two east African countries, Uganda and Tanzania have the hypothesized direction of higher urban rejection of traditional authority, but are not statistically significant. The only two countries with statistically significant values of ethnic identification are Uganda and Zimbabwe- in both countries ethnically identifying citizens reject traditional authority more than those who do not self-identify with an ethnic identity. These significant results are contrary to the hypotheses developed earlier. Botswana, Lesotho, Mali and Zambia have the hypothesized sign but the effect size comes short of being statistically significant to warrant meaningful interpretation. In the following section, I include regional predictors of rejecting traditional forms of power.

Table 3.11: Summary of Main Predictors by Country (Model 4)

Rejection of Traditional rule by Regional variation (Model 4)		
	Decrease (-)	**Increase (+)**
Urban residency	Botswana Lesotho **Malawi** **South Africa** Mali Namibia Zambia Zimbabwe	Tanzania Uganda
Non- Ethnic identification	Malawi Namibia South Africa Tanzania **Uganda** **Zimbabwe**	Botswana Lesotho Mali Zambia

Note: These are the same as in model 4 with random regional variation and all the individual main and
         demographic and political variables but estimated separately for each country.
         Gray boxes indicate the hypothesized direction of the effect of the indicator
         The first column represents negative coefficients and the second column positive coefficient of the two
         predictors for each country models.
         Bold interface indicates that the coefficient was statistically significant at the .05 levels.
         The comparisons are urban versus rural residents, and not-ethnicist versus ethnicist.

Regional urbanization and ethnic consolidation as predictors

The models with regional urbanization and ethnic consolidation as predictors are

summarized in table 3.12. Model 5 includes the grand mean centered variables of

urbanization and ethnicism for each region included in the sample. Unlike the constitutional

model, where an increase in a region's level of urbanization and ethnicism was associated

with a decrease in constitutionalism, regional urbanization and ethnic consolidation do not

have any significant effect on the rejection of traditional power. Also, the addition of these

two regional predictors does not in any significant way change the size and direction of the

effect of our two main independent variables or other predictors in general. In this model, as

in model 4, urban residency decreases rejection of traditional power where as ethnic identification increases rejection of traditional rule (or in other words those who do not identify with ethnic category are less likely to reject traditional forms of rule).[106]

In subsequent models, I add interactive effects of the individual and regional variables. Model six includes the interactive effects of individual urban residency and regional urbanization and ethnic consolidation. We find that there is no significant interactive effects of urban residency with regional urbanization and but there is a significant interactive effect for ethnic consolidation. This significant interactive effect makes the previously observed significant individual urban residency coefficient not significant. That is, after regional and ethnic consolidations are taken into account, urban citizens are not different from rural citizens in their degree of rejecting traditional power. A separate interactive model (Model 7) of ethnic self-identification and regional urbanization and ethnic consolidation yields the same results. There are no significant interactive effects for individual ethnic identification with regional urbanization but there is an interactive effect with regional ethnic consolidation. In this model, there is no significant effect of regional variables as well and the significant difference in ethnic identification is not existent anymore.

In both models 6 and 7, as well as the combined model 8, the interactive effect of regional ethnic consolidation with the urban and ethic identification variables is negative and significant. This can be interpreted as an increase in regional consolidation of ethnic identity reduces the score for urban residents as compared to rural residents. In other words, the

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[106]This goes inline with the arguments made earlier in the chapter that it is those who have experiences with traditional power that are more likely to reject it. And we can interpret self-identification with ethnic category as an indirect way of getting at experiencing with ethnic category.

difference between urban and rural citizens observed would not have existed if it were not for the level of regional ethnic identification. This is evident in that the addition of interactive terms makes the urban variable insignificant and the effect size of the urban variable and the interactive term is equivalent (.039) showing that if ethnic consolidation was equal to the mean average for all regions, there would not be any urban-rural difference among members of each region. Along the same line, ethnicist and non-ethnicists would not have had different degrees of rejecting traditional power if the ethnic identity consolidation was the same for all regions. Thus, being a non-ethnicist individual but belonging to a region with high ethnic consolidation reduces one's level of rejection of traditional power. In sum, the observed differences among urban and rural citizens as well those individuals who take ethnicity as their primary identity and the rest of citizens are a reflection of regional consolidation of ethnic identities.

Table 3.12: HLM models of Rejection of Traditional rule by regional variation with ethnic level predictors and interactive effects

Dependent variable: Rejection of Traditional rule (regions)				
Variables	Model 5	Model 6	Model 7	Model 8
Level one:				
Intercept	1.8(.16)***	1.73(.16)***	1.84(.17)***	1.77(.17)***
Urban residents[107]	-.11(.03)**	.037(.066)	.11(.03)**	.039(.066)
Non-Ethnic identifying[108]	-.067(.030)**	-.066(.031)**	-.13(.081)	-.13(.08)
Country : Botswana	-.19(.15)	-.16(.15)	-.19(.15)	-.16(.15)
Lesotho	.13(.17)	.15(.17)	.16(.17)	.18(.17)
Malawi	-.11(.14)	-.11(.14)	-.01(.14)	-.11(.14)
Mali	.56(.15)**	.56(.15)**	.57(.15)**	.57(.15)**
Namibia	.004(.14)	.004(.14)	.006(.14)	.007(.14)
South Africa	.19(.15)	.18(.15)	.19(.15)	.18(.15)
Tanzania	-.60(.15)***	-.59(.15)***	-.58(.15)***	-.56(.15)**
Uganda	-.47(.14)**	-.44(.14)**	-.46(.14)**	-.43(.14)**
Zambia	-.21(.16)	-.23(.16)	-.19(.16)	-.21(.16)
Zimbabwe	----------	----------	----------	----------
Male	-.063(.023)**	-.063(.023)**	-.063(.023)**	-.063(.023)**
Education: No formal	.48 (.05)***	.48 (.05)***	.48 (.05)***	.48 (.05)***
Primary	.32(.04)***	.32(.04)***	.32(.04)***	.32(.04)***
Secondary	.17(.04)***	.17(.04)***	.17(.04)***	.17(.04)***
Post secondary	------------	------------	------------	------------
Not voted in election[109]	.060(.029)**	.061(.029)**	.059(.029)**	.059(.029)**
Age	.0002(.0008)	.0002(.0008)	.0002(.0008)	.0002(.0008)
Civic Participation score	.073(.011)***	.072(.011)***	.073(.011)***	.072(.011)***
Constitutional legitimacy	.018(.0095)*	.019(.0096)*	.019(.0096)*	.019(.0096)*
Regional variables				
Regional Urbanization	.12(.12)	.14(.15)	.065(.14)	.20(.17)
Regional ethnicism	.21(.25)	.35(.26)	.02(.28)	.16(.29)
Interactive effects				
Urban residents * Regional Urbanization		-.18(.14)		-.18(.14)
Urban residents * Regional ethnicism		-.38(.16)**		-.39(.16)**
Non-Ethnic identifying * Regional Urbanization			-.071(.09)	-.08(.09)
Non-Ethnic identifying * Regional ethnicism			-.32(.19)*	-.33(.19)*
RANDOM EFFECTS				
Level one variance (Residual)	1.54(.02)***	1.54(.02)***	1.54(.02)***	1.54(.02)***
Level two variance (REGIONS)	.079(.013)***	.079(.013)***	.079(.013)***	.079(.013)***
Level one N	12252	12252	12252	12252
Level Two N	145	145	145	145

Notes: ***= <.001, **= <.05, *= < 0.1

[107]Versus rural residents

[108]versus primarily ethnic identifying

[109]Versus voted in previous election

Here I also compare the results that include regional variables and interactions with individual variables by estimating separate models for each country equivalent of model 8 and I report the direction and effect of the two main variables in Table 3.13. One marked difference from model 4 is that we have two more countries now that fall under the hypothesized column of effect for urban residency and they are significant. That is, for Botswana and Malawi urban residency increases the rejection of traditional rule whereas Uganda and Zambia have positive but insignificant coefficients of urban residency. Malawi had earlier a significant negative effect of urban but once we take into account the effect of regional ethnic consolidation, urban residency increases rejection of traditional rule. The rest of the countries have negative coefficient for urban residency and it is significant only for Zimbabwe and South Africa's coefficient has lost the significant effect it had in previous models.

In terms of ethnic identification, the most noticeable change is in Uganda; the addition of the regional interactive terms shifted the variable for Uganda from negative and significant to positive and significant. That is, once we take into account the regional effect of ethnic consolidations on individual self-identification, non-ethnicist citizens are more likely to reject traditional power than are ethnicist citizens. In the earlier models, Uganda and Zimbabwe, two countries with the highest and the lowest levels of constitutional legitimacy were grouped into one category in their direction of ethnic identification. However, the addition of these interactive factors differentiates them into two opposing directions. As in Malawi and South Africa, in Zimbabwe non-ethnicists are more likely to embrace traditional power than are ethnicists.

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To summarize this section, we find that urban citizens would not be different from rural citizens in their view if the level of regional ethnic consolidation levels were the same or about the average for all regions. The individual as well as regional variations in the proportion of people who take their ethnicity seriously explain much of the significant urban-rural difference that exists on the issue of traditional forms of rule. Moreover, the level of ethnic identity consolidation of regions is also the cause for the difference in perception of traditional rule between ethnicists and non-ethnicist citizens. It is interesting to note that the level of urbanization of a region does not result in urban-rural difference and ethnicists and non-ethnicists difference in perception of traditional forms of rule among its residents but the level of ethnic identity consolidation in regions creates differences.

Table: 3.13: Summary of Main Predictors by Country Including Regional Main and Interactive Effects (Model 8)

Rejection of traditional rule by Regional variation (Model 8)		
	Decrease (-)	**Increase (+)**
Urban residency	Lesotho South Africa Mali Namibia Tanzania **Zimbabwe**	**Botswana** **Malawi** Uganda Zambia
Non- Ethnic identification	**Malawi** Mali Namibia **South Africa** Zambia **Zimbabwe**	Botswana Lesotho Tanzania **Uganda**

Note: These are the same as in model 8 with random regional variation and all the individual main and demographic and political variables and regional main and interactive variables but estimated separately for each country.
Gray boxes indicate the hypothesized direction of the effect of the indicator
The first column represents negative coefficients and the second column positive coefficient of the two predictors for each country models.
Bold interface indicates that the coefficient was statistically significant at the .05 levels.
The comparisons are urban versus rural residents, and not-ethnicist versus ethnicist.

Ethnic Variation on Rejection of Traditional Authority

The results from the ethnic models are reported in Table 3.14. The intercept of traditional power for the first model is 2.16 (p<. 001) and it indicates the grand mean of score among respondents from different ethnic groups and countries when we allowed the model to have a randomly varying effect of ethnic groups on traditional authority. That is, it is the average value of rejecting traditional authority for all ethnicities in the sample. The variance estimates suggest that ethnic categories differ in their average score of traditional authority (τ_{00} = .33, p<. 001) and that there is even more variation among citizens within those ethnicities (σ^2= 1.63, p<. 001). The variance within ethnic groups is by far greater than the variance among ethnicities.

In model 2, I add the two main indicators to the model. The inclusion of these variables does not change the overall trend observed in our baseline model but it demonstrates that there is significant rural-urban and type of self-identification difference in traditional authority. Similar to our regional models on traditional authority; urban residents have lesser score than rural residents. On the other hand, citizens who self-identify with an ethnic category have a much higher score of rejection of traditional authority than those who do not self-identified with an ethnic category. The latter finding is opposite of what we found the effect of ethnic identity on constitutional legitimacy and contrary to one of our hypotheses. This is interesting in the context our main interests, that is, whether ethnicists and rural citizens, who have much contact with traditional power, are more likely to reject traditional rule than non-ethnicists and urban citizens. In this case, the observation that rural residents and ethnically identifying citizens are more likely to reject traditional authority is both

common sense and counter intuitive. It makes sense from the perspective that Mamdani argues traditional power was mostly enhanced in its authoritarian version in colonial and post-colonial experience and democratization for rural population is going to be about rejecting the authoritarian strands of traditional authority. At this stage of our analysis, it would be helpful to look at cross-country variations that could have differences in the direction of the effect of urban residency and ethnicism on the rejection of traditional rule.

Thus, Model three includes country indicators and results show that, the observed variation among ethnic groups is reduced by 78 percent (i.e. .31 to .067) but there still remains significant urban-rural and type of self-identification difference in traditional authority. As we observed in the regional variation models, the grand mean or intercept of regions increases in model three when we account for national differences. Cross nationally, with the exception of Namibia and South Africa, and Mali all other countries in the sample have significantly lower scores of rejection of traditional rule that than our reference country of Zimbabwe. Mali is the only country with the highest score where as there is no difference between Namibia, South Africa and Zimbabwe. One common experience of these three countries is that they all had a history of armed struggle for national liberation. However, the addition of country indicators does not change the significance of the urban and ethnic identity variable.

Table 3.14 HLM models of Rejection of Traditional rule by Ethnic variation with individual predictors

Dependent variable: Rejection of traditional rule				
Variables	Model 1	Model 2	Model 3	Model 4
Level one:				
Intercept	2.16(.067)***	2.27(.069)***	2.5(.12)***	2.07(.14)***
Urban residents[110]		-.16(.024)***	-.17(.024)***	-.09(.027)**
Non-Ethnic identifying[111]		-.08(.028)**	-.065(.028)**	-.05(.030)
Country: Botswana			-.41(.14)**	-.37(.15)**
Lesotho			-.38(.15)**	-.45(.16)**
Malawi			-.29(.14)**	-.32(.16)**
Mali			.66(.14)***	.55(.15)**
Namibia			-.17(.12)	-.23(.15)
South Africa			-.19(.12)	-.14(.13)
Tanzania			-.67(.13)***	-.71(.14)***
Uganda			-.69(.13)***	-.68(.14)***
Zambia			-.38(.13)**	-.40(.14)**
Zimbabwe			--------	----------------
Male				-.06(.023)**
Education: No formal				.47(.05)***
Primary				.31(.04)***
Secondary				. 16(.04)**
Post secondary				--------
Not voted in election[112]				.072(.029)**
Age				.0003(.0009)
Civic Participation score				.07(.01)***
Constitutional legitimacy				.018(.0096)**
RANDOM EFFECTS				
Level one variance (Residual)	1.63(.018)***	1.63(.019)***	1.63(.019)***	1.57(.02)***
Level two variance (ETHNIC)	.33(.06)***	.31(.06)***	.067(.016)***	.063(.016)***
Level one N	15123	14788	14788	12253
Level Two N	86	86	86	86

Notes: ***= <.001, **= <.05, *= < 0.1

In model four, I add the same individual level predictors such as demographic and political variables. The addition of these individual level variables results in some significant change in the significance or direction of our main independent variables. The inclusion of

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[110]Versus rural residents

[111]versus primarily ethnic identifying

[112]Versus voted in previous election

the demographic and political variables reduced the average score of rejection of traditional

for all ethnic groups significantly as demonstrated by a smaller intercept value. The

significant self-identification difference observed in previous models is not significant in this

model. This indicates that the observed difference in rejection of traditional rule between

ethnicists and non-ethnicists in each ethnic group is accounted for by demographic and

political variables. That is, less education, voting, female and civic participation increase the

likelihood of rejection of traditional rule. However, there is still significant difference

between urban and rural residents even thought the addition of these control variables

reduces the size effect of the urban variable.

I also estimated separate models for each country (Table 3.15). The table is a summary

of the significance and direction of effect of urban residency and ethnic self-identification

variables. Results show the same pattern that we found for the ethnic models of constitutional

legitimacy. For urban-rural difference, the only significant difference observed is for Malawi,

South Africa and Zambia and the exact nature of the difference is that urban citizens have

lower score on constitutional legitimacy. All other southern African countries but Zimbabwe

have a negative coefficient for urban residency but the differences are not significant. On the

other hand, the two east African countries, Uganda and Tanzania and Mali from West Africa

and Zimbabwe have the hypothesized direction of higher urban rejection of traditional rule

score even if the variation is not statistically significant for all. When it comes to self-

identification, the only three countries with statistically significant values are Mali, Uganda

and Zimbabwe. In Mali, people who do not identify with ethnic category are more rejecting

of traditional rule compared to those who primarily identify with ethnic category. In contrast,

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in Uganda and Zimbabwe, countries with a history of revolutionary movements, non-

ethnicists are less likely than ethnicists to reject traditional forms of rule.

Table 3.15: Summary of Main Predictors by Country (Model 4)

Rejection of traditional rule		
Rejection of Traditional rule by Ethnic groups (Model 4)		
Urban residency	Botswana Lesotho **Malawi** Namibia **South Africa** **Zambia**	Mali Tanzania Uganda Zimbabwe Zimbabwe
Non- Ethnic identification	Malawi Namibia South Africa Tanzania **Uganda** **Zimbabwe**	Botswana Lesotho **Mali** Zambia

Note: These are the same as in model 4 with random Ethnic variation and all the individual main and
demographic and political variables but estimated separately for each country.
    Gray boxes indicate the hypothesized direction of the effect of the indicator
The first column represents negative coefficients and the second column positive coefficient of the two
predictors for each country models.
Bold interface indicates that the coefficient was statistically significant at the .05 levels.
    The comparisons are urban versus rural residents, and not-ethnicist versus ethnicist.

Ethnic Group's Urbanization and Ethnic Identity Consolidation

I follow the same procedure here to add ethnic group's urbanization and ethnic identity

consolidation variables to the previous model (Table 3.16). Throughout the models, the urban

variable changes in its direction but remains significant while ethnic self-identification

remains the same. The addition of the ethnic group's urbanization level and its ethnic

identity consolidation variables do not affect the variation observed in the rejection of

traditional rule score among the different ethnic groups. However, urban residency is an

important predictor of the variations within members of ethnic groups. The level of urbanization for ethnic groups in general does not account for the rejection of traditional rule differences across ethnic groups. Similarly, ethnic identity consolidation neither at the individual nor at the ethnic level accounts for within and across ethnic group variations. These insignificant outcomes of our ethnic characteristics can only be interpreted by looking at how differently they are distributed between urban or rural citizens. That is, we need to understand the interactive effects of a particular ethnic group's urbanization and ethnic consolidation on affecting its urban and rural members differently.

The addition of interactive effects of urbanization and ethnic identification at the individual and ethnic group levels yields very interesting results. Unlike any model estimated before, we find significant interactive effects for all factors, but the interaction between ethnic identification and ethnic group's level of ethnic consolidation. In models 6, 7 and 8, this interaction effects remain consistently significant. Another important finding is that the addition of interactive effects changes the coefficient of urban into positive showing that urban residents are more likely to reject traditional rule than rural residents once we take into account the interactive effects of urban residency and ethnic urbanization and ethnic identity consolidation. These results give multiple interpretations. First, it demonstrates that the negative or decreasing effect of urban residency that we found in previous model would not exist if all citizens were equally distributed among ethnic groups of similar urbanization and ethnic consolidation levels. If that is the case, urban residents would be more likely to reject traditional authority (that is, .14 scores higher than rural residents). Second, an urban citizen belonging to an ethnic group with one unit more than the average urbanization level for all

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ethnic groups would have a -.35 decrease in his rejection of traditional rule. In like manner, an urban resident that belongs to an ethnic group one standardized unit more than the average level of ethnic consolidation for all ethnicities would experience a .41 reduction in his or her rejection of traditional rule. Fourth, even if in general there is no substantive difference between ethnicist and non-ethnicist citizens, non-ethnicist citizens that belong to ethnic groups with higher level of ethnic identity consolidation report a higher level of rejection of traditional rule (that is, one standard unit increase in ethnic group's ethnicism results in .41 units increase in rejection of traditional rule for non-ethnicists).

A look at the model by breaking it by country shows that no country has a significant urban-rural difference once we take into account the main and interactive effects of ethnic group variables. Interestingly, only Malawi and Uganda have non-significant positive coefficient for urban and the significant difference we observed between urban and rural for Malawi, South Africa and Zambia in previous model ceased to exist. It is only in Namibia that ethnicists are more likely to reject traditional rule. All in all, these results demonstrate that there is no urban-rural duality in rejection of traditional rule with in each country if all countries had the same level of urbanization and ethnic identity consolidation among their ethnic groups.

What these interactive effects prove to us is that urban citizens seem to accept traditional authority more than their rural counterparts is because they belong to ethnic groups with high level of urbanization and ethnic consolidation. That is, ethnic groups with high levels of urbanization and higher levels of ethnic consolidation are located in urban

areas. The former is obvious as urbanization indicates residing in cities; urbanization is accompanied by high level of ethnic identification for its members. Thus, the more an ethnic group is urbanized and the more its members self identify with that ethnic identity, the lower its members will score in rejecting traditional power. Thus consolidation of ethnic identities seems to be an urban phenomenon. This is interesting as it fits into the distinction made in this dissertation between categorical and associational version of ethnicity.[113] So we can argue that citizens develop strong ethnic identity in urban contexts where it is more likely that there will be multiple ethnic groups living together. Interestingly, ethnic group's high levels of ethnicism makes its urban members embrace traditional authority but make its non-ethnic identifying members reject traditional power even more.

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[113] Chapter four discusses this distinction in great detail and I argue that when people conceive of ethnic identity in categorical terms that it becomes more problematic than when they think of their identity in small scale associational form,

Table3.16: HLM models of Rejection of Traditional rule by ethnic variation with ethnic level predictors and interactive effects

Dependent variable: Rejection of Traditional rule				
Variables	Model 5	Model 6	Model 7	Model 8
Level one:				
Intercept	1.9(.18)***	1.81(.18)***	1.94(.20)***	1.86(.20)***
Urban residents[114]	-.094(.027)**	.14(.072)*	-.094(.027)**	.14(.072)*
Non-Ethnic identifying[115]	-.045(.031)	-.042(.031)	-.12(.10)	-.12(.10)
Country : Botswana	-.36(.16)**	-.36(.15)**	-.36(.15)**	-.35(.15)**
Lesotho	-.43(.16)**	-.37(.16)**	-.41(.16)**	-.35(.16)**
Malawi	-.31(.16)**	-.32(.16)**	-.30(.16)**	-.31(.16)**
Mali	.50(.17)**	.50(.16)**	.51(.16)**	.52(.16)**
Namibia	-.24(.15)	-.26(.15)*	-.25(.15)*	-.26(.15)*
South Africa	-.14(.13)	-.13(.13)	-.13(.13)	-.13(.13)
Tanzania	-.61(.15)**	-.58(.15)**	-.58(.16)**	-.55(.15)**
Uganda	-.59(.16)**	-.56(.16)**	-.57(.16)**	-.54(.16)**
Zambia	-.34(.15)**	-.35(.15)**	-.32(.15)**	-.33(.16)**
Zimbabwe	----------	----------		----------
Male	-.065(.023)**	-.064(.023)**	-.066(.023)**	-.066(.023)**
Education: No formal	.45(053)***	.45(053)***	.46(055)***	.45(055)***
Primary	.31(.044)***	.31(.044)***	.31(.044)***	.31(.044)***
Secondary	.16(.04)***	.16(.04)***	.16(.04)***	.16(.04)***
Post secondary	------------	------------		------------
Note voted in election[116]	.072(.028)**	.071(.029)**	.070(.029)**	.070(.029)**
Age	.0002(.008)	.0002(.008)	.0002(.008)	.0002(.008)
Civic Participation score	.068(.011)***	.069(.011)***	.070(.011)***	.069(.011)***
Constitutional legitimacy	.018(.0095)*	.019(.0095)*	.018(.0095)*	.019(.0095)*
Ethnic group's Urbanization	.12(.20)	.28(.21)	.19(.24)	.36(.25)
Ethnic group's ethnicism	.50(.28)	.64(.28)	.25(.31)	.39(.31)
Urban residency * Ethnic group's Urbanization		-.35(.15)**		-.35(.15)**
Urban residency * Ethnic group's ethnicism		-.41(.17)**		-.41(.17)**
Non-Ethnic identifying * Ethnic group's Urbanization			-.10(.16)	-.095(.16)
Non-Ethnic identifying * Ethnic group's ethnicism			.41(.21)*	.41(.21)*
RANDOM EFFECTS				
Level one variance (Residual)	1.57(.02)***	1.57(.02)***	1.57(.02)***	1.57(.02)***
Level two variance (ETHNIC)	.063(.016)***	.061(.016)***	.063(.016)***	.061(.016)***
Level one N	12253	12253	12253	12253
Level Two N	86	86	86	86

  Notes: ***= <.001, **= <.05, *= < 0.1

[114]Versus rural residents

[115]versus primarily ethnic identifying

[116]Versus voted in previous election

Table: 3.17: Summary of Main Predictors by Country Including Regional Main and Interactive Effects (Model 8)

Rejection of traditional rule by Ethnic groups variation (Model 8)		
Urban residency	Botswana Lesotho Mali Namibia South Africa Tanzania Zambia Zimbabwe	Malawi Uganda
Non- Ethnic identification	Mali **Namibia** South Africa Tanzania Zimbabwe	Botswana Lesotho Malawi Uganda Zambia

Note: These are the same as in model 8 with random Ethnic variation and all the individual main and demographic and political variables and regional main and interactive variables but estimated separately for each country.
Gray boxes indicate the hypothesized direction of the effect of the indicator
The first column represents negative coefficients and the second column positive coefficient of the two predictors for each country models.
Bold interface indicates that the coefficient was statistically significant at the .05 levels.
The comparisons are urban versus rural residents, and not-ethnicist versus ethnicist.

Conclusion: Rural- Urban Duality in Constitutional legitimacy

In earlier section on the discussion of the perspectives and measurement of constitutional legitimacy, I argued that constitutionalism and rejection of alternative sources of authority, that is, traditional authority, can be taken as indicators of the strength of the basic principles upon which the modern nation-state is based on. I quoted Mamdani who argued that the existence of authoritarian customary law, or legal duality, is antithetical to the rule of law that is essential for modern democracy. The previous sections were an exercise to see how the two principles of legitimacy are thought out in the mindsets of citizens of African countries who belong to different ethnic and regional groups as well as generational, gender, and educational groups. In this section, I reiterate the findings by focusing on general trends on the effects urban-rural and self-identification on these principles of legitimacy.

In constitutional legitimacy models that allow national regions to have random effects, the significant differences between urban and rural residents cease to exist when individual level variables are included. However, the addition of individual level variables do not change the significant differences among rural/urban residents as well as between those who primary self-identify with an ethnic category and those who do not when we take ethnic as sources of variability. On the other hand, in models of rejection of traditional rule that allow national regions to have random effects, the addition of individual level variables do not change the significant differences between rural and urban residents as well as between those who primary self-identify with ethnic category and those who do not. However, the addition of individual level variables takes away the differences between those who primary self-identify with ethnic category and those who do not while retaining the significant differences

among rural/urban residents when we take ethnic or language groups as sources of

variability.

Table 3.18: Summary result of main predictors from Model 4

	Constitutional legitimacy		Rejection of traditional rule	
Regions as level two				
	Decrease (-)	**Increase (+)**	**Decrease (-)**	**Increase (+)**
Urban residency	Not Significant		YES	
Non- Ethnic identification		Not significant	YES	
Ethnic groups as level two				
Urban/rural	YES		YES	
Non- Ethnic identification		YES	Not Significant	

Notes: **There is positive correlation between constitutional legitimacy and rejection of traditional rule in all models.**
All models include individual level predictors of Gender, Education, Age, Civil participation and voting behavior as predictors. Also, cross-country differences are controlled.
Gray boxes indicate the hypothesized direction of the effect of the indicator
YES= the coefficients was statistically significant
Not significant= the coefficient was not statistically significant.

Table 3.19: Summary result of main predictors from Model 8

	Constitutional legitimacy		Rejection of traditional rule	
Regions as level two				
	Decrease (-)	**Increase (+)**	**Decrease (-)**	**Increase (+)**
Urban residency	YES			Not significant
Non- Ethnic identification		Not significant	Not significant	
Ethnic groups as level two				
Urban/rural	YES			YES
Non- Ethnic identification		YES	Not Significant	

Note: These are the same as in model 8 with random regional or ethnic variation and all the individual main and demographic and political variables and regional main and interactive variables included.
Gray boxes indicate the hypothesized direction of the effect of the indicator
YES= the coefficients was statistically significant
Not significant= the coefficient was not statistically significant

In conclusion, we can argue that there is an empirical support of urban-rural duality. There is fundamental duality between urban and rural citizens in their support of constitutions. This duality is manifested when we both consider regional and ethnic group variation in constitutional legitimacy and also consider the role of urbanization and ethnic identity consolidation on citizen's perception of constitutionalism. In both cases, irrespective of the differences in citizens' political and demographic characters as well urbanization and ethnic consolidation, urban citizens always score less than rural citizens in their closeness and evaluation of the national constitution. This is in contradiction to all the hypotheses we developed earlier.

We can also argue that there is an empirical support of urban-rural duality in the rejection of traditional rule. This duality is apparent when we take into account ethnic group characteristics. In this support for the duality argument, we find that urban residents are more likely than rural residents to reject traditional power. This is a confirmation of our hypothesis earlier. It is also important to note that, we also find urban-rural duality in rejection of traditional rule among ethnic groups but without considering ethnic groups characteristics, urban citizens would appear to be less likely than rural citizens in rejecting traditional rule. However, there are no observed dualities between urban and rural citizens in the rejection of traditional authority if our focus is regional variation of urbanization and ethnic consolidation. That is, we find urban citizens to be less enthusiastic than rural citizens in supporting their constitution, but when we investigate the interaction between individual citizen residency with their regional trends in urbanization, we do not find any significant differences between urban and rural citizens.

Since the chapter was heavily influenced by the theoretical argument of bifurcation of the colonial and postcolonial state and its citizenry into opposing legal and mental frameworks, we translated the duality into operational measures of urban-rural duality. Our research results do not always fall into this categorical classification. They significantly vary based on the national, regional and ethnic as well personal characteristics of respondents in the sample. But before concluding whether the research results support or contradicts Mamdani's duality hypotheses, I want to discuss the complexity of the duality hypotheses and different nature of the research design and focus of this chapter.

First, in response to criticism of his duality argument, Mamdani argues that "it is the organization of colonial power that is bifurcated, but not quite the nature of socio-economic processes, nor of the political struggles against colonial power" (Mamdani 2000: 44). So since our multilevel multivariate model is the study of some the social processes as a result of the organization of power that the many countries included in the study shared, the complex results found are to be expected. That is, even though we started with the urban-rural duality framework, we are open to different cross-national and regional as well as ethnic patterns in citizens' perception of their national constitutions and traditional forms of authorities. We are interested in finding out the circumstances the urban-rural duality holds true and contexts where it does not hold true since in our theoretical frameworks countries can vary in their degree of moving from the effect of the institutional duality.

Second, although heavily influenced by the duality hypothesis, the research here is not a direct test of that hypothesis. It draws from the duality argument by theoretically

conceptualizing and empirically operationalizing it into a cross-nationally testable design. The duality argument is mostly concentrated on the organization of state power in its relation to society and does take a more institutionalist approach. Nevertheless, the duality hypothesis makes claims and connections of institutional factors with popular and individual dualities in political opinion and behavior– both at the citizenry and leadership level.[117] In this dissertation, I extended the duality argument to include political opinion of citizens as well.

The unexpected results are not our findings of urban-rural duality in constitutionalism but the fact that we find rural citizens to be more in favor of constitutionalism than urban citizens. This is also complemented by rural citizens expressing rejection of traditional authority at a higher level than urban citizens. The duality argument developed by Mamdani expects rural citizens to be less in favor of constitutionalism and more into traditional sources of power because colonial institutional legacy has made it possible for them to perceive their democratic rights as guaranteed by asserting their customary identity and power. Nevertheless, Mamdani acknowledges the limitation of this approach for democratization and he does see the future of democratization as highly dependent on citizens ability to break away from this mental framework and using discourses of right and constitutionalism. Therefore, our results are different fro the stated hypotheses but they can be interpreted as a sign that rural populations have moved away from a customary mindset in the right direction.

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[117]Mamdani use of the same theoretical frameworks to explain the uniqueness and commonality of the Rwandan genocide as undertaken by masses of people on people whom they had close contacts and interactions is the best example where he demonstrates how the institutional structures resulted in fostering the act of genocide by creating the fertile ground for racism, Chauvinism and by constricting popular choice for the best. A reading of his book to some extent gives an impression that the institutional factors were too strong that the Rwandan genocide (by the convergence of many economic and international forces as well) an inevitable historical act.

Another related finding that emerged in the analysis is the role of education in constitutional support and rejection of traditional authority. According to the results of my analysis, consistently lack of education or lower educational level is more likely than secondary or higher education to result in accepting national constitution and rejecting traditional authority. This positive effect of low educational level on constitutional legitimacy is strong irrespective of ethnic and regional characteristics of our respondents. This seems an interesting observation in its own right but interpreted in the context of our hypotheses it strengthens one social fact. Assuming that majority of citizens with no education or lower education level would be concentrated among rural areas their high acceptance of constitutional legitimacy and rejection of traditional authority can be interpreted as an indication of the high level of support from rural residents. It also supports the argument that those who have been under traditional forms of authority would be more likely to reject it whereas urban residents may identify with traditional authority due to urban ethnic diversity and competition for symbolic sources of identity with members of other ethnic groups.

One limitation in the analysis of traditional authority and constitutional legitimacy is the way the questions were framed and asked respondents. The Afrobarometer survey presumed first people would have a national identity and then followed to ask them next to their national identity what's that they identify with. The responses varied from identification with ethnic, regional, and religious categories to class, gender and pan African identification. In this study, we compared those who primary self identified with an ethnic category with the rest of the respondents in the sample – even though the rest of the sample has also its internal variation. This being the case, we did find some interesting empirical variations and patterns

of conceptualization across these two categories. But one limitation could be the fundamental framing of the question. It is logical to assume that if people were asked to self identify with out first giving them a national reference their answers might have been different. But the sampling was national and the data collectors took them for granted and pursed that line. However, as our literature review has demonstrated the national and sub-national levels of identification cannot be assumed to be on a zero-sum game relationship. So I would argue the questioning does not affect our theoretical assumptions and hypotheses; rather, it follows our presumption that the national and sub-national exist simultaneously in different degrees. Clearly, the complexities of the empirical findings also attest to that.

Our research findings are also limited in that they didn't include the history and political status of ethnic groups as explanatory factors in the differences in constitutionalism across ethnic groups. I believe this might have had an indirect impact on the political opinion of members of ethnic groups with respect to traditional rule and the national constitution. This is important, as the construction of the customary was not uniform for all ethnic groups in a given colony. The construction of the customary was thus not arbitrarily invented or traditionally reproduced. "It was crafted out of raw material on the ground and in contention with it" (Mamdani, 1996: 39). One colonial criterion that determined how communities were to be incorporated was the monarchic bias in academic and colonial administrative practice (Legesse, 2000).[118] This has a consequence in the form of rule installed on different historically autonomous political systems in the colonial state. Where as the systems with monarchial and centralized traces were incorporated indirectly by giving them a certain

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[118]This led to regarding only societies with monarchial and autocratic state features as advanced while indigenous democratic forms of governance were regarded inferior A bias he argues still exists in history, ethnography and political science in African studies

degree of autonomy, the more decentralized and democratic systems were incorporated directly by substantially altering their political systems and reducing their autonomy. "The more centralized a traditional polity is, the easier it is to link it with the colonial hierarchy appended of course, at the bottom or the lower end of that hierarchy" (Legesse, 2000:10). The status of different ethnic groups in contemporary society can also reflect levels of internal colonialism (Hechter, 1975) and it can be expected affect desire for national independence of ethnic groups related to social class as well as national identity. Thus, our results would be strengthened if we also include historical indicators on ethnic groups. This will be a future research direction that the dissertation would follow.

CHAPTER FOUR:

National and Group identity in Africa's new democracies: the Rural-Urban duality?

In the previous chapter, I investigated how institutional, geographic, and legal dualisms in postcolonial Africa are demonstrated in the public opinion of state legitimacy in terms of constitutionalism and reverence to traditional authority. The duality argument discussed earlier also stretches into identity. In this chapter, I review the literature on national and group identity and test whether there is a shared postcolonial structure of identification and if there is an Urban-rural duality in how African citizens conceptualize their national and group identity. Some of my main research questions are: How is national citizenship conceptualized in the minds of ordinary citizens? Does citizenship conceived in-group terms undermine national identity and attenuate the loyalty and commitment of the citizen? What are the cross-national differences in citizen's level and relationship between national and group identity? Are Urban Africans more likely to entertain high national identity and low group identity in all African countries?

Citizenship, Nationalism, and National Identity

Why study citizenship and national identity? And how is the linkage important? One important historical fact about the making of African nation-states is that the colonial scramble of Africa created states by mixing different and dividing same nations across state

boundaries. In its ideal-typical sense a nation-state would be better served if all members of the state feel a sense of membership and belonging in the state. Therefore, legal acknowledgement of membership in citizenship in the state is a necessary but not sufficient condition in guaranteeing the stability and sustainability of the nation-state. Citizens need to feel that they belong to the state and that they have a sense of attachment with the values and institutions of the state.

Tilly (1996) argues that citizenship can be interpreted from four main angles: as a category, a role, a tie, and an identity. As a category, citizenship designates a set of actors distinguished by their shared privileged position vis-à-vis a particular state. As a tie, citizenship identifies an enforceable mutual relation between an actor and state agents. As a role, citizenship includes all of an actor's relations to others that depend on the actor's relations to a particular state. And as an identity, citizenship can refer to the experience and public representation of category, tie or role (Tilly, 1996: 7-11). In this chapter, I focus on citizenship as an identity and discuss it in relation to national and group identity.

The question what holds society together has been a major sociological question since the turn of the 19th century. This question is fundamentally about social integration and about maintaining sense of common purpose and identity among members of society, or in Durkheim's classical formulation of "collective conscience".[119] In our modern world system the state is the most relevant political unit of analysis whenever we study social integration. Even if the modern nation-state incorporates different communities it always

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[119]Emile Durkheim (1984) –The Division of labor in Society. New York: The free press. Translated by W.D. Hass

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strives for its members to share the same sense of identity. Thus, members of the nation

identify themselves with a larger community of the state that does not have direct

interpersonal relationships with each other. The advent of the modern nation-state made it

possible for individuals to identify with a nation-state apart from their immediate social

groupings. Such identification with a nation does not entail a primary day-to-day interaction

or direct relationship. Rather, it is identification with an idealized nation-state. This is a

change from a relational identity to a categorical identity of an imagined group of indirect

social relationships (Calhoun, 1991). People of a nation, thus, are identifying themselves

with one categorical identity while in fact they are not the same as they do not interact

enough and thus come from different social backgrounds. And as such, the modern state is

characterized by coordination of action through indirect relationships and the formation of

identity as members of imagined community (Anderson, 1991; Calhoun, 1991).

Thus, the key issue in the study of nationalism and alternative forms of association is

that we need to distinguish categories from networks of relationships (Calhoun, 1995, 1997)

or categories from organizations (Toscano-Mendez, 2001). If nationalism and national

identity represent a categorical identity or imagined community, other sub-national

identities may be relational networks of every day lived experiences or they might

themselves be other imagined categorical identities.[120] While categories are created by the

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[120]I believe this distinction also has a practical relevance in understanding the everyday politics of identity. My interests to study nationalism developed from my personal experiences in Eritrea where there are many forms of associational dimensions of village or country level of identity and organization in urban areas. This is evident in the many self-help and saving associations organized along one's village of origin in urban centers. These are vibrant civil society organization and they thrive under different political regimes. On the other hand, when people start having bigger level identification with provinces and regions, they tend to be more categorical than associational and the state is usually ambivalent towards these bigger categorical identities. As a matter of fact, the Eritrean state legally and constitutionally prohibits organization of citizens along regional, ethnic or religious lines.

perceptions of their members, or by those of others, associations depend for their continued existence on the actions of their members. I thus argue that it is when national and sub national identities are viewed as categories that they may not match with each other. However, when sub-national groups are networks of relationships, they may serve as a stronger arena of what binds people to each other. It is always a challenge for nation-states to combine elements of the relational and categorical forms of solidarity (Calhoun, 1997). In this study, we are concerned with how citizens create different categories of identification and in their level of feelings and belonging to these categorical identities.

As indicated earlier, citizenship is about membership in a political community and membership connotes some level of inclusion and exclusion. National membership includes some as citizens while excluding others as non-citizens and it also assumes that there is "no exit" from that membership (Toscano-Mendez, 2001). Nationalism is an important part of citizenship in that the sense of national community as 'imagined' or as a categorical identification usually is a result of nationalism in modern nation-states. It is for this particular reason of imagination that Calhoun (1997) views nationalism as 'discourse' that enables the creation of socially integrated political communities. Nationalism makes it possible for a large scale, identity-forming collective discourse to flourish. As such, nationalism is a constitutive concept and makes real that to which it refers, and as discourse it is central to the imagination of national community (Calhoun 1997, 2002). Thus nationalism encourages the identification of individuals not with locality and not with the web of their specific interpersonal relationships but with an abstract category. The logic of nationalism is that individuals and the whole society have a kind of primacy over any other

possible groupings (Calhoun, 1997). So for my purposes here, I view nationalism as a force

that can lead to a higher sense of national imagined community or higher identification with

a national categorical identity.

Ideally, when there is a perfect match between the nation and the state in terms of

social composition of the members, nationalism could lead to higher levels of national

identity. More often, however, the problem of national integration occurs in the context of

different social groups under one state, as this might result in multiplicity of 'imagined

communities' among members of the nation-state. Many post-national models have been

proposed to take into account the multi-nation nature of societies that are under one state

system.[121] However, this recognition of plurality at the level of the state institutions was

based upon a homogenizing account of identity, both of the ethnicities of the colonized and

of the nationhood of the colonizers (Norval, 2004). That is to say, this discourse also

focuses on the desirability of creating a national identity among members of a nation-state.

For this reason, nationalist discourse and academic thinking is still interested in the nature

of national identity members of a given state share as an indicator of the acknowledgement

of their shared membership in that given state. That is, a sense of attachment and feeling

with the national categorical identity is still necessary for social integration in a

multicultural political system. And this identification is usually expected to be civic in its

contents as opposed to an ethnic based sub-national identification. However, modern state

systems, more importantly post colonial states, are organized as unions of multiple identity

groups that might share distinct group identities, which in turn can make the emergence or

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[121]This idea of a plural society was thus created in opposition to the European ideal of homogenous nation-states.

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sustenance of national identity difficult, if not impossible. So the management of such different identities under a single constitutional state that intends to have one overriding national identity is the basic challenge of postcolonial societies. This tension between identification with categorical identities that are national and sub-national in imagination is manifested in a series of dualities in citizenship regime, discourses of nationalisms and national identity.

Civic versus Ethnic Citizenship, National Versus Group Identity: The Politicization of Identity in Post-Colonial States

From a sociological standpoint, the citizen stands to the state not only as an individual, but also as a member of a variety of other organizations (Calhoun 1997; Walzer, 1970, 1998). As such, multiple identities of the individual should not detract from his/her allegiance or commitment as citizen, to the state, but should complement and enrich it. However, as aforementioned the need to identify with a nationally 'imagined community' may come into conflict with identification with other sub-nationally imagined community. This is especially problematic when the imaginations, discourses of nationalism, are not tolerant of alternatives. Clearly, when you have multiple competing sub-national ethnic nationalisms, it would be difficult to have a strong sense f national identity. But even national identity could be exclusivist. Frantz Fanon (1963) argues that national identity might limit liberation by re-inscribing an essentialist, totalizing, often middle-class specific understanding of "nation" rather than encouraging a nuanced articulation of an oppressed people's cultural heterogeneity across class lines. So ideally democracy would flourish if national identity and other sub-national identities tolerate each other.

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Indeed, in most parts of Africa, the concept of citizenship had a dual derivative. There was the primordial citizenship, defined by ethnic, communal and ancestral affinities, and the civic citizenship (Ekeh, 1975). From the perspective of national membership, the latter tends towards egalitarianism, the former to exclusivity. However, it is the former that often serves as the functional basis of defining citizenship even in a constitutional sense and in the distribution of public goods. As such, the two do exist side by side, more so in some social groups than others, creating a bifurcated, dualistic citizenship regime (Mamdani, 1996). The distinction between ethnic and civic citizens is important not only from the legal perspective but also from a social perspective. That is, one can be a civic citizen without ever being an ethnic citizen in the case of migrants and settlers who cannot trace precolonial indigeneity of rural origin. This, therefore, can create a hierarchy of citizenship and a sense of nativity and strangeness that can be exacerbated during times of political conflicts. The duality is pronounced in times of crisis that may result in feelings of indigeneity and nativity as the case of Rwandan genocide shows (Mamdani, 2001).

In the literature on citizenship and nationalism, civic membership commonly finds favor in liberal eyes as it is assumed that it is freely and voluntarily chosen and in principle it is revocable, changeable, contractual and potentially universalizable (Thomas, 2001). On the other hand, Ethnic membership, association and identity are characterized as being unchosen, invariant, unchangeable, rigid, and "natural as "given" fixed, particularistic, and exclusionary. Though this distinction is helpful in understanding some of the problems associated with citizenship at face value, the assumptions do not always stand to empirical

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test. Thomas (2001) outlines two assumptions in the perspectives on civic/ethnic citizenship that are not always substantively supported. The first is that the civic and the ethnic are necessarily zero-sum categories, such that the more one obtains of the one, the less that one obtains of the other. Second is the assumption that civic identity and membership are in some sense more political or more properly political than ethnic identity and association. The latter assumption posits ethnic identity and membership as unchangeable, rigid and exclusionary. Likewise, while still acknowledging the existence of the civic ethnic divide in African states, Mamdani (1998, 2001) demonstrates that ethnic membership and identity are much a result of political processes as are civic membership and identity. That is, ethnic and civic citizenship are results of the same political process, not evolutionary traits where civic membership would replace ethnic citizenship. Nevertheless, Mamdani seems to be of the opinion that the ethnic part of citizenship is the one that makes it difficult for social integration under a unitary liberal constitutional order.[122]

Therefore, the categorical classification of citizenship and identity into civic and ethnic seems more prescriptive than descriptive of the post colonial as well as classical European nation-state models. What nationalistic discourse and categorical thinking in nationalistic thought[123] share is their condemnation of intermediate associations as intrinsically partial and exclusionary. So even if nationalism in discourse and practice tries to integrate the individuals with the national community, sociologically speaking

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[122]I take this constitutional order as the most dominant world cultural model nowadays and use it as a starting point for empirical test of the role of citizen identity forms in the sustainability of such an order.

[123]I draw from Toscano-Mendez (2001) distinction between typological and population perspective in the study of nationalism. That is, typological thinking appears basically in substantiality or holistic conception of the nation but the population view focuses on the complex and varied identities of individuals.

intermediary institutions and groups do exist as they are important. Calhoun (1993) stresses that partiality of intermediary associations needs to be affirmed as one of their major virtues for " it is precisely in such partial social units that people find both the capacity for collective voice and the possibility of differentiated, directly interpersonal relations" (P.393). Ethnic and tribal groups are some of the most common means of identification but the idea of associational groupings is not restricted to these only. Civil society broadly conceived is regarded as standing between the state and individual citizens. Thus sub-national groups are associated sometimes with the existence of the vibrance of the formal and informal organizations in civil society, which intervene and regulate the relationship between the individuals and the state (Osaghae, 1994). Alternatively, they are regarded as engendering societal diversity rather than integration as political mobilization in Africa has typically coincided with the accentuation of communal or factional allegiances (Lewis, 1992). It is the view of Ethnicity and tribalism in social relations terms that would make them part of civil society, as civil society is also a realm of sociability (Calhoun, 1993). And the appeal of civil society in recent literature is premised on the fact that a vibrant and strong civil society would minimize the dangers of social diversity and conflict by expanding the public sphere and bolstering cross-cutting membership in ways that foster tolerance and respect for others (Hyden, 1997; Calhoun, 1993; Lewis, 1992).

Nevertheless, ethnicity and tribalism as other 'imagined' categorical identities might result in conflict with the national imagination. From this view, the civil society perspective singles out ethnicity and tribalism as having negative effects on national integration and vibrancy of civil society. And so, in heterogeneous societies sub national allegiances may

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prevail and group rights dominate individual rights making the work of liberal democracy difficult (Centeno, 1994; Mamdani, 1998). The problem is not just societal heterogeneity in terms of cultural diversity. Rather, the problem arises when group right and identity by far become more salient in the views of citizens than is national identity and individual rights and when the political system is unable to solve it.[124]

Based on the particular content of a given nationalistic discourse and imagination, the problem of national identity has to do more with how different ethnic and national identities are constructed and imagined. This is evident in the two paradigmatic examples in Africa that at face value demonstrate cultural and linguistic homogeneity necessary to form a nation and make the nation-state political organization efficient; but instead, had been examples of the worst case of state failure and ethnic conflict. These countries are Rwanda and Somalia. In Rwanda, two groups, the Hutu and Tutsi, which shared the same language, a history of political relationship and intermarriage developed a sense of unique identities that were racialized over time with colonial and post colonial state policies results in the Rwanda genocide of 1994.[125] In the case of Somalia, Kusow (2004) argues that the current crisis in Somalia should be seen as a war over contested ideas and social identities, which is a conflict of interpretations. Kusow argues against the view that treats the Somali nation as a homogenous whole that failed to maintain a viable state and instead take into account the narratives of social boundaries of who a Somali is as a historically fluid and contentious

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[124]To date, the Ethiopian federal state after 1995 is the only African state to exclusively guarantee recognizes ethnic right and power. The Ethiopian constitution allows for the establishment of ethnic states and parties and exclusively realizes groups' rights as fundamental human rights including up to the secession of nations and nationalities from the federal state.

[125]For more on this see Mamdani (2001) - When Victims become Killers.

issue. Thus, even among seemingly homogenous nations we need to understand identities as contested. "The existence of multiple voices is not necessarily a threat to national cohesiveness, and the best way to ensure a long lasting political and social stability is to embrace both the national and its fragments at the same time and in the same degree"(Kusow, 2004:11). Therefore, the lesson from these two cases is that cultural or linguistic or religious homogeneity as such is not a guarantee for national integration and stability. Rather it is about how individual citizens and groups feel and act as participants in the making of the nation-state and this makes the study of national identity important. I reiterate again that it is very important that we study the everyday perceptions of African citizens of their identification with imagined categories of belonging.

The modern nation-states in Africa owe much of their territorial and institutional set ups to the colonial scramble. The legacy of colonialism can be seen both in terms of territorial and institutional segregations that to this date very much determine the structures of power, citizenship and identity in almost all the countries.[126] The problem of postcolonial national integration is more a result of the politicization of identities than of a social diversity. Here I draw from Mamdani's concept of political identity. Mamdani (2001) differentiates political identities from cultural and market-based identities and views political identities as direct consequence of the process of state formation.[127] The history of state formation in colonial Africa, characterized by direct and indirect rule, legally enforced

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[126]This was discussed in detail in chapter 2.
[127]Mamdani's argument is that in precolonial times Hutu-Tutsi distinctions were more of a fluid market based identities as Hutus could move up to be Tutsi if they accumulated cattle or Tutsi could fall back to being Hutus. So it was an identity that was determined by material possession and it is more like a class and political status symbol. During colonial period, especially Belgian colonial period, the Hutu -Tutsi was racialized and fixated.

race and ethnicity as two salient political identities. Thus, Mamdani views race and ethnicity as identities that are legally enforced and institutionally reproduced political identities, not just cultural identities. To him, the great negative legacy of colonialism is its creation of politicized identities and institutionally segregated populations that still challenge contemporary states. Thus the legacy is that of inventing and politicizing identities: "The greater crime was to politicize indigeneity in the first place: first negatively, as a settler libel of the native; but then positively, as a native response, as a self-assertion".[128] That is in the African context, colonialism had created two categories of people in the public sphere in the colonies; citizens and subjects or as Mahmood Mamdani (1996) puts it: the native and the citizen. In this case, the former corresponds to ethnic society and is preoccupied with group rights while the latter corresponds to civil society in urban areas and focuses on individual rights.

In conceptualizing identities as political identities, we are moving towards viewing them as changing and dynamic in interaction with institutional forces. People's identities and understandings of the world are changed by participation in public discourse (Calhoun, 2002). This is an important perspective both from a theoretical and methodological standpoint. For one, political identity is a relational concept and as such it would help us move beyond the view of citizenship membership in rigidly binary terms that are less than appropriate to its complexity as a category (Thomas, 2001). And thus the significance of

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[128]In the case of Rwanda, for example, the idea of Native was used, by Belgians colonial administration and the Tutsi, to subordinate the majority Hutus under the Tutsi, who were regarded to have been more advanced Hamitic race that migrated from north to create the precolonial Rwandan state. However, in the 1960s the Hutus used the idea of the native as an instrument of revolting and eventually defeated the Tutsi monarchy. The extremist Hutus thought of themselves as indigenous native people who belong to the land and of the Tutsi's as aliens and strangers who deserve neither political power nor citizenship.

this study and its research design is that by viewing national and group identity as dynamic, we can test the different assumptions and claim made about the duality of citizenship and identity in Africa. Thus instead of just assuming that different social categories as a whole are characterized with distinct sense of identity, I start with methodological individualism and build on it to see what patterns of national and group identity are available cross-nationally, and by urban-rural and between people of different sense of self-identification. This shift from categorical analysis to methodological individualism " draws our attention towards the languages through which individuals interpret the social world, its interactive structures and institutions, but restrains us from giving a substantive existence to certain social aggregates or from taking them as the terms of our explanation"(Toscano-Mendez, 2001:37). And what this allows us is a different approach of describing diversity- one underlining the differences among individuals, instead of national communities. So, we have citizens, and not nations, with varying sentiment of membership and identification. For my purposes, I ask "Are there some patterns of identification that are categorically unique to warrant a conclusion that the different social categories people associate with are indeed meaningful?"

Hypotheses: Cross-National and Sub-National Variations?

Even if we argue that ethnic and regional identities are socially constructed and in the words of Mamdani (2001) they are political identities created by the state in its relation to society, categorical identities of nationalism and ethnicity are also as much discursive practices that constantly reproduce the imagination of the community in a certain way. In this regard, categorical identification with a sub-national group may work against a national

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identification if the group categories tend to be so essenitialized and fixed in the discursive formation of citizens. Although group identity and national identity need not necessarily be negatively correlated, it would be reasonable to expect those who identify with and feel strongly with groups that are organized along some essential reference categories may have high levels of group chauvinism and low levels of national identity. Preliminary correlation analysis shows a positive but small correlation among variables that measure national identity and group identity as well as among the latent factors of national and group identity. However, we need to ask if the same structure and magnitude of relationships can be assumed to exist between citizens of different nations and different localities. The first point would take us into investigation the variation in identity, its form and magnitude, across the eight country samples. The second point would be about citizens of each country who either live in urban or rural areas, or whether or not they primarily self-identify with an ethnic category.

Do all postcolonial African citizens have the same process of cognitive articulation in their construct of national and group identity? That is, can we talk of all countries as having the same structural feature of national identity and group identity as postcolonial states that share similar institutional history? Or can we assume each country's citizens conception of national and group identity to have its own structure unique to the country? These questions are important as national cultural repertoires may define what individual cultural citizens may endorse and regard as thinkable in a civic context (Swidler, 2000; Eliasoph, 2001, Calhoun, 1997). If there is a national culture that is unique to each country owing to its history and political organization, then that culture influences the social action and cultural

models such as ideology necessary for organizing social life (Swidler, 1986). Besides, comparative research shows that there are national cultural repertoires as cultural tools are unevenly available across situation and national contexts (Lamont and Thevenot, 1999).[129] Thus:

Hypotheses 1: There exists the same structure of national identity and group identity for citizens of new democracies in postcolonial African states.

Furthermore, as evidenced by the review of Mamdani (1996, 2001), African postcolonial citizens are regarded as divided in terms of their national values and identities along the residency lines of rural and urban. What is clear from such arguments is that the rural-urban duality in identity formations is so salient that it even cuts across national differences. Mamdani (1996) argues that in spite of the different modes of social and political reforms Africa countries went through, there still exists a rural urban duality in almost all kind of political regimes in Africa. So in this study, I ask to what extent are Africans different in their structural perception of national and group identity. I ask if the urban-Rural is a difference of degree in identity or a fundamental difference in how the urban and the rural citizens perceive national and group identity? In other words, do urban and rural citizens mean the same thing when referring to their national and group identity or does national identity get understood very differently. For example, we can ask if a peasant from a village in Africa and a civil servant in a capital of an African country have the same or different understanding of what it means to have national identity or ethnic identity for

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[129]Like all other political culture concept, identity is not independent of the individuals that form it. So it is important that we analyze "mass categorization, and how groups conceptualize, structure, and inform democratic ideas" (Schatz & Gutierrez-Rexach, 2002:7).

that matter. So our hypothesis is that there is a significant difference between urban and rural citizens in their perception of national and group identity, a difference that could be a result of the institutional duality between urban and rural populations.

Hypothesis 2: Urban and Rural residents of different nations fundamentally different in their conceptualization of Group identity and national identity combined.

Finding out whether the observed differences in national and group identity cross nationally and between urban and rural residency is a matter of degree or structure is important from the perspective of the duality argument. If the difference is going to be a matter of degree then the duality argument may not hold strong since the observed difference may be explained by other factors that has to do with sociopolitical factors. However, if the results are found to be a matter of deep structural difference between urban- and rural residents, for example, this may lend support to the argument that historical institutional segregation between the urban and the rural has resulted to fundamental mental and conceptual difference in feelings and attachments to national and sub national groups among African citizens. In like manner, if we were to find a support for fundamental cross-national difference in the conceptual structure of national and group identity, this would challenge that reviewed literature that treats the postcolonial societies of Africa as sharing the same institutional features that result in comparable characters of national and group identity. However, I expect that there would be comparable difference among nations in the study. In any case, I develop hypotheses that propose the expected differences taking into account country characteristics.

Hypothesis 3a: Countries with a history of revolutionary reform would score higher on national identity and lower on group identity and not show significant rural-urban differences.

Hypothesis 3b: Countries with high level of social fragmentation would score lower on national identity and higher on group identity and show significant rural-urban differences.

If citizenship is regarded as inherited, inalienable characteristics, conterminous with nationality, it becomes an instance on "no exit" membership (Toscano-Mendez, 2001). If, by contrast, citizenship is to be regarded not as "natural" but as an outcome of what sociologists call "primary socialization," it comes under the modality of change (ibid). So for those countries with jus sanguinis model of citizenship, I would expect lower levels of national identity on average than for those countries with jus soli model of citizenship.[130] Conversely, we would expect higher scores of group identity for jus sanguinis countries; more strongly when we control for ethnic self-identification. Citizenship, then, can be understood in principle as an expression or instance of "no exit," "change," or "leave" membership. But it can also be configured as an instance of "quit" membership.[131]

Hypothesis 3c: Countries with jus soli regime of citizenship would have higher level of national identity reported by their citizens.

Hypothesis 3d: Countries with jus sanguinis regime of citizenship would have higher level of group identity reported by their citizens.

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[130]As was discussed in chapter one, jus sanguinis model of citizenship can be regarded as being more exclusive than jus soli.

[131]In this study, we take higher levels of national identity to mean that citizens would take their national membership in that particular state as "no exit". That they want themselves as well as their children t to belong and feel as members of the national "community".

And one of the ideal-typical characteristics of membership in nation-state is that it ought to be egalitarian. The idea of egalitarian therefore holds that "there should be a status of full membership, and no other" (Brubaker, 1998:132). This is in opposition to a plural, differentiated and unequal conception of membership where you have a hierarchy of citizenship, such as that of citizens and subject in Mamdani's terms. Therefore, it is important that citizens of new democracies feel that the nation-state and its membership in terms of citizenship are equal and representative. I argue that in post colonial Africa's new democracies, it is the democratic and egalitarian norms of citizenship that are important for the sustainability of democracies and the unique and sacred dimensions of citizenship have worked instead to make national integration more difficult in the past.[132] So, how much citizen's membership is democratic and egalitarians, or how much citizens perceive it to be so, are an important factor for nation-state legitimacy and future democratic success. Thus,

Hypothesis 3e: Citizens of countries with higher levels of political and civil liberties scores would have the higher the levels of national identity.

As discussed earlier, rural-urban difference works by creating different levels of self-identification among citizens. I thus propose that independent of country of citizenship and urban-rural residency, people who associate primarily with ascribed status such as ethnicity and religion are less likely to have high sense of national identity but would have a greater sense of group identity.

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[132]For Brubaker's discussion of this see chapter two.

Hypothesis 4a: self-identification with ethnicity would result in citizens having lower levels of National identity.

Hypothesis 4b: self-identification with ethnicity would result in citizens having higher levels of Group identity.

Data and Variables:

The data set for this chapter comes from the first round surveys of the Afrobarometer public opinion survey. The Afrobarometer was based on Face-to-face interviews by trained interviewers in the language of the respondent's choice. The sample is designed as a representative cross-section of all citizens of voting age in a given country. And was a stratified National probability samples that represent. Sample size varies from a minimum of 1200 in each country to up to 2400 The first round of surveys was undertaken in twelve African countries between 1999 and 2000 but the analysis in this chapter would be restricted to only eight countries that have full information in the dependent variables of interest.

Table4.1: Indicators of National and Group Identity

	VARIABLE NAME	*Description*	*Number*	**Mean (Std. Dev)**
National Identity Indicators	Pride	Proud to be a citizen	12825	4.59 (.73)
	Attachment	Children should identify as citizens	12706	4.58 (.73)
	Equality	All citizens treated equally	12710	4.42 (.93)
Group Identity Indictors	Group Pride	Proud of identity group	12700	4.43 (1.02)
	Group Best	Own identity group best	12363	3.76 (1.32)
	Group Attach	Child should identify with identity group	12633	4.26 (1.16)
	Group Tie	Stronger ties to own identity group	12490	3.94 (1.24)

Note: All the responses to these questions are coded in liker scale 1(strongly disagree) to 5(strongly agree).

Table 4.2: Summary of predictor variables for the study:

VARIABLE NAME	Description	*Labels*	Frequency	Percentage
RESIDENCY	*Residency Status*	**Urban**	7097	56.3
		Rural	5502	43.7
ETHNIC IDENTITY	Ethnic Identity Chosen By Respondent As Primary Self-Identification	***Yes***	3977	30.7
		No	8992	69.3
COUNTRY	Respondents Country of Citizenship	**Botswana**	1200	9.3
		Lesotho	1177	9.1
		Malawi	1208	9.3
		Namibia	1183	9.1
		Nigeria	3603	27.8
		South Africa	2200	17.0
		Zambia	1198	9.2
		Zimbabwe	1200	9.3

Research Design: Multiple Group analysis of Structural Equation Modeling

The first group of hypotheses here would be if the eight countries share the same form of conceptual model used in this study - states that are characterized by a variety of institutional and legal regimes of citizenship. The main empirical tests for our study are to see if the same form of national identity as well as group identity could be estimated for all the nations and if there is a difference in the level of national and group identity among them. To test this hypothesis and the subsequent hypotheses that are nested in this basic hypothesis I use Multiple Group Analysis (to be able to compare responses across these eight nations). In addition, as my variables of interest, national and group identity are latent concepts that can be indirectly measured by variables used in the Afrobarometer surveys, I use Structural Equations Modeling technique. Structural Equation Modeling integrates the

estimation of latent variables with multiple comparisons of groups that theoretically could be different from each other.

My preferences to using Structural Equations Modeling's Multiple Group Analysis is its inherent assumption that responses are clustered in groups and that we cannot assume individual responses to be independent of other individuals in the same group that the individual belongs to. The SEM estimation of latent concepts as varied among groups is important in this chapter as it enables us to demonstrate if the same conceptual model or form would be applied to several groups with differing characteristics such as country of residence, rural urban residence, gender, generations, and self identification. This is a necessary step before developing causal models that link several variables in a cause and effect chain of relationship. As aforementioned, one of the basic duality that Mamdani discusses is the rural-urban duality both in terms of institutional and mental perception of citizens.[133] The duality that Mamdani calls a citizen-subject makes strong assumptions to indicate that there is a significant difference in the conceptions of democratic rights and group rights, civil and customary and the legitimacy of the state and national identity.

The analysis of the proposed study would require a two parts strategy: (a) the test of the equivalence of the measurement model and examination of mean differences and (b) the test of the equivalence of the structural model. Although several approaches can be used to test the equivalence of the measurement and latent variable model, notably multiple group

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[133]While Mamdani's evidence is more at the institutional, it is important to address perceptions of people in addition to institutional analysis. This approach can be termed as a 'mental framework' (yap, 2002). Complimenting this with the institutional framework, it would be possible to see how colonial legacy becomes part of the conscious and unconscious in terms of political culture, and how perceptions of power and ethnic differentiation became firmly cemented in people's thinking and consequently acting (yap, 2002).

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analysis and MIMIC[134], for this study I intend to make use of the mean and covariance structure analysis. I first estimated Multiple Group difference between countries, Rural-Urban and Self-identification separately first[135]. Then I estimated the country effects as MG and rural-Urban as MIMIC (Figure 4.2).[136] This would allow me to simultaneously test and validate the hypothesized conceptual structure in each group examined. It also allows me to evaluate cross-group measurement equivalence by placing between-groups equality constraints on the factor loadings and the intercepts in the measurement model (Bollen, 1989; Lavesque et al 2004; Muthen, 2002). Moreover, provided that the size and direction of the factor loadings are found to be equivalent across groups, these analyses then permit the interpretation of differences in latent constructs' means (mean of national identity and group identity). In sum, this cross-validation strategy provides a strong test of whether the hypothesized measurement and structural models specified in one group replicate in another independent sample.[137]

The test of the equivalence of the measurement model would involve a hierarchy of tests with the estimation of series of models that are nested in each other. The process starts by estimating a basic unconstrained model with all factor loadings or measurement coefficients left free to vary for all groups of interest simultaneously (e.g. eight countries, Rural-Urban). Next, the factor loadings and intercepts are constrained to be equal in all of

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[134]Multiple Group Analysis allows for variation across groups of the variance parameters but MIMIC approach assumes homogeneity across groups of loadings and variance parameters (Rivera and satorra, 2000).

[135]The results are not discussed in detail here but were part of the proposals and initial analysis stage. .

[136]The results will be discussed in detail later.
[137]"A model well fitted in one culture but failing to cross-validate in another could be due to either the existence of true cultural differences or the influence of response bias, or even both. It is therefore important to have a systematic method by which to disentangle the cultural effect from the response bias" (Cheung and Chan, 2002: 56).

the group samples tested, and this constrained model is compared with the unconstrained (freely estimated) model assessed earlier. In order to undertake these invariance analyses, the same differences in chi-square approach will be used to compare models (Bollen, 1989).

To test the equivalence of the strength of the paths in the structural model, we constrained the path coefficients (gammas and betas), in our case Urban and ethnic identification, to be equal across groups. The rationale for this is to compare the chi-square value of the model with the path coefficients constrained with the chi-square value of the model in which the path coefficients were left free to vary across nations. Based on significant change in chi-square, the paths are constrained one by one to assess the unique change in chi-square produced by each path and to identify the source of nonequivalence in the structural model. If the fit of the constrained measurement model is still good and the change in fit between the constrained and the unconstrained model is found to be less than .05 for most of the fit indices considered, then this indicates the equivalence of the measurement models across samples. If so, it would suggest that the identity constructs have been understood similarly in all the groups and we can use it as an evidence of cross-validation of the measurement model across independent national or rural-urban samples.

Then, we can proceed to the next step to introduce more constraints to compare the samples in terms of their magnitude of difference. For example, in addition to constraining the factor loadings to be equal, we can also impose equality constraints on the intercepts of the measurement model. That is, the item intercepts are also constrained to be equal across groups, and the latent means are estimated in all national samples except one in which the

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means are fixed to zero. This nation becomes the baseline sample against which the other groups are then compared. Botswana will be the baseline nation as it has good record of democratization, stability, and institutionalization of traditional authority. If the fit of this fully constrained model is found to be adequate and the change in the fit indices when compared with the values in Step 2 is less than .05, then differences in latent identity means can be interpreted. In interpreting the results, equivalence signifies that the identity constructs examined are generalizable to each national context studied, and that national contexts have not differentially affected the constructs underlying the measurement parameters. Put differently, equivalence signifies that national differences in the latent identity constructs' means are quantitative in nature and can be meaningfully interpreted and compared.

Results and Discussion
Measuring National and Group Identity

The literature on nationalism and identity is not clear about what exactly the concept of national identity means. However, implicit in these theories is that there are national political cultures and nationalistic discourse that are also associated with a certain nature of national and group identity. That is, civic nationalism would foster a strong sense of national identity as demonstrated by positive association with and feeling towards the nation-state by its citizens. Conversely, ethnic nationalism would result in lower levels of national identity but it may increase citizens' association with other sub national categories of identification. Of course, these are simplified proposition that follow the civic-ethnic divide discussed earlier. It should be noted that the literature reviewed earlier also acknowledges the complex relationship of ethnic and civic nationalism and national and

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group identity. In this section, I am stating these just to indicate the abundance of causal arguments but lack of clarity on what national and group identities exactly indicate.

Thus, I take the assumption that a given nation-state may have a pattern of identity among its citizens that might make it different from another nation-state. Theoretically, nationalistic culture is important as it defines the style and set of skills and habits it provides members, which in turn determine how people will communicate their position and actions (Swidler, 1988). Hence, the nationalist discourse provides a cultural code that determines the narratives permissible in that given context. But I argue that there are some indicators of identity that we would find in all national communities measured by their closeness or distance form the national state and the "imagined community", both at the national as well as sub-national level.

In measuring national and group identity, I follow Bollen and Medrano (1998) in their conceptualization and measurement of identity as being two-dimensional. Following Anderson's view of ethnic and national groups as "imagined communities," they draw from the field of group attachment and develop sense of belonging and sense of morale as separate dimensions of group attachment. That is any attachment with an imagined categorical group, national or otherwise, would have a feeling or morale dimension and an attachment or belonging to that particular categorical identity. This distinction is important as people may differ in their sense of belonging and in their degree of feelings towards that imagined community.

The data for my analysis do not allow me to replicate the same measures used by Bollen and Medrano. However, I employ similar indicators of both national and group identity that measures the belonging and feeling dimensions of national and group attachment to a categorical identity. From the survey, I have three indicators that could be used as measures of national identity. One taps the respondent's degree of national pride and is decided from a question about how proud one is to be "Namibian", "Botswana" etc. The second indicator concerns the degree to which one feels that one belongs to one's country. The component is assessed from the questions on whether one feels that "Children should identify as citizens of that particular country". The third indicator asks respondents if "All citizens are treated equally". This indicator could be taken as a measure of feeling or morale since respondents are asked to make a moral judgment on the inclusiveness of that state. All the responses to these questions are coded in a five-category likert scale 1(strongly disagree) to 5(strongly agree).

Likewise, I use four indicators from the survey that measure group identity. In the Afrobarometer surveys, respondents were initially asked besides being a citizen of that country (e.g. Nigerian), "which specific group do you feel you belong to first and foremost?" The responses to this question were then followed by questions that ask about their level of belonging and sense of feeling about that particular group. The first two indicators ask about respondents' sense of feeling towards their chosen group of primary identity. One asks respondents if they are "Proud of identity group" and the other asks respondents if they agree with the statement that their "Own identity group is the best". The last two indicators would measure one's attachment to that particular group. The first asks

respondents to agree or disagree with the statements that "Child should identify with

identity group" and the second with the statement that they have "Stronger ties to own

identity group". All the responses to these questions are coded in a five-category likert scale

1(strongly disagree) to 5(strongly agree).

As indicated earlier, the theoretical construct of national identity is built around the

notion that there are a relatively limited number of unique elements, which sets the culture

apart and enables it to exist, associated with any given culture which makes up its national

identity (Clark, 1990; Huntington, 1997). Thus, the nature of national identity is more

inferred from its association with other theoretical constructs. As the literature review

showed also, this conceptualization of national identity is partially formulated on the

premise that the elements that characterize a nation's identity are also the components,

which serve to tie sub-cultures together within national boundaries (Keillor and Hult, 1999).

So this posits a relationship between the constructs of national and group identity. As such,

thus, it should be clear that any measure of national identity couldn't measure all facets of a

country's national identity. Instead, national identity and group identity constructs can be

structured as a scale that can be used across countries and social groups with in countries

based on their construct and measurement equivalence.

Structural equation modeling with latent variables (Bollen, 1989) models was

specified to fit the latent constructs of national and group identity. The measurement model

of national and group identity combined together as correlated constructs are specified, with

each construct scaled on an indicator of a feeling dimension of identity (Figure 4.1). I

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estimate a combined measurement model of national and group identity together, since in the literature they are discussed together in their relationship with each other. As indicated earlier, earlier nationalism literature treated group identity and national identity as negatively correlated where as recent scholarship is arguing that they are not necessarily related in negative ways. So I combine one factor national identity and group identity models and add a covariance matrix between the two[138]. I did estimate models treating national and group identity separately and I found the combined measurement model to be the best-fit model.

All models were estimated using AMOS Version 4.0 (Arbuckle, 1997); that is, full information with missing data approach (Arbuckle, 1996). It is a maximum-likelihood estimation procedure (Bollen, 1989). Overall model fit is assessed using the chi-square test statistic (i.e. the model fits the data well on an overall basis if the chi-square test of overall model fit was not statistically significant). However, chi-square test is sensitive to sample size and I have a big sample size. Therefore the chi-square test statistic shouldn't be the sole measure (Bollen and Long, 1993) and that other fit measures that are less sensitive to sample size should be considered: the Incremental fit index (IFI, Bollen, 1989), the Tucker-Lewis Index (TLI; Tucker & Lewis, 1973), the Comparative Fit Index (CFI, Bentler, 1990) and RMSEA. I take Fit indices greater than .90 to indicate acceptable fit for IFI, TLI, CFI and less than .10 for the RMSEA. Nevertheless, I interpret these overall fit measures along with other component fit measures like Coefficients magnitudes and significance, R-Squared and error variances. Overall, the best guide to assessing model fit is

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[138]I did estimate separate latent constructs of national and group identity, both as having one-dimensional and two dimensions. However, I combine them together as I am interested in the combined relationship of national and group identity.

a strong substantive theory (Bollen and Long, 1993) and so the substantive literature reviewed here would be used to evaluate model fit.

Results (table 4.3) show that relatively the model fit for the combined model is better than for the two identity constructs estimated separately.[139] The component fit indices are excellent but RMSEA and the covariance is positive definite and significant between national and group identity. Even though there is a good model fit, it still shows that there is more to be desired. So our measurement models may not fit all the countries in the sample and between rural and urban residents of these nation states.

To test our hypotheses of the cross national and urban rural equivalence of the conceptualization of identity among citizens in post colonial Africa, I follow a step by step procedure where I first test whether the measurement of national and group identity is equivalent cross nationally and across urban-rural context separately and then develop a structural model that integrates the cross-national and urban-rural difference models in one. In the following sections, I report the results from the equivalence models.

Measurement Equivalence of National and Group Identity

The first model or the full model is the one we estimated earlier. Table 4.3 shows the mean and variance of national and group identity for the whole sample. It also shows that the model fit indices are acceptable except for the RMSEA. In model 2, I allow for cross-country variation and the model fit improves as the RMSEA is now in the acceptable value.

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[139]For both the separate measures of national and group identity the fit indices were not in the excellent fit range.

The first thing we can do from model 2 is to interpret the cross-national differences in the mean value of group and national identity and their covariances. Clearly, we see some interesting results. But our main research question in this chapter was if the variations we observe cross nationally are structurally the same to warrant a postcolonial experience that is shared equally by all nations. Or alternatively, if national and group identity different from one country to the next in fundamentally different ways that we can't simply interpret the results we see as saying one country has a higher or lower level of national identity than the other. The latter is a sign of structural inequivalence that indicates that each country has its own way of conceptualizing identity.

Results show that the combined measurement model for national and group identity are not structurally equivalent across the eight nations in the study. The Chi-square difference tests between the unconstrained cross-national model (Model 2) and a model that constrains all the indicators of national and group identity are 676.6 with 35 degrees of freedom. This yields a statistically significant value that is interpreted to mean the difference between constraint and unconstraint the factors is so remarkably different. Though several interesting differences are observed among the nations in terms of the average levels of national and group identity and how they are correlated, the multi-group analysis shows that the differences are conceptually different and not a matter of degree. So we won't be able to interpret them meaningfully. Thus, we can conclude that there is no uniformly shared "postcolonial' experiences in the perception of identity.

Nevertheless, some interesting patterns emerge that may be relevant into grouping countries and giving us an idea into our subsequent hypotheses on the cross-national differences. For national identity the countries with the highest values are (Lesotho and Malawi), middle values (Botswana, Namibia and Nigeria) and lower values (Zimbabwe, South Africa and Zambia). For group identity, the highest values were for (Nigeria, Malawi and Botswana), middle values (Namibia and South Africa) and lower value for (Lesotho, Zimbabwe and Zambia). Only the case of Lesotho seems to follow the typical assumption that puts group and national identity in opposite ends as demonstrated by its high national identity value but low group identity value. Zambia and Zimbabwe are at the lower end of both national and group identity constructs while Malawi is at the highest end of both ends. I also estimated measurement equivalence across rural-urban difference for the whole sample and found the same results that prove that there is no measurements equivalence among urban and rural citizens of the eight nations in their conceptualization of national and group identity. We need to integrate these separate cross-national and Urban-rural models in one model before we can make authoritative generalizations on our findings.

Table 4.3: Cross-National Combined Measurement Model for National and Group identity

	Model 1	Model 2								
	Full model	Cross national Unconstrained model					Constrained model (factor loadings)			
N	**12969**	12969					12969			
X^{2}, df	**3187, 13**	2789.9, 104					3466.5, 139			
P-value	**.000**	.000					.000			
IFI	**.989**	.991					.989			
TLI	**.977**	.981					.983			
CFI	**.989**	.981					.989			
1- RMSEA	**.863**	.955					.957			
		Botswana	*Lesotho*	*Malawi*	*Namibia*	*Nigeria*	*South Africa*	*Zambia*	*Zimbabwe*	
Mean of national identity**	**4.6**	4.66	4.78	4.73	4.64	4.69	4.42	4.55	4.24	U
		4.66	**4.78**	**4.73**	**4.64**	**4.69**	**4.42**	**4.55**	**4.24**	R
Variance of national identity**		.37	.43	.27	.30	.21	.42	.36	.59	U
	.37	**.36**	**.46**	**.28**	**.31**	**.20**	**.40**	**.34**	**.70**	R
Mean of Group identity**		4.62	3.68	4.65	.4.41	4.70	4.46	4.3	4.0	U
	4.4	**4.62**	**3.68**	**4.65**	**4.41**	**4.70**	**4.46**	**4.3**	**4.0**	R
Variance of Group identity**		.38	2.83	.37	.72	.20	.37	.60	1.33	U
	.75	**.37**	**2.24**	**.397**	**.68**	**.31**	**.38**	**.73**	**.94**	R
COV (National & Group identity) **		.201	.241	.084	.190	.079	.155	.165	.540	U
	.19	**.195**	**.230**	**.090**	**.188**	**.101**	**.151**	**.180**	**.479**	R
CORR (National & Group identity)		.54	.22	.26	.41	.39	.39	.36	.61	U
	.37	**.53**	**.23**	**.27**	**.41**	**.41**	**..39**	**.36**	**.59**	R

**All values are statistically significant at the .001 p value. U indicates results from the unrestricted model while R indicates results from the constrained or restricted model.

Structural Equivalence of Group and National Identity

Our separate tests on the equivalence of the measurement model across sample nations as well as across rural-urban for the whole sample yielded results that prove that there is no measurement equivalence. This is one way of testing our hypothesized relationships and it indicates that there is urban-rural duality whereas all nations do not seem to have the same measurement model- not supporting the argument that there is a share postcolonial experience in Africa. However, that test is not enough, as we need to develop a structural model where we test cross-national difference by taking into account the urban-rural duality or difference for each national sample simultaneously.

Results from the structural model (Figure 4.2) show some interesting results. First, the fit indices show that the structural specification has a good fit (Table 4.4). For the whole sample (model 1), urban residency indicates a lower level of national identity than rural residency. At face value, this is opposite to our hypothesis that assumes urban citizens are much more nationalists than rural citizens. When we allow the model to vary among nations, the urban-rural difference is not uniform across all countries. Observed differences between urban and rural residents are only found in Lesotho and South Africa. The value indicates that urban residents in these two countries score slightly less than rural residents on national identity but the magnitude of urban for these two countries is slightly higher than the average for the total sample (.06 versus .04). This is not in line with our duality hypotheses as the magnitude for urban is negative. We also find unexpected results for the group identity measure. The effect of urban residency on group identity is positive indicating that urban citizens are more likely to have a higher level of attachment and

feeling towards a sub national identity. After breaking down the effect of urban residency

on group identity by country (model 2), the only significant remaining values are for

Botswana, Malawi and Zimbabwe. That is, whereas urban residents in Zimbabwe and

Botswana are less likely to have sense of group identity that their rural counterparts, urban

Malawians are more likely than rural Malawians to entertain the sense of group identity.

However, it should be kept in mind that the average value for both rural and urban

Malawians is higher than Zimbabweans but not Botswans. And all the values of the

coefficients are more than the average value for the whole sample coefficients. The rest of

the countries in the sample show that there is no significant difference among urban and

rural residents. Clearly, we see some patterns here that put Lesotho and south Africa

together against the rest of the other countries for national identity and Botswana and

Zimbabwe on one side, Malawi at the other extreme end while the rest of the countries in

the middle for group identity.

As was indicated several times, before we can take these value differences to be

meaningful, we need to do tests to see if the difference is just matter of degree or if it is

structural in nature. So I first start by administering a test of structural equivalence cross

nationally on the effects of urban-rural duality in national and group identity. A chi-square

difference test between the unconstrained cross country model and the restricted factor

loadings model (models 2 and 3) yields a value of 638.8 with 28 degrees of freedom and

this is statistically significant indicating that the two models are totally different. In other

words, it shows that we cannot assume that the factor loadings or the measurements of the

concepts of national and group identity are structurally the same among countries. Even

though we observed interesting relationships in the cross-country effects of urban-rural

residency, we cannot simply interpret them as difference in the levels or degrees of senses

of identity. Instead, they indicate fundamental structural and conceptual differences.

Table 4.4: Structural model with the total, cross country unrestricted and factor loadings restricted model.

	Model 1	Model 2					Model 3			
	Full sample	Unconstrained cross country					Constrained cross country (Factor loadings)			
N	**12969**	**12969**					**12969**			
X², df	3225.1, 18	2907.6, 144					3546.4, 172			
P-value	.000	.000					.000			
IFI	.990	.991					.989			
TLI	.979	.983					.982			
CFI	.990	.991					.989			
1- RMSEA	.883	.962					.961			
	Full sample	Botswana	Lesotho	Malawi	Namibia	Nigeria	South Africa	Zambia	Zimbabwe	
Intercept of national identity **	4.62	. 4.68	4.8	4.72	4.62	4.69	4.48	4.58	4.24	U
		4.68	**4.8**	**4.7**	**4.6**	**4.70**	**4.48**	**4.58**	**4.24**	**R**
Variance of national identity error **	.37	.37	.43	.27	.30	.21	.42	.36	.59	U
		.37	**.42**	**.27**	**.34**	**.22**	**.40**	**.34**	**.56**	**R**
Intercept of Group identity **	4.4	4.68	3.67	4.62	4.44	4.71	4.43	4.34	4.1	U
		4.67	**3.7**	**4.62**	**4.45**	**4.71**	**4.43**	**4.34**	**4.1**	**R**
Variance of Group identity error **	.75	.38	2.83	.372	.72	.21	.37	.60	1.32	U
		.37	**2.24**	**.39**	**.68**	**.31**	**.38**	**.73**	**.93**	**R**
Standardized regression weights										
National identity ←----- Urban	-.04 **	-.036	-.067 *	.027	.051	-.009	-.06 *	-.05	.003	U
		-.036	**-.07 ***	**.027**	**.041**	**-.010**	**-.06 ***	**-.047**	**.004**	**R**
Group Identity ←--- urban	.057 **	-.10 *	.010	.075 *	-.05	-.01	.03	-.04	-.07	U
		-.101 *	**.01**	**.074 ***	**-.05**	**-.008**	**.027**	**-.038**	**-.084 ***	**R**
COV (National & Group identity) **	.20	.20	.25	.08	.19	.08	.16	.16	.54	U
		.20	**.21**	**.087**	**.20**	**.12**	**.15**	**.18**	**.41**	**R**
CORR (National & Group identity)	.37	.54	.22	.26	.41	.39	.39	.36	.61	U
		.53	**.22**	**.27**	**.42**	**.41**	**.39**	**.36**	**.57**	**R**

**All values are statistically significant at the .001 p value. * Values are statistically significant at .05 level.

In Table 4.5, I also put more restrictions on the urban slope as well as on the factor loadings to further test the structural equivalence of urban-rural residency. For Models 1 and 2, the chi-square difference value is 53.5 with 14 degrees of freedom. That is a statistically chi-square difference indicating that the effects of urban-rural difference cannot be assumed to be equivalent across countries. Also more restrictive tests in subsequent tests demonstrate the same results that structural equivalence does not hold for urban-rural as well cross national. In sum, the models estimated have excellent fit indices by they demonstrated that there is neither cross national nor urban-rural equivalence in national and group identity. The former finding negates our hypotheses of shared postcolonial experience while the latter confirms the rural-urban duality hypotheses.

Table 4.5: Structural Equivalence tests: with restrictions on urban slope

	Model 1	Model 2	Model 3	Model 4
	Unconstrained cross country	Constrained cross country (Urban slope only)	Constrained cross country (Factor loadings and Urban slope)	Constrained cross country (Factor loadings and Urban slope & intercepts of latent)
N	**12969**	**12969**	**12969**	**12969**
X^2, df	2907.6, 144	2954.1, 158	3592.6, 186	5031.7, 202
P-value	.000	.000	.000	.000
IFI	.991	.991	.989	.985
TLI	.983	.984	.984	.979
CFI	.991	.991	.989	.985
1- RMSEA	.962	.963	.962	.957

Ethnicity and National Identity

Even though we have demonstrated that there is urban-rural duality in our structural models, the fact that we found the direction of the effects of urban residency on national and group identity to be opposite to our hypotheses needs further investigation. As

indicated in the review of the literature, the urban-rural dichotomy is an indicator of so many historical and institutional factors that have resulted in the two social sectors having different modes of conceptualization of identity. The argument is that the rural society was integrated with the modern colonial state through indirect rule by way of many localized customary laws that as a result rural population tend to be more in favor of ethnic identification as their primary source of affiliations. The Afrobarometer, survey asked respondents to indicate the primary category they identify with in addition to being a member of a given nation-state and in these sections I compare those who chose ethnic identification as their primary category with the rest of the respondents. This is important as identification is highly correlated with urban-rural residency and the observed cross-national differences can partly be explained by how much or less urban residents of each country identify with ethnic category. So I estimate a model that adds ethnic identification as a predictor of national and group identity along with urban residency and allow them to be correlated (Figure 4.3).

Results are summarized in Table 4.6 and only the main variables are reported. The results show that the addition of ethnic identification does not change the effect of urban residency on national identity. It is Lesotho and South Africa that still have a significant negative of urban residency on national identity. However, for group identity we find different results of the effects of urban residency when we control for ethnic identity. In this model Nigeria has a significant urban coefficient and along with Botswana, urban residency has a negative value. Malawi and Zimbabwe also retain their significant values but now urban Zimbabweans like Malawians are more likely to score higher on group identity than

their rural counterparts. Nigeria is an interesting case as urban residents are less likely to

report high group identity even though the correlation shows that urban residents are more

likely to identify with ethnic identity. This could be interpreted that even though they

choose ethnic identity more their feelings and belonging to them are not as strong. In

general, we find no clear relationship between the covariance of urban residence and ethnic

identification and the effect of urban residency on national and group identity as we find the

countries with significant urban coefficients dispersed throughout the covariance columns

in table 4.7.

Table 4.6. Significant effects of urban residency and ethnic identification on national and Group identity

	National identity		Group identity	
	Decrease (-)	**Increase (+)**	**Decrease (-)**	**Increase (+)**
Urban	Lesotho South Africa		Botswana Nigeria	Malawi Zimbabwe
Ethnic identification	Lesotho	Malawi Namibia Zambia Zimbabwe	Lesotho	Malawi Namibia Nigeria South Africa Zambia Zimbabwe
Urban only predictor model				
Urban	Lesotho South Africa		Botswana Zimbabwe	Malawi
Ethic identification only predictor model				
Ethnic identification	Lesotho	Malawi Namibia Zimbabwe	Lesotho	Malawi Namibia Nigeria South Africa Zambia Zimbabwe

Note: Gray boxes indicate expected results from the hypotheses:

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Table4.7: Covariance between urban residency and ethnic identification

Significant negative Covariance	Significant positive Covariance	Not significant Covariance
Namibia, South Africa Zimbabwe	Nigeria	Botswana Lesotho Malawi Zambia

Conclusion:

The results in this chapter demonstrate that African citizens hold the nation and its fragments simultaneously. Citizens entertain a high level of national identity that goes along with a comparable level of group identity. In the minds of African citizens, the national and sub-national co-exist. One need not have less of the group identity if they are going to have more of national identity. This is true even if the primary self-identification of citizens is ethnic based. In light of the desirability of civic or ethnic nationalism, the results support arguments that we need to take both as complementary and important sources of identity.

Nevertheless, our interest in doing the study was to test the hypothesis that urban and rural citizens' view of their identity is fundamentally different from each other in Africa. In the models we developed to test this, we demonstrated that there is a significant cross-national as well as rural–urban difference in how citizens of the countries for the study conceptualize national and group identity. That is, for all the countries studied it is impossible to assume that urban citizens and rural citizens are referring to the same issues when they are evaluating their feelings and attachments to their nation and other sub-national forms of identifications. In the same way, citizens of the different countries do not share the same understanding of national and group identity that could be regarded as a

shared postcolonial identity. We find the evidence for rural-urban duality to confirm our duality hypotheses but the relationship is so complex and cannot be reduced to civic-ethnic divide. In addition, there is no shared postcolonial identity conceptualization among citizens of these African states. However, we observe some cross-national typologies of the effects of urban-rural duality that need further investigation. These typologies cannot be reduced to general political history of countries as we developed them in our hypotheses.

The urban-rural duality in identity is equally prevalent for both national and group identity but it is not uniform across nations. In some countries, urban citizens express more national identity and less group identity as we predicted in the hypotheses. In others, we find an opposite result where rural citizens are more likely to have a sense of national identity and lower group identity. We also find some countries to demonstrate lack of this duality in their citizens national and group identity between rural and urban residents. The future implication is that we might need to think of different ways people in cities and rural areas think when they refer to national and group identity. That's to say that an urban civil servant and a rural peasant do not take them to mean the same thing. When we think of these findings in the context of why ethnic identity is different in rural and urban setting this may make sense. For example, ethnic identification may potentially be more problematic in an urban setting where it is established in comparison to members of other ethnic groups in cities. The argument can also be extended to suggest that it is deceiving to associate certain qualities of civicness or its absence for rural and urban African citizens in the absence of actual measures of political opinion. Instead, we have to acknowledge that qualities of civicness are variable based on individuals, and their national and group

affiliations. It is important to think of national identity as a project, not as fixed realities that can be settled once and for all (Calhoun, 1995b). So the results here cannot be taken as definite but they require as investigating different patterns of identity perception across time and among citizens of different nations.

Table 4. 8 National Pride /Group pride Cross tabulation

Proud to be a citizen	Proud of identity group					Total
	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree	
Strongly Disagree	63	8	7	35	43	156
	(.5%)	(.1%)	(.1%)	(.3%)	(.3%)	(1.2%)
Disagree	24	41	15	56	63	199
	(.2%)	(.3%)	(.1%)	(.4%)	(.5%)	(1.6%)
Neither Agree nor Disagree	25	20	38	115	92	290
	(.2%)	(.2%)	(.3%)	(.9%)	(.7%)	(2.3%)
Agree	104	96	69	1927	1113	3309
	(.8%)	(.8%)	(.5%)	(15.2%)	(8.8%)	(26.2%)
Strongly Agree	438	136	69	1096	6959	8698
	(3.5%)	(1.1%)	(.5%)	(8.7%)	(55%)	(68.7%)
Total	654	301	198	3229	8270	12652
	(5.2%)	(2.4%)	(1.6%)	(25.5%)	(65.4%)	(100.0%)

N= 12652. Pearson's chi-square is 3995 (p<. 001) and Pearson's correlation is .30(p<. 001) spearman's correlation .43(p<. 001)

Table 4.9 National attachment /Group attachment Cross tabulation

Children should identify as citizens	Child should identify with identity group					Total
	Strongly disagree	Disagree	Neither agree nor disagree	Agree	Strongly agree	
Strongly disagree	57	20	22	21	35	155
	(.5%)	(.2%)	(.2%)	(.2%)	(.3%)	(1.2%)
Disagree	20	44	36	50	45	195
	(.2%)	(.4%)	(.3%)	(.4%)	(.4%)	(1.6%)
Neither agree nor disagree	18	18	71	90	94	291
	(.1%)	(.1%)	(.6%)	(.7%)	(.8%)	(2.3%)
Agree	132	219	130	1870	1072	3423
	(1.1%)	(1.8%)	(1.0%)	(15.0%)	(8.6%)	(27.5%)
Strongly agree	577	344	231	1068	6185	8405
	(4.6%)	(2.8%)	(1.9%)	(8.6%)	(49.6%)	(67.4%)
Total	804	645	490	3099	7431	12469
	(6.4%)	(5.2%)	(3.9%)	(24.9%)	(59.6%)	(100.0%)

N= 12469. Pearson's chi-square is 3494 (p<. 001) and Pearson's correlation is .24(p<. 001) spearman's correlation .36(p<. 001)

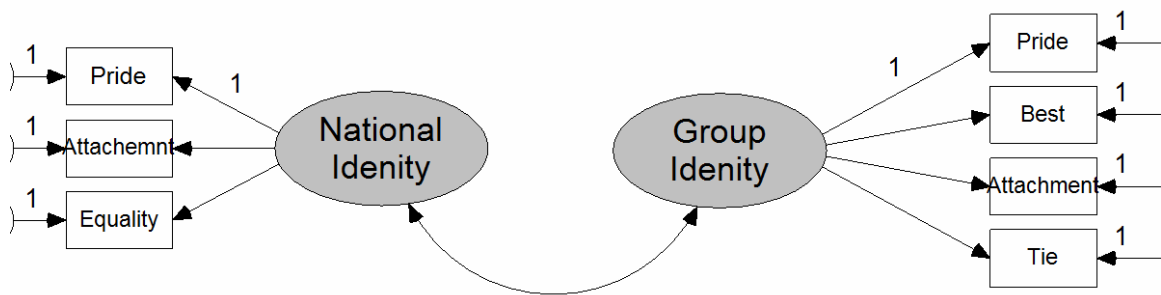**Figure 4.1: Combined Measurement Model of National and Group Identity**

Figure 2: Multiple Group Analysis and MIMIC Model: URAN-RUAL As Predictors of Cross-National Difference
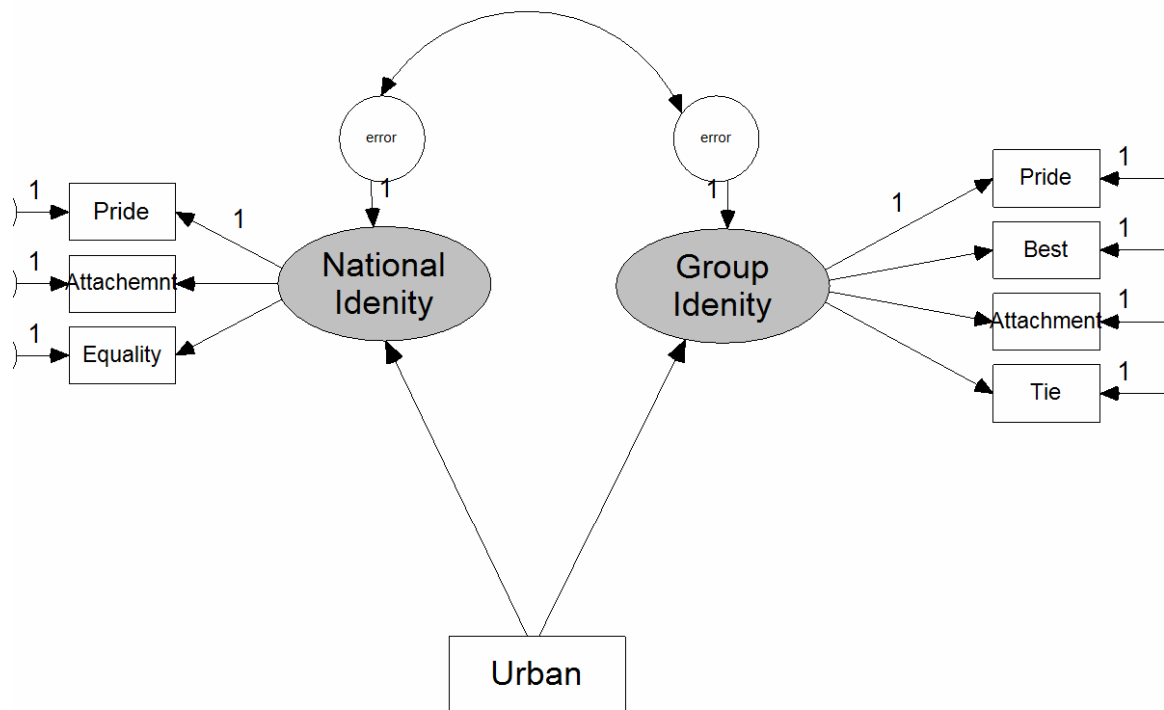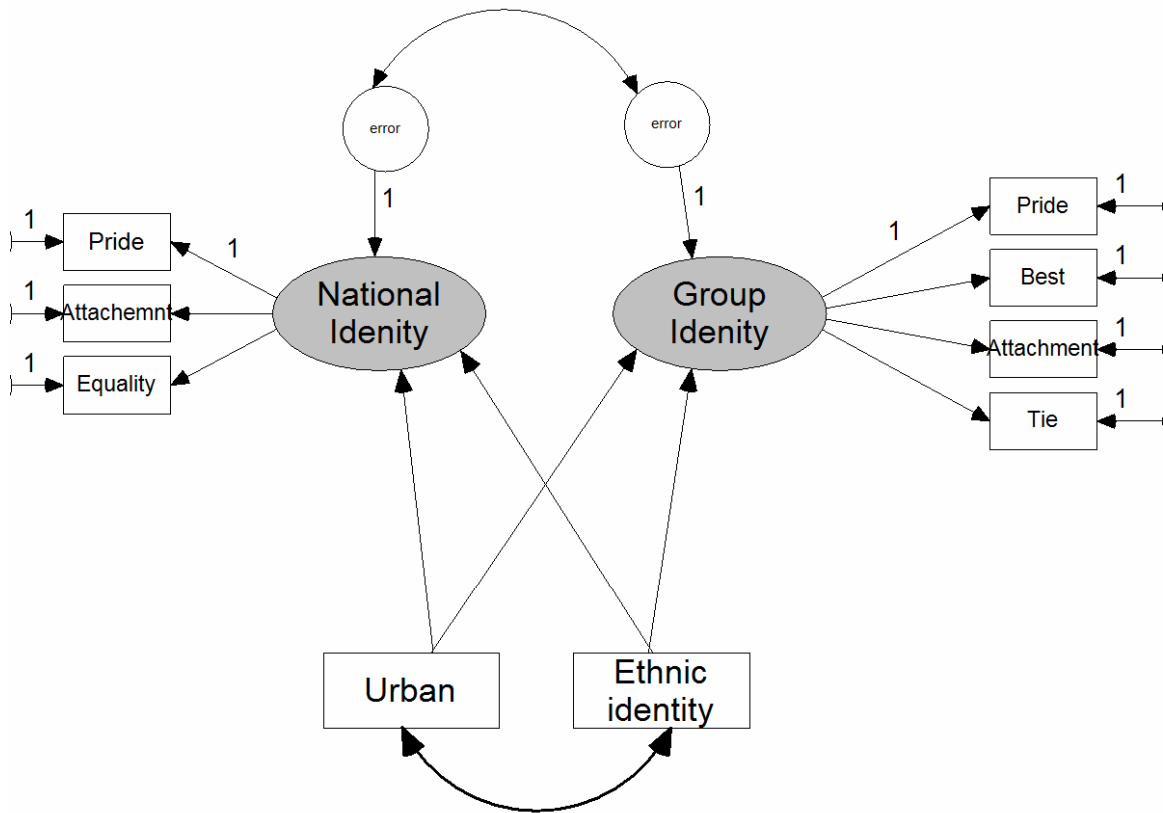
Figure 4.3: Multiple Group Analysis and MIMIC Model: Urban-Rural and Ethnic Identification as predictors of Cross-National difference in national & Group Identity

CONCLUSION:
DEMOCRATIZATION, NATIONALISM AND CONSTITUTIONAL CITIZENSHIP

After such a detailed analysis of state failure, constitutionalism and national identity, it is important to discuss the implication of the findings and their relevance for the democratizing of the state in Africa. It is also relevant to discuss the theoretical and methodological implication of the research undertaken in this dissertation. I have drawn a lot from social history literature [140] and different traditions of data analysis and interpretation in conceptualizing, measuring and interpreting state failure, constitutionalism and national identity. I have taken an eclectic approach by putting the research in political sociology, African studies and the burgeoning literature on civil society and democratization. In this conclusion chapter, I discuss some of the theoretical, methodological and practical implications of the research in this dissertation. I will first discuss the implication of our results for the theoretical and historical understanding of Africa citizenship and for the future of democratic reforms in Africa. I then focus on the issue of the democratization of the customary sector and how the results from the different analyses in the dissertation reflect the national and customary conflict. Finally, I conclude the conclusion by arguing about the importance of the Urban-Rural duality frameworks used in this dissertation and the different typologies and classification that came out in the process of analyses of our results.

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[140]To a large extent I have drawn from empirical and theoretical arguments of works of Mahmood Mamdani, Craig Calhoun and Jeffrey Herbst.

We live in a time period when liberal democratic political systems have become desirable ends in the agenda of international discourse. In late developing countries, even though the level of democracy has been very slow, in the last two decades the world has seen a substantial increase in the transformation to democratic forms of rule. There have been substantial changes in political governance but there are still doubts about the sustainability of such changes. And it is this interest in the sustainability of the democratic transitions achieved in Africa that makes the study of institutional forms and public opinion an important and timely issue. One aim of this dissertation is to contribute knowledge in our understanding of the sustainability of new democratic transformations and experiments by looking at their institutional and public opinion patterns.

Constitutionalism in the post-colony, Democratizing the Customary and Cosmopolitan Nationalism:

Institutional reform is acknowledged as an important step for the consolidation of new democracies. However, the focus on institutions usually focuses on strengthening state administrative and judicial performance as well as helping civil society institutions to flourish as checks for the state. In the debate on democratic sustainability a liberalism of the type that makes the "civic" society foundational for a democratic order has become very essential prescription. I agree that a civil society that allows for Habermas' (1989) "public sphere" is critical in the development of a political culture that gives primacy to reason and rationality over politics of identity that usually counter liberal democratic values by stressing on group rights and identities. Mamdani (1996) in "Citizen and Subject" also takes as self-evident the assumption that democracy is a desirable goal to seek and in the African context

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he argues that the challenge is to forge structures that make the incorporation of the masses of the people into the political process and the civil society as equal citizens with democratically constructed unitary legal system. I concur with this assumption but I also think that for the sustainability of Africa's democracies the nature and patterns of public opinion should be taken as starting points of reform. The strength of Mamdani approach is its interplay of the Africa's historical specificity in the construction of categories of citizen and subject. The theory is based on thick evidence of history and empirical generalization and an attempt of this dissertation was to extend the theory to broader empirical test with much more methodological rigor. In the following section, I discuss attitudes and perceptions of African citizens in our sample countries and their implications in the process of democratic reforms. To translate the desirable goal of democratization in the context of what African citizens think would help us make better judgments on the future of democracy in Africa.

The study of state failure and institutional segregation in this dissertation shows that liberalization of citizenship at the national level is a necessary but insufficient factor for state stability. We have also demonstrated that when national entry into citizenship is liberal and inclusive but local customary laws govern land tenure issues, state failure experience becomes a likely issue. That is, partial institutional reforms that perpetuate a form of duality may do more harm than good and it is necessary that the local customary sector also be democratized. Local legal regimes of access to vital resources need to be democratized and modeled along the same constitutional citizenship rights regime that new African democracies are adopting more and more.

In this study I also asked if citizens understand the institutions of the nation and rights associated with it in contractual obligation terms. I looked at the legitimacy of fundamental nation-state institutions of the constitution. I placed this in a historically specific context tying it to the legacy of colonial rule and what Mamdani calls "the mode of incorporation" of subject peoples into, not exclusion from, central power. Thus, I looked at the effects of incorporation through the urban-rural institutional duality in the incorporation of citizens into the political system and how that affects their constitutional closeness and their view of traditional rule.

Throughout the analysis in this study, the ruralites or the institutionally natives have a more favorable view of constitutions and were more likely to disapprove traditional customary authority. This reality can have multiple interpretations and can actually give a more hopeful future for Africa's democratic prospect. The fact that rural residents and less educated people have a better sense of constitutionalism in their perception makes the native question of the customary divide less of a potential problem, at least in its political opinion version. But the findings that urban citizens are less likely or, in some cases, not different from rural citizens in their closeness to constitutions and in their upholding of national identity and group identity may be troubling from the perspective that associates the prospect of democratization with urban, cosmopolitan and educated citizens. So if the ideal of a desirable democratic state is the legally unified state, the potential problem may be as much urban or even more, as it is rural. We can ask: is it the peasant problem or the middle class problem that determines the future of Africa's democracies?

The results seem to suggest that the middle class issue may be a potential problem more than the peasant problem. Comparatively speaking a structural problem for the growth of liberal democracy is the lack of strong middle class. Lipset (1959, 1994) argues that middle classes in democracies tend to be the moderates and are more likely to defend liberal democratic values such as civil liberty and are more likely to participate in political activities. However, the urban middle class support for constitutional order does not seem to be strong in Africa. This might be associated with the changes that followed the democratic processes. For example, in many instances the democratizing state was unable to deliver social and economic services that had characterized the postcolonial state and the discourse for democracy was articulated in terms of economic grievances and lack of political rights. This increased liberalization of the economy may also be putting a great strain on the middle class and too much emphasis on countries to follow market led economy may negatively affect the future of liberal democracy.[141]

We can generalize about future trends based on the attitudes of citizens in our samples but we need to avoid making simple urban-rural distinctions. It is rather interesting in many contexts rural Africans demonstrate attitudes that would be more democratic than their urban counterparts. After we take into account the regional and ethnic factors, the distinction becomes less pronounced but still demonstrates a rural advantage. This clearly can be interpreted in a positive light. The fact that rural citizens have a more deference to constitutions and less interest in retaining traditional power is certainly a good trend in helping Africa's new-democratic systems. If citizens, who by and large institutionally are

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[141]A future research line would be whether there is a significant rural-urban difference on the role of state visa-a-vis civil, political, or social rights.

connected to the national state and its constitutional order by indirect customary power based structure, display strong attachment to the constitutions, it sure would make the future challenge of African democracies much easier. This could also mean that historical experiences have led rural Africans to value constitutions and reject traditional forms of rule more than urban citizens. This can be seen as a sign that citizens who are subjected to customary power are also more critical of it. However, the unexpected political opinion trends of urban Africans would suggest a different potential problem for Africa's democratic sustainability. Even though, a one time cross sectional survey result would not allow us to make any definitive statements, it would certainly help us raise some important questions. With the Afrobarometer survey data now collecting second and for some third wave questions on the same issues of constitutionalism and identity, we would be able to measure trends and changes in political opinion and we could make more informed judgments for the future of African political systems.

In Mamdani's view what formal independence achieved, is "deracialization without democratization"; that is, the nation-state is now run by natives, but the decentralized level that is subordinated to the central one remains the preserve of "customary laws." The implication of this argument is that there is a need of de-ethnicization or more appropriately the democratization of the ethnic or customary sphere, since a deracialized society with out democratization of the "native" or "customary" sector is a society where individuals are subjects, not citizens; the immediate locus of allegiance is the customary chief not "head of state."[142] Mamdani (2000:46) argues "only by posing the question of political identity

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[142]Mamdani goes so far as to suggest that South Africa's apartheid system was an extreme version of this model.

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directly would it be possible to arrive at an agenda to transform natives from subjects to citizens". In our study, the rural population who would be majority 'natives' from this view are not anymore subjects than the urban population who are expected to uphold rights based discourse of democratic agenda. Rural "subjects" are not expressing allegiance to customary power but instead they strongly express that they want to be full national "citizens".

Similar results are also found in the area of political identity. With regard to how individuals view themselves and their place in the nation, the bifurcated logic of African states and the political construction of identities is expected to make the two terms "nationality" and "ethnicity" somewhat mutually exclusive. Mamdani's assertion is accurate to the extent that there is some significant difference in terms of who associates more with what could be regarded as, ethnic as opposed to national level of identification. However, those who manifest characters that could be of the ethnic 'sector' in their support of constitutionalism and traditional power or national and group identity are not rural citizens or 'subjects' in Mamdani's typology based on their integration to the national state. Rather, many urbanites express perceptions and attitudes that would be regarded more ethnic than national in our investigation of public opinion.

I should hasten to argue, however, this does not mean that empirical reality can be interpreted as a contradiction to Mamdani's theoretical claim. It needs to be seen in line with his view on the despotic nature of the customary. The fact that the rural populations, who are more likely to be institutionally under customary sector of the bifurcation, are more likely to reject traditional rule while they hold high regard for the national constitution can be seen as

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a call by rural citizens for the democratization of the customary sector. That is, we can view the expression of rural citizens' objection of customary power as a politics of resistance to the undemocratic power of the customary. If in its historical construction ethnicity was both a form of power and resistance, then rural citizens may be expressing the limits of the postcolonial construction of customary power as a form of resistance and empowerment. Their distance from the customary and closeness to the constitutional order may be a sign that they are seeking for an alternative rights based discourse of democratization. Thus, the challenge of African governments in bridging the gap between the rural (where customary law prevails) and the urban (the preserve of civil society) is not in the unwillingness of rural citizens to hold into national values but to match their changing values and the institutions they are governed by. Furthermore, these findings support Mamdani's call for de-emphasizing ethnic identity in the pursuit of national identity by democratizing the ethnic sector.

As an institutional and political issue, I argue that the democratization of the customary sector is the timely issue to debate in Africa now. The point to be made here is that the customary is viewed as a problem or as creating a duality of legal regime in the context of African states not because the customary is necessarily antithesis to civil and legal liberties but that its linkage and relationship with constitutional order is usually residual. That is, in many instances the customary is left to be vague and to mean what the civil law is not and left to the interpretation of the customary enforcers. I would also argue that African constitutional principles and political and legal practices would greatly benefit if they were to draw from customary laws and traditions. But the customary has also to be subjected to the

same democratic ideals of representation, reform, debate and legislative process. Even if a particular customary law is applied in a local sector, the customary contents of that particular group or culture could be the content of the laws and rules (provided that they do not interfere with fundamental human and personal freedom guaranteed in constitutions)[143] However, it becomes problematic if the customary sector is a sphere outside of the national constitutional order and is primarily motivated on administrative efficiency logics. If our focus is on democracy and justice, a democratizing project of the customary is important. It is for this reason that Herbst and Mamdani argue that some of the same logics of the colonial administration (irrespective of the cultural sensitivity and democratic commitments of its leaders) are still very important factors determining political choices in contemporary Africa's territorial nation-states.

Ethnicity may mean different things in different regions and ethnic groups and it does show that ethnic self-assertions and identities are not uniform within members of ethnic groups as they also depend on their urban-rural residency and their institutional integration within the state power. The study also demonstrated that nationalism and ethnic self-assertions are not substantively opposed to each other. Citizens hold both levels of identity in high levels simultaneously. However, we cannot argue that all postcolonial citizens share the same relationship in their identity but the different institutional legacy between urban and rural citizens is also demonstrated in their differences in constructing their national and group identities.

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[143]Many contradictions between the customary and the constitutional order will be debated in constitutional courts with the maturation of the political systems and when practical political decisions make them necessary. A recent example is in late April 2006, four rural South African communities brought a court case challenging the constitutionality of the Communal Land Rights Act of 2004.

In a more contemporary vein, the idea of "civic nationalism" is akin to what Habermas calls "constitutional patriotism", where citizens are supposed to constitute themselves as an association for free and equal persons by choice (Habermas 1996). This view of the nation is in contrasted to the concept of the nation as formed by inherited form of life and the fateful experience of a shared history. This may be a good ideal for the strengthening of nationalism and citizenship in Africa. A civic nationalism which links nationalism and national identity to democratic procedures and institutions can provide a sense of identity open to all who are citizens, which can aid the transition to or the maintenance of democratic society. But we have already acknowledged that such civic nationalism is challenged by more fragmentary and intense categorical identities, yet it may provide one means of averting this rise and domination of narrower, more exclusionary nationalisms.

However, our research shows that to make civic nationalism exclusively defined as the one and only source of identity and in opposition to other sub-national group identities would be to deny the reality and social experiences of Africans. Africans hold both ethnic and civic nationalism to almost similar levels and to privilege one over the other would be to prefer narrower form of social organization to a widely shared form of identification. The best approach is to hold both sectors to the same expectation of democratic process and diversity. It should be born in mind that a discourse of sameness, not only those based on nationalism but also even those based on a more humanistic focus could be politically problematic. It is in this light that Friedman (2004)[144] argues that the resistance politics against apartheid in South Africa had an emphasis on sameness as an expression of worth Africans' common

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[144]Steven Friedman- South Africa: Building Democracy after Apartheid. In Democratic reforms in Africa – the quality of progress, edited by Gyimah-Boadi. Boulder: Lynne Rienner publishers

humanity. Though this was a powerful statement during the period of racial oligarchy, he argues; it is a severe obstacle in the context of a need to build vibrant democratic institutions. In the words of the revolutionary thinker Frantz Fanon (1963) to avoid regression to colonial formations "a rapid step must be taken from national consciousness to political and social consciousness." The lesson here that to privilege national identity at the expense of multiple forms of identity may be counter productive.

Moreover, the fact that national consciousness goes hand in hand with group consciousness and the fact that rural citizens who, by and large, are socially homogenous and living in small communities support the constitutions may be a sign for this acknowledgement of social processes of ethnicity and other sub-national sources of identity. The recent literature on civil society and civic nationalism should acknowledge that privileging urban society as an arena of civicness is not an empirically supported assumption. African democracies would benefit by moving from discourses that only assume civic nationalism as the only democracy supporting form of identification. Rather, the process of democratization needs to transform both the civic and ethnic spheres of citizenship and nationalism by linking them in a unified legal institution and putting them under same democratic expectation. So it would be an error to attach democratic elements to civic nationalism and associations while proclaiming ethnic identification as inherently un-democratic. As Neocosmos (2003) shows us the questions for Africa is not about democracy with the liberal civic sphere but democracy with in the realm of tradition or customary as well.

Rural-Urban duality and Institutional segregation: Methodological Notes

The research designs followed in this dissertation are in many ways exploratory and have tried to link different research tradition in answering the question of institutional segregation and dualism on state, ethnic and individual state level outcomes. Given the tendency in African studies to assign categorical groups such as ethnicity with motive and commonality of purpose thus leading to what could be refereed as an "ecological fallacy," I followed a methodological individualism that would lead me into group patterns. But this methodological individualism was supplemented with a multilevel research approach that recognizes that individual perception and behavior is both a result of individual variability and is also conditioned at the group level; namely, ethnic and regional categories.

My units of analysis were national, group and individual levels. There is a discernible pattern of the effects of institutional duality at all levels of analysis. It should be noted that the measures of institutional dualism were crude and indirect. For example, the urban-rural variable is a simple crude measure of residency. But the fact that we find that interesting differences and patterns that follow that distinctions makes it an important category for study for further research. I would argue that we need more theoretically informed and well operationalized measure of urban-rural distinction and the results found in this dissertation make that need urgent. In many ways, the research models used here were exploratory in that they attempted to test interesting historical hypotheses by using available survey and country level panel data in the context of multilevel and latent variable multivariate research paradigm.

Another importance for rural-urban distinction is the fact that the most protracted and longer and even successful revolution in Africa has been mainly because they used the rural population. The lesson from this distinction is that armed rebellions would be more successful in getting the rural population mobilized that stresses the language of power and group right than individual democratic rights. Clearly, there is connection between urban leaders and their ability to mobilize the rural population. And it should be acknowledged that rebellious movements could either use the appeal to maintain rural ethnic privilege or to reform it as a mobilizing force to win and organize rural populations. So, the future stability of states and sustainability of democratic transition is predicated on the rural-urban linkage in institutions and in political views.

One thing this study did not address due to data limitation is the role of migrant citizens in bridging the urban-rural divide and to what extent the urban patterns observed cross nationally in constitutionalism and national and group identity are a function of the duration of urban residency of citizens. In this respect our study is limited in that we would not see the effect of what Mamdani called the "rural in urban "population that could be characterized by seasonal migration back and forth. In several instances we found urban citizens to be less in favor of constitutionalism, more into traditional sources of authority and group identity, it would be important to differentiate long term second generation urbanites from early migrants as perception takes time to get established. However, we were able to get indirectly at group level effects of urban residency by estimating how much a given opinion can be influenced by the average trend in a given group irrespective of individual opinion.

The research designs used in this dissertation have given us several classifications and typologies that could be helpful for further studying African political opinion of citizens of different countries. The cross-national classifications developed here could be as en entry point to inquire the history of countries. As an exploratory research the multilevel approach employed in the study of constitutional legitimacy adds a systematic dimension to the interactive effects of social location and individual characteristics of citizens in determining their political opinions. Conceptualizing political views in the context of interactive effects is important in disentangling the properties of ethnic groups from their individual members in producing different types of citizenship. The fact that after employing complex research methods, we find an urban-rural duality of citizens perception of legal institutions and political identities that cannot be reduced to a civic-ethnic divide also makes the use of methods that take into consideration individual and group characteristics very important.

Mamdani distinguishes between disentangling social processes through empirical analysis and the ethical exercise of praising or denouncing institutions in the hope of transforming in light of the full democratization of African nation-states. The empirical findings in this study highlight that the question of institutional reform is of paramount importance in African states if national trends that are helpful for the sustainability of democratic political systems are going to evolve. We can also add here that constitutional citizenship and institutional equality is a democratic ideal we can desire for African citizens. The incorporation of different sectors of their society with different institutional histories and identities under a single constitutional state that intends to have one overriding national loyalty and identity is the basic challenges of postcolonial societies.

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