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**SOVEREIGNTY MATTERS: AFRICA, DONORS AND THE AID RELATIONSHIP**

# **SOVEREIGNTY MATTERS: AFRICA, DONORS AND THE AID RELATIONSHIP**

## **ABSTRACT**

This article presents a critique of claims that aid undermines the sovereignty of African states. It argues that we need to start with a conceptual and analytical distinction between sovereignty seen as a right to rule on the one hand and other political issues to do with the national control over policy and outcomes on the other. This distinction is vital if we are to see more clearly the areas in which aid, as a particular form of external influence, does and does not have an impact on recipients. The article argues that sovereignty as a right to rule constitutes the very basis of the aid relationship but also endows African states with the agency with which to contest the terms of aid deals. The article provides a new reading of the politics of aid and, by reasserting the centrality of sovereignty as a central organising institution in contemporary aid relations, supports rather than questions the relevance of the discipline of IR to African studies.

*Introduction\**

THE CLAIM THAT OFFICIAL AID TO AFRICA UNDERMINES STATE

SOVEREIGNTY has been an important feature of the assessment of western policy towards the continent for some time. Indeed, such claims have had a much wider impact as well, the aid relationship being cited as an example of the declining importance of sovereignty more generally and indicative of a mismatch between the discipline of International Relations (IR) and African realities.

This article sets out an alternative reading of this issue. It responds critically to those who question the place of sovereignty as the central constitutive institution around which relations between African states and western donor states operate. After reviewing the main claims of the aid and sovereignty literature, the article argues that we need a conceptual and analytical distinction between sovereignty seen as ‘right’ and ‘authority’ on the one hand, and political issues to do with the control over policy and outcomes on the other. Secondly the article shows that although this distinction may be somewhat overdrawn, it is vital if we are to see more clearly the areas in which aid, as a particular form of external influence, does and does not have an impact on recipients, affecting policy autonomy but not the state’s right to rule. Rather, thirdly, the article argues that sovereign rights are the very basis upon which aid relations are conducted and, furthermore, the base from which recipients are able to contest the terms of aid relationships. Finally, it shows that these contests are more about policy autonomy and the forms of internal rule, not about the sovereignty – the right to rule – of the state itself. This new reading of the relationship between aid and sovereignty has important implications for our analysis of the practical politics of aid relationships, for our

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\* The author is XXXXXXXXX

understanding of sovereignty as a central institution in international relations, and for our assessment of the relationship between Africa and the discipline of IR.

### *Sovereignty in question?*

It has become something of a default position in much recent literature on official aid to Africa that aid policies – at least since the inception of structural adjustment conditionality in the late 1970s – involve a denial of, or challenge to, African sovereignty. Over the past three decades, aid policies towards Africa have been dominated by, in roughly chronological and cumulative sequence, economic conditionalities around structural adjustment programmes; political conditionalities around respect for human rights and governance and ‘partnership’ policies involving intensive and extensive redesigning of policy formation and budgetary processes in recipient countries. This liberal programme of change, which has unfolded over the past three decades, has provoked a long-standing claim that such practices entail a loss of, or challenge to, sovereignty in Africa. In an early example, Plank argued that, ‘...increasingly overt and extensive intrusions by outside agencies into what had been viewed as the extensive purview of sovereign governments...[had]... thoroughly discredited traditional notions of sovereignty in many parts of Africa...The most likely successor to post-colonial sovereignty will be neo-colonial vassalage’<sup>1</sup>.

More recently, David Williams argues, in one of the more extended and thoughtful discussions of aid and sovereignty, that there has been a persistent tension in the post-Second World War international system between the rights to independence and freedom, implied by

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<sup>1</sup> D. N. Plank ‘Aid, debt and the end of sovereignty: Mozambique and its donors.’ *Journal of Modern African Studies* vol. 31 no.3 (1993) pp.408-9, 429-30.

the principle of self-determination, and an accompanying obligation on sovereign states to develop<sup>2</sup>. The failure of African states to deliver on the latter principle provided cover for western donors and international institutions to demand wholesale internal changes: ‘This [the dual nature of sovereignty] established the possibility that when countries failed in this obligation [to develop] sovereignty would be trumped by the pursuit of development by international agencies like the World Bank’<sup>3</sup>. Imposing conditionalities on polities ‘*hitherto* regarded as sovereign’ William and Young suggest, it is not now clear that ‘sovereignty’ means very much for states in Africa’<sup>4</sup>. As Williams summarized, there is in his view,

...a wholesale disregard for the idea that there is a realm of internal affairs over which the government should be considered sovereign, and over which external agents, as a matter of principle and a matter of practice, should not have any authority. Sovereignty has lost its significance as an institution that structures relations between states like Ghana and outside agencies...It is clear that sovereignty is no longer a guiding or constitutive norm in contemporary international politics, at least for a significant number of states.<sup>5</sup>

Other writers reinforce this ‘aid versus sovereignty’ thesis by drawing attention to historical continuities between contemporary aid practice and colonial-era relations between Africa and the West. This in turn has been presented as one example, repeated in the aid relationship, of interactions between self-consciously ‘liberal’ western states and societies deemed in some sense(s) to be ‘illiberal’. A number of contributions to the aid literature have all focussed on

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<sup>2</sup> D. Williams *The World Bank and Social Transformation in International Politics* (Routledge, London, 2008) p.31.

<sup>3</sup> *Ibid*, p.32

<sup>4</sup> D. Williams and T. Young ‘The International Politics of Social Transformation: trusteeship and intervention in historical perspective’ In: Mark Duffield and Vernon Hewitt (Eds.) *Empire Development and Colonialism: the past in the present* (James Currey, Woodbridge, 2009) pp.109-10, emphasis added.

<sup>5</sup> D. Williams *The World Bank and Social Transformation in International Politics* p.118. Also see Graham Harrison’s claim that sovereignty is ‘...empirically too provisional and theoretically too contested’ to be of use in analysing Africa *The World Bank and Africa: the construction of governance states* (Routledge, London, 2004), pp.24-5

the social transformatory impacts on Africa of both aid donors and their colonial forebears<sup>6</sup>. Such work draws out striking similarities between contemporary efforts by donors to create ‘good government’ in African states, and the guiding ideas of colonial administrations<sup>7</sup>. In somewhat stronger form, analysing ‘social transformation at a distance’ Williams and Young argue that there is a persistent ‘liberal project’ that unites present day aid efforts, directed as they are at creating liberal states and societies, and the more liberal and emancipatory aspects of colonial rule<sup>8</sup>.

At a higher level of generality still, a third set of sovereignty critics come as part of a wider broadside aimed at International Relations as a discipline. For writers of a post-colonialist standpoint, the arguments about aid and sovereignty and historical continuity both add weight to a view that emphasizes the lasting legacies of colonialism in international relations. The over-emphasis within IR, as they see it, on sovereign independence, is merely a means to obscure the continuities that exist between colonial and post-colonial eras, hiding them behind the ‘fiction’ of formal sovereign equality.

In one example, Julian Saurin suggests that as a discipline, IR privileges a view of colonialism being ‘ejected and substituted by novel and distinctive forms of rule’ at the expense of the view that ‘colonialism, being just one form of imperialism, metamorphosed in

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<sup>6</sup> V. Hewitt ‘Empire, International Development and the Concept of Good Government’ In: Mark Duffield and Vernon Hewitt (Eds.) *Empire Development and Colonialism: the past in the present* (James Currey, Woodbridge, 2009) pp.30-44; D. Williams and T. Young ‘The International Politics of Social Transformation: trusteeship and intervention in historical perspective’; D. Williams and T. Young ‘Governance, the World Bank and Liberal Theory’ *Political Studies* 42, 1 (1994) pp.84-100; D. Williams *The World Bank and Social Transformation*; G. Harrison *The World Bank and Africa*; W. Brown ‘The Commission for Africa: results and prospects for the West’s Africa policy’ *Journal of Modern African Studies* vol.44 no.3, (2006) pp.349-374

<sup>7</sup> V. Hewitt ‘Empire, International Development and the Concept of Good Government’.

<sup>8</sup> D. Williams and T. Young ‘The International Politics of Social Transformation: trusteeship and intervention in historical perspective’.

such a way as to retain the fundamental powers of imperialism while shedding the outward forms of colonialism'<sup>9</sup>. IR is thus based on 'an illusion' that world order of the second half of the twentieth century is in some fundamental way different from what preceded it<sup>10</sup>. April Biccum suggests that while the discipline of IR is not 'wholly wrong' yet still it 'mythologises' the idea of a complete break in history marked by decolonization<sup>11</sup>. And the basic argument is repeated by Anghie when he writes that despite 'radical changes in jurisprudence...which in conventional histories of international law mark important disruptions in the discipline, the basic structure of the civilizing mission is reproduced'<sup>12</sup>.

For some authors the stakes are even higher, Waever and Tickner arguing that such mythologizing narratives themselves have force in the world<sup>13</sup>. 'Dominant knowledge of the world' Tickner wrote, 'reinforces power in international practice itself'<sup>14</sup>. 'Mainstream IR becomes both a theory for understanding its environment' for Biccum, 'and an epistemology and set of practices for legitimating a particular set of relations'<sup>15</sup>. In getting the historical narrative wrong, for Gruffyd Jones, IR becomes a 'form of modern imperial ideology'<sup>16</sup>.

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<sup>9</sup> J. Saurin 'International Relations as the Imperial Illusion: or, the Need to Decolonize IR' In: Branwen Gruffyd Jones (ed.) *Decolonizing International Relations* (Rowman and Littlefield, Lanham, MD, 2006) p.31.

<sup>10</sup> Ibid, p.37

<sup>11</sup> A. R. Biccum 'Theorising continuities between Empire and IR' In: Mark Duffield and Vernon Hewitt (eds.) *Empire Development and Colonialism: the past in the present* (James Currey, Woodbridge, 2009) p.157

<sup>12</sup> A. Anghie 'Decolonizing the concept of "Good Governance"' In: Branwen Gruffyd Jones (ed.) *Decolonizing International Relations* (Rowman and Littlefield, Lanham, MD, 2006) p.124.

<sup>13</sup> O. Waever and A. Tickner 'Introduction: Geocultural Epistemologies' In: A. Tickner and O. Waever (eds.) *International Relations Scholarship Around the World* (Routledge, London, 2009), p.4

<sup>14</sup> A. Tickner 'Seeing IR Differently: Notes from the Third World' *Millennium Journal of International Studies* vol.32 no.2, (2003) pp.295-324

<sup>15</sup> A. R. Biccum 'Theorising continuities between Empire and IR' p.151

<sup>16</sup> B. Gruffyd Jones 'Introduction: International relations, Eurocentrism, and Imperialism' In: Branwen Gruffyd Jones (ed.) *Decolonizing International Relations* (Rowman and Littlefield, Lanham, MD, 2006) pp.5

These three overlapping critiques of sovereignty do have some intuitive appeal – they accord with much political discourse and appear to connect with everyday notions of sovereignty as something that is being ‘lost’ not just in the aid-dependent states but also in states affected by globalization, EU integration or liberalization. Indeed, Harrison at one point uses the phrase ‘sovereignty *as commonly understood*’ in the prelude to his discussion and in some of the aid literature explicit attempts to define sovereignty are rare. My purpose here is not to deny this discourse, it clearly expresses something of social and political reality.

However, to assess the impact of aid on African sovereignty, and therefore also to judge these related broader claims, we need greater analytical clarity over this question. In the next section I argue that we can begin to achieve this by establishing an analytical distinction between questions of sovereign right and authority from questions of national political control. Although something of a simplification – all analytical distinctions are – it is a necessary starting point in order to disentangle what is and is not at stake in the aid relationship. In subsequent sections I go on to explore the role that sovereignty plays in the aid relationship and some of the related complications that also arise.

### *Sovereignty, authority and control*

A key problem with all three sovereignty arguments surveyed above is that they run together, without any acknowledgement, questions of sovereign *rights* and *authority* on the one hand with questions of state *capability* or *control* on the other. Thus Harrison tells us that ‘The concept of sovereignty necessarily posits a state of self-containment or inviolateness

that exists before intervention...'<sup>17</sup>. For Williams sovereignty is the 'freedom for the nation or society to pursue its ends without external control or intervention'; and for Whitfield and Fraser sovereignty defines 'a realm of political action free from foreign influence'<sup>18</sup>. Other contributions to IR literatures on sovereignty make similar claims. Even in one of the most in-depth studies of sovereignty, Stephen Krasner goes to some lengths to distinguish different 'kinds' of sovereignty which he terms 'domestic', 'Westphalian', 'international legal' and 'interdependence' sovereignties. However, while acknowledging that there are both issues of 'right' and issues of 'control' at stake in sovereignty, these are then rolled together within each of his four types<sup>19</sup>.

In assessing the aid relationship we are better placed to begin with a clearer analytical distinction. On the one hand we have those sovereignty claims that relate to a state's right to rule. On the other hand we have an assortment of political claims, often couched in the language of sovereignty, but which relate more to issues of an ability on the part of states or governments, to act and to control particular outcomes and enjoy constraint-free policy choices. An undifferentiated claim that sovereignty is being eroded by aid policy implies both that recipient state policy autonomy is being curtailed as well as the far more fundamental claim that the politico-legal independence of the state itself is being challenged. In aid relations, the former has been undoubtedly the case (although even here, caution is needed) while the latter is not. As we will see, there is more connection between these two than I am

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<sup>17</sup> G. Harrison *The World Bank and Africa* p.25

<sup>18</sup> D. Williams *The World Bank and Social Transformation in International Politics* p.36; L. Whitfield and A. Fraser 'Introduction' In: Lindsey Whitfield (ed.) *The Politics of Aid: African Strategies for Dealing with Donors* (OUP, Oxford, 2009) pp.7.

<sup>19</sup> S. Krasner (1999) *Sovereignty: Organized Hypocrisy*: (Princeton University Press, Princeton, 1999).

implying here, but it is useful first to pursue where this distinction takes us before complicating the picture somewhat.

Arguing that ‘Sovereignty is best conceptualized in terms, not of state control, but of state authority’ Janice Thomson noted that ‘State control has waxed and waned enormously over time, regions, and issue-areas while the state’s claim to ultimate political authority has persisted ...’<sup>20</sup>. Thus there is a need to make a distinction between ‘the claim to exclusive right to make rules (authority) and the capability of enforcing that claim (control)’<sup>21</sup>. Robert Jackson argues a similar line, stating:

There has always been a wide variation in the capability and capacity of sovereign states. Important domestic and international consequences often stem from whether a state is strong or weak, a great power or a minor power, has a capable government or an ineffective government, and so on. Yet all such relative and variable facts of power have no conceptual bearing on state sovereignty, which is a question not of power but of freedom from legal subordination to any other authority.<sup>22</sup>

Indeed, by emphasising the authority element of sovereignty, we focus more clearly on that which is most constant and core to sovereignty in modern states – the *sine qua non* of any discussion of sovereignty is the question of the location of ultimate authority. Most other matters – foreign influence, constraints on policy choices, limits on the range of state actions – are more fluid. The necessary condition for these other issues even to arise – the social recognition of a right to rule located in the state – persists throughout. Questions of right and authority are in that sense a uniquely irreducible element of debates about sovereignty. Other issues to do with an ability to control outcomes are important – as we will see, they are often

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<sup>20</sup> J. Thomson ‘State Sovereignty in International Relations: bridging the gap between theory and empirical research’ *International Studies Quarterly* vol.39 (1995) pp.214.

<sup>21</sup> *Ibid*, p.223

<sup>22</sup> R.H. Jackson *Sovereignty*, p.16.

the reason why a right to rule is valued in the first place. However, to see what is and is not at stake in aid relations we need to separate out these two elements for the purposes of analytical clarity.

Much of the discussion of sovereignty in the aid literature and more generally, has no such clarity. The claim of a denial of sovereignty is constructed in relation to an often unspoken assumption that sovereignty implies a series of totalising conditions: complete independence from external influence, complete freedom in policy choice (particularly economic policy) and complete command of domestic society and transborder flows. If sovereignty is taken in this totalising, catch-all sense, the role of donor agencies in all three cases would trespass on sovereignty – through supplying finance and advice, by constraining economic policy choices through conditionality, by influencing the formulation of poverty reduction strategies through the PRSP process, or through liberalizing reforms which curtail the state’s ability to control international trade and investment. But this simply is not the right benchmark with which to judge aid and sovereignty. As Krasner rightly argues, it is highly doubtful if such conditions have ever obtained for any state in history<sup>23</sup>.

The next two sections explore where this takes our understanding of aid. First, we see that the distinction between authority and control enables us to highlight the different areas where external influences, including aid, may be felt in a given state. In the subsequent section we see that not only is sovereignty as a right to rule not undermined by aid policies, it constitutes the basis upon which such relations are conducted.

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<sup>23</sup> S. Krasner *Sovereignty*

### *Aid and external influence*

Using the term sovereignty, ‘as commonly understood’, as a catch-all for an inviolate national area under threat from all manner of external influences on a society obscures rather than reveals the areas in which aid might or might not impact on recipients. One way to approach the issue is to consider, as a general issue, the range of ‘foreign influences’ that may occur in any given society. These can be placed on a ‘broken continuum’ with more general and diffuse societal influences at one end, and more politically direct and explicit influence at the other (see Table 1).

**Table 1 Varieties of external influence**

External influence				
	Issues of national control			Issues of sovereignty
<b>Type:</b>	General external social, cultural and economic influence on societal development	External influence on state policy, especially macroeconomic policy	External influence over internal constitutional make-up	Abrogation of sovereignty
<b>Examples:</b>	Impact of world markets, foreign investment and trade, ITCs and connectivity	Policy conditionality in aid; bilateral and multilateral negotiations and agreements; lobbying; bribery	Political conditionality; post-conflict reconstruction and state building	Military intervention, colonisation, occupation, non-recognition
<b>Impact:</b>	Questions of national cultural, developmental or economic purity	Extent and exercise of policy autonomy and control over outcomes	The form and bases of ‘internal’ authority	Loss of politico-legal independence
<b>Is aid a factor?</b>	Indirectly	Directly, to varying extents	In some cases	No

In this table we begin from the recognition that any comprehensive national insulation from external influence is, if it ever occurs, an extreme departure from the norm. The benchmark for the ‘aid versus sovereignty’ argument is thus a pretty unusual starting point. In the modern international system, societies are engaged in more or less chronic processes of

mutual interaction<sup>24</sup>. Key, prominent examples are suggested in the left hand column to do with general processes of economic and social development, investment, trade and inter-cultural influence particularly stimulated by increased interaction capacity through the use of ICTs, many of these going under the rubric of ‘globalisation’<sup>25</sup>.

A more politically direct form of external influence is suggested in the second column, around external influence that impacts specifically on the policy choices of a government. This is most obvious in the area of macroeconomic policy and becomes particularly acute in times of economic stress when ‘external’ forces, whether they be international markets or aid donors, restrict the range of options open to a government. Such restrictions on policy autonomy are not unique to aid relationships, indeed all policy is formulated under conditions of often highly restricted choice and many of these restrictions intrude from outside of a given society<sup>26</sup>.

In the third column we have those external influences that impact on the domestic constitutional make up of a state, in particular the constitutive rules and practices around which political authority is established as well as some of the regulative rules and practices through which that authority is exercised<sup>27</sup>. A clear example of such influence here is political conditionality which seeks to alter the rules by which governments are chosen or

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<sup>24</sup> As Rosenberg has noted, ‘...the conditions of reproduction which define the concrete existence of any given society...always include, by virtue of the bare fact of inter-societal coexistence, those external conditions which are the object of diplomatic management’ J. Rosenberg ‘Why is there no international historical sociology?’ *European Journal of International Relations* 12, 3, (2006), pp.320

<sup>25</sup> B. Buzan and R Little *International Systems in World History: Remaking the study of international relations* (Oxford University Press, Oxford, 2000)

<sup>26</sup> The exceptional restrictions on the choices facing the Greek government in 2012 and the ‘penetrated hegemony’ of the USA being non-African examples; D. Deudey and G. J. Ikenberry ‘The nature and sources of liberal international order’ *Review of International Studies* 25, 2, (1999) pp.179-196

<sup>27</sup> D. Williams ‘African states and IR theory’ Paper presented to BISA Annual Conference, 27-29 April 2011, Manchester

replaced (multipartyism) and how the state governs its citizens (governance reforms, the rule of law and human rights). Post-conflict situations arguably allow for greater scope for the international community, usually under UN auspices, to shape political reconstruction through the use of multi-party elections and liberal peace building .

Finally, set somewhat apart from these forms of external influence, there is the abrogation of sovereignty itself – the denial in one way or another of the politico-legal independence of the state. Where the first three columns are mainly about issues of control, how far a legally independent state is able to exercise control over outcomes and enjoy freedom from external influence over policy choice, the last column is about the existence or otherwise of such an independent entity.

As with any categorisation of this sort, reality is more complex. There is in particular movement between the last two columns. Sovereignty for any state is something that is established and upheld by the practices and norms of the international system as well through the actions of states and the relations between rulers and ruled domestically<sup>28</sup>. In both its external and internal aspects, sovereignty requires recognition and such recognition often comes conditionally. As such sovereignty is about the establishment and reproduction of an ultimate authority over a territory and people, not absolute power or comprehensive control of all areas of social life. Rulers are both representatives of<sup>29</sup>, and answerable to, domestic populations in a way that is different from non-sovereign entities. Moreover, recognition may be withheld or challenged by external actors when the exercise of sovereign power internally

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<sup>28</sup> See the discussion of the English School in B. Buzan and R Little *International Systems in World History*: 'Sovereignty only works if it is recognized by other units...' p.104-107

<sup>29</sup> Representation being taken here in its general political, not necessarily democratic, sense, Rehfeld, A 'Towards a General Theory of Political Representation.' *The Journal of Politics* 68 (1) 2006, pp.1-21

transgresses international norms to such an extent that international intervention, often military, comes into the reckoning. The contrast, in response to rights abuses, between exerting influence through diplomatic condemnation and sanctioning military intervention, illustrates the idea that abrogation of sovereignty itself remains a qualitatively different act from other forms of influence.

External influence of any kind is potentially controversial and we will return to controversies over aid below. However, we should note here that viewed within this broader framework, aid is a particular form of external influence. It is a particular kind because (at least in the form of ODA) it is overtly public, undertaken by states and by agencies authorised by states. To the extent that influence is successfully exerted it is therefore more deliberate and hence more directly political than that of say, the cumulative influences of a series of private commercial actions. The influence of aid is mainly located in relation to the middle two columns of the table, influencing policy choice and constitutional make up. The latter is much less well established in terms of the extent to which donors consistently seek to apply such influence and the extent to which they do so effectively. The attempt to influence policy choices is the mainstay of debates around conditionality, post-conditionality and ownership. Of course aid also impacts on the first column, indeed it is ostensibly the purpose of ODA – ‘administered with the promotion of the economic development and welfare of developing countries as the main objective’ – to influence broad social and economic change in recipient countries. None of these different areas or forms of influence can be identified for the purposes of analysing the effects of aid if the entirety of ‘foreign influence’ is thrown under a single catch-all notion of sovereignty. Rendering oneself unable to make distinctions between

issues of sovereignty and the different issues of control actually obscures what we are trying to see when analysing aid relationships.

*The political and legal basis of the aid relationship*

The foregoing analysis suggests that the focus of our assessment of aid should be on areas of national control, not sovereignty as a right to rule. This claim is further strengthened if we consider the role that sovereignty as a right to rule plays in actually constituting the aid relationship and in the material effects this has on the parties' ability to engage in negotiations over the terms of aid.

In terms of the day to day practices of aid, sovereign authority is in fact the basis of both the granting and receipt of aid. For donors, often quite elaborate procedures and rules exist to authorise the granting of aid. In the case of aid from the UK this includes Acts of Parliament in 2002 and 2006 and in the USA a series of Congressional procedures around the allocation of budgets to, and reporting from, USAID to Congress. Furthermore, donors require the identification and agreement of national authorising agents in the recipient country. For example, the European Union sets out in the Cotonou agreement with the African Caribbean and Pacific (ACP) states that 'The Government of each ACP State shall appoint a National Authorising Officer to represent it in all operations financed under the multi-annual financial framework of cooperation under this Agreement...' and that recipients shall act 'in all sovereignty'<sup>30</sup>.

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<sup>30</sup> Article 35 and Article 4 of the EU-ACP Cotonou Agreement, respectively, ACP-EU 'The Cotonou Agreement, 2005'; [http://ec.europa.eu/europeaid/where/acp/overview/cotonou-agreement/index\\_en.htm#overview](http://ec.europa.eu/europeaid/where/acp/overview/cotonou-agreement/index_en.htm#overview) (9 May 2011).

As Hewitt notes, even the Bretton Woods institutions ‘...lack the monopoly of territorial control that the British had, and their membership remains formally equal between nation states...’<sup>31</sup>. Indeed, the Bank’s concessionary lending arm, the International Development Association (IDA) defines in its articles of agreement that ‘The Association shall not provide financing for any project if the member in whose territories the project is located objects to such financing...’<sup>32</sup>. In fact, donors like the World Bank don’t just ‘lack territorial control’, they do nothing to seek to achieve it, nor claim any right to do so<sup>33</sup>. Rather the opposite is true. While African policy autonomy may indeed be severely compromised by the aid relationship, the recognition of the *right* of African states to govern their own societies is not seriously questioned by donors. Whatever other powers donors have, a socially-recognized right to rule African societies is not one of them, nor is it sought: in this fundamental sense this is a non-colonial relationship.

As for aid recipients, many have clear guidelines establishing precisely which ministries and representatives have the authority to act on behalf of the state in aid negotiations and implementation. Indeed one of the effects of the Paris Declaration has been to clarify such roles. For example, Rwanda’s *Aid Policy* statement specifies the Ministry of Finance and Economic Planning (MINECOFIN) as having ‘the lead role in coordinating external assistance and ensuring efficient allocation to activities in line with the national planning

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<sup>31</sup> V. Hewitt ‘Empire, International Development and the Concept of Good Government’, p.40

<sup>32</sup> World Bank (IDA) ‘Articles of Agreement’ Article V Operations, Section 1(e)  
<http://web.worldbank.org/WBSITE/EXTERNAL/EXTABOUTUS/IDA/0,,contentMDK:20052323~menuPK:115747~pagePK:51236175~piPK:437394~theSitePK:73154,00.html> (2 February 2012),

<sup>33</sup> Here aid interventions are truly distinct from military peacekeeping/peacemaking interventions where territorial control is an issue. But even in these cases, the goal of intervention is nearly always the reconstruction of state authority and a fast exit.

processes...<sup>34</sup>. MINECOFIN leads aid negotiations but, recognising the ‘political aspect inherent to many bilateral relationships’, acts in liaison with the Ministry of Foreign Affairs (MINAFET) whose role is to maintain broad policy dialogue with donor organisations<sup>35</sup>. Any agreements negotiated by MINECOFIN are specified in ‘a Memorandum of Understanding or similar agreement’ and signed by the minister ‘for and on behalf of the Government of Rwanda’<sup>36</sup>.

Other countries have similar rules identifying which element of government has authority over aid deals. In Ethiopia the Ministry of Finance and Economic Development ‘retains the exclusive mandate to negotiate bilateral and multilateral assistance programmes on behalf of the Ethiopian government. It therefore plays a central role in coordinating the framework of aid management and dialogue’<sup>37</sup>. Indeed, Ethiopia has a series of forums, committees and sectoral groupings managing the negotiation and implementation of aid programmes<sup>38</sup>. While there may very well be problems of coordination between different ministries and in specific areas of aid negotiation and implementation<sup>39</sup> there seems little doubt that the actor at the recipient at the end of the aid relationship is a sovereign government acting with the authority that comes with such a status.

Even where NGOs are involved either independently or as conduits for bilateral aid, their presence and actions within a recipient country are subject to the legal imprimatur of the state

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<sup>34</sup> Government of Rwanda ‘Aid Policy’ (Government of Rwanda, Kigale, 2006) p.10

<sup>35</sup> (ibid)

<sup>36</sup> Government of Rwanda, ‘Aid Policy’ p.11

<sup>37</sup> X. Furtado and W. J. Smith ‘Ethiopia: Retaining sovereignty in aid relations’, in: Lindsey Whitfield (ed.) *The Politics of Aid: African Strategies for Dealing with Donors* (OUP, Oxford, 2009) pp. 145.

<sup>38</sup> X. Furtado and W. J. Smith ‘Ethiopia’ p.146

<sup>39</sup> For Rwanda see S. Grimm, H. Hos, K. Knappe, et al (Eds.) *Coordinating China and DAC Development Partners: challenges to the aid architecture in Rwanda* (German Development Institute, Bonn, 2010); for Ethiopia, X. Furtado and W. J. Smith ‘Ethiopia’

concerned, Sudan's expulsion of thirteen NGOs in 2009 being a prominent example. In that case the Sudanese envoy to the UN told the Security Council 'The decision of the government of Sudan is a legitimate sovereign decision which we will never reverse, and this should not be a issue for discussion'<sup>40</sup>. Rwanda is equally explicit, stating in *Aid Policy*:

'The GoR [Government of Rwanda] retains a fundamental duty to ensure that all such [NGOs] – regardless of whether their activities are financed by ODA – act in a manner that is transparent and accountable to the Rwandan citizen. The GoR's regulatory role in this respect is detailed in its Laws regulating the activities of national and international non-governmental organisations operating in Rwanda'<sup>41</sup>.

Indeed, negotiation by NGOs with host governments, of rights of access, presence and operational conditions, are all important dimensions of the practicalities of aid and they are necessary because such action takes place on territory governed by a sovereign state.

These examples all illustrate ways in which recognition of sovereign rights of recipient states creates the basis through which the aid relationship is conducted – it defines who the actors are and important aspects of their respective roles. However, by doing this, sovereignty also shapes the way in which aid relationships are conducted. Although 'choice' may be a rather simplistic way to characterise the complex political processes that go into the decision of a state or government to agree or not agree to an aid deal, nevertheless it is the right to say 'yes' or 'no' that underlies much else that happens.

The need for negotiation in the first place comes about precisely because any aid programme requires the agreement of the recipient, because that recipient possesses

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<sup>40</sup> 'Sudan says to never reverse decision to expel NGOs' Reuters, 20 March 2009  
<http://www.reuters.com/article/2009/03/20/idUSN20521830> (2 February 2012)

<sup>41</sup> Government of Rwanda, 'Aid Policy', p.9

sovereign independence and with it the right to agree to or refuse aid programmes.

Conditionality, after all, is a means of offering incentives and threats to an independent party to persuade them to act in a certain way because donors cannot instruct them directly. From this perspective, the point is perhaps not so much that the ‘tricky terrain of effecting social transformation ‘at a distance’ without direct local control’ denudes sovereignty<sup>42</sup>. Rather it is tricky *precisely because* the ‘distance’ involved is not simply one of geography but also politics – a ‘distance’ created by political separation, by sovereignty. Imperial fiat will not work in this circumstance.

Sovereignty as a right to rule is therefore critical to the ability of recipient states to exercise agency within the inequalities of the aid relationship. Although some of the ‘aid versus sovereignty’ literature presents a rather uniform (and therefore inaccurate) picture of a one-way exercise of power over politically inert recipients, increasingly studies have recognised the limits on, and the variability in, donor influence and different degrees of recipient ownership of aid policies<sup>43</sup>. Even while arguing that sovereignty has been ‘lost’ Whitfield and Fraser claim ‘African governments almost always have a degree of choice over whether or not to accept aid from a particular source at a particular time’<sup>44</sup>. And as donors have discovered, the positive and negative incentives they can use to influence independent actors are at best limited tools. It was recognition of these limits that in part lay behind the moves from hard-line conditionality of the 1980s and early 1990s to ‘post-conditionality’ techniques

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<sup>42</sup> D. Williams and T. Young ‘The International Politics of Social Transformation’ p.108.

<sup>43</sup> Of which, not withstanding other criticisms made, Whitfield’s collection is most impressive.

<sup>44</sup> L. Whitfield and A. Fraser ‘Negotiating Aid’ In: Lindsey Whitfield (ed.) (2009) *The Politics of Aid: African Strategies for Dealing with Donors* (OUP, Oxford, 2009) pp.28.

of influence since then<sup>45</sup>, the UK going as far as to state that ‘...conditionality which attempts to ‘buy’ reform from an unwilling partner has rarely worked’<sup>46</sup>.

Tanzania and Rwanda are sometimes presented as exemplars of contrasting relations with donors: Tanzania as a state subsumed beneath donor influence, Rwanda as an example of a state able to retain some control over aid relations. In neither case however, do we see a loss of sovereignty understood as a right to rule. In fact it is the changing use that is made of this right, under changing conditions, that lies behind their fluctuating relations with donors.

Tanzania has been termed a ‘governance state’, a state whose very mode of functioning has been shaped by donor aid agencies, the IMF and World Bank foremost among them<sup>47</sup>. As has been documented, Tanzania’s relations with donors have fluctuated dramatically<sup>48</sup>. Following a break-down in IMF support in 1980, Nyerere famously decried IMF influence asking ‘Who elected the IMF to be the Ministry of Finance for every country in the world?’<sup>49</sup>. A period of on-going disagreements with donors continued until 1986 when Tanzania embarked on far-reaching internal reforms and donors extended structural adjustment funding which continued

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<sup>45</sup> R. Abrahamsen ‘The Power of Partnerships in Global Governance’ *Third World Quarterly*, 25(8), 2004, pp.1453-1467

<sup>46</sup> Department for International Development (DfID) (2005) ‘Partnerships for poverty reduction: rethinking conditionality. A UK policy paper’, March, London, DfID, <http://www.dfid.gov.uk/Documents/publications/conditionality.pdf> [Accessed 28 January 2010].

<sup>47</sup> G. Harrison *The World Bank and Africa*

<sup>48</sup> G. Harrison *The World Bank and Africa*; S. Wangwe ‘The politics of autonomy and sovereignty: Tanzania’s aid relationship’, in, S. Bromley, M. Mackintosh, W. Brown and M. Wuyts (Eds.) *Making the International: Economic interdependence and political order* (Pluto Press in Association with The Open University, London, 2004); G. Helleiner, T. Killick, N. Lipumba, B.Nudulu and K. E. Svendsen ‘Development co-operation issues between Tanzania and its donors’, Report of the group of independent advisors, 1995, <http://ebookbrowse.com/helleiner-report-1995-doc-d98890835> (2 February 2012); G. Harrison, S. Mulley with D. Holtom ‘Tanzania: A genuine case of recipient leadership in the aid system? In: Lindsey Whitfield (ed.) *The Politics of Aid: African Strategies for Dealing with Donors* (OUP, Oxford, 2009) pp.271-298

<sup>49</sup> cited in G. Helleiner ‘The Legacies of Julius Nyerere: An economist’s reflections’, in: G. Mwakikagile (ed.) *Tanzania under Mwalimu Nyerere: reflections on an African statesman* (New Africa Press, Dar es Salaam, 2006) p.200

until the early 1990s. By 1994-5, mounting dissatisfaction on both sides led to another breakdown in relations with donors. At this point the Tanzanian government, in conjunction with the Danish government, instigated a review of aid in Tanzania which became known as the ‘Helleiner Report’ and laid the basis for a renewed ‘partnership’ between donors and Tanzania<sup>50</sup>. The improvement in relations with donors that followed, initiated the rising status of Tanzania as a ‘donor darling’<sup>51</sup>.

On some accounts, the length of time over which Tanzania has been engaged in implementing economic and governance reforms in return for aid amounts to a loss of sovereignty by Tanzania<sup>52</sup>. However, as argued above, such a portrayal obscures the politics of this relationship. First, at no point is there any evidence that donors questioned the independence of Tanzania as a sovereign state, as noted, donors require sovereign states with which to do business. As Wangwe put it, ‘While the sovereignty of the state was not questioned...the state’s autonomy in making policy choice was tightly constrained’<sup>53</sup>. Second, the sources of constraint on Tanzania’s policy options were only ever partly down to aid policies: wider structural limits on economic development, the impact of oil price rises and recession, internal corruption and past policy choices all undermined the attempt by Tanzania to resist the IMF’s demands in the early 1980s<sup>54</sup>. Third, even the decision to accept IMF conditions in 1985 was a *choice* – other options were debated extensively by different

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<sup>50</sup> G. Helleiner et al ‘Development co-operation issues’, S. Wangwe ‘The politics of autonomy and sovereignty’, G. Harrison et al ‘Tanzania’

<sup>51</sup> G. Harrison et al ‘Tanzania’

<sup>52</sup> L. Whitfield and A. Fraser ‘Understanding contemporary aid relationships’, in: L. Whitfield (ed.) *The Politics of Aid: African Strategies for Dealing with Donors* (OUP, Oxford, 2009) pp.74-109; Harrison et al ‘Tanzania’

<sup>53</sup> S. Wangwe ‘The politics of autonomy and sovereignty’ p.386

<sup>54</sup> S. Wangwe ‘The politics of autonomy and sovereignty’; G. Helleiner et al ‘Development co-operation issues’

factions within the governing party and other policy circles<sup>55</sup>. Fourth, the initiation of the ‘partnership’ era from 1995, and the Helleiner Report which did so much to shift donor policies more widely, represented a change in relations in which the Tanzanian state and government was a key actor, not simply recipient of external demands. It was its initiative with the Danish government that laid the ground for a different kind of relationship with donors. Indeed, the dissatisfaction that donors had with Tanzania up until this point was in part a reflection of the frustration they had at not being able to achieve the extent of reforms inside the country that they sought. Finally, as detailed by both Wangwe and Harrison et al, these shifts in relations are the product of the combination of external and internal political change ‘...it is in large measure the interaction of aid with Tanzanian politics that have produced this showcase ...’<sup>56</sup>.

In post-genocide Rwanda a view of ‘healthy disrespect’ has pervaded the government’s attitude towards donors<sup>57</sup>. From the emergency situation at the end of the civil war onwards, the RPF-led regime has articulated a strong national sense of where the country’s development should be heading, through the *Declaration of Principles* announced in 1994 to the *Vision 2020* document published in 2000 setting out the country’s overall development aims<sup>58</sup>. Rwanda did formulate Poverty Reduction Strategy Papers in 2002 and 2007, a development which Hayman sees as reflecting external influence, through the requirements of the debt-reduction procedures of the World Bank and IMF<sup>59</sup>. However, from 2005, Rwanda has sought explicitly to exert greater control over donors, making active use of the

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<sup>55</sup> For an account of this by a participant, and of the different options being debated, see S. Wangwe ‘The politics of autonomy and sovereignty’

<sup>56</sup> Harrison et al ‘Tanzania’, p.289

<sup>57</sup> R. Hayman ‘Rwanda: milking the cow. Creating policy space in spite of aid dependence’, in: L. Whitfield (ed.) *The Politics of Aid: African Strategies for Dealing with Donors* (OUP, Oxford, 2009) pp.156-184

<sup>58</sup> Grimm et al *Coordinating China and DAC Development Partners*

<sup>59</sup> R. Hayman ‘Rwanda: milking the cow’

Paris Declaration principles to corral donors into a nationally-defined framework for external assistance<sup>60</sup>. Its 2006 *Aid Policy* statement presents a clear effort by a highly aid-dependent country to address shortcomings in its own aid management architecture as well as aiming at an eventual reduction in aid dependence itself<sup>61</sup>. It clearly expresses the intention to use its rights of decision-making with regard to external aid to refuse as well as agree to aid: ‘The Government will decline any or all offers of assistance where it considers transaction costs to be unacceptably high, alignment to government priorities to be insufficient, or conditionalities to be excessive’<sup>62</sup>. The coordination of DAC donors has been relatively successful, even where donors disagreed with Rwandan priorities<sup>63</sup>. As Hayman notes, ‘...even where some donors have threatened to withdraw aid or indeed frozen aid, the government has pushed ahead on issues it considers to be a priority...’<sup>64</sup>. In setting out a vision of relations with donors that can hardly be explained as the actions of a ‘post-sovereign’ entity, the country’s president, Paul Kagame argued:

‘To realize our development vision, we in Africa must substitute external conditionality – that is, what the donors tell us to do – with internal policy clarity ...[A]mong other things, we [the African leaders] need to learn to ‘say no’ to donors whenever their priorities do not align with domestic objectives and agenda’<sup>65</sup>.

In fact in neither Rwanda nor Tanzania do we see a process of change driven by the denial of sovereignty, nor is the end product of these interactions a non-sovereign political entity.

Rather, sovereignty as a right to rule underpins how aid relations have been enacted. Whether

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<sup>60</sup> Grimm et al *Coordinating China and DAC Development Partners*

<sup>61</sup> Government of Rwanda, ‘Aid Policy’

<sup>62</sup> Government of Rwanda, ‘Aid Policy’, p.8

<sup>63</sup> Grimm et al *Coordinating China and DAC Development Partners*

<sup>64</sup> R. Hayman ‘Rwanda: milking the cow, p.173

<sup>65</sup> Paul Kagame, cited in Grimm et al *Coordinating China and DAC Development Partners*, p.35

in Tanzania, where donor influence has penetrated relatively deeply, or in Rwanda where this is less the case, both remain sovereign states with the right to say no to external actors.

### *Authority, control and liberal aid*

As signalled earlier, the foregoing analysis relies on a conceptual simplification separating out issues of sovereign rights from issues of national political control. In actual political discourse, things are not quite so cut and dried. Indeed, the language of sovereignty is often deployed in contests over national political control, including contests with donors. The argument presented here suggests that we should not take such discourse at face value. Nevertheless, we do need to give some account as to why such contests arise, why the language of sovereignty is used and how this relates to sovereignty in the more restrictive sense that I have used here. There are two relevant points that I will (for reasons of space, briefly) outline here relating to the threat that aid policies pose to recipient regimes and the connections between sovereignty and the perceived loss of national control.

From the early 1980s through to the present day, aid policies have been dominated by a liberal vision of desirable political and economic change in recipient countries encompassing changes to the regulative actions of states (privatisation, macroeconomic orthodoxy, subsidy removal), the constitutive basis of governmental authority (multi-partyism, respect for human rights) and the processes of policy formation and deliberation ('participatory' consultative mechanisms around poverty reduction). Each of these aims connote a particular, liberal, understanding of how internal authority in recipient states should be constituted and exercised. That is, a state bound by law, operating at arms length from direct relations of production, upholding property rights and contracts and, for some donors at least, subject to

electoral endorsement. Despite the rise of a notably illiberal China, and some recent failures of nerve among donors in terms of aid effectiveness, this a liberal blueprint still animates western thinking in this arena. Such aims do not directly challenge sovereignty as a right to rule, but do reveal processes by which liberal sovereignty is ‘increasingly embedded within the system of states and increasingly serves as a constitutive norm of domestic and international state power and agency’<sup>66</sup>. As such they still constitute a hugely ambitious project of change – ‘nothing less than a Great Transformation in Africa’<sup>67</sup>.

Such a project has met resistance from some African states in part because it challenges existing political dispensations within those states. While conflict over liberal conditionality should not be portrayed simplistically as one between liberal donors and illiberal Africans<sup>68</sup>, nevertheless existing political economies of rule within many recipient states are challenged by western liberal policy aims. The form of internal rule in African states has been variously characterised as a ‘nuanced picture of complex overlaps, fusions, and accommodations between [tradition and modernity]’<sup>69</sup>; ‘bifurcated’ rule<sup>70</sup>; or a ‘compromised modernity’<sup>71</sup>. While we should be wary of overgeneralisations, there is a widespread agreement that African regimes rely to a greater or lesser extent on fusions of economic and political power

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<sup>66</sup> S. Bromley ‘On Liberal Sovereignty’ p.6

<sup>67</sup> R. Sandbrook ‘Africa’s great transformation’, *Journal of Development Studies* 41, 6, 2005, pp.1120.

<sup>68</sup> Harrison’s critique of Williams’ ‘over dualised image’ has some force in this respect G. Harrison *The World Bank and Africa* p.47; and we should distinguish between donors’ stated policies, actual donor practice and the character of donor states themselves.

<sup>69</sup> E. Hutchful ‘The fall and rise of the state in Ghana’. In: A. Samatar and A. I. Samatar (eds.) *The African State: Reconsiderations* (Heinemann, Portsmouth, 2002) pp.101-130

<sup>70</sup> M. Mamdani ‘Contradictory Class Perspectives on the Question of Democracy: the Case of Uganda’ In: P. Anyang’ Nyong’o (ed.) *Popular Struggles for Democracy in Africa*. (Zed Books, London, 1987) pp.83.

<sup>71</sup> P. L. E. Idahosa and B. Shenton ‘The Africanist’s ‘new’ clothes’ *Historical Materialism* 12 (4) 2004 pp.67-113

through clientelist and patrimonial relationships of power<sup>72</sup>. Heterogeneity in African politics means there are both barriers to, as well as proponents of, reform in African states, contributing much to the variety of relations with donors that Whitfield and others have detailed. However, donors' demands for a distinct 'liberal' political space, separate from direct economic relations, stands as a direct challenge to the bases of political power of many African regimes, potentially eroding avenues of personal accumulation and possibilities for rewarding constituencies of support<sup>73</sup>. It is this that provides extensive ground for contests over the three areas of national control identified in Table 1 (constitutional make-up, macroeconomic policy and wider social and economic development). In such circumstances the language of sovereignty provides a powerful discursive resource for such regimes.

However, such an instrumental account also requires a second element, an explanation as to why the language of sovereignty can have purchase in these circumstances. Even if struggles over national control don't challenge the principle of a sovereign right to rule, they do relate closely to questions of sovereignty. This is partly to do with the challenge they present to the *form* of internal sovereignty – the principles and practices that establish and condition internal recognition of a state's right to rule – as noted above. However, they also relate to the purposes of sovereignty. A right to rule is desired and defended in part because it promises a degree of national control and resonates deeply within all political discourse but perhaps particularly in states which have a history of colonisation. Many nationalist movements were premised on belief that control over national affairs would come with political

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<sup>72</sup> For a recent study of patrimonialism in Rwanda, for example, see D. Booth and F. Golloba-Mutebi (2012) Developmental Patrimonialism? The case of Rwanda' *African Affairs* no.111/444 pp.379-403

<sup>73</sup> See I. Taylor (2009) *The International Relations of Sub-Saharan Africa* (Continuum, London)

independence<sup>74</sup>. An *absolute* absence of national control would therefore mean that much of the purpose of sovereignty is lost, reduced to a merely legal formality. Erosion of areas of national political control therefore are easily connected to claims of a loss of sovereignty.

Such considerations certainly complicate the analytical distinction with which we began. However, they don't undermine it entirely. First we should recall that while sovereignty as a right to rule may be a necessary condition for exercising control, it is rarely if ever sufficient<sup>75</sup>. This is particularly so in a world where liberal norms and a capitalist world economy restrict state action. Second, the accounts that emphasise a loss of control due to aid policies often overstate the extent to which donors have been able to dominate African internal affairs. Relations with donors are highly variable and aid has time and again proven to be a limited tool with which to influence internal change in Africa. Finally, sovereignty remains a *necessary* component of such national aims and still endows enormous and unique power to those who carry such authority. It is therefore never *just* a formal legal matter: recognition of sovereignty changes the nature of the interaction between African states and external actors and has material effects on the outcome of contests over issue of control. As Jackson summarises,

'The classical view of sovereignty as political independence is sometimes dismissed as mere legality. Of course it is legality. But legality, i.e., legal authority and right, is not something that is trivial or of little interest or concern to practical politicians. On the contrary, in the case of sovereignty it is of profound interest and concern.'<sup>76</sup>

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<sup>74</sup> N. Inayatullah 'Beyond the Sovereignty Dilemma: quasi states as social construct' In: T. J. Biersteker and C. Weber (eds.) *State Sovereignty as Social Construct* (CUP, Cambridge, 1996)

<sup>75</sup> N. Inayatullah and D. L. Blaney 'Realizing Sovereignty' *Review of International Affairs* vol.21, no.1, (1995) pp.3-20

<sup>76</sup> Ibid

## *Conclusion*

Far from being a myth, sovereignty plays a central role in constituting the aid relationship and has significant political impact on the conduct of that relationship. As we have seen, it provides the basis from which recipients can negotiate and bargain, whether the political strategy taken is one of accommodation and collaboration with donors, as at times in Tanzania, or one of more forceful rejection of donor conditions, as at times in Rwanda. It is sovereign states that are the focus of such strategic decision making and political contestation. An analytical emphasis that we find in the aid literature, on a denial of sovereignty, tends to obscure these points. It is not the removal of authority from recipient states but the attempt to influence change in an independent polity that is at the heart of the aid relationship.

The reading of sovereignty set out in this article has important, wider consequences. First, it changes our understanding of the politics of aid relations. The analytical distinction between issues of sovereign authority and issues of control helps to identify more precisely than hitherto the areas of national politics that aid impacts upon in African states. A focus on the specific issue of the recognition of a right to rule also allows us to see how sovereignty provides the constitutive basis for aid relations as well as the material affects this has on the struggles for control over other areas of national policy and politics. Secondly, this re-reading of the place of sovereignty within aid relations reinforces the centrality of sovereignty as a key institution organising Africa's international relations more generally. Far from sovereignty being a myth in Africa's contemporary international relations it is the nationalist assumption of freedom from external control that needs to be critiqued. This analysis

therefore also brings into question the bolder assertions that are made about the continuities between colonial and post-colonial periods in Africa's international relations. If sovereignty remains a central organising device in contemporary aid relations then it reinforces rather than questions the relevance of IR to African studies.