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**The state that works:
“Pockets of effectiveness” as a perspective on stateness
in developing countries**

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Michael Roll: The state that works: "Pockets of effectiveness" as a perspective on stateness in developing countries

Abstract

This paper contradicts some of the commonly held assumptions about why weak governance persists in developing countries. It does so by focussing on the phenomenon of "Pockets of Effectiveness". These are public organisations which provide public services relatively effectively in a context of largely ineffective governance. Based on the results of two case studies of Nigerian public organisations, a preliminary explanatory framework for the existence of "Pockets of Effectiveness" is presented. This framework shows that both effective and ineffective governance can be explained by the interaction of political, institutional and managerial factors. Cultural explanations are not required. The findings allow for a more differentiated understanding of stateness and the public sector in developing countries.

Kurzzusammenfassung

In diesem Papier wird einigen weit verbreiteten Annahmen darüber, warum schwache Staatlichkeit in Entwicklungsländern fortbesteht, widersprochen. Dies geschieht, indem das Phänomen der „Pockets of Effectiveness“ untersucht wird. Dabei handelt es sich um staatliche Organisationen, die in einem Kontext verbreiteter staatlicher Ineffektivität öffentliche Dienstleistungen relativ effektiv bereitstellen. Basierend auf den Ergebnissen zweier Fallstudien nigerianischer staatlicher Organisationen wird der Entwurf eines Erklärungsmodells für die Existenz solcher „Pockets of Effectiveness“ präsentiert. Dieses Modell zeigt, dass sich sowohl effektive als auch ineffektive Regierungsführung mit dem Zusammenwirken politischer, institutioneller und managementbezogener Faktoren erklären lassen. Kulturelle Erklärungsansätze sind dafür nicht notwendig. Die Ergebnisse ermöglichen ein differenzierteres Verständnis von Staatlichkeit sowie dem öffentlichen Sektor in Entwicklungsländern.

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**THE STATE THAT WORKS:
“POCKETS OF EFFECTIVENESS” AS A PERSPECTIVE ON STATENESS
IN DEVELOPING COUNTRIES**

Michael Roll

I. Introduction

Given the highly contingent nature of historical processes of state formation, what demands explanation is not the absence but the very existence of effective states. This opening statement turns the usual analytical perspective on states in developing countries on its head: from a deficiency-focused (*Why is the state not working?*) to a more unorthodox and constructive perspective (*What is working, how and why?*). This perspective will be adopted in this working paper. It looks at the frequent but largely unexplored phenomenon of “Pockets of Effectiveness” (PoE) in weak governance states (Roll 2011). PoE are defined as public organisations which deliver public services relatively effectively in contexts of largely ineffective government. Such pockets exist in most contexts, even in the most corrupt and ineffective countries. Why do PoE exist at all in developing countries and how do they emerge? While this chapter touches upon these questions it focuses on what the answers teach us about the nature of the state, the “stateness”, in developing countries, particularly in sub-Saharan Africa.¹

This discussion contradicts some commonly held assumptions about the nature of the state in these countries. While it is often portrayed as weak, corrupt, particularistic and lacking public service commitment, our findings do not support such general judgements. Although the civil service in developing countries often constitutes a resource for politicians for patrimonial politics, some crucial differentiations need to be made. Our findings show that under certain circumstances, the very same factors which otherwise explain ineffectiveness such as personalisation and politicisation may also lead to exceptional public sector performance. Political interests and other motivations can lead to a situation in which politicians and top civil servants find it more rational to make a public organisation work instead of exploiting it for individual gains. Furthermore, while overall effectiveness is unlikely in present public administration systems in developing countries, individual civil servants generally respond to the same management techniques and incentives like their colleagues in the Organisation for Economic Co-operation and Development (OECD) world. It is not “culture” but the institutional context which explains the difference in performance. Another finding which adds an important nuance to our understanding of stateness in developing countries is that a public service ethos does exist in their public administrations, although it might not be too widespread. These and other lessons about the nature of the state in developing countries will be discussed in more detail in the final section of this chapter. They show that our understanding of stateness in such weak governance countries is still flawed.

PoE-related definitions and selected elements of a research framework for PoE are presented in section two. After two PoE case studies from Nigeria have been introduced, the factors which explain best why and how they emerged as PoE are outlined in section three. Based on these findings, section four discusses what PoE teach us about stateness in developing countries.

¹ This paper is based on the research project “Pockets of Effectiveness in Nigeria”, initiated and coordinated by the Friedrich-Ebert-Stiftung (FES), Nigeria Office, 2009-2010. Seven PoE case studies have been conducted by Nigerian researchers. The views expressed in this working paper are those of the author and should not be attributed to the FES.

II. Pockets of Effectiveness: Definitions and research framework²

While PoE can be found in even the most ineffective of states, no research agenda has been developed to date to investigate them in more detail. A review of the scarce literature which deals with this phenomenon explicitly shows that not even a coherent terminology has been established for what we now call “Pockets of Effectiveness”. Robert Daland (1981) and David Leonard (1991) use the term “Pockets of Productivity” while Barbara Geddes prefers “Pockets of Efficiency” (1990; 1994), a term which Peter Evans has further popularised (1992; 1995).³ Ole Therkildsen (2008) refers to them as “Islands of Excellence”. Precise definitions and elements of a research framework are therefore required before empirical findings can be presented.

Definitions and criteria

A *Pocket of Effectiveness* (PoE) is defined as a public organisation which provides public services relatively effectively despite operating in an environment in which public service delivery is the exception rather than the norm. Most public organisations are ineffective, weak and involved in or affected by patronage and endemic corruption in this environment. *Effectiveness* refers to the provision of public services by the respective public organisation.

Which criteria should be applied for identifying PoE? In our research project we developed a set of criteria for doing so. The most important criterion is the “relative effectiveness in providing the public service(s) the organisation is mandated to provide”. This criterion is strongly context-dependent which means that the more hostile the context and the less effective other public organisations are, the less effective an organisation needs to be to pass it. However, the public organisation has to be successful in providing the respective services at all. When statistical data on this were scarce or of low quality, the results of perception polls, media reports or key informant assessments have been used.

A “mission of the organisation to contribute to the public good” is the second criterion. This can be easily assessed by looking at the organisation’s mission statement and by interviewing key staff to find out whether they have internalised the official statement. The third criterion, “the capacity to contribute to the public good nationwide”, is also relative and context-dependent. It refers to a PoE being able not only to provide its public services in the capital city but in more remote areas as well.

Another criterion for a PoE is the required “persistence as a PoE for at least three years”. While McCourt and Bebbington have suggested that public policy programmes should have endured for at least ten years or have survived a change of government in a competitive electoral system (2007: 6) to qualify as successful, we adapted the criterion with attention to context. PoE are different from public policy programmes and a benchmark of 10 years would have been unrealistic in the case of Nigeria in 2009. The country only returned to civil democratic rule in 1999 after more than five years of military dictatorship under General Sani Abacha. A period of more than three years would have effectively excluded most organisations from our study.

Based on these criteria and available data a group of experts identified a sample of public organisations in Nigeria which qualified as PoE. Out of these, seven organisations were selected in a second round of criteria-led expert discussions. These seven

² For more detailed presentations of the definitions and research framework, see Roll (2011: 16-20).

³ However, through his involvement as an international peer reviewer to the FES Nigeria “Pockets of Effectiveness in Nigeria” project, David Leonard has started to use the term “Pockets of Effectiveness” as well (see Leonard 2010; personal communication).

organisations cover a broad spectrum of public and semi-public organisations and were agreed to be among the most effective organisations in the overall sample.⁴

Elements of a PoE research framework

While preparing our project, we agreed on some analytical dimensions and distinctions for our PoE research framework which are presented below.

Mixed performance and relative effectiveness

The performance of all PoE is usually mixed and their effectiveness is relative. It is relative to the context they operate in, relative to other public organisations as well as with regard to performance standards or organisational units. For analytical purposes the last point is particularly interesting. While some units in an organisation might in fact be effective, others might not be. Organisations in developing countries are often treated as “black boxes”. Their internal diversity with regard to effectiveness is often ignored. For our research project, this internal diversity served as an analytical microscope for exploring the factors that led some units to perform better than others.

Emergence and persistence of PoE

For analytical purposes, two phases in the life of PoE were distinguished: the “emergence” and the “persistence” phase. The former refers to the period in which an organisation emerges as a PoE and the latter to the period in which the organisation fights for persistence in a hostile environment. We distinguished between these two phases because we assumed that the factors that explain why an organisation emerges as a PoE might be different from those explaining its persistence.

Dynamic “lifecycle” perspective and “turning points”

The effectiveness of PoE is also relative with regard to time. While PoE can emerge as PoE, they can also degenerate from PoE into ineffective organisations or have their upward and downward tendencies while struggling to persist. This led us to apply a dynamic analytical lifecycle perspective that pays strong attention to the temporal dimension. While we took the positive or negative institutional inheritance of an organisation into account, we decided to focus on the “turning points” as special analytical foci. These are the points or rather periods in time in which organisations either emerge as a PoE or degenerate (on the concept, see Abbott 1997).

Leadership

Leadership is a particularly tricky factor. While most management studies suggest that this is the decisive factor for explaining organisational performance, we were cautious on that point. We share Judith Tandler’s reservations who found that the achievements of the organisations in her case studies were “not attributable to strongly intentional leadership” (Tandler 1997: 14). We therefore wanted to establish what the relative importance of leadership for PoE in the context of other factors actually is. The researchers were sensitised accordingly and tried to empirically contextualise the factor of leadership within the overall organisational dynamics. The impact of a change of leadership on the organisation’s performance was therefore particularly interesting.

⁴ The seven case studies include the Economic and Financial Crimes Commission (EFCC), the National Agency for Food and Drug Administration and Control (NAFDAC), the Federal Inland Revenue Service (FIRS), the National Agency for the Prohibition of Traffic in Persons and Other Related Matters (NAPTIP), the Ministry of Environment of the Lagos State Government (one state-based public organisation), the Punch newspaper (a quasi-public but privately owned organisation) and the Fahimta Microfinance Bank (another quasi-public organisation).

The political sociology perspective

The overall perspective of our analysis is a political sociology perspective in which public administration is understood as a political process embedded in a specific social and political context. This perspective explicitly takes the political dimension into account, including the political nature of the delivery of public services. Particularly in developing countries the delivery of public services has a wider significance, far beyond the delivery of the service itself. It can be seen as a symbol for the state at least partly accepting its public responsibility for delivering services. In our study we therefore regarded even selective public service delivery as political action which is crucial for the process of establishing or rebuilding more or less effective states in developing countries.

Taxation and public service delivery are two sides of the same coin in this regard.⁵ “State” and “society” constitute each other in a contingent process of bargaining with each other for resources and power. The legitimacy of the state as well as some form of accountability relationship between state and society have historically emerged through this process in many of today’s OECD member countries. In largely discredited states where accountability relationships with citizens are rudimentary at best, the provision of essential public services “can lead citizens to re-engage with the state and can be a path towards a virtuous cycle of engagement and accountability in the broader political sphere” (Joshi 2006: 125). The political sociology perspective therefore emphasises that the relevance of PoE goes far beyond them being starting points for administrative reform but rather elements for (re)building states and more accountable and democratic state-society relations. While this point will be discussed in our final study, this chapter focuses more narrowly on what PoE can teach us about the nature of the state in developing countries. Moreover, not all of the analytical dimensions and distinctions presented here will be referred to in the following section.

III. Why and how do PoE emerge?

This section introduces two of our case studies and presents the explanatory factors for the emergence of PoE. Due to the limited number of case studies this analysis is preliminary and will be further qualified when the other cases have been included. The cases selected for this summary are two of the most outstanding success stories among Nigeria’s public organisations in recent years: the National Agency for Food and Drug Administration and Control (NAFDAC) and the National Agency for the Prohibition of Traffic in Persons and Other Related Matters (NAPTIP).

Case studies

*National Agency for Food and Drug Administration and Control (NAFDAC)*⁶

NAFDAC has the mandate to regulate and control quality standards for imported as well as locally manufactured food, drugs, cosmetics, medical devices, chemicals, detergents and packaged water. It has been set up by the National Agency for Food and Drug Administration and Control Decree No 15 of 1993 as amended by Decree No 20 of 1999 as a parastatal of the Ministry of Health. Gabriel Osunde was NAFDAC’s pioneer director general and handed over to Dora N. Akunyili in 2001. She is usually credited with having transformed NAFDAC into an effective organisation. At the end of 2008 she was appointed Nigeria’s Minister of Information and Communications and Paul B. Orhii became NAFDAC’s third director general in early 2009.

⁵ On taxation in developing countries from a political sociology perspective, see Bräutigam et al. (2008).

⁶ This summary is based on the NAFDAC PoE case study by Irene Pogonson with Suraj Mudasiru and Azeez Olaniyan (2010).

Apart from headquarters in Abuja, NAFDAC maintains offices in all 36 federal states of Nigeria, six zonal offices for the geo-political zones of the country and three special inspectorate offices in big cities with strategic importance for the fight against counterfeit drugs and unregistered products in addition to Lagos (Aba, Onitsha, Kaduna). More than 3,000 pharmacists, technicians, enforcement and administrative staff work for NAFDAC. In terms of recruitments and promotions, financing and political control NAFDAC became autonomous from its parent ministry, the Ministry of Health shortly after Dora Akunyili's appointment in 2001. Following the adoption of a revised tariff structure for registrations, sanctions and penalties, NAFDAC has been able to raise more than two thirds of its annual income ever since 2003.

One of Nigeria's greatest challenges in NAFDAC's area of responsibility are counterfeit drugs, both produced locally and imported. In 2001 about 80% of medications sold in Nigeria were considered deficient in one way or another, many of them dangerous for patient's health and sometimes even life (Lemonick 2005). The situation was so serious that some West African countries banned drugs made in Nigeria. Before 2001 NAFDAC was considered an ineffective organisation which also had to do with the constraints it faced under military rule. Since then things have changed dramatically. In a representative national poll published in November 2007 NAFDAC emerged as the government agency that is considered to be most effective (70 per cent), 12 per cent ahead of the organisation that came second (NOI Polls 2007: 4). This perception is supported by significant achievements. According to NAFDAC sources, until 2009 the organisation destroyed substandard products valued at over 200 million US-Dollars since 2001, achieved 45 convictions related to counterfeit drugs with 60 more cases pending and a steadily increasing number of sanctions against manufacturers. The enforcement of NAFDAC standards and mandate are reflected in the annually increasing amounts of internally generated revenue. Both, producers and consumers seem to have come to appreciate NAFDAC's work and value its seal of approval. This new-gained trust also led to a revival of the Nigerian pharmaceutical industry both domestically and abroad. Countries in the region which had imposed bans on Nigerian drugs lifted them again. A 2006 survey report found that fake drugs had dropped from about 41 per cent of all drugs sold in Nigeria in 2001 to 16.7 per cent in 2006 (Barriaux 2007). The percentage of unregistered drugs was reduced from 68 to 19 per cent in the same period (Nduwugwe 2008).

These impressive figures earned the organisation and particularly its then director general national and international recognition. NAFDAC became a model for other African countries and Dora Akunyili probably Nigeria's most award-decorated public sector executive. Already in 2003 she received Transparency International's Integrity Award and in 2006 the Time Magazine Award, to mention just two of the hundreds of awards presented to her. Perhaps the best indicators for NAFDAC's effectiveness are the reactions of the fake drug producing and importing cartels. Several NAFDAC laboratories and offices were vandalised and set on fire, inspectors were threatened and there were several attempts to bribe and also assassinate Dora Akunyili. When policing a sector dominated by criminal cartels which make huge profits, this can be the price of effectiveness.

National Agency for the Prohibition of Traffic in Persons and Other Related Matters (NAPTIP)⁷

⁷ This summary is based on the NAPTIP PoE case study by Antonia T. Simbine with Franca C. Attoh and Abubakar Oladeji (2010).

The Trafficking in Persons (Prohibition) Law Enforcement and Administration Act of 2003 established NAPTIP. Carol Ndaguba was appointed in the same year as the pioneer executive secretary. She retired in early 2009 and was succeeded by Simon Chuzi Egede. The creation of the agency is a fulfilment of Nigeria's obligations as a signatory to the United Nations Convention against Transnational Organised Crime (Palermo Protocols) and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children from 2000 (United Nations General Assembly 2001). The act gives NAPTIP a comprehensive mandate to fight trafficking, including the rescuing and rehabilitation of trafficked persons as well as the investigation of traffickers. The amendments that entered into force in December 2005 extended NAPTIP's powers beyond investigation to prosecution and allowed NAPTIP cases to be prosecuted at state and federal high courts instead of the state high courts only. The organisation which employed about 250 staff in 2006 is under the office of the Attorney-General. Apart from headquarters in Abuja it has six zonal offices with rehabilitation centres attached to them in cities where trafficking is most prevalent. NAPTIP enjoys autonomy with regard to staff recruitment and promotion and has also benefited from almost consistently rising budget allocations by government. Apart from that the organisation received significant financial and technical support from international organisations and governments.

Trafficking is widespread, profitable and largely in the hands of established syndicates in Nigeria which makes NAPTIP's task a fairly daunting one. Taking that into consideration, the organisation is widely praised to be effective as a European diplomat based in Nigeria confirmed:

"There are many other things in this country which are not going very well but NAPTIP is not actually one of them. NAPTIP is one of those few state organisations that are functioning very well." (NAPTIP interview 18).

Until mid-2009 more than 3,500 victims had been rescued, sheltered for and rehabilitated while 57 convictions had been achieved with more pending since the establishment of the organisation. While this may not seem much, the fact that the annual number of trafficking convictions for the whole of Africa rose from a meagre 10 in 2003 to 90 in 2008 (U.S. Department of State 2009: 51) puts the figure into the appropriate context.⁸ NAPTIP has been invited by various foreign law enforcement agencies to cooperate with them for cracking international human trafficking syndicates which they have done successfully. This evidence is confirmed by the United States Department of State's "Trafficking in Persons Report" 2009 which upgraded Nigeria from tier two to tier one which means that the government fully complies with the U.S. Trafficking Victims Protection Act's minimum standards for the elimination of trafficking (U.S. Department of State 2009: 225-227).⁹ Except for the island state Mauritius with a population of little over a million, Nigeria is the only African country placed in tier one. This major achievement is due to NAPTIP's exceptional effectiveness as the report confirms:

"Nigeria's strengthened anti-trafficking record over the last year reflects the cumulative impact of progressively increasing efforts made by NAPTIP over the last several years." (U.S. Department of State 2009: 226).

⁸ Attaining convictions against human traffickers is very difficult. In most cases, the trafficked victims are required to give evidence before the traffickers can be convicted. Since these victims are often relatives or otherwise known to the trafficking networks, this is very dangerous for them.

⁹ Tier two includes countries "whose government do not fully comply with the Trafficking Victims Protection Act's minimum standards, but are making significant efforts to bring themselves into compliance with those standards" (U.S. Department of State 2009: 49).

Explanatory factors

What are the most important factors which explain the emergence of these two organisations as “Pockets of Effectiveness”? Since our focus is on the political dimension of PoE we neglect the contribution of technical equipment. Examples for such tools are the monitoring system and database on trafficking that NAPTIP established or NAF-DAC’s new registration procedures for producers and products. This technical side is relatively well covered in the literature and does not differ much from the OECD world. However, how these organisations manage to overcome the political obstacles in a hostile developing country environment to be able to finally make use of these technical innovations is less well known. It is this dimension we are focussing on.

Although the literature which explicitly deals with the phenomenon we call “Pockets of Effectiveness” is scarce, three broad hypotheses can be identified that explain why PoE exist (see Roll 2011: 30-32, partly based on Leonard 2008):

- **Hypothesis 1 – Internal factors:** An organisation’s effectiveness in a challenging context is determined by *leadership and management* – i.e. *how* it does its tasks.
- **Hypothesis 2 – External or political economy factors:** The underlying *political economy* in which an organisation is placed ultimately will overcome and dominate all other causal factors and thus determine what effectiveness is possible.
- **Hypothesis 3 – Function or task-related factors:** The *function* an organisation performs determines the degree of specificity of the benefits it delivers. It also determines the incentives it provides to its staff and therefore an organisation’s effectiveness.

None of these hypotheses can individually explain why PoE emerge. In contrast to previous studies (for an overview, see Roll 2011: 21-29) our explanation for why PoE emerge is as follows: In a given political context a decisive political actor (or a group of actors) has an interest that a particular public service is being delivered effectively. The respective public organisation is then provided with a high degree of autonomy, focused powers and political protection. Moreover, a qualified and motivated pioneer leader with outstanding inclusive leadership and management skills is appointed. This explanation highlights that the key political mechanism for the emergence of PoE is the interaction of political interest and function. While the leadership and management factors are vital, they can only produce PoE if these political conditions are in place. On the other hand, the political factors alone are not sufficient either. The factors that emerged in the analysis are presented one by one in more detail below with illustrations from the two case studies. They are clustered in three categories although the boundaries are sometimes blurred: Political, institutional and managerial factors (see figure 1).

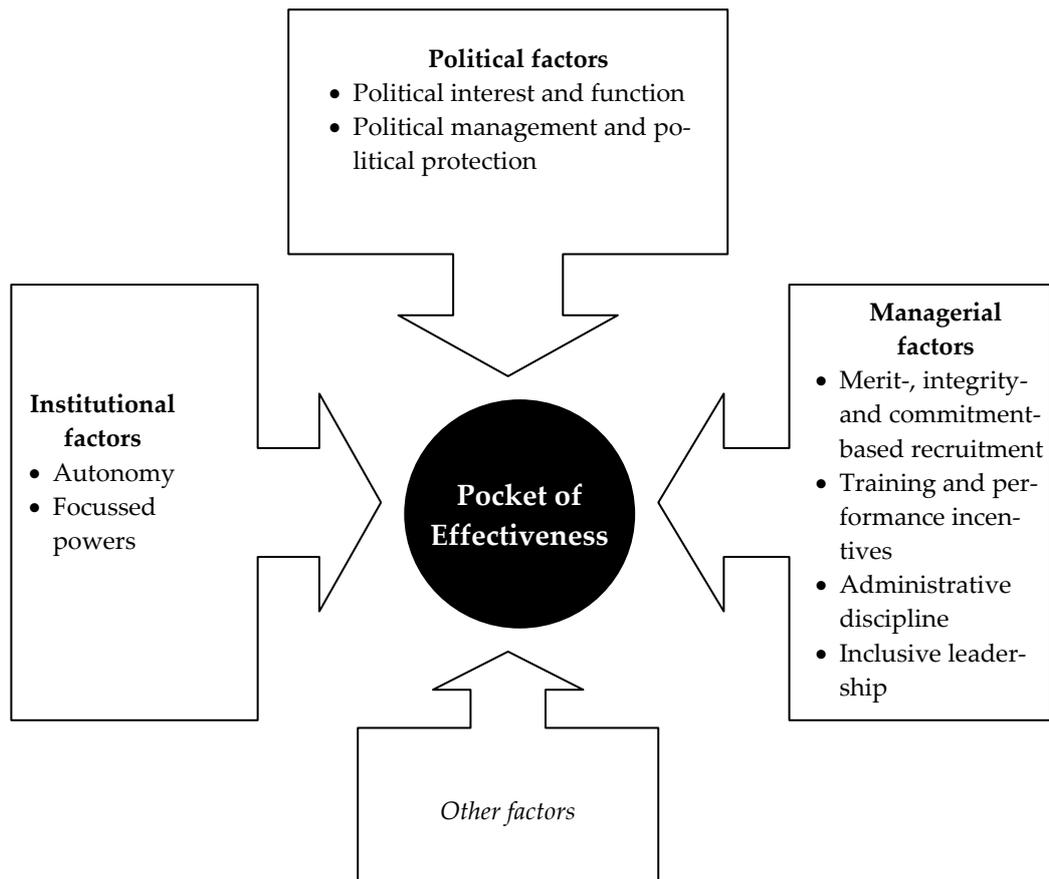


Figure 1: Categories of explanatory factors for the emergence of Pockets of Effectiveness

Political factors

Political interest and function

In both cases the specific political context led the then president Olusegun Obasanjo to develop an interest in the effective execution of the functions of fighting counterfeit and dangerous drugs as well as human trafficking. Obasanjo's particular sensitivity and attention to improving Nigeria's international image is key to understanding how he developed these interests. Obasanjo had some very tangible reasons to improve Nigeria's reputation such as seeking a debt repayment and relief deal with the "Paris Club", a group of 19 lenders, which was finally accepted in 2006. However, beyond such primarily instrumental motives it is widely believed that he had a genuine interest in improving the country's reputation abroad for boosting his personal international prestige (see Gillies 2007).

Moreover, through national and international media both phenomena, deaths through counterfeit drugs as well as the enormous scale of human trafficking, received increasing attention after Nigeria's return to democracy in 1999. They damaged the country's reputation that was at an all-time low already at the end of the Abacha regime. However, the development of this interest in a public service being provided more effectively is not a straightforward process. It takes shape in rather discontinuous

and unusual ways. In the case of NAPTIP for example, it was the wife of the then Vice President Atiku Abubakar, Amina Titi Atiku Abubakar who founded an anti-trafficking and child labour non-governmental organisation (NGO) in 1999, the Women Trafficking and Child Labour Eradication Foundation (WOTCLEF). Through the strong position that wives of senior politicians enjoy in Nigeria she put the topic on the political agenda. Supported by civil society organisations and international organisations she achieved that the anti-trafficking act which established NAPTIP was enacted in 2003. This top-level political support ensured that the mandate of the organisation was strong, its powers far-reaching while the continued support guaranteed increasing financial transfers to the organisation.

Another example for how important the respective political context is not only for understanding which public services are considered political priorities but also for how people are selected for providing them effectively, is Dora Akunyili's case. While she is a trained and experienced pharmacist, these were not Obasanjo's key criteria for selecting her as NAFDAC's head. What made her stand out was proven integrity and incorruptibility. In Nigeria's context, this factor was considered to be crucial by the president at that time. The story that apparently made president Obasanjo choose Mrs. Akunyili goes as follows: While still working at the Petroleum Trust Fund, she had to travel to London for medical treatment and had been given 17,000 pound sterling to pay her medical bills, including a surgery. It turned out that she did not need the surgery and that the costs therefore were much lower than expected. A European doctor apparently suggested to her to share the money and fake the bills. While this or similar cases are frequently revealed by the media in Nigeria Akunyili refused and returned the money to her employer. A close friend of the then president and member of his kitchen cabinet recommended her to the president who was highly impressed by this story. He then called her for an interview and appointed her as the new head of NAFDAC.

Political management and political protection

While the appreciation of and the political support for the execution of a public organisation's function may be due to very situational motives, its continued protection and support requires the repeated renewal of the decisive leader's attention to it. This is why "political management" is so important. It refers to a public organisation's leader lobbying for political support and influencing decisions which strengthen the organisation's position. This continued lobbying can be carried out by various actors such as the media, civil society, international organisations, political coalitions or the leaders of the very organisations themselves like in NAFDAC's and NAPTIP's case. However, direct access to and the trust of top politicians and – above all – the president are essential. This is even more important if the process of arriving at policy priorities and preparing the budget is rather erratic like it often is in Nigeria, for example. Apart from the inward-oriented aspects of management these outward-oriented aspects of political management are of great significance in a fragile and hostile environment.

Two examples illustrate how crucial this "political management" is. In the case of NAPTIP the pioneer executive secretary managed to get the act which established the organisation in the first place in 2003 reviewed and amended in 2005. The most important changes included assigning NAPTIP the powers to prosecute, allowing them access to the federal high court in addition to the state high courts, criminalising the trafficking of children as house helps, the regulation of the seizure of assets from traffickers and the establishment of the Victims Trust Fund. These very function-oriented amendments enhanced NAPTIP's effectiveness tremendously. Even by global standards it is remarkable that an act that had just been passed is reviewed and amended

within a period of only two years. This involved political management by the then executive secretary of NAPTIP Carol Ndaguba as well as strong political support.

At NAFDAC Dora Akunyili used her political management skills successfully to achieve that the organisation was granted autonomy from the Ministry of Health in terms of funding, recruitment and promotion of staff, remuneration as well as political control. Before that, staffs were transferred to NAFDAC from the ministry, its funding was included in the Ministry of Health's budget, remuneration was regulated by general public service guidelines and the ministry exercised political control over the organisation. Another example is the return of NAFDAC to Nigerian ports from where it had been banned by the military government in 1996. On request by Dora Akunyili, the then president Olusegun Obasanjo granted the approval and NAFDAC's clearance of imported goods became compulsory again in 2001. This closed a huge leak for imported counterfeit products and ended the Customs Service's clearance monopoly.

Through such political management measures these leaders of public organisations actively shaped the immediate political environment in which their organisations operate. They did not just rely on existing legal provisions but sometimes ignored, creatively reinterpreted or elegantly by-passed rules to be able to work more autonomously and effectively. As we saw in other case studies, political management often included creative and unorthodox measures which were not always in strict accordance with the law and therefore not without risk for the respective leaders. Apart from "political management", "creative interpretation and management" as well as "taking risks" are therefore important elements of how leaders of PoE use the existing latitude, redefine and reshape it.

Leaders of public organisations can only carry out these activities over a longer period of time if there is substantial political interest in the services their organisations provide. This interest has then to translate into political protection of the organisation and its leader. Refusing political interference, private interest-guided employment and complicity in diverting public funds are seen as an offence in a political context like Nigeria. Organisations that operate relatively effectively therefore rely on political protection for being able to persist as a PoE. Political hostilities, strategically spread rumours and political or other coups against these organisation's leaders are frequent and difficult to survive without political protection.

Institutional factors

Autonomy

The several dimensions of autonomy include political, administrative and financial autonomy. More specifically, autonomy with regard to key procedures such as staff recruitment and promotion as well as remuneration and welfare are crucial. In an environment where political interference into public organisations and their use for employing political clients and supporters is the rule rather than the exception, autonomy from this environment is essential.¹⁰ While organisation-specific acts were important in both case studies, political protection and continued enforcement of these acts and regulations were essential. It is only then that the executive leaders of these public or-

¹⁰ In the context of administrative reform strategies in OECD countries, the model of the semi-autonomous executive agency has emerged in the last decades. Our case studies reflect some of the characteristics of such agencies. However, we could not establish whether or how their setting-up was informed by this model. The focus of the "agencification" literature is still largely on OECD countries but case studies from developing countries are sometimes included. For more information, see OECD (2002), van Donge (2002), James (2003), Pollitt and Talbot (2004), Pollitt et al. (2004), Larbi (2006: 31-33), Ayee (2008: 134-137) and critically Moynihan (2006) and Joshi and Ayee (2009).

organisations can establish a performance-based and -rewarding organisational culture which is necessary for providing the respective public services effectively.

Apart from political autonomy financial autonomy is especially important. NAPTIP managed to get a secure and almost consistently rising budget vote as well as support from international organisations. NAFDAC on the other hand reformed its tariff structure and from then on managed to generate at least two thirds of its annual income through internal revenues. In a politically volatile context, the latter option is more sustainable in terms of autonomy, although it is not completely safe from political interference either.

Focussed powers

The term “focussed powers” refers to the fact that organisations like NAFDAC and NAPTIP which were established through task- and organisation-tailored acts have comprehensive legal powers with regard to their function. In both case studies, these comprise executive powers including prosecution. These organisations do not only have the legal authority to carry this out but also the organisational means such as internal law enforcement units like investigation and prosecution departments. That refers again to their autonomy: they are closed systems in the sense that they can carry out almost all tasks related to their function except reaching and enforcing verdicts. Especially in a highly fragmented administrative system this reduces transaction costs significantly and enhances effectiveness. Such costs would and do in other cases arise from communication and coordination problems, inter-organisational distrust and competition. Moreover, the fact that all necessary steps leading to a prosecution are done in-house is a very powerful motivating factor for staff. If inspectors know that their cases end up in a judicial system where decisions and verdicts are often politically manipulated, this can frustrate them to an extent that they stop carrying out their own tasks professionally and instead look for private gains.

Managerial factors

Merit-, integrity- and commitment-based recruitment

Merit-based recruitment is one of the better-known explanatory factors for exceptional organisational performance (see Owusu 2006). This is confirmed by both case studies. For their directors’ positions, sophisticated assessment centres were carried out, including written tests and oral examinations by a panel of interviewers, headed by independent professionals. At NAFDAC this procedure was unprecedented. However in both cases qualification and merit were not the only criteria. Especially for those in leading positions commitment to the mission of the agency as well as proven integrity were equally important. The pioneer NAPTIP executive secretary specifically selected experienced personnel from other ministries and law enforcement agencies whom she knew or had information about as a former Director of Public Prosecution. While a personal and not strictly merit-based element comes in here, this is on top of the professional standards and expectations and therefore does not compromise them. This elaborated process of carefully recruiting senior managers nurtured their commitment to the organisation and their trust in its leader. Political considerations did not influence appointments as is often the case in Nigeria.

Training and performance incentives

The former group of factors and this one are closely interrelated. Merit-, integrity- and commitment-based recruitment ensures that capable, honest and motivated staffs come on board. Training provides further and more specialised qualifications like through the tailor-made NAPTIP training programme on security and human rights for new staff.

After this initial training both organisations provide ongoing and often demand-driven training for staff in their respective areas of specialisation. NAPTIP also provides training for staff of collaborating organisations such as the police and immigration service.

Special international training courses or collaborative missions with international law enforcement agencies were applied in a focussed and strategic manner to reward good performance by both organisations. This was done in order to expose staff to international standards and best practices. In addition to international missions, greater responsibility, commendation by leadership and promotion were used for internal reward and as performance incentives.

Good remuneration is another factor that readily comes to mind when thinking about why organisations perform well. This is confirmed in the case studies since it allows them to attract those skilled and committed professionals they identified through their recruitment process. Staff of both organisations earn much higher salaries and enjoy better welfare packages than civil servants in most other departments and agencies.

As a basis for good performance, both organisations provide the necessary resources for staff to carry out their duties. This basic equipment includes at least functional offices and equipment, cars, generators and diesel for operating them, computers and internet which is often in short supply or completely lacking in other public organisations, even in the capital city.

Administrative discipline

Since the embezzlement of public funds and corruption are endemic in Nigeria's public sector, containing if not eliminating them is a major challenge for public organisations. However, to a certain extent at least, this is a precondition for being able to provide public services relatively effectively. The sectors in which both organisations work are highly susceptible to both phenomena as well as to attempts of those involved to bribe themselves out of prosecution. To respond to these challenges both organisations have established strict regimes of administrative discipline. At NAPTIP, corruption is discouraged by a combination of adequate compensation, the necessary resources for executing their tasks, teamwork when handling suspects and dismissal when found guilty. The last instrument has already been used in some cases. NAPTIP also has an internal anti-corruption unit. At NAFDAC a similar system of no tolerance for corruption and severe sanctions is in place. Internal whistle blowing is explicitly encouraged and whistle blowers are rewarded if the case is confirmed, for example by being promoted or sent on a training programme abroad. On the other hand, integrity is advocated through "leadership by example" and practiced at the top executive level of the organisation.

Inclusive leadership

A positive "organisational culture" or "organisational mystique" (Grindle 1997; Hilderbrand and Grindle 1997) is one of the more extensively researched factors that contribute to making organisations in hostile and other environments more effective. Our case studies provide evidence to support this result. Both heads of agencies showed outstanding inclusive leadership and management skills. This does not necessarily mean that they worked in a particularly participatory manner in terms of decision-making. They clearly had their own convictions and ideas and were very firm in executing them. But at the same time they encouraged staff to question them. Moreover, they invited external advice and collaboration when they deemed it necessary. Exchange, dialogue and initiative among staff were invited and the principle of the

“power of the better argument” instead of the higher authority promoted. Due to this communicative and inclusive leadership style, their professional qualification and vision they enjoyed widespread authority in their respective organisations. This authority was further strengthened by the fact that they had partly handpicked their staff in leading management positions based on skills and demonstrated performance. As opposed to “authority of the office” which is based on hierarchy, this is a kind of “authority of personality” which is more comprehensive and powerful.

The fact of having been selected for a leading position in any of the organisations created a special and very personal loyalty and trust-based relationship with the respective leader. These trust-based relationships were further strengthened by the accessibility of the directors for their staff, even if it was about private issues as the former NAPTIP executive secretary stated:

“I listen to their personal problems and am sympathetic to their problems if there’s a way I can help them, I help. You do these things, it motivates people.” (NAPTIP interview 19).

The fact that she and the NAFDAC director cared for their staff in the true sense of the term was widely confirmed in the interviews.

As a former Director of Public Prosecution, Carol Ndaguba was well qualified to head NAPTIP while Dora Akunyili was a trained pharmacist. Both had a vision of what kind of public services the respective organisation should provide and they communicated this vision internally while promoting it externally. “Leading by example” in terms of discipline, integrity, hard work and commitment to the organisation’s vision and mandate were characteristic. The use of public funds and internally generated revenue were managed transparently.

Responsibilities, expectations and feedback were clearly communicated. Possibly more important than this was their success in igniting and maintaining the commitment and even passion of their staff for working with the organisation and providing its public services as effectively as possible (see further below).

Both directors practiced, facilitated and sometimes even enforced collaboration within the organisation as well as with external organisations in government, civil society and internationally. For a Nigerian governmental organisation, NAPTIP’s extensive collaboration with civil society organisations working on human trafficking was rather unusual. This included but went beyond the NGO of the former vice-president’s wife who had lobbied for the establishment of NAPTIP. The organisation also liaises and collaborates with the anti-trafficking units of the police and immigration. While NAPTIP had been set up as a new agency with Carol Ndaguba as the pioneer executive secretary, Dora Akunyili had to reform a previously existing organisation. One of the legacies of NAFDAC was inter-departmental rivalry. Therefore, apart from replacing about half of the staff and restructuring the organisation, she “enforced” internal dialogue and collaboration. Inter- and intra-departmental meetings were established, at least two directorates had to be involved before any decision could be taken and no problem could be brought to her attention before at least two directorates had discussed it. Externally, Dora Akunyili liaised with NGOs as well as donor agencies and asked them to provide or sponsor training programmes when own funds were not sufficient.

A particularly interesting issue that emerged from our research is the relevance of gender. Half of the PoE we investigated were led by women which is a much higher proportion than in public or private executive positions more generally. A senior NAPTIP official even explained Carol Ndaguba’s outstanding performance with reference to gender by saying:

“She is a mother, I see her as that. You know when you are a woman and a mother, you push all other things aside and that passion of a mother in you will want you to do things that go beyond what you would have normally done assuming you didn’t care.” (NAPTIP interview 5)

While this comment reflects gender stereotypes “turned positive” of a female employee it also opens up an interesting perspective on the potentials that such stereotypes provide at the same time. The former executive secretary herself also made reference to gender by referring to the fact that “because I am a woman, I wanted to prove that I can do it” (NAPTIP interview 19). In a male-dominated and patriarchal society this can be a strong motivation for women in leadership positions to go to particularly great lengths and perform extraordinarily well. However, since there is no social automatism for this and many factors would need to be factored in for a substantiated analysis, these findings show first and foremost that more studies on this are needed.

Public service commitment

Public service commitment can have many sources. Some of the most important ones we discovered in the cases of NAPTIP and NAFDAC were personal encounters with the victims of human trafficking and the pride of working for a popular and exceptionally effective public sector organisation. Other reasons were positive responses from the media, citizens as well as the opportunity to contribute to one’s country’s positive development. The more sources commitment comes from and reinforces other stimuli, the stronger it gets. One of the key criteria of the executive leaders for recruiting staff, particularly for leadership positions, was their commitment to the mission of the organisation. In our case studies both directors had reasons to be themselves highly committed to the effective execution of the functions of the organisations they were heading. While NAPTIP’s Carol Ndaguba was the Director of Public Prosecution, she occasionally also dealt with cases of trafficking of children to Italy, which she knew could only be the tip of the iceberg. Dora Akunyili’s personal commitment to make NAFDAC work effectively partly stems from the death of her sister who was diabetic and died from an injection of false insulin in 1988:

“Not only was it fake and did not contain the insulin she was supposed to take, but it was also contaminated and gave her abscesses. She did not respond to antibiotics, and we just watched helplessly until she died.” (Akunyili in Barriaux 2007)

Such personal experiences seem to have a particularly strong and lasting effect on personal and professional commitment to the respective public sector organisations.

In order to use commitment as a strong motivating factor for staff across the board, leadership at all levels has to nurture and communicate it. Through inclusive and motivating leadership and management as outlined above, public service commitment can be ignited and maintained. While this commitment existed at the director’s level and was used by them in both case studies, it was also lower ranks that were committed to the organisation’s mission. A NAPTIP middle-level officer said that irrespective of the financial aspects it is only

“when there is genuine interest, when there is passion for the victims of human trafficking, you will go any mile to make sure you track them [the traffickers; M.R.] down” (NAPTIP interview 6).

According to the former NAPTIP executive secretary their staff “got emotionally involved and quite bitter against the abuse that is meted out to Nigerian girls, children and women” (NAPTIP interview 19). This personal involvement and “pas-

sion” for their job explain the strong commitment of civil servants. It was even reported that in the case of NAPTIP private funds or resources such as cars were used for undertaking official assignments if other means were not available. While these might have been exceptional cases, they demonstrate that by and large, members of staff across the hierarchy saw their jobs with both organisations as a personal as well as professional contribution to the provision of essential public services for their country.

Other factors

Based on a detailed analysis of these two case studies, it could not yet be verified how powerful the following factors are for explaining why and how PoE emerge. This will be discussed more in details in the final analysis. The first one clearly seems to be relevant but it is not yet clear exactly how: “international collaboration”. While the facilitation of collaboration by leadership and management was discussed above, the phenomenon as such deserves separate attention, particularly with regard to international actors. External funding obviously has the potential to support public organisations while emerging as PoE. However, the impact of the more intangible dimensions of international collaboration is less clear. Overseas training, collaboration in common projects or international investigations seem to be potentially important contributions. Growing into an international professional community with common quality and performance standards might be an important result of this, although this only applies to higher-level civil servants.¹¹ These factors have all played an important role in the two case studies, more so for NAPTIP than for NAFDAC. For a more detailed assessment of their relative importance however, the other case studies will have to be analysed first.

A second factor that was clearly relevant in both case studies can be summarised as “public communication”. This includes public information and sensitisation campaigns as well as public relations. Wide-ranging public information and sensitisation campaigns were a major focus of the work of both organisations. NAFDAC was particularly effective at that. A 2007 public opinion poll confirmed that the organisation was not only outstanding in terms of perceived effectiveness but also one of the most widely known public organisations in the sample (NOI Polls 2007: 4). Especially the NAFDAC director general knew exactly how to present herself and the organisation in the public and to various audiences. She promoted the organisation’s image with Nigerian citizens and international organisations alike and used the publicity to raise public and indirectly also political support for NAFDAC and its mission. However, the explanatory value of this factor needs further analysis.

“International pressure” is a third factor that is potentially important but has not yet been fully analysed. While Nigeria was rated one of the countries with the highest incidence of counterfeit drugs in the world in the late 1990s, we could not find any evidence for direct international pressure on the Nigerian government to take action on this. On human trafficking Nigeria was the second country worldwide after Monaco to ratify the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children. The respective national trafficking prohibition act from 2003 including the establishment of NAPTIP constituted the domestication of this protocol. However, apart from the then president’s own aim to improve the country’s international reputation, no explicit international pressure was exerted on the government, according to our research.

¹¹ David Leonard also argues that being a member of a global professional community could boost the performance of officials in developing countries (1991: 272-273).

While all of the factors discussed in this section did play a role in the two case studies, their status as sufficient or necessary, their precise interaction and sequential order have only been touched upon. It will be interesting to see which degree of generalisation we can arrive at with regard to the explanatory factors after having included all case studies.

Before continuing with discussing what these findings teach us about the nature of the state in developing countries, we return to the PoE research framework and some of the analytical foci outlined therein. On internal variety or different degrees of effectiveness of the units of the respective organisations, both organisations did not show significant variety in terms of performance. While NAPTIP was newly established and therefore did not have a “turning point”, NAFDAC’s period of change began with the appointment of Dora Akunyili as the new head and the more autonomous institutional status granted to the organisation. While we were sceptical about the explanatory value of “leadership”, inclusive, professional and dedicated leadership turned out to be crucial factors for the emergence of a PoE although far from being sufficient. While the leaders credited with transforming both organisations into PoE have been replaced, their successors were not long enough in office for us to detect any significant changes during research. Since the other case studies in our sample differ from the two organisations presented here, including them is likely to modify these results.

IV. What do PoE teach us about stateness in developing countries?

Thomas Bierschenk’s call for an “anthropology of statehood (or stateness)” (Bierschenk 2010) is strongly supported by our research project and findings. Some studies which would fall into this category already exist.¹² We prefer the concept “stateness” (*Staatlichkeit* in German) over “statehood”. While the latter is used to refer to states in distinction from other states, political sovereignty and has an external perspective on the state, the former has an internal perspective and looks at the nature, capability and quality of state institutions. What do the findings from the PoE case studies teach us about this stateness in developing countries and weak governance states more generally? We identified five important lessons that should be taken into consideration for future research and policy.

1) Civil servants respond to the same management techniques and incentives – but institutional context makes the difference

To state that civil servants in developing countries respond to the same management techniques and incentives like their colleagues in the OECD world may sound obvious. At least implicitly, however, a number of studies seem to suggest that civil servants in Africa and other parts of the developing world have a special and somehow culturally shaped “mentality” and work ethic. The key problem, according to these studies, is therefore located at the individual, group or even cultural level. Our study shows that this is not true. In both case studies from Nigeria staff responded positively to inclusive, collaborative, transparent and motivating management and to material as well as immaterial incentives. They did so because they operated in a context which allowed them to do so. The legal provisions were adequate, staff was qualified and the necessary equipment and resources were available. The reason why the performance of pub-

¹² Some of these sociological and anthropological studies that engage in a non-normative analysis of the empirical reality of stateness and public authority in developing countries include Anders (2010) on Malawi; Bierschenk and Olivier de Sardan (2003) on Benin; Christophe (2005) on Georgia; Gupta (1995) on India; Roll (2004) on Sri Lanka and on Africa in general Blundo and Olivier de Sardan (2006), Olivier de Sardan (2008), Blundo and Le Meur (2009) and the “Africa Power and Politics” research programme (www.institutions-africa.org). More generally, Hansen and Stepputat (2001) are instructive.

lic organisations is often low in developing countries is predominantly the institutional context and not “mentality” or work ethic. Imagine what a German bureaucrat would achieve if he had to work under the same conditions like an average Nigerian civil servant in the rural north of the country: without reliable and punctual payment of the salary, being the only person with a more or less regular salary in his extended family, without funds for buying petrol for the official motorbike (if it works at all), without the forms and data that were supposed to have been sent by headquarters in the state capital months ago, without communication of the latest changes in the departmental regulations, etc. This diagnosis is key for de-essentialising the debate. Cultural explanations alone are of limited value while rigorous sociological, anthropological and political analyses which meet universal social science quality standards are needed.

Given an adequate institutional context, management techniques and incentives therefore seem to have a degree of universal applicability. However, they go far beyond material incentives or managerial approaches based on simplistic principle-agent models as Judith Tandler has shown in her landmark study *Good Government in the Tropics* (1997). The reverse conclusion is that without a relatively advanced institutional context for public organisations, even the use of modern management techniques and sophisticated incentive systems will not be able to significantly improve the organisation’s performance. Except for very short periods of time, this is what our case studies suggest. External interventions as well as internal reform efforts therefore have to be more selective and comprehensive at the same time than they usually are. Just focusing on capacity building, internal monitoring and control or incentive systems will most likely not improve administrative performance in developing countries.¹³

2) Effectiveness is unlikely in the existing public administration system

Per definition PoE are unlikely to emerge. According to our findings, however, for PoE to emerge, a certain degree of autonomy from the public administration system is indispensable. This implies that in principle it is possible to avoid the usual practices which undermine effectiveness such as hiring of political clients instead of qualified professionals. Such organisations are “pockets” or “islands” where other conditions exist and different rules apply from the rest of the public sector.

Bierschenk has pointed out that, due to the highly disintegrated bureaucratic system and inadequate equipment in developing countries, normative double-binds are developed and informal norms produced which do at best “enable the minimal functioning of the apparatuses” (2010: 13). In non-PoE organisations such informal rules have largely replaced official rules and norms which might exist but are not regarded as realistic and legitimate. One of the consequences of the autonomy of PoE from the existing public administration system is that the response mechanisms to inadequate conditions are no longer necessary. Under a function-oriented management, the more autonomy and powers the organisation gains the less are informal rules required for compensating inadequate regulations. PoE organisations often have a detailed and integrated set of internal rules, norms and expectations. These are usually explicitly communicated, compliance is monitored and non-compliance sanctioned. However, effectiveness-enhancing informal rules such as working long hours also exist in PoE and are often established through “leading by example”.

¹³ The World Bank’s scorecard on capacity building supports this conclusion. A 2005 evaluation report found that “[t]he Bank’s traditional tools – technical assistance and training – have often proved ineffective in helping to build sustained public sector capacity” (World Bank 2005: viii) and concluded that despite “recent improvements, the Bank’s support for capacity building in Africa remains less effective than it could be” (World Bank 2005: viii).

Apart from these largely positive aspects with regard to organisational performance, two more negative implications of the high degree of autonomy of PoE from the public administration system need to be mentioned. Bierschenk and Olivier de Sardan describe the sedimentation process in administrative systems in developing countries (Bierschenk and Olivier de Sardan 2003). Since PoE are often established as or become semi-autonomous organisations they further complicate the already disintegrated administrative systems from a systemic point of view. This leads us to the second negative or at least disappointing implication of PoE. Due to their isolation from the larger administrative system, their autonomy and the better remuneration and benefits, the average civil servant rather regards these “alien” institutions which receive special treatment with envy and resentment. This rivalry and negative attitude does not make it very likely that PoE can have a trigger effect and inspire the transformation of other public organisations into PoE as well, not to mention the administrative system at large. If PoE were to remain “small islands of functionality” (Olivier de Sardan 2009: 67) and isolated “enclaves” (Anders 2010: 60-69) without the potential to trigger broader change in the public sector of developing countries, their attractiveness for reformers would suffer. Research findings on non-donor initiated PoE like in the case of Nigeria are scarce to date. A detailed discussion of their broader reform potential will be provided in the final study.

3) The command mode of governance prevails: Personalisation and top-down orientation

Partly based on Georg Elwert’s concept of the “command state” (2001), “command mode of governance” refers to two characteristics of governance and stateness in developing countries which are confirmed in our case studies.¹⁴ These are a strong personalisation of political and administrative procedures and decisions and the respective top leadership dominance over these procedures. The command of the person in power can overrule existing legal rules and regulations. He or she therefore is the final authority, a “command authority”.

Due to the disintegrated bureaucratic system and the multitude of informal norms and rules, bureaucratic procedures in developing countries are not as strongly institutionalised as in most OECD countries. That is why uncertainties are not effectively absorbed in developing countries’ administrations and procedural predictability is limited. This lack of institutionalisation of law-based bureaucratic procedures is often substituted with the functional equivalent of personalisation: If I cannot get my public services based on my rights as a citizen which are routinely recognised, I will try to get them by referring to my social status through my personal networks. This alternative mode of getting access to public services usually involves that I can offer something in return or have the potential to threaten the respective official. Niklas Luhmann has argued that in social systems which are strongly personalised, people have learned to attribute causality, understood as the social construction of cause-effect relationships, to personal networks and relationships and not to abstract institutions and procedures (1995: 7). According to him this may only change if other modes of delivery are established that are equally accessible, reliable, and effective.

¹⁴ Georg Elwert defines the “command state” as “a system of politics and administration characterised by the primacy of present authority in daily life interaction and an ambiguous relation with legal norms, which however define the overall power sharing within the apparatus” (2001: 420). While we are not sure whether present authority in daily life interaction is always necessary, we agree that in a “command state” official laws and regulations can be overruled by powerful individuals at any time. The history of colonial rule in Africa explains how these modes of governance emerged (Young 1994).

While personalisation does not mean that all procedures are necessarily personalised it implies that in order to achieve something, the personal relationship mode is of overriding importance. That holds true for all kinds of transactions, irrespective of whether they aim at undermining or supporting the establishment of an abstract bureaucratic system. Some of our findings in the two PoE case studies support the latter aspect. To be able to provide public services effectively both leaders used their personal status and networks. They used their access to the president which was strongly based on personal trust and appreciation to create favourable working conditions for their respective organisations through political management. However, within these organisations and for their “clients” the need to use personal relations was significantly reduced. This is due to the internal establishment and enforcement of rules and norms that differed from the rest of the public sector and offered more universal institutional access.

The second point is even more obvious in our findings: political initiatives usually originate from the top. It was the then president Obasanjo’s sensitivity to Nigeria’s negative international reputation which together with domestic and international pressure led him to initiate reforms in the public sector during his second term in office (Olaopa 2008: chapter 5). In the PoE organisations themselves, the position of the leader was exceptionally strong and it was them who steered the organisations. In Nigeria, the strong position of the president in a presidential system, a de-facto one-party system with no need for coalitions or compromise and a strong material and symbolic social hierarchy (“*oga* culture”)¹⁵ further reinforce a top-down mode of governance. If we take this finding about the dominance of leaders at all levels a step further, it seems to imply that we should expect reforms towards more public sector effectiveness not as a result of media reports or civil society lobbying but the leader’s own decisions. However, this would be taking it too far. Even powerful presidents in presidential systems do not operate and decide in a vacuum. They are more likely to respond to some kinds of pressure and demand than to others like Obasanjo’s special attention to Nigeria’s international reputation shows. Leaders of organisations are also influenced by personal experiences or strong civil society organisations that can support them in pushing for more powers or funds from the government, for example. In the end, however, those higher up in the respective hierarchies have to be at least favourably disposed towards the task or decision at hand to make it work. These principles apply at all levels of the political and administrative system.

While both characteristics of the command mode of governance usually undermine access to and the predictability of administrative procedures and decisions, our case studies provide evidence that they can also be used for strengthening them in exceptional cases. In weak governance contexts therefore, personalisation and top-down orientation can facilitate more effective state performance if they are combined with an interest in a particular service being delivered and a minimum of meritocratic considerations.

4) A public service ethos does exist in developing countries

It is often argued that the public service concept is alien to many developing countries (for Africa, see Ekeh 1975). The very existence of a national “public” is being questioned and therefore whether a public service ethos does exist amongst politicians and civil servants. This ethos would morally oblige them to work for the benefit of the general public and do so with integrity and discipline. Authors often explain this lack of a

¹⁵ “Oga” is a Nigerian pidgin word for “boss” and is frequently used for addressing a person, thereby acknowledging his higher social status and accepting his authority. Some elements of this “*oga* culture” are reflected in the phenomenon of “godfatherism” in Nigerian politics (see Albert 2005).

national public with reference to colonialism. Colonial borders did in most cases not reflect existing social and political structures. It is therefore argued that they did not allow for a national public to emerge. The former prime minister of Nigeria's western region Chief Obafemi Awolowo expressed this concern already in 1947: "Nigeria is not a nation. It is a mere geographical expression." (Awolowo 1947: 47), referring to the amalgamation of three geo-political regions with different but also internally diverse ethnic, religious and social characteristics.

On the missing public service orientation and ethos, it is often argued that this is partly a legacy of the colonial past where the state primarily served as an instrument of social control, political oppression and economic exploitation. The gap between state and society is said to have remained under African rule with the state as an alien apparatus that was used as a source of private enrichment by those who had access to it. Due to the superior loyalty to primordial groups and the lack of an historical formation of a public sector including the respective norms, the argument continues, this could be done without running into moral contradictions. However, the public service concept is well known, is referred to in public debates and is instrumentalised as a motivating factor in exceptional cases. Our case studies show that senior staffs of both organisations have also been selected based on some degree of public sector commitment and motivation, whether task-specific or more general. They are apparently receptive to further motivation along these lines by the leaders of the organisation which themselves have been found to exemplify the public service concept in their day-to-day management. Bierschenk and others agree that "African officials see themselves as having a moral contractual relationship with the state" (Bierschenk 2010).

While the statement that public sector orientation does exist in developing countries where governance is weak is true, it requires further qualification. Due to a number of factors – the legacy of colonial rule certainly being one of them – the average civil servant probably feels less obliged to his public service mandate than his colleague in an OECD country.¹⁶ But this difference is not one of substance but of degree. Furthermore, the enormous variety of public service orientation that exists in developing as well as OECD countries is of great significance. There are those civil servants who practice and defend the public service ethos despite the odds although they are often having a hard time in these hostile environments. Others are not as strict with themselves but do not ignore the ethos altogether and therefore do not damage the system as severely as others. These different categories call for serious attention to empirical detail instead of premature generalisation when researching these issues. Public service orientation is often limited, temporary and fragile in developing countries. However, if civil servants who share this ethos or are susceptible to it work together and can do so under some of the supporting structural conditions outlined above, these "pockets of public service ethos" might eventually grow into PoE.

5) Effectiveness in developing countries is fragile but real

The governance and development debate is dominated by a deficiency-focused perspective.¹⁷ Explanations for such "bad" and ineffective governance are then often close at hand: indiscipline and corruption are two of the "usual suspects". While these factors have a role to play, it is grossly inadequate and irresponsible for academic studies not to go beyond that. Most problems of public administration in Africa can be ex-

¹⁶ This might vary, depending on the level in the administrative hierarchy. Thomas Bierschenk argues that civil servants in the lower ranks tend to be more disappointed from the state than those further up (2010).

¹⁷ However, a "development success" literature is beginning to emerge, including the classic Tendler (1997), Bebbington and McCourt (2007), Manor (2007), Robinson (2007) and Grant et al. (2009), amongst others.

plained by political interference, missing resources or their non-functional distribution as well as a lack of adequately trained staff. Moreover, all those other problems which OECD public administrations are familiar with as well also exist: communication gaps, coordination problems and work overload. While the historical processes of state and civil service formation in developing countries are highly distinctive, they share the common features of massive institutional sedimentation, heavy fragmentation and in response, normative double-binds (Bierschenk 2010). Degrees may vary but in all of these countries public organisations exist which provide public services much more effectively than others. PoE are the result of a temporary and often precarious dynamic process of competing political powers where the interests of some political actors that favour the effective delivery of a particular service dominate. This is the essential precondition for a PoE to emerge. As outlined above, many other factors and their interaction with each other are then necessary for a PoE to emerge.

These findings teach us that stateness in developing countries is much less understood than it ought to be. Organisations, including but not limited to public organisations, should no longer be treated as “black” or even “stuffed boxes”. The term “stuffed boxes” refers to researchers opening the black box that the organisation is but then instead of looking into it, stuffing it with his or her assumptions about what the internal structures look like and how actors think and act. The researcher then closes the box again, paints it in a colour of his or her liking and presents the findings which are surprisingly often in line with what the assumptions have made the reader to expect. Such boxes have to be thrown away and assumptions, half-knowledge and stereotypes replaced with empirical data and analysis. These studies have to observe social science research standards and apply the same analytical rigorousness that would be applied for organisational research in the OECD world.

While the challenges to find out more about the inner workings of state-related organisations are enormous, it is simply indispensable. Treating them as political micro-arenas and putting the organisations themselves into the political context in which they operate are two more lessons. Given the often limited understanding of the everyday life worlds and meaning systems of civil servants in developing countries, quantitative research has its limits. Anthropological and sociological studies of these varieties of stateness and their respective modes of reproduction and change promise to make us understand better what is working already in the developing world and why. PoE are a particularly interesting although, as this book shows, by no means exhaustive empirical and analytical perspective on stateness for doing that. It enables us to better understand why in light of the highly contingent and diverse historical processes of state formation, effective states or at least pockets of them actually *do* exist and will continue to emerge.

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NAPTIP interview 18: Senior European diplomat based in Abuja, Abuja, June 8, 2009.

NAPTIP interview 19: Carol Ndaguba, NAPTIP pioneer executive secretary, June 8, 2009.