



DIE ERDE

Journal of the  
Geographical Society  
of Berlin

# Relational governance of territorial resources in post-colonial Africa – A new analytic framework

**Eberhard Rothfuß, Festus Boamah, Thomas Dörfler**

Department of Geography, Faculty of Biology, Chemistry and Earth Sciences, University of Bayreuth, Universitätsstraße 30, 95440 Bayreuth, Germany, eberhard.rothfuss@uni-bayreuth.de, festus.boamah@uni-bayreuth.de, thomas.doerfler@uni-bayreuth.de

Manuscript submitted: 10 August 2020 / Accepted for publication: 19 May 2021 / Published online: 25 June 2021

## Abstract

Current political sociology scholarship suggests that limited state autonomy from societal organisations undermines state enforcement capacity throughout the national territory, and therefore does superficial separation of the state from civil society (or formal from informal institutions) in the conceptualisation of what effective state system ought to be. These conceptions contradict realities in post-colonial Africa where societal organisations have evolved to bear 'state-like' qualities in resource governance, especially in remote locations where the state has no promising alternative to accommodating inputs from revered institutions or charismatic actors to complement its functions. Colonial experiences in Africa have produced institutional pluralism and a consequential split loyalty to the state in the post-independence era. Apparently, limited state autonomy sometimes refract or obstruct state visions; the resultant co-governance regime does not imply 'wishy-washy' state leadership. This is because state formation processes have produced an intermeshed governance of people, places, and resources through a complicated interplay between entities which have become indistinct in terms of functions, and hence cannot be simplistically categorised as either formal or informal, state or non-state. In this sense, the activity of regulating affairs in the post-colonial regime is characterised by relational governance – a form of governance sutured via reciprocal relation(s) between multiple actors across different spatial scales and milieus. Drawing on an empirical study of biofuel projects in Ghana, we believe a relational governance approach provides an analytic framework to challenge this orthodoxy in governance studies and refresh discussions on the nature of state-society relations required for effective governance of territorial resources in post-colonial regimes characterised by institutional pluralism.

## Zusammenfassung

Die gegenwärtige Lehrmeinung der politischen Soziologie neigt dazu, eingeschränkte staatliche Autonomie gegenüber gesellschaftlichen Gruppen und Organisationen als Unterminierung der Verfügungsmacht des Staates über das nationale Territorium zu sehen, weswegen sie meist eine oberflächliche Unterscheidung zwischen Staat und Zivilgesellschaft (oder zwischen formellen und informellen Institutionen) vollzieht, wenn sie die Effektivität von Staatssystemen beurteilt. Diese Vorstellungen stehen in deutlichem Widerspruch zu den Realitäten in afrikanischen Staaten, wo sich gewohnheitsrechtliche Autoritäten und gesellschaftliche Organisationen entwickelt haben, die ‚staatsähnliche‘ Qualitäten aufweisen, z. B. bei der Verwaltung von natürlichen und territorialen Ressourcen in entlegenen Regionen, auf die staatliche Institutionen weit weniger zugreifen können. Mangelnde

Eberhard Rothfuß, Festus Boamah, Thomas Dörfler 2021: Relational governance of territorial resources in post-colonial Africa – A new analytic framework. – DIE ERDE 152 (2): 75-90



DOI:10.12854/erde-2021-527

(territoriale) Reichweite und ‚infrastrukturelle Macht‘ des Staates sind in afrikanischen Nationen dabei eher der Normalfall, da in jenen die kolonialen Erfahrungen in der Zeit nach der Unabhängigkeit zu institutionellem Pluralismus und folglich zu einer Art ‚geteilter Loyalität‘ der Bevölkerung zwischen traditionellen, lokal situierten Strukturen und dem Staat geführt haben. Tatsächlich werden also räumlich ‚periphere‘ Steuerungsprozesse gesellschaftlich teilweise ‚anerkannten‘ Akteuren überlassen, deren Legitimität auch auf gewohnheitsrechtlichen Qualitäten beruht. In diesem Sinne sind postkoloniale Staaten von einer institutionalisierten *relationalen Governance* gekennzeichnet, d. h. von wechselseitigen Beziehungen in einer geteilten Souveränität zwischen verschiedenen Akteuren, und das über räumliche Skalen und soziale Milieus hinweg. Ausgehend von einer empirischen Untersuchung zu Investitionsprojekten von Biokraftstoffen in Ghana argumentieren wir, dass der Ansatz der *Relationalen Governance* eine analytische Rahmung darstellt, um oberflächliche formell/informell und staatlich/nichtstaatliche Dichotomien in der Theoriebildung zu vermeiden. Damit soll der Weg für eine neue, kritische Auseinandersetzung mit der spezifischen Art der Kooperation zwischen staatlichen und gesellschaftlichen Akteuren und Institutionen ermöglicht werden. Somit kann die spezifische Governance von Territorien und materiellen Ressourcen im postkolonialen Kontext, die im Falle vieler afrikanischer Länder durch institutionellen Pluralismus gekennzeichnet ist, untersucht werden.

**Keywords** territoriality, Africa, state authority, civil society organisations, human geography, relationality, biofuels, Ghana

### 1. Introduction

The existence of overlapping ‘formal’ and ‘informal institutions’ in crucial decision-making processes in Africa is usually considered problematic under the assumption that such systems make state power less totalising and consolidated. The authority of the state to implement its decisions in its territory in many post-colonial landscapes have required the consent of or cooperation with societal organisations (see *Berry 2011; Lavers and Boamah 2016; Boone 2003*, for example). The resultant state authority is usually portrayed as ‘weak’ or ‘weakened’ (*Migdal 1988; Scott 1998; Boone 2003, 2007*), particularly in post-colonial Africa where strong customary authorities have evolved to bear ‘state-like’ qualities and sometimes considered ‘rivals’ to the state (*Ray 1996; Rathbone 2000; Agyeman-Duah 2007*). In East Africa, for instance, President *Milton Obote* of Uganda sought to destroy the ancient Buganda Kingdom when *King Mutesa II* challenged the authority of ‘modern rule’ through an electoral verdict in the post-colonial period; the settler societies in South Africa also uprooted traditional governance institutions despite resistance by the Zulu ethnic group (*Agyeman-Duah 2007*). But in West Africa, and in Ghana in particular, the chieftaincy institution has remained *in situ* to the present day (*ibid.*) against all odds in the early post-independence era (*Rathbone 2000*). Contrary to Western conditions, where the state features as the all-powerful entity embodying the sole preserve of exercising power over

the territory and population (*Bodin 2014 [1576], Hobbes 2010 [1651], Hegel 1977 [1807], Elias 1982 [1939]*), state formation processes in Africa have produced radically different post-colonial conditions which continually mediate resource governance in unique ways. From the Western perspective of classic state theory, the post-colonial conditions smack of ‘weak state’ or fragmented state system (*Elias 1982 [1939]*), lacking the capacities to establish ‘strong’ state situations like the *Ausnahmezustand* (“state of exception”, see *Schmitt 1985 [1922], Cristi 1997*).<sup>1</sup> We consider it rather as a manifestation of the longstanding problem of scholars obsessed with over-simplifying, understanding and conceptualising African experiences per the Western perceptual lens. It also highlights the fact that Western conceptions of civil society organisations and the state (or so-called ‘informal’ and ‘formal’ institutions) are not coterminous with the use and application of the same concepts in Africa where the distinction between them has always been blurred due to the sutured reciprocal relations between the ‘state’ and ‘societal organisations’.

We do not presuppose the post-colonial African state has given up on its legal mandate to render the population, territory or resources governable. Rather, the population’s reverence for customary authorities before and during the colonial era, and the ‘charisma’ of customary office-holders (chiefs, tribal leaders, family heads, and landlords) in peripheral areas were so strong that the state could not by-pass or supplant

them even after the colonial era (Boamah 2015; Berry 2001). In *Chiefs Know Their Boundaries*, Sara Berry (2001) shows how chiefs invoke custom to define land boundaries to their own advantage without using modern maps. Despite usual contradictions in customary narratives or ‘traditional evidence’ on land ownership (ibid.), the state acknowledges such practices due to its reverence for the chieftaincy institution and the charisma of chiefs (Boamah 2015; Lavers and Boamah 2016).

In Weber’s terms (1968 [1921/22]: 140 f.), *charisma* refers to the “irrational” moments of personal persuasiveness of talent and gift, which stands against modern, “rational” forms of leadership backed by a strong bureaucracy. The “ideal type” of “rational leadership” is oriented towards the inherent, *absolute* necessity of bureaucracies to act in line with rational, formal law – in absence of any personal involvement or emotion. Modern rule allows actors to gain profits or achieve goals (e.g., land rights) regardless of any traditional privileges such as belonging to a certain ethnic group or a ruling family lineage, and is therefore called “legal rule” (Weber 1968 [1921/22]: 124). In contrast to this, charismatic rule gains its legitimacy not from ‘just’ procedures and lawsuits of interchangeable officials or state servants acting along general state laws, but from the belief in the righteousness of a certain exceptional, extraordinary form of leadership in the hands of *somebody*, and not *anybody* (Weber 1968 [1921/22]: 124, 141 f.). As a result, aspects of charisma or tradition play a greater role in societies organised in this way, as there is a bigger need in the sense of Weber’s concept “legitimacy” to ground it in old rules (i.e., traditional law) or in the personality and the extraordinary skills of a certain person (i.e., charismatic leadership) than in Western societies characterised by a *longue durée* of strong state history (Weber 1968 [1921/22]).

But the practices in African contexts also differ from the *Weberian* conception of charisma (*ascribed* to leaders), as these often have an additional element of ancestral endorsement (i.e. spirituality) hailing from the appropriate lineage/tribe and are accepted by the population based on these customs. This makes leadership an embodiment of legitimate representation of spiritual and physical needs of the governed subjects. From a *Weberian* viewpoint, this legitimacy can be regarded as a mixture of traditional and charismatic elements of leadership – and, moreover, within a modern, post-colonial state setting. This makes it appear

not as an unmodern, classic form of power regulation (as the *Weber* tradition may have assessed it) but as a contemporary welding of existing (and still legitimate) skills applied to the needs of political and juridical developments of such ‘young’ states. As these elements of power regulation occur (and are obviously effective and needed), they span a field of certain power sources of legitimacy. We regard such fields as a *relational* setting of *governance* (see chapter 3).

Also, as relatively new actors to this field, members of civil society organisations/NGOs have gained much prominence in their advocacy works on environmental and development issues (Neubert 1997). Especially in peripheral areas, NGOs have consequently gained ‘expert’ status due to their *experiential knowledge* in natural resource governance. Their actions are regarded legitimate and appropriate, because they refer to some extra-quotidian skills and attitudes towards something higher in moral value than pure power-play, like ecological and/or social questions. This shows how greatly such ties to ‘non-rational’ beliefs and truths can structure contemporary fields of power in these contexts. Hence, we think that the concept of *relational governance* is suited to analysing this not as an irrational residuum of failed or incomplete modernisation, but as a ‘non-resolving remainder of identity’ *produced* by the processes of decolonisation and modernisation since the 1960s (Zizek 2006).

We treat charisma not as an obstacle to the activity of governing; rather, we view it as a productive and necessary lubricant of the state *indirectly* governing territorial resources through institutional actors embodying such qualities that the state lacks. The logics underpinning such spatially and socially differentiated forms of exercising state authority in governance processes in post-colonial political landscapes warrant a critical consideration. Territorial reach is a salient aspect of state capacity, which may also be called state infrastructural power in *Michael Mann’s* terms. State infrastructural power refers to “the capacity of the state to actually penetrate civil society, and to implement logistically political decisions throughout the realm” (Mann 1984: 113). The state penetrates the daily lives of the population more than it did centuries ago by way of accessing and storing economic and other relevant information about the population, thereby increasing its infrastructural power immensely (ibid.). State formation processes in Africa, nonetheless, have given prominence to customary authorities in the activity of ‘governing’ peripheral resources and succes-

post-colonial democratic states have created additional governing spaces for customary authorities and civil society organisations/NGOs. Despite structural interdependencies in governance processes, the role of the post-colonial state and ‘non-state’ institutional actors are often treated as conflicting rather than operating in concert (Mbembe 2000).

These framings beg crucial questions but unanswered in resource governance literature:

1. What were the pre-colonial and post-independence conditions of these African states?
2. Which aspects of sovereign qualities have African states ceded to or shared with ‘societal organisations’ over the years?
3. How can governance scholars methodologically distinguish the post-colonial state from ‘societal organisations’ and what is the validity of knowledge regimes underpinning those processes?

Since the tasks we have set for ourselves may lead readers to rethink their choice of governance concepts and prompt emancipatory knowledge production processes, our ambition may be misconstrued as an attempt to refresh post-colonial and decoloniality debates (see Mignolo 2007; Quijano 2000, for example). This is not our ambition in this article. Rather, we intend to examine the quality and limitations of the state’s relations with so-called ‘non-state actors’ (or societal organisations) in governance processes in post-colonial landscapes. We are, therefore, not merely interested in analysing relations but rather the nature and quality of those relations, suited to addressing evolving governance challenges in post-colonial Africa. Drawing on an empirical study of biofuel projects in Ghana, we believe a relational governance approach provides an analytic framework to challenge this orthodoxy in governance studies and refresh discussions on the nature of state-society relations required for effective governance of territorial resources in post-colonial settings characterised by institutional pluralism.

The first section presents mainstream debates about the implications of the state’s relations with societal organisations in governance processes. This is followed by the introduction of the ‘relational governance’ concept. The next section presents jatropha biofuel investment projects as examples of territorial

resources, and the consequences of the state’s relations with ‘non-state’ actors in biofuel governance in Ghana. This penultimate section is followed by conceptual reflections and ends with our contribution to governance studies.

## 2. Localizing the problem

How effective the post-colonial state renders political problems, territories and population governable in contexts of ‘institutional pluralism’ (see Ubink and Pickering 2020) is least analysed in ‘governmentality studies’ in non-Western contexts such as Africa, where charismatic qualities and spiritual roles of customary actors provide an important inspiration, especially for the population, in comparison to formal institutional actors (presidents, ministers of state, government appointees, etc.). The writings of Donald Ray (1996) and Christian Lund (2011) provide striking examples of this gap and their stance on *legitimacy*, *sovereignty* and *state* are worth revisiting. In *Divided Sovereignty*, Ray (1996) argues that customary authorities exercise powers that run parallel to that of the Ghanaian post-colonial state since chiefs depend on a certain legitimacy and authority that predate the colonial era. The contemporary Ghanaian state is, however, a creation of or successor to the colonial state that justifies its authority and legitimacy on classical Western theories and practices of the state. These divergent roots of legitimacy and authority have created what Donald Ray (1996) calls ‘divided sovereignty’. Ray draws on the works of Frederick Watkins (1968) and Preston King (1987) with reference to state-chieftaincy interrelations. Ray cites Watkins’ definition of the state as ‘a territory in which a single authority exercises both *de jure* and *de facto*’ sovereign powers and relates this to King’s definition of sovereignty: “power or authority which comprises the attributes of an ultimate arbitral agent (...) entitled to make decisions and settle disputes within a political hierarchy *with some degree of finality*” (King cited in Ray 1996: 182; emphasis in original). Ray takes on King’s claim that a sovereign decision is final in the specific sense that no *inferior* (subordinate) agent within the hierarchy *can* (or is entitled to) *reverse it* (cited in Ray 1996: 183). Ray questions such claims by referring to the 1979 and 1992 constitutions of Ghana that treat chiefs as no inferior to state institutions, not even to the parliament. The 1992 Constitution of Ghana sets up the Council of State as an advisory body to the president and includes the National House of Chiefs (i.e., a representative body

of chiefs) and bars governmental interference in the functioning of the chieftaincy institution (see in general von Trotha 1996; Capps 2016).<sup>2</sup>

For Ray, King assumes a common source of sovereignty and legitimacy for all entities within a polity, which is problematic in contexts of institutional pluralism. Ghanaian chiefs have always justified their unquestionable authority in land governance by referring to significant precedents that exalt heroic acts of their forebears who conquered territories, including places they currently reside in (Berry 2001; Lund 2008; Boamah 2014). Chiefs often invoke custom to decide on social groups who have rightful land entitlements and those who do not, and Ghana's 1992 Constitution requires law courts to apply customary laws to address land litigations (see Berry 2001). Per Ray's definition of sovereignty as "the ability (i.e., power) and the right (i.e., legitimacy) to make final determination (...) in a state/polity" (Ray 1996: 187), chiefs bear near 'sovereign' or 'state-like' qualities in Ghana. Ray, therefore, predominantly highlights tensions between the post-colonial state and chieftaincy institutions:

(...) because chieftaincy is traditional authority and is exercised in an overtly public and political arena, the state constantly finds itself in continuing contact, competition or cooperation with traditional authority over a variety of policy issues. In turn these reflect a division of authority, power, legitimacy and sovereignty (Ray 1996: 185).

Indeed, Ray does not deny possible cooperation in this circumstance of divided sovereignty yet considers the entire system problematic on the premise that the state is challenged by traditional authority. This stance is no different from Lund's *Fragmented Sovereignty* (2011). For Lund, governance is not the sole preserve of governments in post-colonial political landscapes but there rather exist numerous institutional actors engaged in governance processes "often using the language and idioms of state" (Lund 2011: 887). He further argues that in contexts "when an institutional actor is able to define and enforce collectively binding decisions on members of society, it has state quality, or sovereignty" (ibid.: 887). Per Lund's argument, state sovereignty can be potentially undermined in contexts where the state shares its decision-making powers with customary authorities.

In Ghana, customary institutions continue to be an integral part of the state apparatus itself, and hence

supplanting or suppressing them would amount to undermining the authority of the state, especially in peripheral areas where the population have stronger attachment to chiefs due to their unique charismatic qualities strengthened by spirituality. Ghana has 226 district, municipal and metropolitan assemblies responsible for the governance of natural resources, the territory and population at the local levels on behalf of the state. Within these decentralized government structures, there are numerous and scattered settlements which are usually out of touch with the state in terms of influence or service delivery. In each settlement in Ghana, nonetheless, there are customary authorities whose existence pre-date even the colonial era. These serve as mediators in the affairs of the living and their ancestors, and hold land in trust for and on behalf of the people as enshrined in the 1992 Constitution of Ghana. The population is, therefore, more accustomed to customary authorities than state institutions, especially on matters regarding entitlement to natural resources (land, forests, minerals, etc.) in peripheral areas. State institutions and institutional actors have relied on the counsel of chiefs in the making of crucial political decisions. This is the genesis of the split loyalty of the population between the state and customary authorities. The spiritual role of customary authorities grants them a certain charisma – a quality that the state lacks in the activity of governing in this social field. Therefore, the post-colonial state has no alternative to utilising the charismatic qualities of chiefs to govern the population, especially the peripheral areas compared to urban locations. As subsequent sections show, such governance cannot be explained by standards in secular Western milieus where the charisma to govern is devoid of spirituality, and the resources in the periphery are governed by the same state institutions as elsewhere in the national territory. Thus, it must be explained via a *relational* concept of governing such diverse state powers.

### 3. Framing relational governance

Although the concept of governance is not unique and offers a wide range of ways in which the exercise of power can be conceptualised, it is a fact that governance approaches are used to refer to a *new or changing way of governing* societies (or groups within society; early: Stoker 2002; Benz et al. 2007). Thus, governing does not only take place through authoritative regulation by a hierarchical state, but also through "interaction and negotiation processes by the actors of the

political-administrative system with economic stakeholders, associations and civil society” (Pfeilschifter et al. 2020: 12 ff.). Governance can thus be described as a change from a hierarchical, bureaucratic and centralised authority to a self-governing, horizontal and/or market-based form of regulation (Shamir 2008; Dardot and Laval 2013). To understand governance conceptually, it is crucial to reconstruct the actors involved in it. To this end, governance can be defined as arising out of a complex set of interactions between semi-autonomous economic, social and political actors who have different roles and interests (Sørensen and Torfing 2007: 8; Hewitt de Alcantara 1998: 105). It can be considered a political process, practice and structure that is concerned with creating the conditions for collective action (Stoker 2002; Kooiman 2003). Furthermore, governance can be regarded as an analytical concept which “involves looking at context-specific, historically contingent and fundamentally political processes of the establishment, the operation, the negotiation and contestation of social institutions and how these are constantly ‘brought to life’ through social practices” (Etzold 2013: 38).

In addition – or even in contrast – to mainstream concepts of governance, in contemporary anthropological studies on African state formations, the notion of *heterarchy* has gained some importance to describe the specificity of state and non-state actors under limited and fragmented state-hood. Crumley (1995: 3) defines heterarchy as “the relation of elements to one another when they are unranked or when they possess the potential for being ranked in a number of different ways”. Heterarchy can further be described as a system of elements that is not constituted in a sub- and supra-ordinate relationship but co-exist more or less equally side by side (Hüsken 2013). Heterarchy stands for self-organisation and self-determination and emphasises decentralised and bottom-up decisions (Stephenson 2009). However, it needs to be pointed out that the establishment of heterarchical arrangements does not lead to the dissolution of hierarchy (White 1995). Taking these newer discussions on changing state power in recent post-colonial contexts seriously leads to the assumption that state formations in Africa can, therefore, not be considered as centres of exclusive hierarchical political decision-making, but rather as a *decentralised network* of public and private collective actors *governing* in the sense of a *heterarchy*. Decisions made between public government entities and relatively autonomous social organisations or local stakeholders result in a loosely

coupled configuration of cooperation that at least partly replaces the hierarchical unity of the state and forces it to give space for heterarchical structures. Heterarchy, therefore, refers to a central category of contemporary political (state and non-state) orders: their mutual, and at the same time unstable interdependence, as well as to a large number of competing power groups (see Klute 2013).

Nevertheless, based on these conceptual entry points of *governance* and *heterarchy*, we do not think that the situation is sufficiently theorised yet, as both do result out of a changed view on social *structures* and *processes*, but lack an understanding of the decisive shift in societal *interactions* and *networks* of power relations between (new and old) legitimate groups and/or their stakeholders. As the concept of heterarchy, nonetheless, focuses on elements/entities in society with regards to asymmetrical power relations, it, therefore, foregrounds dissonance between actors and institutions rather than any existential synergies – it simply calls for a different operation or dissemination of power.<sup>3</sup>

Though concepts of governance primarily indicate a diminished or diffusing power situation (in contrast to top-down *government* policies), they also shift the focus on changed structures which new actors can now ‘fill’ with their agencies. But still these studies name actors and fields of shifted structures of power but lack to clarify – analytically – the new qualities of these fields. We think that these new qualities or characteristics and interdependencies are best described as shifted power *relations* between stakeholders. That is why we want to argue for a new approach which reflects the *relational governance* of structures and actors as being constitutive for their functioning. We want to focus on the *relationality* between these ‘elements’ in the field between state and (civil) society actors to explain the relevance and limits of state and societal organisations in governance processes.

The *relational* perspective in thinking and theorizing about social conditions got an important strand in contemporary social theory (Emirbayer 1997; Donati 2010, 2015). Although not generally a new thought, the specific argument on relationality can be considered as a new way of theorizing social (and institutional) interactions as *relations*. Its basic rejection of concepts that consider social things, groups and places as entities with sole qualities can be considered as its common epistemic ground. Relational theory tries

to move beyond classical dualisms such as objectivism/subjectivism, nature/culture, mind/body, social structures/agency or individual/society. Emirbayer (1997: 287) argued in the same line that “relational theorists reject the notion that one can posit discrete, pre-given units such as the individual or society as ultimate starting points of sociological analysis”. This thinking has, thus, amounted to a “quiet revolution in social science, turning from units to context, from attributes to connections, from causes to events, and, one might add, from substances to networks, from essences to relations” (Abbott 1995: 93). To generate relational mechanisms for social action, one should take “the basic units of social analysis to be neither individual entities (agent, actor, person, firm) nor structural wholes (society, order, social structure) but the relational processes of interaction between and among identities” (Tilly 2005: 14). In other words, society is not a social space containing of relations, or an arena where relations are played: it is rather the very tissue of relations. In Bourdieu and Wacquant’s (1992: 232) words “the real is the relational.”

Especially our case study is an excellent example to apply such considerations to concrete and material life-worlds, as it allows analysing shifted power relations in the post-colonial era of a Western African state. Since about 80% of land areas in peripheral Ghana were under the custody of chiefs and other customary authorities, the development of large-scale jatropha plantations for biofuels created a new form of resource governance where the state, chiefs, biofuel investors and NGOs/civil society organisations were compelled to relate to each other and to co-govern the emerging biofuel industry. A relational approach to governance helps examine post-colonial conditions and the exercise of state authority.

#### 4. Choice of case selection – biofuel investment projects in Ghana

The paper is primarily based on a case from Ghana with a particular focus on jatropha biofuel investments. Evidence presented in this paper is based on long-term, follow-up empirical studies on jatropha biofuel investment projects in the southern, central and northern parts of Ghana from June 2009 until early 2013. The doctoral study was framed within a political ecology approach to understand how power and politics shape the access to and the use of land and other natural resources in the project communi-

ties (see Boamah 2015). Qualitative interviews and participatory observations on household level were conducted to understand the extent of livelihood impacts of the biofuel investments in the project communities. Interviews and key informant interviews were also conducted to examine struggles that ensued between chiefs, local farmers, state institutions and NGOs/community-based activist organisations before and during land allocations to biofuel investors for biofuel investments. A review of archival records, narratives of custom mediating entitlement to land resources, authority of chiefs in allocations and other published documents provided important contextual information for the analysis of land tenure system, local land politics and motivations of different interest groups who were involved in the project. The conclusions reached are also based on a review of biofuel land grabbing literature and land politics in Ghana.

The state intended to promote jatropha biofuel investments to create development opportunities in degraded land areas in the periphery and generate avenues for the utilisation of renewable energy technologies in Ghana (Boamah 2015; Ghana Energy Commission 2011). The biofuel euphoria increased activism by the media, NGOs and other civil society organisations. As a new ‘territorial resource’ connected to different political interests, jatropha biofuel development has spatio-political connotations and involves cross-scalar governance. Furthermore, the chieftaincy institution in Ghana is more resilient compared to other African countries. This makes chiefs, and other traditional political office-holders powerful in the governance of peripheral areas where biofuel plantations were located.<sup>4</sup> NGOs and activist groups serving as the ‘mouthpiece’ of marginalised farmers and other natural resource users became major channels of information to the state. Ghana, therefore, offers a classic case for the analysis of ‘relational governance’ of resources in post-colonial political settings.

#### 5. Do ‘non-state actors’ undermine or enhance state enforcement capacity?

The understanding of interdependencies of the state and societal organisations in resource governance in post-colonial regimes is a well-established topic (Ubink and Amanor 2008; Berry 2001, Lund 2008). However, the quality and consequences of relations between the state and societal organisations are still inadequately discussed, especially in Africa where the

distinction between them is so blurred in practice. Also, the literature seldom shows whether or not the prominence of societal institutions undermines state authority in governance processes. State formation processes and lands reform in Ghana are used here to illustrate this.

Land reform initiatives in the Gold Coast (now Ghana) particularly during the colonial period (1850–1957) and early post-independence regimes (1957–1980s) were intended to increase and consolidate state control over land through compulsory land acquisitions (Larbi et al. 2004; Kasanga 2002). Compulsory land acquisitions were meant for the implementation of projects that would serve collective good. British colonial administration undertook various land acquisitions in the then Gold Coast. In the northern protectorate (i.e. northern parts of Ghana), land was appropriated without compensation payments and the colonial state effectively controlled land in those areas (Kasanga 2002; Larbi et al. 2004). In contrast, chiefs and educated elites in the colony and the Ashanti (i.e. covering a large part of southern of Ghana) successfully resisted the Crown Land Bills of the 1890s, bills which sought to vest in the British Crown so-called unused land areas (Larbi et al. 2004). Fierce opposition to the Crown Land Bills and the British's swift adoption of the indirect rule system of administration was based on fears of incurring the wrath of the local population (Fold and Whitfield 2012) who revered their 'natural rulers' (Berry 2013). The role of chiefs as surrogates of British colonial authorities gave the chieftaincy institution great prominence, particularly in southern Ghana (Boamah 2015). Had it not been the successful opposition, the proposed style of resource governance by the colonial administration could have been conceived of as a grand project of imposing a Western understanding of what a proper state authority *ought to be* in a non-Western political landscape.

After independence, the Convention People's Party (CPP) government (1957–1966), introduced reforms to subject chiefs to strict governmental control. The project of the CPP was to break the British legacy that made chieftaincy essentially a state institution and compel chiefs to cede their longstanding authority to the post-colonial state (Rathboone 2000). Stool land<sup>5</sup> revenues were largely collected by the government, thereby undermining the finances of chiefs (Busia 1951) contrary to the standard practice in the preceding years. These land reforms, nonetheless, registered limited success, especially in southern Ghana due to

the resilience of the chieftaincy institution. After the overthrow of the CPP government in 1966, successor governments restored state-confiscated land to chiefs and other customary landowners, and they learnt to avoid hostility towards customary authorities (Brempong 2007) to gain the support of chiefs and their subjects. After the return to constitutional democracy in 1992, various governments again sought to involve chiefs in natural resource governance and party politics (Berry 2013; Boamah 2015). These precedents have made the chieftaincy institution even more resilient, and chiefs played instrumental roles in land administration policies of the state. Ghanaian government recently rolled out the Land Administration Project (LAP) to encourage foreign investments in Ghana and enhance tenure security for small-scale farmers (Ubink and Amanor 2008). Under the LAP, control over land management, registration and dispute settlement is officially vested into Customary Land Secretariats (CLS) headed by the respective customary authorities throughout Ghana. The CLS is required to work in close collaboration with state agencies and to serve as intermediaries between landowners and state agencies. Land boundaries of traditional areas and individual land rights within the traditional areas must be mapped and registered at the office of the Regional Lands Commission, thereby increasing tenure security for local landholders (Ubink and Amanor 2008). Land transfer negotiations should be confirmed by CLS before formal registration by the Lands Commission. Consequently, land rights formalisation processes still depended on narratives and custom administered by chiefs.

### 6. The background of biofuel investment projects in Ghana

The Ghanaian government between 2003 and 2006 supported jatropha biofuel initiatives on so-called degraded land areas to reduce Ghana's high oil import bills and create employment opportunities. To avoid potential competition between jatropha and food crop cultivation, the government selected 53 districts covering vast areas categorised as 'degraded land' with the intention to such land areas productive again. The programme required the participation of all District Chief Executives (DCE) and Municipal Chief Executives (MCE) and Ghana's Ministry of Food and Agriculture (Amoah 2006). District and Municipal Chief Executives are state institutional actors responsible for the administration and development at



the local levels on behalf of the state. However, after Ghana's discovery of oil and gas in 2007, the death of the Ghanaian biochemist leading the jatropha biofuel initiative, the government's retreat from jatropha biofuel promotion, left the burgeoning biofuel industry to be dominated by chiefs, private investors and NGOs. According to *Schoneveld et al. (2010)*, 13 out of a total of 17 biofuel investments in Ghana centred on jatropha cultivation by August 2009. These investors came from Norway, Italy, Canada and other foreign countries and land allocations were made by chiefs often without prior formal approval from Ghana's Lands Commission. The original idea to promote jatropha cultivation on marginal land continued but no formal demarcation of so-called 'degraded' land areas had been carried out in the 53 selected districts by the state. There were also no comprehensive guidelines for biofuel land deals. Meanwhile, 17 biofuel companies collectively acquired land areas of 1,075,000 hectares of which 730,000 hectares were located in the forested ecological zones noted for intensive food crop production in Ghana (*Schoneveld et al. 2010*). Despite the location of jatropha plantations in peripheral areas where customary authorities are very prominent and where activism by civil society organisations are most effective, the state did not fashion out creative ways of relating to these 'non-state' institutions for effective governance of biofuel investment projects.

These circumstances gave chiefs the leeway to govern jatropha biofuel projects by re-inventing custom and subscribing to wasteland narratives and climate change discourses to justify land allocations for jatropha cultivation. Ghanaian chiefs' strategic use of 'marginal land' and 'pro-poor' narratives of jatropha to justify land allocations for jatropha plantations in rather productive land areas meant that the spatial distribution of jatropha investments was determined by the interests of chiefs and investors rather than the priorities of the state (*Lavers and Boamah 2016*). A simple and obvious conclusion could, therefore, be reached: that is, authority of the state to govern biofuels is undermined by chiefs and other non-state actors (*ibid.*). A closer reading however shows that post-colonial conditions leave the state with no better alternatives to cultivating a certain form of relationship with chiefs and advocacy groups. A couple of examples below illustrate this.

Almost all large-scale land allocations by chiefs have involved corruption or the blatant defiance of land registration processes (*Boamah and Williams 2017*).

Consequently, the government introduced new guidelines for land allocations above 400 hectares (*Ghana Lands Commission 2008; Ghana Lands Commission 2012*). The new regulations challenged the competence of chiefs to negotiate and approve such large land deals almost single-handedly. Since the introduction of the new regulations, land allocations exceeding 400 hectares required approval by the National Lands Commission instead of the Regional Lands Commission as was the case previously. The government further sought to centralise authority by ensuring a more active involvement of many relevant state agencies in the assessment of large-scale land allocations. The new land regulations and earlier land reform initiatives in Ghana have, however, often conflicted with rules that empower customary authorities as custodians of stool land. Per the *Lands Commission Act 767*, documented consent between chiefs or customary landowners and prospective land investors is a prerequisite for large-scale land allocations. Once the documented consent is submitted to the office of the Lands Commission, subsequent procedures in the formalisation of the land deal become a mere formality (*Boamah 2015*). Curtailing the power of chiefs under the assumption of strengthening state authority becomes even more problematic in the governance of territorial resources. Subsequent sections shed light on specific jatropha biofuel projects in Ghana.

#### 6.1 The Kimminic Jatropha Project in the central part of Ghana

Kimminic Jatropha project involved a joint venture land deal of 13,000 hectares (of 65,000 hectares) between a biofuel investor Kimminic Estates Ltd (henceforth called Kimminic) and a project village in the Nkoranza Traditional Council (NTC) in the Brong Ahafo region of Ghana. The project was funded by Canadian investors and Ghanaians living in Canada. The contribution of the project community took the form of providing access to land areas for the jatropha cultivation, though the investor company was required to make compensation payments or provide new land areas to the 'local citizens' or 'indigenes' whose farmland areas would be affected. A profit-sharing deal of 75% for Kimminic and 25% for the NTC was also agreed. Having scrutinised the land deal and registered the consent of the NTC and Kimminic, Ghana's Lands Commission approved the joint venture in July 2008. As a joint venture, both the Ghanaian investors and NTC agreed that certain areas within the plan-

tation should be reserved for use by the indigenous population. Kimminic collaborated with the NTC by adopting both mechanised and labour-intensive production methods to create employment mainly for those considered 'local citizens' compared to those considered 'migrants'. The main rationale for drawing these social distinctions was the motivation to ensure that the project would benefit groups who trace their descent to the project village or groups who duly acknowledged the authority of the chieftaincy institution (Boamah 2014; Boamah and Overå 2016). Affected migrant farmers and charcoal producers who regularly paid tributes or bribed village chiefs gained access to new land. Migrants who had established enduring networks with chiefs, family heads, etc. benefited substantially from the biofuel project in terms of employment and access to the project land.

### 6.2 The ScanFuel Jatropha Project in southern Ghana

Agogo Traditional Council (ATC) in the Ashanti region leased an area of 13,000 hectares to a Norwegian biofuel company (ScanFuel Ltd) in 2009 for a period of 50 years for jatropha cultivation (Boamah 2014). The paramount chief who negotiated the land allocation claimed the leased land was 'marginal land' and thus suitable for the cultivation of jatropha as envisioned by the Ghanaian government (ibid.). Also, the chief claimed the primary motivation for the lease agreement was to generate employment for the indigenous population and evict 'labour migrants' who have the penchant for evading agricultural tributes to the office of the traditional council. In 2010, the company changed from jatropha cultivation to maize production on grounds of poor jatropha yields. The switch from jatropha cultivation to maize production meant a shift towards the use of productive farmlands even though a 'marginal land narrative' was still used to justify the implementation of the new agricultural investment. Affected residents were to be paid GHS 15 per acre per year in cases of land dispossession but most village residents were oblivious to these arrangements. Since no formal boundaries existed between stool land, family and private land areas, the project implementation caused massive land dispossession. In its report entitled "Norwegian Land Grabbers in Ghana" (Bull 2010), a Norwegian NGO reported exploitative land deals of the investor company and questioned the capacity of the Ghanaian state to scrutinise agricultural investments. The report dominated media headlines in Ghana stirring up

'land grabbing' debates. A community-based activist organisation and Action Aid-Ghana provided updates about the project through sensitisation workshops and public demonstrations (Action Aid-Ghana 2010, 2011). After a series of unsuccessful complaints to chiefs, the activist organisation sensitised the public and state agencies about the biofuel land deal. In January 2011, these reservations raised a furore over the role of rapacious chiefs in 'land grabbing and culminated in the renegotiation of the terms of the land deal. The tenure of the lease was revised from 50 to 15 years and initial compensation payment of GHS 15 per acre for affected farmers was increased to GHS 30. The allegedly affected residents were empowered to negotiate directly with ScanFarm to decide compensation terms without having to involve chiefs. Two problems, nonetheless, ensued after the interventions by the MCE and the Ghana Lands Commission (see Boamah 2014).

First, physical features used by local farmers to mark their farmland boundaries had been removed during the land preparation stages of the project implementation, and so residents had to rely on farming narratives and settlement history to determine the exact locations and sizes of affected land areas for compensation payments (ibid.). Second, the call for renegotiation of the lease created contestations as many residents made conflicting claims to farmlands to gain access to larger areas of land. The new regulations by the Lands Commission further complicated matters, as it increased bureaucracy in the processing of the lease agreement meanwhile the company had already made undisclosed payments to chiefs as their 'customary landlords'. ScanFarm in return rejected many belated land claims pending the approval of the lease agreement by the National Lands Commission. Apart from individuals who successfully utilised their strong networks to access new land, the project resulted in land dispossession for most residents, not excluding the indigenous population. Furthermore, despite numerous court rulings, directions from the Lands Commission, NGO advocacy and public complaints against the land deal, the paramount chief (who doubles as a lawyer and seasoned politician) managed to fend-off public criticism by defying court orders, and by invoking custom to justify the land allocations. Even after the company realised lack of transparency on the part of the chiefs, it was still reticent about the role of the NTC in the land deal because of the state's recognition of chiefs as custodians of stool land in Ghana. Migrant farmers who regularly paid bribes to chiefs were least

affected. Cordial relationships with chiefs and other customary authorities became an important requirement for securing land use – even in some cases more compelling than providing any sort of land title deed.

### 6.3 Biofuel Africa Jatropa Project in northern Ghana

Biofuel Africa Ltd, an affiliate of the Norwegian company, Solar Harvest AS gained a permit from Ghana's Environmental Protection Agency (EPA) for a 23,000 hectare-land area for jatropa biofuel investment projects in northern Ghana. The EPA Permit covered land areas in the Yendi and Central Gonja districts in northern Ghana but formalisation of the process had to be done at the office of the Lands Commission. The company depended on 'oral approval' by chiefs and commenced the project implementation pending official registration by the Lands Commission. After a few months of land preparation in the Central Gonja District, a Ghanaian NGO (Regional Advisory and Information Network Systems) mounted spirited opposition to the project through media publications. The NGO advocacy caught the attention of the state institution, Ghana's EPA and the project was consequently suspended (Boamah 2011). The main jatropa plantation was implemented in the Yendi district in 2008 where 10,696 of the 23,000 hectares land area was officially approved by the Lands Commission. Learning from an earlier opposition by civil society organisations and heeding the advice of chiefs, the company decided to ensure food production in the project area, protect valuable trees in the leased land area and employ many local farmers who lost their farmlands to the project. When the company relocated to a new site after securing EPA permit, NGO activism continued to serve as 'watch-dogs' on the activities of the company (Action Aid-Ghana 2009). Interviews with Ghana's Ministry of Food and Agriculture and Energy Commission in 2009 confirmed that the government relies on civil society organizations for updates on jatropa plantations in peripheral areas where government/state institutions are less effective (Boamah, 2011).

The illustrations above can be distilled into at least three central questions:

1. Why should the institution of chieftaincy continue to hold such great sway in the governance of a country that boasts of being the first independent state in sub-Saharan Africa and that has since

been considered the most celebrated democratic state in Africa?

2. Do charisma and spirituality in governance have a place in theorising state authority in the West as they do in Africa?
3. Would traditional authorities and civil society organisations have had such great influence in the governance of jatropa biofuels if the jatropa plantations were located in the heart of the urban centres of Ghana where state institutions are more effective relative to customary institutions?

The overarching message communicated here is that rather than conceiving state authority as 'fragment/divided', we see it as really consolidated through due recognition for customary authorities, civil society organisations and other institutional actors who wield 'sovereign' qualities over particular territorial resources or have a certain expertise in the governance of resources in the periphery which the post-colonial state lacks. And if the 'non-state' actors accept operating as responsible surrogates of the state, and in turn, give due recognition to the state, the authority of the state becomes even more consolidated *indirectly* through such mutual and reciprocal interrelations.

The aforementioned description of jatropa biofuel plantations is a typical example of a relational governance involving the state, customary authorities and other societal organisations/NGOs as it is based on a material territoriality in rural areas where traditionally chiefs govern access, usage and distribution of resources (e.g., land, water, grazing). We chose this empirical example as it shows that a *relational governance* practice in post-colonial Ghana is not 'at stake' *per se*, since it is more a selective 'way of governing practice' when material and territorial resources are 'at play'.

### 7. Conclusion – what makes relational governance work as an analytic framework?

Decentralisation of natural resource governance in the periphery has relieved the state of insurmountable burdens. Chiefs, on the other hand, have enhanced (and regained) some of their authority and interests by playing the role of 'state surrogates' in the periphery. International investors and donor organisations have sought to deal directly with chiefs first, before

proceeding to the office of state institutions in natural resource extraction, and the interests of chiefs have often prevailed over those of the state. Also, civil society organisations have also – through diverse forms of activism – gained a certain degree of prominence and competence, and prompted the state to regulate biofuel projects in specific ways or biofuel investors to act in particular ways. This draws attention to a necessary retreat of the post-colonial state towards the recognition of the powers of customary institutions and investors, NGOs and media in governance processes through diverse interrelations. The charisma of chiefs has provided props for the state to render particular issues that lie beyond its governable reach. These developments show how ingrained the chieftaincy institution and other ‘non-state’ institutional actors have become in resource governance processes in post-colonial landscapes in building functional state authority. Hence, jettisoning or supplanting such revered ‘non-state’ institutions may rather impair the capacity of the state to render issues governable. For example, in the Kimminic project, chiefs had a proactive role as they required Kimminic to employ many ‘local citizens’ and protect their farmlands; this created better livelihood impacts compared to the case of the ScanFuel project where state interventions to abruptly curtail ‘unbridled’ powers of chiefs rather complicated issues and resulted in livelihood destruction. Governing involves relating to others whether in coercive or persuasive forms. As evident from the above illustrations, the Ghanaian state has no alternative to governing without establishing reciprocal relations with multiple institutions (or institutional actors) across different spatial scales.

This situation is not exclusive to jatropha biofuel projects but can also be observed in cases of other territorial resources such as mining, forestry or marine which have also witnessed active involvement of chiefs in the allocation of concessions – in geologically prospective areas – in collaboration with state elites/politicians. Decentralisation of resource management in Ghana’s artisanal and small-scale mining sector touted to ensure local participation and efficiency have rather worsened the complex, conflictual and clandestine nature of local resource politics in the sector due to the issue of institutional pluralism (see *Hirons 2014; Adu-Baffour et al. 2021; Apoh et al. 2015*). It is, therefore, recommended that facilitating frank political discussions between state institutions and customary authorities on resource-use debates and integrating the latter into the formal governance of

small-scale mining would generate some legitimising effects, and consequently improve the resource governance at the local level. The integration of civil society organisations into the formal governance of the sector is encouraged as a way of giving local resource users a sense of due *recognition*, and hence improve the governance of the sector. In these situations, the state would not govern directly; but giving due recognition to the relevant ‘non-state’ institutions (or institutional actors) as surrogates at the periphery grants the state a rather easier way to *indirectly* govern territorial resources more effectively than supplanting such entities or abruptly curtailing their powers.

That said, poor regulation of activities on the side of rapacious and powerful chiefs as well as activities of advocacy groups partly resulted in a number of problems. One example is when land allocation for the ScanFuel project was sanctioned by an experienced chief who also worked as a legal practitioner, and thus could not have claimed to be oblivious to the land use rights of indigenous families who suffered land dispossession without due compensation payments. The biofuel investor submitted itself to the regulations introduced by the Ghana’s Lands Commission for proper scrutiny after the discovery of violations in the initial land allocation agreements reached with the chiefs. This presupposes that investors could have done things right if the chiefs had not abused their powers or ‘misled’ the management team of the company. Furthermore, the continuous split loyalty of the population between customary authorities and the state enables and constrains resource governance processes. Whereas it complements efforts of the state to govern territorial resources, it has provided the leeway for chiefs clutching at straws to enhance their authority and other parochial interests. As shown in the cases, the desire to ensure collective reverence for the chieftaincy institutions on land issues informed the decision of chiefs to protect the land use rights of labour migrants who honoured regular payments of tributes as an expression of recognition of their landlords. Indigenous farmers who failed to do the same were labelled noncompliant by chiefs and suffered land dispossession as a result of the project implementation. Many native landowners could not convince the chiefs to respect their land use rights until orders from courts of law reversed decisions of the chiefs and warned chiefs to refrain from overstepping permissible limits of their authority on local land administration (*Boamah and Overå 2016*). The inclination of chiefs to reinvent custom for the purpose

of re-establishing and consolidating their authority over land complicated social relations, changed land property rights and re-defined local citizenship. In other words, chiefs took undue advantage of the situation to arrogate unto themselves the status of landowners rather than ‘trustees of land’ as required by customary laws in Ghana. In a similar vein, NGOs and community-based organisations served as alternative governance bodies by promoting transparency in the making of biofuel land deals as well as commitment to corporate social responsibilities in diverse advocacy platforms in and beyond Ghana. Yet, their desire to gain inordinate recognition and court public favours resulted in the distribution of misleading information which provoked needless public opposition to the biofuel projects.

Apparently, per Western conceptions of what a strong state *ought to be*, chieftaincy institutions and advocacy groups should be abolished or at best subject to substantial state control. *Mann’s* (1984) infrastructural power approach suggests that state autonomy from civil society organisations is an essential condition for effective implementation of state visions throughout the territory the state claims to govern (*ibid.*). Overcoming the complexities and obscurities characterising post-colonial political landscapes require critical reflections. A Eurocentric view of a ‘weak(ened)’ African state authority due to the existence of near invincible ‘non-state’ institutional actors in the governance process may, thus, fall short of explaining the nature of a functional state in ‘non-Western’ settings. ‘Failed’ or ‘weakened’ state framings often used to describe the limited capacity of African states to *effectively* impose authority throughout the territory presuppose existence of something was hitherto *strong* or *successful* but subsequently directed towards a certain dead end. Under such circumstances, state authority cannot be considered ‘fragmented’ or ‘divided’ because such framings take for granted the relational dimension of power in the governance process or what has been constitutive of the state over years – even before the colonial era. The alternative is not unproblematic either. Chiefs and other actors involved in advocacy activities are forces to reckon with in political landscapes where the services they provide sometimes complement the functions and powers of the state. They are neither categorised as state institutional actors nor informal entities. They do not fit the definitional scope of civil society organisations either. This is especially the case for the chieftaincy institution which provides legally binding interpretation of cus-

tom on matters relating to stool land. Hence, taking a middle ground stance in this dilemma requires nuancing.

We do not claim that *relational governance* offers universal remedy to the resource governance conundrums highlighted above. Rather, we think it provides a more promising analytic framework for critical engagements with the merits as well as the limits and nature of cooperation between state and societal actors/institutions necessary for the effective governance of territorial resources in post-colonial political settings characterised by institutional pluralism. The relational governance approach also presents a heuristic concept that overcomes the superficial separation of formal and informal institutions, nuances Western and non-Western conceptions of charisma, and therefore foregrounds synergies between different actors and institutions that might otherwise be considered incompatible in Western contexts. Our approach may refresh the current debates on the governance of territorial resources in post-colonial African countries that have embraced democratic rule amid strong chieftaincy institutions and advocacy groups in governance processes.

It is worth clarifying that the analytic framework we propose in this paper is intended neither to show affiliation to decoloniality, post-colonial or ‘post post-colonial’ schools of thought nor to present an antithesis to Euro-/Western-centric epistemes. Rather our intention is to draw on relevant insights from these divergent perspectives in ways suited for engaging fruitfully with recurrent governance dilemmas in contexts of institutional pluralism. This approach saves us from slipping into a utopian conceptualisation of state quality or ‘good governance’ and helps us to think anew in rather pragmatic terms. We believe, the *relational governance* approach, will stir up a re-thinking and re-conceptualisation of terminologies such as formal, informal, non-state institutions (or actors). The statement “the capacity of the state actually to penetrate civil society (...)” used by *Michael Mann* (1984: 113) is a classic case of the West’s superficial separation of the ‘state’ from equally influential institutions in the society without interrogating, defining and clarifying conditions constitutive of the central state in non-Western political landscapes. The word “penetrate” presupposes dealing with entities that are radically different from the other and also rule out possible positive outcomes of their complementarity without – or with limited – frictions. In fact, *Mann’s*

definition of state infrastructural power confirms this directly or indirectly as it emphasises that state autonomy from civil society is the *sine qua non* for measuring state capacity. As explained earlier, gross application of these Western concepts in contexts of institutional pluralism becomes problematic and raises epistemological, ontological and methodological issues. In natural resource governance studies, the distinction between formal and informal, state and non-state organisations and etc. becomes blurred. This highlights the reproduction and misapplication of concepts which are at odds with realities in post-colonial Africa. An analytic framework that helps overcome these crucial issues would advance the frontiers of resource governance studies. How can we know, understand, conceptualise, and study 'non-state organisations' and 'state institutions' in contexts of institutional pluralism? This is an important desideratum that should be challenged and approached by academics and practitioners equally in their specific epistemic pathways.

### Notes

- <sup>1</sup> These ideas have not only become institutionalised in textbooks, or scientific literature but have also featured in submissions by Western scholars during conference and seminar discussions on resource governance dilemmas in Africa. One such occasion involved the following question by a Scandinavian Professor after a conference presentation on the role of Ghanaian chiefs in 'land grabbing' (Bergen, Norway in 2015): 'Would you agree that abandoning chieftaincy institutions could give African states a freehand in natural resource governance?' No matter how weird this question may have sounded to the African audience in the conference, we see it neither as a naive nor mischievous submission. The question might have emerged out of frustrations with activities of the near invincible chiefs in resource governance and the difficulty to regulate the powers of societal organisations in relation to those of the central state, and therefore cannot be considered void.
- <sup>2</sup> Chiefs, clan/tribal leaders and their messengers constitute a traditional council which is headed by a paramount chief. Village chiefs act as messengers or representatives of paramount chiefs at the village level.
- <sup>3</sup> These limitations of conventional theories of *governance* and *heterarchy* led to our decision of coupling governance with the concept of relationality. Indeed, here we see an interplay at stake – to be able to understand and describe contemporary post-colonial settings in African nation states more concisely. Concerning the perspective of state-society

relations, *Joel Migdal* (2001: 23) makes an argument similar to the one we want to draw here when we address *relational governance*: "Instead, the state-in-society approach points researchers to the *process* of interaction of groupings with one another and with that actual behavior they are vying to control or influence. (...). The dynamic process changes the groupings themselves, their goals, and ultimately, the rules they are promoting." We want to name these changes *intra-relational structures* of interactions between stakeholders.

<sup>4</sup> The paper is based on an ethnographic study of biofuel investment projects in Ghana and a review of *Jatropha* biofuel land deals between April 2012 and January 2013.

<sup>5</sup> Land areas held in trust for a community or village by chiefs. Stools, as called in southern Ghana, or Skins, in northern Ghana, represent the seat of authority of chiefs.

### Acknowledgements

This article is the outcome of research conducted within the Africa Multiple Cluster of Excellence at the University of Bayreuth, funded by the Deutsche Forschungsgemeinschaft (DFG, German Research Foundation) under Germany's Excellence Strategy – EXC 2052/1 – 390713894. The authors are particularly grateful to the anonymous reviews for their constructive comments on earlier versions of this manuscript. We benefited tremendously from their insightful suggestions.

### References

- Abbott, A.* 1995: Sequence analysis: new methods for old ideas. – *Annual Review of Sociology* **21**: 93-113, doi:10.1146/annurev.so.21.080195.000521
- Action Aid-Ghana* 2009: Re: The Biofuel Debate: Action Aid-Ghana Responds to Rural Consult's Allegations. – *Accra ActionAid Ghana* 2010: Input from ActionAid Ghana for November. Action Aid-Ghana. – Accra
- ActionAid Ghana* 2011: Input from ActionAid Ghana for January. Action Aid-Ghana. – Accra
- Adu-Baffour, F., T. Daum and R. Birner* 2021: Governance challenges of small-scale gold mining in Ghana: Insights from a process net-map study. – *Land Use Policy* **102**: 1-16, doi:10.1016/j.landusepol.2020.105271
- Agyeman-Duah, I.* 2007: Chieftaincy in Ghana: Culture, governance and development. – *African Affairs* 106 (425): 730-731
- Amoah, O.* 2006: *Jatropha* Project in Ghana: How to Restore Vegetation and Ecosystem along Major Man-made Lakes and Ways to Raise Finance. Paper presented at UNCTAD

- Biofuels Workshop, Financing Biofuels with Special Emphasis on Jatropha and CDM, Accra (13-14 November). – Online available at: [http://unctad.org/sections/wcmu/docs/ditc\\_comb\\_Jatropha011\\_en.pdf](http://unctad.org/sections/wcmu/docs/ditc_comb_Jatropha011_en.pdf), accessed 5/20/2021
- Apoh, W., J. Fardin, W. Treasure W. and Kirsty* 2015: Customary law and mining: Comparing the interaction between the two in Ghana and Western Australia, with a focus on heritage. International Mining for Development Centre Action Research Report. – Sydney
- Benz, A., S. Lütz, U. Schimank and G. Simonis* (eds.) 2007: Handbuch Governance. Theoretische Grundlagen und empirische Anwendungsfelder. – Wiesbaden
- Berry, S.* 2001: Chiefs Know their Boundaries: Essays on Property, Power and the Past in Asante, 1896-1996. – Portsmouth
- Berry, S.* 2013: Questions of ownership: proprietorship and control in a changing rural terrain – a case study from Ghana. – *Africa* **83** (1): 36-56
- Boamah, F.* 2011: Competition between biofuel and food? Evidence from a jatropha biodiesel project in Northern Ghana. – In: *Matondi, P., K. Havnevik and A. Beyene* (eds.): Biofuels, Land Grabbing and Food Security in Africa. – London: 159-175
- Boamah, F.* 2014: How and why chiefs formalise land use in recent times: the politics of land dispossession through biofuels investments in Ghana. – Review of African Political Economy **41** (141): 406-423
- Boamah, F.* 2015: Biofuels and Land Politics: Connecting the Disconnects in the Debate about Livelihood Impacts of Jatropha Biofuel Land Deals in Ghana. PhD Dissertation, University of Bergen, Norway. – Online available at: <https://bora.uib.no/handle/1956/9861>, accessed 5/20/2021
- Boamah, F. and R. Overå* 2016: Rethinking Livelihood Impacts of Biofuel Land Deals in Ghana. – Development and Change **47** (1): 98-129
- Boamah, F. and A. Williams* 2017: Strengthening Institutions against Corruption? Biofuel Deals in Ghana. – In: *Williams, A. and P. Le Billon* (eds.): Corruption, Natural Resources and Development. From Resource Curse to Political Ecology. – Cheltenham: 117-130
- Boamah, F. and E. Rothfuß* 2020: "Practical recognition" as a suitable pathway for researching just energy futures: Seeing like a "modern" electricity user in Ghana. – Energy Research and Social Science **60**: 1-12, doi:10.1016/j.erss.2019.101324
- Bodin, J.* 2014 [1576]: The Six Bookes of a Commonweale. Edited by *Kenneth Douglas McRae*. – Harvard
- Boone, C.* 2003: Political Topographies of the African State: Territorial Authority and Institutional Choice. – Cambridge
- Boone, C.* 2007: Property and constitutional order: land tenure reform and the future of the African state. – African Affairs **106** (425): 557-586
- Bourdieu, P. and L. Wacquant* 1992: An invitation to reflexive sociology. – Chicago
- Brempong, A.* 2007: Transformations in Traditional Rule in Ghana (1951-1996). – Institute of African Studies. – Legon
- Bull, C.* 2010: Norwegian Land Grabbers in Ghana. The Case of ScanFuel. Oslo. – Online available at: , accessed 5/20/2021.
- Busia, K.A.* 1951: The Position of the Chief in the Modern Political System of the Ashanti. – Oxford
- Capps, G.* 2016: Tribal-Landed Property: The Value of the Chieftaincy in Contemporary Africa. – Journal of Agrarian Change **16** (3): 452-477
- Cristi, R.* 1997: Carl Schmitt on Sovereignty and Constituent Power. – Canadian Journal of Law & Jurisprudence **10** (1): 189-201
- Crumley, C.* 1995: Heterarchy and the Analysis of Complex Societies. – In: *Ehrenreich, R., C.L. Crumley and J.E. Levy* (eds.): Heterarchy and the Analysis of Complex Societies. Archaeological Papers of the American Anthropological Society 6. – Washington: 1-5
- Dardot, P. and C. Laval* 2013: The New Way of the World: On Neoliberal Society. – London/New York
- Donati, P.* 2010: Relational Sociology: A New Paradigm for the Social Sciences. – London
- Donati, P.* 2015: Manifesto for a critical realist relational sociology. – International Review of Sociology **25** (1): 86-109
- Elias, N.* 1982: The Civilizing Process. Vol. II. State Formation and Civilization. – Oxford
- Emirbayer, M.* 1997: Manifesto for a Relational Sociology. – American Journal of Sociology **103** (1): 281-317
- Etzold, B.* 2013: The Politics of Street Food. Contested Governance and Vulnerabilities in Dhaka's Field of Street Vending. – Stuttgart
- Fold, N. and L. Whitfield* 2012: Developing a palm oil sector: the experiences of Malaysia and Ghana compared. – Danish Institute for International Studies (DIIS) Working Paper 2012, 08. – Copenhagen
- Ghana Energy Commission* 2011: Renewable Energy Act. – Accra
- Ghana Lands Commission* 2008: Lands Commission Act 767. – Accra
- Ghana Lands Commission* 2012: Guidelines for Considering Large Scale Land Transactions for Agricultural and other Purposes. – Accra
- Hegel, G.W.F.* 1977 [1807]: The Phenomenology of Spirit. Translation by A. V. Miller. – Oxford
- Hewitt de Alcantara, C.* 1998: Uses and abuses of the concept of Governance. – International Social Sciences Journal **50**: 105-113
- Hirons, M.* 2014: Decentralising natural resource governance in Ghana: critical reflections on the artisanal and

- small-scale mining sector. – *Futures* **62**: 21-31
- Hobbes, T.* 2010 [1651]: *Leviathan: Or the Matter, Forme, and Power of a Commonwealth Ecclesiasticall and Civill*. Edited by *Ian Shapiro*. – New Haven
- Hüsken T.* 2013: Tribes, Revolution, and Political Culture in the Cyrenaica Region of Libya. – In: *Bouziiane M., C. Harders and A. Hoffmann* (eds.): *Local Politics and Contemporary Transformations in the Arab World*. – Governance and Limited Statehood Series. – London: 214-231
- Kasanga, K.* 2002: Land tenure resource access and decentralisation in Ghana. – In: *Toulmin, C., P.L. Delville and S. Traore* (eds.): *The Dynamics of Resource Tenure in West Africa*. – Oxford: 25-36
- King, P.* 1987: Sovereignty. – In *Miller, D.* (ed.): *The Blackwell Encyclopaedia of Political Thought*. – Oxford/New York: 492-494
- Klute, G.* 2013: African Political Actors in Ungoverned Spaces: Towards a Theory of Heterarchy. – In: *Klute, G. and P. Skalník* (eds.): *Actors in Contemporary African Politics*. – Berlin: 1-24
- Kooiman, J.* 2003: *Governing as Governance*. – London
- Larbi, W.O., A. Antwi and P. Olomolaiye* 2004: Compulsory land acquisition in Ghana: policy and praxis. – *Land Use Policy* **21** (2): 115-127
- Lavers, T. and F. Boamah* 2016: The impact of agricultural investments on state capacity: A comparative analysis of Ethiopia and Ghana. – *Geoforum* **72**: 94-103
- Lund, C.* 2008: *Local Politics and the Dynamics of Property in Africa*. – Cambridge
- Lund, C.* 2011: Fragmented Sovereignty: Land Reform and Dispossession in Laos. – *Journal of Peasant Studies* **38** (4): 885-905
- Mann, M.* 1984: The autonomous power of the state: its origins, mechanisms and results. – *European Journal of Sociology* **25** (2): 185-213
- Mbembe, A.* 2000: At the Edge of the World: Boundaries, Territoriality, and Sovereignty in Africa. – *Publica Culture* **12** (1): 259-284
- Migdal, J.S.* 1988: *Strong Societies and Weak States: State-Society Relations and State Capabilities in the Third World*. – Princeton
- Migdal, J.S.* 2001: *State in Society. Studying how States and Societies transform and constitute one another*. – Cambridge
- Mignolo, W.* 2007: Introduction. Coloniality of power and decolonial thinking. – *Cultural Studies* **21** (2/3): 155-167
- Neubert, D.* 1997: Development Utopia Re-Visited: Non-Governmental Organisations in Africa. – *Sociologus* **47** (1): 51-77
- Pfeilschifter, R, H.J. Lauth, D. Fischer, E. Rothfuß, A. Schachner, B. Schmitz and K. Werthmann* 2020: Local Self-Governance in the context of Weak Statehood in Antiquity and the Modern Era. A Program for a Fresh Perspective (LoSAM Working Papers, Nr. 1). – Wuerzburg
- Quijano, A.* 2000: The coloniality of Power and Eurocentrism in Latin America. – *International Sociology* **15** (2): 215-232
- Rathbone, R.* 2000: *Nkrumah and the Chiefs: the politics of chieftaincy in Ghana, 1951-1960*. – Oxford
- Ray, D.I.* 1996: Divided sovereignty: Traditional authority and the state in Ghana. – *Journal of Legal Pluralism and Unofficial Law* **37-38** (28): 181-202
- Schmitt, C.* 1985 [1922]: *Political Theology: Four Chapters on the Concept of Sovereignty*. Trans. by *George D. Schwab*. – Cambridge
- Schoneveld, G., L. German and E. Nutakor* 2010: *Towards Sustainable Biofuel Development: Assessing the Local Impacts of Large-Scale Foreign Land Acquisitions in Ghana*. – Paper presented at the Annual World Bank Conference on Land Policy and Administration, 26-27 April, Washington D.C.
- Scott, J.C.* 1998: *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed*. – London
- Shamir, R.* 2008: The age of responsabilization: on market-embedded morality. – *Economy and Society* **37** (1): 1-19
- Sørensen E. and J. Torfing* (eds.) 2007: *Theories of democratic network governance*. – Basingstoke
- Stephenson, K.* 2009: Neither Hierarchy nor Network: An Argument for Heterarchy. – *People and Strategy* **32** (1): 4-7
- Stoker, G.* 2002: Governance as Theory: Fife Propositions. – *International Social Science Journal* **50** (155): 17-28
- Tilly, C.* 2005: *Stories, Identities, and Political Change*. – Lanham
- Ubink, J.M. and K.S. Amanor* (eds.) 2008: *Contesting Land and Custom in Ghana: State, Chief and the Citizen*. – Leiden
- Ubink, J. and J. Pickering* 2020: *Shaping legal and institutional pluralism: land rights, access to justice and citizenship in South Africa*. – *South African Journal on Human Rights* **36** (273): 178-199
- von Trotha, T.* 1996: From Administrative to Civil Chieftaincy. Some Problems and Prospects of African Chieftaincy. – *Journal of Legal Pluralism and Unofficial Law* **37-38** (28): 79-107
- Watkins, F.M.* 1968: State: the concept. – In: *Sills, D.L.* (ed.). *International Encyclopedia of the Social Sciences*. – London/Glencoe: 150-157
- Weber, M.* 1968 [1921/22]: *Economy and society. An outline of interpretive sociology*. – New York
- White, J.C.* 1995: Incorporating Heterarchy into Theory on Socio-political Development: The Case from Southeast Asia. – In: *Ehrenreich, R., C.L. Crumley and J.E. Levy* (eds.): *Heterarchy and the Analysis of Complex Societies*. – *Archaeological Papers of the American Anthropological Society* **6**: 101-123
- Zizek, S.* 2006: *The Indivisible Remainder. On Schelling and Related Matters*. – London