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# Bureaucratic aesthetics:

## Report writing in the Nigérien gendarmerie

### ABSTRACT

Nigérien gendarmes invest considerable creative energy in their daily paperwork. I explore how the gendarmes conceive of the writing of seemingly purely bureaucratic documents, *procès-verbaux*, in aesthetic terms. At the same time, I ground the aesthetic appreciation of these documents in the gendarmes' socioprofessional environment. Writing an aesthetically satisfying *procès-verbal* is a means of gaining respect from colleagues and superiors and of justifying and actualizing gendarmes' self-perception as intellectuals in uniform. Bureaucratic work, I argue, is always also aesthetic work, and bureaucratic aesthetics is where aesthetic, pragmatic, and legal reasonings become one. [bureaucracy, aesthetics, writing, gendarmerie, Niger]

L'ethnographe ... "le voilà qui peut faire bon usage de sa lourde incompétence en ne distinguant pas trop vite l'essentiel de l'accessoire."

—Bruno Latour, *La fabrique du droit*

Ibrahim was one of the first gendarmes with whom I established a friendly relationship that extended beyond the walls of the brigade.<sup>1</sup> About midnight during one of his 24-hour shifts at the brigade, he invited me to have breakfast with him at his house. His shift ended at 7 a.m. I arrived at his home about 8 a.m., and we had a nice breakfast. Then he showed me his family photo album: pictures from his marriage, from previous posts in the gendarmerie, of previous girlfriends. As I turned the last page of the album, he handed me a second one. To my surprise, it was not an album with photos in it but an album of *procès-verbaux* he had written in his career as a gendarme. *Procès-verbaux* are documents stating the facts of a police matter (e.g., an accident, a theft) and the measures taken by the gendarmes in response to these facts; they are submitted to the public prosecutor to launch a legal proceeding. Ibrahim had meticulously stored them in transparent sheet protectors, and he presented them to me just as he had presented the photos: with the same affection, the same tone of voice, the same gestures pointing to this or that particularity. I was surprised, but I did not quite know what to think of his presentation. It took me a few months to become aware of the aesthetic dimension of *procès-verbaux*, that is, how the gendarmes try to manufacture a document that is aesthetically satisfying to them in form, style, and content.

The thoughts presented in this article are drawn from about fifteen months of fieldwork in the Gendarmerie Nationale of the Republic of Niger.<sup>2</sup> Between August 2009 and March 2012, I spent more than a year in different units in several regions of the country: criminal investigation departments, traffic police, administrative units, and, mostly, in regular gendarmerie stations, so-called brigades (*brigades territoriales*). I spent most of the gendarmes' working hours sitting with them in or in front of their offices discussing their work. I also followed them on criminal investigations, spent evenings chatting with those on night duty, and occasionally invited them, or they invited me, for dinner or breakfast.

Brigades are the street-level units (see Lipsky 1980) in which gendarmes encounter civilians, and the writing of reports and procès-verbaux is part and parcel of the daily work there.<sup>3</sup> I agree with Albert J. Meehan that “a complete and rich understanding of police work requires attention to the ways in which officers author, use, and read documents” (1986:99).<sup>4</sup> Every day I observed gendarmes and their superiors, that is, noncommissioned officers (*sous-officiers*) taking notes and statements and then writing, correcting, and, finally, submitting these documents to the public prosecutor and superior officers. They frequently handed me the procès-verbaux to read, and I often even participated in the writing, either by dictating drafts to gendarmes typing on the computer or taking dictation and typing myself, in the process discussing with the officers the form, style, and content of the documents. In addition, I was able to assist at two monthlong so-called recycling courses held by a French gendarme. He was supposed to teach all of the country’s brigade commanders (*commandants de brigade*) a new method of writing and assembling procès-verbaux.

In this article, I suggest an approach to bureaucratic work that takes as a point of departure a perspective often adopted by gendarmes themselves when discussing the quality of a procès-verbal: I suggest, following Max Weber’s idea of “explanatory understanding” (1980:4), examining the writing of seemingly purely bureaucratic documents as an essentially aesthetic activity integrated into both organizational and legal rationalities. This endeavor demands some definition of terms. First, I need to be precise about what I mean by “aesthetic activity” and how this concept helps me understand bureaucratic activity. Here I am particularly inspired by Katya Mandoki’s (2007) approach to everyday aesthetics. Second, I need to elaborate on what I mean by “writing,” and here I adopt a perspective offered by Michel de Certeau (2011). These analytical tools set out, I then turn to the actual writing, correcting, and rewriting of the procès-verbaux, which allows me to ground aesthetic appreciation of them in the gendarmes’ socioprofessional environment.

## Aesthetics and bureaucracy

The daily work of bureaucrats is often described as an activity combining official norms, on the one hand, and practical norms (Olivier de Sardan 2008; see also Olivier de Sardan 2004:149) or informal routines (Lipsky 1980), on the other. These two sides reflect the legal and organizational or practical rationalities that guide bureaucrats in their work—and the perceived gap between the two (Hull 2012:616). What has been largely left out of these descriptions is the aesthetic dimension of bureaucratic work. There are, however, some exceptions. Organizational studies scholars look for the beauty in organizations (Frederickson 2000) or, more generally, for “aesthetic categories”

(Taylor and Hanson 2005:1216); they regard organizations as workshops of artistic production (Frederickson 2000:47–50; Goodsell 1992) or as artistic performances themselves (Strati 1992:580), and they all seem to engage in a normative effort to promote, value, or reform organizations or administrations in aesthetic terms. Although these scholars look beyond the sphere of pure bureaucratic rationalism, their approaches are somewhat problematic in at least one of the following ways: First, regarding organization as—or comparing it to—art means ascribing a certain value to organizations and what they do and thus is of little analytical value if not grounded in the expressions of the members of the organization (Fratto 1978:135; Mandoki 2007:6, 31; Novitz 2001:159). Second, the beauty, say, of procès-verbaux, cannot be analyzed. “Beauty is not a quality of objects in themselves but an effect of the relation that a subject establishes with a particular object from a particular social context of evaluation and interpretation” (Mandoki 2007:8). In taking an anthropological approach to aesthetics, the researcher must, thus, “dissolve” any essentialist conception of beauty (Wiseman 2007:26) and, rather, analyze the context in which an object—here, the procès-verbal—is judged beautiful (or ugly, grotesque, etc.; Gell 1992:42). Third, analyzing organizations or their output as aesthetic objects masks the fact that such objects come into being only through an aesthetic relation that people establish with them through active ideational, emotional, and sometimes practical engagement (Coote 1992:247; Firth 1992:16; Goldman 2001:188; Mandoki 2007:12). Unfortunately, these actors—managers, administrators, bureaucrats—the aesthetic relations they establish, and what their everyday aesthetic appetite (Coote 1992:269; Mandoki 2007:68) is grounded on have barely begun to be studied.<sup>5</sup> As Pierre Bourdieu (1984) argues, what our appetite strives for is developed on the basis of a specific (social, economic, cultural, etc.) context. In other words, aesthetic appetite is always “embedded” (Ginsburg 1994). Bureaucrats’ aesthetic appetite is no exception. And since writing is one of bureaucrats’ main activities, it is where their appetite seeks satisfaction.

Anthropologists have also established a link between bureaucratic work and aesthetics. Particularly insightful here are studies by three scholars. Annelise Riles (1998) explores the production, usage, circulation, and aesthetic appreciation of legal documents produced during UN-sponsored conferences. Similarly, R. L. Stirrat (2000) discusses development consultants’ work, particularly how the reports they write are judged mainly in aesthetic terms, which he sees as an “exemplification of the values of modernism” (2000:42). Oyvind Eggen (2012) focuses on bureaucratic procedures in an agricultural subsidy program in Malawi. He argues that these procedures are carried out according to aesthetic rather than instrumental considerations. In the end, he concludes, the procedures may be inefficient, but they produce the image of a modern state, that

is, the idea of a legible population and of a professional bureaucracy (Eggen 2012:19). I agree with these authors that a perspective on bureaucratic work needs to take seriously that work's aesthetic dimension, particularly in the case of the everyday production of bureaucratic documents—and not only “when bureaucratic logic and spectacle are joined” (Handelman 1998:xlvi, n. 17; see also Goodsell 1997).<sup>6</sup> However, none of them seem to take seriously the perspective of those producing and handling these documents, as, for example, Yael Navaro-Yashin does in her remarkable study of “bureaucracy as an emotive domain” (2006:282). Riles (1998) explores documents as “aesthetic objects” in their own right, without referring to their authors' appreciation of them as such; Stirrat (2000:41–42) presents aesthetic categories by which consultancy documents are judged but not necessarily by those writing them; and Eggen suggests that “the fact that the aesthetic qualities are not explicitly communicated does not reduce their aesthetic qualities” (2012:15).

My aim here is not to analyze bureaucratic documents as aesthetic objects or to list features of bureaucratic aesthetics, as, for example, Don Handelman (1998:xlix n. 19) does. I am interested in the direct relationship of the bureaucrat to the objects of his or her production: to paraphrase Karl Marx (1970, 1994:61), in his or her nonestrangement. I explore how and in which professional context documents are fabricated as aesthetic objects, notably, from the perspective of their authors, and I elaborate on the relationship between aesthetic, pragmatic, and legal reasoning (see Heerey 2003).

## Writing

Writing is more than scrawling or typing letters on a sheet of paper or a computer screen. De Certeau insightfully proposes conceiving of writing, *l'écriture*, as “the concrete activity that consists in constructing, on its own, blank space (*un espace propre*)—the page—a text that has power over the exteriority from which it has first been isolated” (2011:134). Thus, for de Certeau, writing includes three elements. The first one is the blank page, the place of writing, a clean space apart from the messy and fleeting world of speech, which the writer has to manage like an urban planner (de Certeau 2011:134). The second element is the text the writer produces in this virgin space. The author traces words, sentences, eventually a coherent system—the text—and thus fabricates something new, a product distinct from the confused and muddled situation from which it received its ingredients. The third element is the power this product exercises over that same situation. In other words, it organizes, a posteriori, the complexities of everyday life and thus opens up—but also excludes—options for reacting to the ordered mess of lived situations (de Certeau 2011:134–135; see also Goodsell 1992:252). These three elements can be subsumed under the notions of “form,” “style,” and “con-

tent.” The writer-as-urban-planner manages the space of the page, in other words, creates a map, a form that will be filled by the circulation of his or her pen. Its travels may be direct, without detour; they may be hasty, strolling, wandering—they are expressions of style. And what binds the text to the messy world beyond the virgin space of writing, at least in the case of the *procès-verbaux* I analyze, is its legally exploitable content.

## The *procès-verbal*

Niger was part of the French colonial empire, and thus the Nigérien gendarmerie is modeled on the French prototype. Gendarmes differ from police in their institutional affiliation, status, and geographical implantation: The national police are under the ministry of the interior, the gendarmerie under the ministry of defense; police have civil and gendarmes military status (and the latter serve as military police); police work in towns, gendarmes in villages. In terms of their daily work, however, gendarmes and police have essentially the same tasks: traffic control, public-order policing, and criminal investigations. In the eyes of gendarmes, writing is the most important element distinguishing them from their half-brothers in the police and military: “Gendarmes write!”<sup>7</sup> as most defined the specificity of their work. And indeed, they are constantly writing messages; *comptes-rendus*; weekly, ten-day, and monthly reports; and *procès-verbaux*. The *procès-verbal* is distinct from the other genres of texts in its relative openness, which demands the gendarmes' creativity—messages, *comptes-rendus*, and reports are mostly the result of copying and pasting and filling in the blanks.

*Procès-verbaux* are a tool characteristic of French legal procedures. They are documents stating a breach of a law and the measures taken in response by gendarmes, so-called *agents de police judiciaire*, a “summary of facts,”<sup>8</sup> as one brigade commander put it, that helps the public prosecutor accomplish his or her work.<sup>9</sup> Yet only a small percentage of the cases brought to gendarmes are translated into *procès-verbaux*. Writing a *procès-verbal* is one step in the legal funnel described by Thomas Bierschenk (2008:118–119) that begins with the report of an offense at a police or gendarmerie station and ends with convictions and sanctions. Everybody tries to avoid falling into the funnel, that is, the legal system, which, in most people's perspective, “seems like a vacuum cleaner which functions on the basis of obscure mechanisms and which, once it aims its hose at the target group of a legal norm, threatens to suck it up in a vortex leading to the unknown” (Bierschenk 2008:119). Legal professionals as well as the gendarmes I talked to try to install filters to “ensure that the funnel does not become blocked with too many cases” (Bierschenk 2008:119). One gendarmerie brigade I spent time with registered 174 complaints in one month; only 17 led to a *procès-verbal* and were transferred to the prosecutor. The rest were filtered

out at the brigade, in most cases through settlements and mostly with the prosecutor's approval (see Oumarou 2011:201). Cases that turn into written *procès-verbaux* are severe crimes for which settlements are out of the question and cases in which neither complainant nor suspect wants to settle. Both gendarmes and civilians generally prefer to settle, find an arrangement, and if the clients do not, gendarmes will push them a little by evoking the inescapable legal funnel: "A *procès-verbal* is like a bullet: once it takes off, there is no turning back," one gendarme used to say to his clients.<sup>10</sup> But there are some turnings back or funnel exits: At the prosecutor's level, most cases are settled (see Oumarou 2011:232–235).

In France, *procès-verbaux* were introduced in the gendarmerie during the late 18th century, then universally implemented in the early 19th century (Houte 2009:5). Since that time, it has been mandatory for every candidate for the gendarmerie to be able to read and write. Gendarmes were supposed to write down everything they did and record every piece of information they gathered, and over time they became better trained in writing (Houte 2009:5–10). Their literacy was an important marker of their distinction from the police, who, if they wrote at all, only scratched notes on bits of paper in bad handwriting and with whom gendarmes did not—and in Niger still do not—want to be confused (Houte 2009:11, 19).

A *procès-verbal* has the function of a summary. It is an ensemble of information (*simples renseignements*) that is to be transferred to the public prosecutor, who will definitively qualify the offense and launch legal action or close the case (République du Niger 2003:Art. 417; see also Bauer and Pérez 2009:64); in other words, it is the textual entrée into the *fabrique du droit* (law factory; Latour 2002:85–86). It states every act carried out by the gendarmes: transportation to the scene, observations, measures taken, interrogations, arrests, and so on. All of these data are collected in one single document, the so-called *procès-verbal unique* (unitary *procès-verbal*), which is signed by one responsible *officier de police judiciaire*. In France, gendarmes nowadays only write so-called *procès-verbaux séparés* (separate *procès-verbaux*); that is, they assemble a folder that contains a separate *procès-verbal* for each act they carry out (one for transportation to the scene, one for the observations, one for each statement, one for each arrest, etc.) and a recapitulatory *procès-verbal* summarizing the whole case. The advantage of the latter method is that in the event of a legal or procedural error in one of the separate parts, only this part becomes void by law; in a *procès-verbal unique*, an error renders the whole document legally worthless.

In 2011, a French gendarme was sent to Niger to give lessons on the newer and more efficient form of *procès-verbal séparé*. However, some gendarmes reported they were taught this method at least ten, and some suggested even 20, years ago, in their initial coursework and in ad-

vanced training courses. But when they came back to their home units, they did not implement it. "Since our bosses didn't know it, we didn't do it," one noncommissioned officer commented.<sup>11</sup> Their "bosses," the brigade commanders, had only been taught to write *procès-verbaux* according to the old standards. But gendarmes often put forward more pragmatic reasons for not using the new method: An ensemble of separate *procès-verbaux* would require much more paper than needed for the unitary form, and, lacking sufficient allocations from their headquarters, gendarmes already have difficulty finding the means to procure the paper they need for the shorter version. To date, gendarmes in Niger have not adopted the new method.

### Writing the *procès-verbal*

The writing of *procès-verbaux* includes several steps. The first one is the collection of data in a personal notebook or on a sheet of paper. Take the example of a car accident. The gendarmes on the spot note the identity of the persons involved, namely, victims, perpetrators, and witnesses; they write down information about the vehicles involved; and they make a sketch of the place of accident. The second step is interviewing the victims, perpetrators, and witnesses, usually one to four days after the accident, whose statements the gendarmes write on loose sheets of paper, sometimes in specific statement notebooks, their  *carnets de déclaration*. In the third step, the gendarmes establish a first draft of the *procès-verbal*, usually written in pencil, which, in its form, already corresponds to the final version. This pencil draft is, in the fourth step, proofread by the gendarmes' direct superior, that is, the group leader under whose direct authority the measures at the accident scene were taken; in most cases, this individual is a noncommissioned officer. Corrections and modifications are noted with a pen, expressing superiority over the pencil. The fifth step consists of rewriting the draft according to the group leader's corrections and modifications, now on the computer or the typewriter. A hard copy of this revised draft is then handed to the brigade commander, who adds corrections and modifications with a red pen, the sixth step. In the seventh and last step, the gendarme types the final version of the *procès-verbal*, which will then be signed by the brigade commander and sent to various addressees (in the case of a car accident, the public prosecutor, the minister of transport, superior gendarmerie officers, and the archives of the gendarmerie).

#### Form

"It's the form that counts!"<sup>12</sup> gendarmes often explained when identifying the characteristics of a good *procès-verbal*. Although there are no official rules defining the correct form, there are strict conventions about what a *procès-verbal* has to look like, and these conventions are

respected, even in the very first pencil draft. In other words, for the *procès-verbal* to be identified and accepted as such, by the author himself as well as by his colleagues and superiors, it has to present several spatial characteristics. Apart from that, there is considerable room for creativity.

Take the front page of a *procès-verbal*. Conventions dictate that the hierarchical provenance of the *procès-verbal* appear at the top of the left-hand column,<sup>13</sup> underlined and written in capital letters; right beneath it is the running number of the *procès-verbal* and the date of its establishment; below that is the type of *procès-verbal* (e.g., *arrestation*, *renseignements judiciaires*), the addressees, and, finally, the signature of the brigade commander. In the right column, as the headline “Gendarmerie Nationale—*Procès-verbal d’enquête préliminaire*” indicates, the details of the specific *procès-verbal* begin: date; the names of the responsible officier de police judiciaire and the two agents de police judiciaire who worked on the case, all three embraced by a large bracket; their home unit; and mention of the articles of the Code de Procédure Pénale defining the responsibilities of the officiers and agents de police judiciaire as well as the nature of a preliminary investigation (*enquête préliminaire*). Finally, the following introductory phrase appears: “Rapportons les opérations suivantes que nous avons effectuées, agissant en uniforme et conformément aux ordres de nos Chefs,”<sup>14</sup> a formula already used in 19th-century France (Houte 2009:20).

Since about four or five years ago, most brigades have had access to computers (one per brigade), replacing mechanical typewriters for the gendarmes’ task of writing messages, reports, and *procès-verbaux*.<sup>15</sup> This profoundly changed the process of writing *procès-verbaux*. The conventions of form, however, did not change. Whereas on the typewriter, each *procès-verbal* had to be (or has to be, as during regular blackouts, computers are unusable) written in its full length, on the computer never-changing phrases are inserted by copy and paste, or the proper text of a particular *procès-verbal* is inserted around fixed markers of space (such as never-changing headings and passages) and older text is simply suppressed.

Just because some parts or formulations never change, like those on the top of the first page, or are simply copied and pasted or even prewritten does not prevent them from being modified according to the author’s personal preferences. He or she changes the font, modifies the type size, adds or suppresses spaces between letters, arranges the headings, changes the type of underlining, or adds space markers.<sup>16</sup> But if, to be accepted, the *procès-verbal* only needs to accord to the conventions, why manipulate such details? “Because I want it to look nice,”<sup>17</sup> replied one gendarme to whom I was about to dictate the preamble of a *procès-verbal*. “It has to be well-spaced,”<sup>18</sup> he clarified. When he found that the overall arrangement looked nice, he entered into the details. At the beginning of each paragraph,

he added “—”; in front of each heading, he added “- -:” and after it “:-.” In the left-hand column, he separated the addressees of the *procès-verbal* from the rest of the heading with “//—//—//—//—//”;<sup>19</sup> in the right column, he replaced “Vu les articles ...” with “(((//u les articles.” I was quite stunned by this latter kind of coded sign. Later, I found out that replacing letters with other signs has almost become a convention too. Gendarmes from an older generation, who had learned to write on typewriters, and thus did not have access to the hundreds of fonts and styles offered nowadays by word processing software, nevertheless told me they had always looked for ways of expressing some creativity in writing *procès-verbaux* or even simple messages. So, their superiors apparently having nothing against it, they were creative and wrote “Vu” as “(/u” or “N°” as “/)°,” “/(/°,” or, even more eccentrically, as “(((//)))//°,” and the like. The gendarme to whom I dictated the *procès-verbal* told me such choices were just a matter of personal taste.

What is judged “nice” or “ugly” swings between conventions and their creative modification. Both conventions and the possibility for creative expression are learned in the brigade. Gendarmes get a hint of the formal conventions of *procès-verbaux* during their initial training in the Centre d’Instruction (now, the École de Gendarmerie); but the writing of *procès-verbaux* itself is learned on the job when they are transferred to the brigades and thus are confronted for the first time with criminal police work—that is, bureaucratic work.<sup>20</sup> By observing and assisting their superiors, they adapt the conventions their superiors deem obligatory and nice and begin to slightly alter them, mostly with the help of formerly unavailable options offered by word processing software.

One gendarme told me that early in his career he was regularly praised and rewarded by his superior in front of his colleagues. But he was not rewarded for any heroic work he had accomplished, like catching a long-sought criminal. Rather, the brigade commander very much appreciated his imaginative way of underlining and arranging headings in *procès-verbaux*. Another gendarme explained during an interview, “You want to make it beautiful, you know. If your boss notices it, he sees the writing, really it’s somewhat beautiful! ... And you will feel proud presenting it to him like that.”<sup>21</sup> And brigade commanders themselves feel proud. As one told me, “If it’s beautiful, and he [the gendarme writing the *procès-verbal*] had the cleverness to do that, I feel proud! And the judge too will find that it’s good.”<sup>22</sup>

So, there is more to this creativity than the quest for aesthetic satisfaction. Gendarmes, like other street-level bureaucrats, are, in a sense, peer reviewed (see Lipsky 1980:76). Trying to produce beautiful documents, gendarmes enter into a play between conventions and creativity. If they adopt the inherited conventions and creatively modify them, they might gain respect from their

colleagues and, more importantly, from their superiors, from whom they inherited the conventions in the first place.<sup>23</sup>

### *Language style*

Once the blank space of the page is ordered, the writer has a basic map. The next step is the effective production of text, word by word, an activity that is far more demanding than the copy and paste of certain objects (such as never-changing text blocks) and that leaves far more room for creativity. The section of the *procès-verbal* that grants (or demands from) the gendarme the most linguistic creativity is the victims', suspects', or witnesses' statements.

Only in very rare cases does the person interviewed write his or her own statement. The large majority of the gendarmes' clients are illiterates, and even "intellectuals," as gendarmes call them, that is, literates who might be aware of their right to hand over a written statement and who are offered this opportunity, often decline to do so. Gendarmes told me they often saw "intellectuals" sitting in front of the blank sheet of paper, appearing insecure about what to put into written words and how to do it. They are not familiar with this particular genre of text; they are not familiar with the translation of everyday language into legally exploitable text.

A gendarme told me that there are two styles of writing the statement: Some gendarmes try to capture the formulations of the person interviewed word for word, and others start writing only after the person has finished his or her narration. In fact, during my research in the Nigérien gendarmerie, I have never witnessed the first, quasi-shorthand style.<sup>24</sup> This means that when writing statements, gendarmes engage in a process of double translation: In most cases, they literally translate from a local language into the language of Nigérien bureaucracy, French;<sup>25</sup> but they also translate from oral into written language. Gendarmes often explained to me that there are two rules regulating this translation activity: Put the account in good French (whether or not the person interviewed talks in a local language or in French), and get the gist of it, leave out the detours. "You must not write his whole narration! If you do, it's just waffle. You listen carefully to what he has to say, then you write down what he actually said," as one gendarme put it.<sup>26</sup> The interviewee's account is what de Certeau identified as the "fable," "a speech that 'does not know' what it says" (2011:160), which the gendarme is supposed to translate into legitimate procedural, that is, written, language and give a legal formatting (see Latour 2002:88).

But not all written language is accepted by gendarmes as legitimate. Giving the words legitimacy is a matter of style. Someone writing his or her own statement may use bad French, may repeat him or herself, may insert detours, and may express feelings—which gendarmes also did, as in four cases I witnessed in which officers wrote down their

own statements in a disciplinary case against them. The translator-gendarme is supposed to filter out grammatical errors, repetitions, detours, and emotions. Yet the statement is written in the first-person perspective, as if the person interviewed wrote it and was actually accorded his or her rights to repetitions, detours, and emotions.

As a consequence, most statements appear very technical in style: short sentences, precise and technical formulations, without emotion. However, even what most gendarmes would refer to as good, crisp clear style contains disputable elements, namely, military and scientific jargon. One day, I asked a gendarme to explain to me a sentence I found in the statement of an elderly man who had been beaten by several young men: "These young men descended on me by administering blows with a stick onto me."<sup>27</sup> This description is rather cold and technical. But it contains literary elements that go beyond the demands of short and precise language use. As one gendarme explained, they hint at the military background of the author of this sentence: "This is our military jargon, it's like it's the gendarme who speaks."<sup>28</sup> He did not hide the fact that the statement was a product of his own writing and did not even want to make the statement appear to be the victim's words, in this case those of a 70-year-old deaf-mute farmer.

Another formulation I stumbled on in several *procès-verbaux*, in the observations part, was the phrase "couché en [lying in or on] *décubitus dorsal*," referring to a dead body. The instructor from the French gendarmerie became aware of this formulation as well. He had never seen it written in a *procès-verbal* in France and looked it up in a dictionary. "This is ridiculous!" he shouted into the audience of 40 brigade commanders. He told them forcefully, "Keep it simple! He was lying on his back. Full stop!" The brigade commanders, however, seemed to like it. Sitting in the audience, I heard one of them murmur, "Mais c'est joli ..." [But it's nice ...]. Then the French gendarme went on to read in the *procès-verbal*: "The lifeless corpse bathed in a sea of blood ...,"<sup>29</sup> and he despairingly shook his head.

Repetitions, detours, and emotional expressions are generally banned. Yet some gendarmes, mostly young ones, include them in statements they write and receive harsh criticism from their group leaders. In their superiors' perspective, they have not yet completed their on-the-job training in writing "good" *procès-verbaux* (although even the brigade commander now and then added a "Dieu merci" to a witness's statement). More ambiguous is the use of metaphors, part of what some gendarmes pejoratively call "literature." I followed several discussions about the term *volatiliser*, "to vanish into thin air." A phrase I often read in statements was "le voleur s'est volatilisé." Some gendarmes noted that a thief is neither a leaf nor a bird and, thus, cannot vanish into thin air. Yet others observed that if one can administer blows of a stick onto someone's head, a thief can also vanish into thin air. In both cases, the issue is not about reproducing the narrative of the person

interviewed as authentically as possible; it is about aesthetically appropriating it. This appropriation becomes apparent in minimal modifications, for example, from “I lost my permit” to “I mislaid my permit” or from “during the census” to “in the course of the census.”<sup>30</sup> These and similar modifications—“administered blows” and “voleurs volatilisés”—all unveil the author’s deep involvement in the text, in a sense, the aesthetic relation he or she establishes with it. Whether through jargon or through “literature,” the author appropriates the oral statement through the translation he or she carries out, transforming the text into a personal creation and making it one that writer and reader consider nice.

Gendarmes want to prove to themselves, their colleagues, and their superiors that they can carry the reputation and the self-image of writing intellectuals. (It is thus not surprising that in one remote and isolated brigade, gendarmes spend every day, from dawn till dusk, for months and months, sitting in front of their office playing Scrabble.) The demonstration of language skills is a question of *gendarmique* self-esteem. If they write in a style that is not appreciated by their superiors, they will be reprimanded in front of all of their colleagues, and being reprimanded for a lack of language skills is very hurtful for gendarmes, whose professional self-esteem is essentially based on writing skills. Also, a *procès-verbal* that is commonly regarded as written in beautiful style will be appreciated even at the hierarchical level above the brigade. This is why, although they do not comment on the form of the document, brigade commanders also engage in discussions concerning language style. Seldom does the brigade commander pass on a *procès-verbal* without having effected at least some minor modifications—even if he only adds a “Dieu merci” to a witness statement or turns a “lost” into “mislaid.” In the end, it is his *procès-verbal*; it is he who submits it to the superior echelon. And if a *procès-verbal* is written in bad French or is too “literary,” the chief secretary of the *commandant de groupement* will call the brigade commander to inform him about his superior’s disapproval.

### Content

From a legal point of view, one might argue, the most important aspect in *procès-verbaux* is their content. Yet gendarmes manipulate content in multiple ways. First, gendarmes invent small facts, such as the time of an interrogation or the year and place of birth of a witness, if these data have not been gathered in the course of the investigation. With regard to the time of interrogations, for example, gendarmes are extremely meticulous. The beginning of an interrogation is often noted precisely, for instance, as “10 heures et 02 minutes,” although gendarmes usually remember the time of day only vaguely.

Second, gendarmes adjust facts to keep their actions within legal boundaries. For example, they routinely note

that they have informed the person in custody about the right to consult a lawyer and that the obligatory report of a medical examination of the person will be delivered after receipt, which I have never witnessed happening. Furthermore, they practically invent the hours of a person’s entry into and exit from police custody and thus pretend never to exceed the 48-hour legal maximum that they can detain a person, which in fact happens regularly.<sup>31</sup> In other words, in the *procès-verbal*, gendarmes produce a faultless fiction of their work. This appears to be a universal phenomenon in police work and has been demonstrated for French gendarmes (Mouhanna 2001:42), Taiwanese police (Martin 2007:684), and British police: “Reports are assembled in ways that portray the actions taken by the police as standing in a ‘correct’ or sanctionable relation with court-honoured standards of law-enforcement” (Meehan 1986:75).<sup>32</sup>

Third, and somehow encompassing the first two points, gendarmes modify facts to make the *procès-verbal* less ambiguous and the offense more serious. Two cases illustrate this practice. In the first case, two pastoralists were accused of having beaten up a farmer. The brigade commander changed the witness’s statement “I have not seen that he was beaten” into “I don’t know the actual perpetrators because they were many.”<sup>33</sup> The original version was obviously conceived of as a sign of ambiguity in the dramaturgy of the *procès-verbal*. In the original statement, the witness admits to not having seen the beating; the modified statement hides the fact that the beating was not seen by referring to a large number of persons having possibly beaten the man. Thus, the lack of proof in the original statement is hidden. The *procès-verbal*—the fiction—becomes less ambiguous.

In the second case, a young man was accused of having raped a girl who, unfortunately, died as a consequence of an infection she acquired through this act. The deceased girl’s parents, however, made clear that the sexual intercourse was mutually voluntary. The gendarmes were the only ones qualifying the young people’s intercourse as rape. The young man’s date of birth was noted as “around 1990”; the girl’s age was noted as “about 12.” Parents of neither the young man nor the girl could give the ages of their children with precision, yet the gendarmes chose 19 for the boy and 12 for the girl and thus produced a most unfavorable constellation of circumstances for the young man. Slightly older than 18, he would receive the full punishment prescribed by the Code Pénal (Art. 45–47), made all the more severe because the girl he is said to have violated was younger than 13 years (Code Pénal Art. 284). The brigade commander also slightly modified the young man’s statement. The girl whom the young man declared he did not know (“I only know her by sight”) became a well-known neighbor (“I have already known her because she was our neighbor”).<sup>34</sup> From a number of discussions I had with gendarmes about similar cases, I learned that they deemed the rape of a

well-known neighborhood girl even more perfidious than the rape of a stranger. The crime became more serious. I do not suggest that the gendarmes merely tried to incriminate the young man in this case or the men who supposedly beat up the farmer—even though gendarmes repeatedly stated that, “if we write, it is because we want to lock them up, not let them go,”<sup>35</sup> contrary to what the police would do. But, beyond that, the more serious the crime and the more unambiguous its description, the more aesthetically satisfying they found the fiction put forward in the *procès-verbal*.

This wish for coherence is also a reason why gendarmes, particularly senior gendarmes, are somewhat reluctant to accept the separate *procès-verbaux*. Some of them told me that it was much easier to produce a coherent story within a unitary *procès-verbal*. And coherence is what counts, they said; even the public prosecutor would prefer unitary *procès-verbaux* because of their coherence, which makes cases appear rather simple.

The public prosecutor, principal addressee of the *procès-verbal*, is aware of most of the rewriting. Thus, he told me in an interview, he was extremely cautious concerning the legal exploitability of *procès-verbaux*. He asserted that statements are often distorted, and the gendarmes' preliminary definition of most crimes and offenses is not very well founded; rather, the pieces of information laid out in the document often seem to perfectly back up the definition the officers chose to apply. One gendarme put it bluntly: The factual value of *procès-verbaux* is comparable to an adventure comic strip.<sup>36</sup> This is an exaggeration, but it reflects the dissatisfaction some gendarmes feel about the gap between, on the one hand, their self-representation as true public servants (see Lentz 2010) and, on the other hand, their realization that they are dishonest (see also Meehan 1986:78) and constantly overstep the rights of civilians by taking advantage of their illiteracy.<sup>37</sup>

Although gendarmes take their role as auxiliaries of the public prosecutor very seriously, they are aware of the purely informative character of the *procès-verbal*. In other words, they know it is not they who convict a person; they know that they do not control the outcome of their work (see Lipsky 1980:78). Here the other addressees of the *procès-verbal* become important, or, as Meehan (1986:75) put it, the “internal career” of the document gains significance. Besides the public prosecutor, at least one superior in the hierarchy, in most cases, the commandant de groupement, is a direct addressee of the *procès-verbaux*. Superior officers in distant, air-conditioned offices, most of whom have never worked in a brigade and thus hardly know anything about the daily work of writing *procès-verbaux*, will find upon reading unambiguous *procès-verbaux* that the gendarmes in the brigade have done good investigative work, and the more serious the crimes managed in the brigades, the more impressed (or proud) are the superiors (see Mouhanna 2001:42). In addition, monthly statistics demonstrating the management of crimes underline the

quality, institutional legitimacy, and social value of the work done in the brigade (see López 2007). It is thus little wonder that the gendarmerie's clearance rate, which is based on official reports such as *procès-verbaux*, was an impressive 99.56 percent in 2009.<sup>38</sup>

## Conclusion

In this article, I have suggested that to better understand bureaucratic activity, we have to admit that, beyond its formalistic rationality, beyond institutional, material, and social constraints (or incentives), there is an aesthetic dimension to it.<sup>39</sup> The gendarmes presented in this article are not exceptional. From discussions with friends and colleagues in Niger who work in and on hospitals and development projects (particularly Dr. Moha Mahaman), I learned that medical personnel writing reports and filling out patient files also strive for aesthetic satisfaction; scholarly literature suggests that the same could be said about bureaucrats elsewhere in and beyond Africa (Hull 2012; McKay 2012; Navaro-Yashin 2006; Stirrat 2000). And from brief fieldwork in a German police station, I learned that, there too, some types of formatting, some styles of language, and some content are more appreciated than others. Weber (1980:565) argued that bureaucrats necessarily engage in creative activity and demonstrate a good deal of devotion to it. We should take this creativity seriously and explore it, since it appears to be expressed generally by those working in bureaucratic environments.

What I have endeavored to make clear is the parallel and mostly complementary existence of aesthetic, pragmatic, and legal reasonings; they are all part of creative bureaucratic activity, and often they are difficult to separate. Ibrahim's album of *procès-verbaux* in transparent sheet protectors reflects multiple things at the same time: legal outcomes, pragmatic concerns, and aesthetic appreciation. Going through the album, Ibrahim explained how and for what offense somebody was or was not convicted; he underlined the legal function and value of these documents. He also explained that he pragmatically collected them as a professional archive because his organization does not provide him with written guidelines for the writing of the different kinds of *procès-verbaux* (preliminary investigation, in flagrante delicto, legal information, military information, administrative information, different criminal offenses); his album serves as guide where his organization does not. And the album and Ibrahim's way of presenting it to me reflect his aesthetic appreciation of *procès-verbaux* as well as his gendarmique self-esteem.

Focusing on the aesthetics at play in bureaucrats' daily work may be one way to fill the gap that scholars of bureaucracy often perceive between official norms and informal practices, between legal and pragmatic reasoning. Aesthetics of form, style, and content are not mere décor overlaid on the legal or pragmatic function of documents;

bureaucratic aesthetics embrace all at the same time, and only in this combination do procès-verbaux and other documents gain aesthetic value in the eyes of their authors and readers. Through bureaucratic creativity, aesthetic, pragmatic, and legal reasonings become one.

The gendarmes who produce procès-verbaux and I as the author of this article are, after all, not so different. We are all writers, and we are writers of fiction (see Clifford 1986:6; Geertz 1973:15). Gendarmes fabricate a document that prominently refers to legal norms as its only *raison d'être* and that must be legally exploitable by the public prosecutor and judges; I refer to scholarly discussions and construct a text that should, above all, be academically exploitable. Both gendarmes and I follow pragmatic considerations that are based on the organizational conditions that frame our daily work: Who are the potential readers (or reviewers) of our documents, and what is our relation to this supposed readership? But there are also aesthetic considerations, and they encompass the former: Just as I do in writing this article, gendarmes writing procès-verbaux want to fabricate something satisfying in form, style, and content—a good procès-verbal, just like a good article, is always also a beautiful one.

## Notes

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1. All names used in this article are pseudonyms.  
2. In 2008, when I first went to Niger, I was not very familiar with the Francophone policing tradition and its distinction between police and gendarmerie. I thus started off trying to do research on the conventional police. After four months of attempting in vain to gain access to the national police (for a detailed discussion of my rejection by the police, see Beek and Göpfert 2011), I decided to try my luck with the national gendarmerie. I stopped by the national ministry of defense, introduced myself to the secretary-general, and explained what I wished to do in the gendarmerie. He sent me to the high commander of the national gendarmerie, who, after a one-hour talk about my research project, gave me his full support. He allowed me to do participant-observation in whichever unit I wished. Formal permission to be present in different units, however, did not guarantee access on a personal level; this depended much more on

trust and friendship, which took weeks or months to develop, and in a few cases never did.

3. On the brigades territoriales as street-level units, see Fontaine 2007:89–117.

4. According to Richard H. R. Harper, this is true for any organization: "It is just these sort of mundane artefacts, just these very ordinary things—the bits of paper, the memos, the reports—that are fundamental to organisations. ... Comprehension of them is therefore a vital component of any attempt to comprehend organisations" (1998:13–14).

5. For a remarkable exception, see Gagliardi 2003.

6. This brings to mind Achille Mbembe's reflections on the "aesthetics of power," first expressed in his 1992 article "Provisional Notes on the Postcolony." However, I am not interested here in a broad aesthetics of power but in only one of its configurations in a specific socioprofessional setting and from a specific perspective. (For a critical and intriguing discussion of Mbembe's thoughts, see Karlström 2003.)

7. "Le gendarme, ça écrit!"

8. "Résumé des faits" (sous-officier, field notes October 12, 2009).

9. Agents de police judiciaire are gendarmes and police officers. They assist the *officiers de police judiciaire* (OPJ), who obtain the grade of noncommissioned officer (sous-officier) and a diploma allowing them to exercise OPJ functions (République du Niger 2007:Art. 16–21). To prevent misunderstandings due to the linguistic proximity of the terms designating OPJ and criminal police officers, I keep the French terms *agent* and *officier de police judiciaire*.

10. "C'est comme une balle: une fois c'est parti, c'est parti!" (sous-officier, field notes February 3, 2010).

11. "Comme nos patrons ne connaissent pas ça, nous on ne le fait pas" (sous-officier, field notes October 14, 2011).

12. "C'est la forme qui prime!"

13. République du Niger; Ministère de la Défense Nationale; Haut Commandant de la Gendarmerie Nationale; Gendarmerie Territoriale; Légion X; Groupement de Y; Brigade Z.

14. "Reporting the following operations which we carried out acting in uniform and in accordance with our chiefs' orders."

15. Computers are not allocated to brigades by headquarters, so brigade commanders have to pay for hardware, software, and maintenance out of the brigade's limited budget.

16. Variations on one heading include PREAMBULE, P R E A M B U L E, —: P R E A M B U L E —, P R E A M B U L E, and P R E A M B U L E.

17. "Parce que je veux que ça soit joli" (gendarme 2ème classe, field notes November 16, 2009).

18. "Il [le procès-verbal] doit être aéré" (gendarme 2ème classe, field notes November 16, 2010).

19. Other basic examples of space markers are / = / = / = / = / = /, ~~~~~, and a line of dots or hyphens.

20. After their initial instruction, all gendarmes are transferred to units with military and public-order functions, namely, the *escadrons*, where they follow on-the-job training.

21. "Donc c'est pour rendre l'écrit beau, quoi! Quand ton chef aperçoit, il voit l'écrit, vraiment c'est un peu beau! ... Et toi-même tu te sens fier de le lui présenter comme ça" (gendarme 1ère classe, March 9, 2010).

22. "Si c'est joli, et il a trouvé l'astuce de faire cela ... je suis fier! Le juge aussi il voit que c'est bon!" (noncommissioned officer, February 1, 2012).

23. The absence of clear official guidelines, which allows for creativity in daily police work, even beyond writing, is discussed by Jan Beek (2011:202–205).

24. The same seems to be the case in the Nigérien National Police (Oumarou 2011:196).

25. Pascal Singy and Fabrice Rouiller (2001:652) indicate that only roughly 25 percent of Nigériens understand French; on the French language in the Nigérien legal system, see Singy and Rouiller 2001:655–656. Since the gendarmes' responsibilities lie mainly in rural areas, the percentage of francophone people who enter into contact with them might be still lower.

26. "Il ne faut pas écrire toute sa narration. Sinon c'est du blabla. Vous écoutez attentivement à ce qu'il a à dire et puis vous écrivez ce qu'il a effectivement dit" (sous-officier, field notes November 4, 2009).

27. "Ces jeunes gens ont fait irruption sur moi en m'administrant des coups de bâton."

28. "C'est notre jargon militaire, c'est comme si c'est le gendarme qui parle" (gendarme 1ère classe, field notes February 17, 2010).

29. "Le corps sans vie baignait dans une mare de sang."

30. From "J'ai perdu mon permis" to "J'ai égaré mon permis" and from "lors du recensement" to "dans le cadre du recensement."

31. This happens not because of mere disrespect for the rights of persons kept in custody but also because of the constraints of the gendarmes' everyday work. According to the Code de Procédure Pénale (Art. 71), the 48-hour period of detainment in police custody begins in the moment of apprehension. Yet, if a person is arrested in a small rural outpost that does not have a vehicle and has to be transferred to the nearest brigade, sometimes over more than a hundred kilometers of bush path, the legal procedure can often be launched only one or two days after the initial arrest.

32. David Nelken describes a very similar translation of messy everyday practices into "legally satisfactory" (2009:266) reports in a university setting.

33. This change was to an SIR (*sur interrogation réponse*), that is, an answer given to a question asked by the gendarme to elucidate certain aspects perhaps not mentioned in the statement but, nevertheless, important for the investigation. In French, the change was from "Nous n'avons pas vu qu'il a été frappé" to "Nous ne connaissons pas les vrais auteurs car ils étaient nombreux."

34. From "Je la connais seulement de visage" to "Je la connaissais déjà parce qu'elle était notre voisine dans le quartier."

35. "Si on écrit, c'est pour les enfermer, pas pour les laisser partir."

36. "Les PVs [procès-verbaux] qu'on leur [the public prosecutors] donne à lire, c'est comme s'ils lisent des livres de Tintin" (gendarme 1ère classe, field notes February 7, 2010).

37. One gendarme repeatedly stated, "On abuse du droit de l'analphabète" (gendarme 1ère classe, field notes January 26, 2010). On the interlinking of security, which gendarmes see as their moral mission and thus want to produce, and trust, which they here realize they betray, see Göpfert 2012:68.

38. According to an unpublished 2009 statistical report of the Gendarmerie Territoriale de la Gendarmerie Nationale du Niger.

39. See, in this respect particularly, James C. Scott's *Seeing Like a State* (1998).

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