Dividing Lines, Converging Aims
A moral analysis of micro-regionalism in Ghana and Côte d'Ivoire

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Presented for the degree of Doctor of Philosophy on March 26, 2011
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For my dad
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<tr>
<td>AOF</td>
<td>Afrique Occidentale Française</td>
</tr>
<tr>
<td>ASEAN</td>
<td>Association of South East Asian Nations</td>
</tr>
<tr>
<td>AU</td>
<td>African Union</td>
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<tr>
<td>CEAN</td>
<td>Centre d’étude d’Afrique Noire</td>
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<tr>
<td>CEPS</td>
<td>Ghana Customs, Excise and Preventive Service</td>
</tr>
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<td>CMA</td>
<td>Chocolate Manufacturers Association</td>
</tr>
<tr>
<td>CPS</td>
<td>Customs Preventive Service</td>
</tr>
<tr>
<td>CRC</td>
<td>1989 UN Convention on the Rights of the Child</td>
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<tr>
<td>DCD</td>
<td>District Co-ordinator Director</td>
</tr>
<tr>
<td>DCE</td>
<td>District Chief Executive</td>
</tr>
<tr>
<td>ECOWAS</td>
<td>Economic Community of West African States</td>
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<td>ECSC</td>
<td>European Coal and Steel Community</td>
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<tr>
<td>EU</td>
<td>European Union</td>
</tr>
<tr>
<td>FPI</td>
<td>Front Populaire Ivoirien</td>
</tr>
<tr>
<td>GRA</td>
<td>Ghana Revenue Authority</td>
</tr>
<tr>
<td>ILO</td>
<td>International Labour Organization</td>
</tr>
<tr>
<td>MPCI</td>
<td>Mouvement Patriotique de la Côte d’Ivoire</td>
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<tr>
<td>NEPAD</td>
<td>New Partnership for Africa’s Development</td>
</tr>
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<td>NRA</td>
<td>New Regionalism Approach</td>
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<tr>
<td>NTP</td>
<td>Northern Territories Protectorate</td>
</tr>
<tr>
<td>OAU</td>
<td>Organisation for African Unity</td>
</tr>
<tr>
<td>PDCI</td>
<td>Partie Démocratique de Côte d’Ivoire</td>
</tr>
<tr>
<td>SADC</td>
<td>Southern African Development Community</td>
</tr>
<tr>
<td>SAP</td>
<td>Structural Adjustment Program</td>
</tr>
<tr>
<td>UNECA</td>
<td>United Nations Economic Commission for Africa</td>
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<tr>
<td>UNHCR</td>
<td>Office of the United Nations High Commissioner for Refugees</td>
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<td>UNICEF</td>
<td>United Nations Children’s Fund</td>
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<tr>
<td>WABI</td>
<td>West African Borders and Integration</td>
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<tr>
<td>WAFF</td>
<td>Royal West African Frontier Force</td>
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<tr>
<td>WCF</td>
<td>World Cocoa Foundation</td>
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Abstract

This thesis provides a moral analysis of micro-regional forces in Ghana and Côte d’Ivoire, using the framework of the New Regionalism Approach (NRA). It presents an original contribution to the field through the addition of the Ghanaian-Ivoirian case study, as well as a unique application of Martha Nussbaum’s Capabilities Approach to the NRA. In an attempt to counter the view that borders in Africa are artificial, arbitrary and the result of colonial imposition, this research employs the Capabilities Approach, providing a narrative of both positive and negative impacts resulting from the opportunity created by borders in West Africa.

The way in which the Ghanaian-Ivoirian border is used by individuals in their security strategies in the face of economic deprivation and physical threats represents a positive impact of borders. Conversely, the role of borders in the continued prevalence of human trafficking in West Africa is also questioned in this piece, providing a balanced account of the impact of borders.

This research concludes that the Ghanaian-Ivoirian border presents opportunities that can be exploited to both positive and negative ends at the micro-regional level. This interpretation suggests that any complete account of borders in West Africa more broadly ought to employ a moral framework in addition to a multi-levelled scale of analysis.
Acknowledgements

This project could not have been accomplished without the help and support of a variety of organizations and people. I would like to take this opportunity to thank the Russell Trust and the University of St Andrews School of International Relations for funding my 2007 field study in Ghana, which provided indispensable data for this research.

I would also like to recognize the funding I received from the Government of Canada, the British Foundation for Women Graduates, and the Canadian Robert T. Jones Jr. Scholarship Foundation.

I was fortunate enough to participate in the African Borders and Frontiers Conference in Leuven, Belgium, as well as the Mind the Gap Theory Conference in St Andrews in 2007, receiving excellent feedback on my theoretical research. I also would like to thank the members of the African Borderlands Research Network (ABORNE) for their support.

Critical literature and research materials were made available to me through a research visit to the library at the Centre d’étude d’Afrique Noire (CEAN) Bordeaux. I would particularly like to thank Daniel Bach for his assistance in arranging this access, as many of the French materials would have otherwise not been accessible.

I would like to thank my supervisor Ian Taylor for his unfailing support, advice and feedback. As well, I am indebted to my friends and family for their encouragement over these many years. I would like to take this opportunity to specifically thank Torsten Michel, Anne Harris, Alison Careless, Trudy Fraser and John Morrison, whose assistance has been invaluable.
Chapter One:  
The Good, the Bad and the Pan-Africanist Dream  
Using a micro-regional analysis to inform macro-level processes

At the beginning of the summer of 2007, an African Union summit was held in Ghana, the organisation’s ninth such meeting in five years. At the top of the agenda, once again, was the issue of a pan-African government. The dream of African unity had its zenith in the optimism of independence, however it is still seen by many as the best way to deal with the ills that seem to plague the African continent. In 2005, K.Y. Amoako, the executive secretary of UNECA, addressed a group of students at Addis Ababa University by saying, “one of the best strategies for overcoming our challenges is still the same [as it was at the time of independence] - the political and economic integration of our continent.”

However, in this new century with the continued proliferation of regional organizations like the AU, SADC, ECOWAS, NEPAD, which path will Africa embark upon? Will it be one particular path, or divergent courses for different parts of the continent?

One strategy that African states have been less adverse to, in terms of real action, has been the gradualist approach of regional integration, to be followed by a continental government at some unspecified time in the future. But looking at the process of integration from a macro-perspective, certain questions immediately come to mind: integration for whom, for what purpose, and to what end?

In terms of the political rhetoric, institutional regionalism is frequently seen as a good, an assumption that rarely seems to require elucidation or justification. The reasons for this are probably easy enough to explain: the globalization of the world economy and the fear of being “left out”, recent successful integration in other regions such as the EU or ASEAN, and a desire to remove borders often seen as artificial. The symbolism
of the removal of boundaries, one of the most visible legacies of colonialism, is an issue which seems to crop up in the political rhetoric of African leaders.

However, the path of continental integration has the danger of merely transplanting a Eurocentric understanding of regionalism onto a continent replete with distinguishing characteristics. Replicating an EU-style region has many challenges and any serious move toward integration in Africa must take into account the realities on the ground.

Are borders the fabrication of colonial imposition, hampering development in Africa? Would their eradication lead to growth, prosperity and security for a continent that has been fraught with violence and insecurity for much of the latter half of the 20th century?

In order to begin these higher-level debates, I would argue that we first need to examine the way in which borders impact upon the everyday lives of Africans. We require a tool that allows for such an analysis, prior to any substantive move towards real macro-regional integration.

One such tool for grassroots research is the localized focus offered by micro-regional analyses. Using a micro-regional level analysis brings to the fore a different set of questions and potential answers. If a micro-region relies on the existence of the border, and social, economic, cultural and security interactions thrive in this borderland, what is the impact of the removal of the border itself? How are individuals currently impacted by borders? In its mature state, institutional regionalism would have all internal borders eradicated, creating a truly integrated socio-economic zone, with borders then only existing on the fringes of the zone as a whole. It is arguable that a further investigation of the relationship between institutional regionalism, and grassroots micro-regionalism is a crucial undertaking for the question of pan-African unity, as well as African regionalism.
Situating the Research Project

Prior to leaping into the argument of this piece, it would do well to provide a scope of enquiry, examining the limitations of current research, and outlining what this work aims to accomplish. Currently, the prevailing literature in the field of African regionalism has weaknesses in three main areas, which I outline below.

A need to apply the New Regionalism Approach to other geographical case studies

The New Regionalism Approach (NRA) is a broad school of thought that aims to account for the modern reality of regionalism in a post-Cold War world. Regionalism is not a static phenomenon, and arguments have been made that it has gone through several ‘waves’, each with its own distinctive characteristics (Söderbaum F., 2003, p. 3). The most recent wave arose following the end of the Cold War, manifesting new patterns of globalization and regionalization.

Rather than being a prescriptive, homogenous approach to the study of regionalism, the NRA encourages a multi-disciplinary, multi-level study, transcending traditional state-centric accounts of regionalism. With its roots in the late 20th century, the NRA grew out of a United Nations University / World Institute for Development Economics Research (UNU/WIDER) sponsored project, which was led by Bjorn Hettne (Söderbaum & Taylor, 2008, p. 19). This project then brought about a global network of NRA researchers, who came from diverse disciplinary backgrounds, with various geographical scholastic foci.

Although the NRA is not uniform in its application, new regionalist scholars agree on certain central understandings in this approach. The NRA is situated in the reflectivist school of International Relations (IR) and conceives of ‘regions’ as being socially constructed (Söderbaum & Taylor, 2008, p. 20). Regions are in no way ‘natural’; they are fluid, and subject to evolution.
Interestingly, there have been several new regionalist scholars that have given attention to Africa\(^1\), a continent not generally the focus of regionalist scholarship in previous waves of regionalist study. There are probably multiple contributing factors as to why Africa is now a continent receiving such scholastic attention, but one key reason is that the NRA allows for an at once broader and deeper understanding of what constitutes ‘regionalism.’ Therefore, our ability as researchers to unpack and capture the reality of regionalism in Africa is permitted, encouraged and enhanced. We are no longer confined to the Westphalian, state-centric understanding of regionalism.

However, it must be remembered that the NRA is evolving, and in terms of scholarship is still relatively new. Despite the many researchers working under this umbrella, the NRA itself would benefit from a wider range of geographical case studies. For example, there are several micro-regional analyses that focus on the southern portion of Africa, but comparatively fewer studies in sub-Saharan West Africa. Although they share a continent, the history, culture, economies and state structures in these two ‘regions’ do differ in significant ways. This thesis will employ a new regionalist lens with which to study micro-regionalism in West Africa, and more specifically in Ghana and Côte d’Ivoire. This case study will add to the growing scholarship within the NRA, and may demonstrate similarities and perhaps discrepancies with other geographical case studies.

The inappropriateness of macro-regional theoretical frameworks in the study of African micro-regionalism

When examining the benefits or disadvantages of regionalism in Africa, too often there is an assumed account of what constitutes a benefit or disadvantage, without any real effort to establish a theoretical framework for these value judgements. For example,

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\(^1\) Studies have included both formal and informal regionalism on the continent, its “regions” (West Africa, East Africa, Southern Africa) and micro-regions (Bach, 1999; Shaw, 2000; Grant & Söderbaum, 2003; Taylor, 2002; Bach, 2005; Söderbaum & Taylor, 2008).
some might assume that ‘financial gain’ as a result of a cross-border commercial venture must be beneficial; but beneficial for whom, at whose expense, and according to what moral framework?

Moral judgements of a ‘good’ and ‘bad’ effect must be made within a defined theoretical framework, elaborated at the outset of one’s research, in order to provide a robust understanding of the outcomes for those persons involved in the micro-regionalization process.

Moreover, many regionalism studies focus on macro-level phenomena, and therefore the determination of ‘good’ and ‘bad’ outcomes is often set against the economic, political or strategic gain (or loss) by the state (or a regional grouping of states). This type of analysis does have merit, but, as we will touch on below, the absence of micro-regional studies in Africa distorts the picture of the true nature of regionalism on the continent. The macro studies ought to be complemented by lower-level, micro-regional studies that focus on what is really happening on the ground.

In order to conduct a micro-regional study of cross-border movement in West Africa, another framework for moral analysis is required. The state-centric, politico-strategic outcomes that are analyzed in macro-regional research cannot capture the phenomenon of micro-regionalism, which must be necessarily agent-centred. Therefore, in this thesis, the moral framework I am proposing to use is the Capabilities Approach, as understood by Martha Nussbaum. Relying on a classical Aristotelian account of eudaimonia\(^2\), one can navigate the thorny field of a moral analysis for cross-

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\(^2\) The concept of eudaimonia, or human flourishing, comes from ancient Greek philosophy and is tied to the field of virtue ethics. Aristotle, in his *Nichomachean Ethics*, presents the concept of eudaimonia, which is most commonly translated “as ‘happiness’ or ‘flourishing’ and occasionally as ‘well-being’” (Hursthouse, 1999, p. 9). This concept will be treated to a greater extent in the second chapter of this thesis.
border micro-regionalism by attempting to structure actions and their outcomes in relation to how they enhance or detract from human flourishing. This theoretical framework is elaborated in the second chapter of this piece.

**An overall neglect of non-institutional, micro-regionalism in Africa**

African regionalism provides unique considerations and challenges, which are not always effectively understood within the framework of the Eurocentric, Westphalian account of regionalism. If African states do not conform to our traditional, Western understanding, then it stands to reason that the geographical divisions between states might function in unexpected ways. The presence of “the state” at political borders in Africa is inconsistent and sometimes non-existent, providing opportunities for subversion, self-enrichment, abuse and self-preservation.

The extraordinary contribution of the NRA is that it allows the researcher to expand what is considered a worthy element of study in the area of regionalism. A regionalist actor does not have to be ‘the state’ or even an agent of ‘the state’. We are not confined to analyzing cross-state institutions or international treaties. Regionalism can be both macro and micro. It can encompass a geographical unit that crosses multiple states or it can be confined within a single state. The NRA opens up and allows for a fuller account of the study of regionalism.

Micro-regionalism can be understood as existing between the local and the national levels, in contrast to macro-regionalism which accounts for regionalist units between the national and the global levels (Söderbaum F., 2005, p. 87). Obviously, this dichotomy is not as simplistic as it appears, nor is the division between these levels

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3 This introduction employs a variety of contestable concepts, which are defined at great length within the second chapter of the thesis. The omission of robust definitions at this stage should not be taken as an assumption that these terms are perfectly understood and used consistently among international relations scholars.
precise. A common way to differentiate these ‘levels’ of regionalism is to view them as originating “as either ‘from above (macro) or ‘from below’ (micro)” which Söderbaum (2005, p. 87) sees as unhelpful and misleading. All regions, whether micro or macro, can be the product of downward or upward forces.

In this work, micro-regionalism is conceived as a “process of growing regional interconnectedness” (Breslin & Hook, 2002, p. 8) occurring at the sub-national (and sometimes cross-national) level. It is an important piece of the regionalist puzzle, because “micro-regional processes are not only about micro-regions but also reflect greater processes at the macro-level, but which can perhaps be more easily seen at the micro-level” (Söderbaum & Taylor, 2008, p. 14).

Therefore, contributions to micro-regional studies can, in fact, inform our understanding of the macro-region. Furthermore, the prevalence of informal micro-regionalist activity in Africa compels us to the study, in order to grasp the full nature of regionalism on the continent. One cannot expect to comprehend regionalism at the macro-level in the absence of micro-regional forces. By filling this gap in regionalist scholarship, this thesis contributes to a broader understanding of African regionalism.

**Case Study**

This thesis aims to reconcile these limitations in the current literature through a two-pronged approach: firstly, in respect of the theory, the use of the Capabilities Approach to provide a moral framework for the analysis of cross-border micro-regionalism; and secondly, through the addition of a case study involving the borderland that separates Ghana and Côte d’Ivoire.

The geographical area around the Ghanaian-Ivoirian borderland has many advantages in terms of a case study, as historically it has served as an attractive comparison of colonial, and then governmental structure. Ghana (or the Gold Coast, as it was known during the colonial period) was under the control of the British Empire, whereas Côte
d’Ivoire was a part of French West Africa. Due to the vacillations in fortune and stability over the past centuries, movement across this border has varied direction. The comparative literature of these two states provides a wealth of historical information to draw upon, however much of regionalist research has been state-centric in focus.

My approach will be micro-regional, primarily examining the Ghanaian-Ivoirian borderland, but also incorporating migratory patterns that extend beyond this area to include Burkina Faso and West Africa more broadly.

**Challenges in the Research Project**

There were many challenges in terms of data for this project. The first was simply the difficulty in determining what were viable data, and obtaining said data. Sources were difficult to discover, and not easily accessible, sometimes due to the research in question. Information on subversive activity (for example smuggling) is by its very nature couched in secrecy and reliable statistics are not possible to obtain. This has led to reliance on many secondary sources and official estimates where appropriate.

Another obstacle was simply the security issues surrounding the upheaval in Côte d’Ivoire, hence my decision not to attempt to enter the country. Consequently, the focus has shifted to a much greater emphasis on Ghana.

This work was been greatly informed by a field study in Ghana (2007), where I had the opportunity to conduct several unstructured interviews with local officials. The field study was based in the area surrounding Sunyani, Ghana, chosen specifically due to the fact that it is the capital of the Brong-Ahafo region. Brong-Ahafo is located in the

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4 The border is in no way immutable, and when discussing ‘the border’ across many centuries, quite apparently it has not been in the same place, or used in the same sense. A greater analysis of borders and boundaries will be undertaken in the second chapter of this thesis.
western region of Ghana, and borders Côte d’Ivoire. I made contact with a local civil servant named Daniel Korkor, who facilitated introductions to other officials more involved with the border itself. Although the field study did involve several unstructured interviews, there were challenges in obtaining government interviewees willing to discuss issues of border security. Commenting on the inadequacy of resources and issues of smuggling is not always a topic that government officials are eager to discuss.

The field study involved visits to several markets, including the market at Techiman. Data was also gathered at the border post at Sampa, although due to security concerns, I did not enter into Côte d’Ivoire.

Ghana is a relatively prosperous and stable African state, and the field study did not present many safety concerns. I did feel that being an ‘outsider’, as well as a woman, may have restricted my ability to gather certain types of data or secure interviewees that may have been more willing to disclose information regarding subversive activities. Particularly in Sunyani, I was frequently approached by Ghanaians interested in knowing my reason for being so far from the capital city. Although not unexpected, it was apparent that my visual differences made it so that I was unable to conduct observations (in areas like the markets) without being conspicuous.

I was also privileged to be able to undertake research at the library at the Centre d’étude d’Afrique Noire (CEAN) Bordeaux in 2006. This access to French Africanist scholarship was very useful to the research on Côte d’Ivoire in particular. As many of these sources have not been translated into English, I would have been somewhat restricted without the ability to read sources in French.

I was invited to present a paper on what became the theoretical underpinning of this thesis at the African Borders Conference in Leuven in 2007. This conference provided excellent feedback and greatly informed the direction of the thesis as a whole.
In terms of other sources, the bulk of information has been obtained from the literature (books, articles), unstructured interviews, and electronic sources (newspaper articles, other internet sites). There has been perhaps a slight language limitation, although all official sources in French and English were easily comprehensible.

**Research Question**

The aim of this project is twofold. The first is to add to the growing literature in the area of New Regionalism, by applying the NRA in a micro-regional analysis of the borderland between Ghana and Côte d’Ivoire. The second is explicitly one of questioning the prevailing ‘borders as negative’ assumption, which has been sprinkled throughout African political rhetoric even before much of the continent achieved independence. The Pan-Africanist movement was particularly critical of the divisive and arbitrary nature of African borders, viewing them as an imposition of European colonial powers that have since led to the balkanization of the continent.

Conversely, it is not my intention, however, to charge into the fray in defence of African borders. By incorporating a tool for moral analysis, I hope to change the language of the debate to one centred on human functioning, thereby shifting the definitions of ‘good’ and ‘bad’ as they pertain to African borders to ones that relate directly to the impact on Africans themselves.

My hypothesis is that borders cannot be conceived in simplistic terms; they are the (sometimes unintended) tool through which individual agents attempt to achieve personal, political, economic, social, and security ends. Therefore, the impact of borders can be both positive and negative. Borders can be both divisive, as well as points of convergence. Borders can be used to guard against violence and oppression, and can also be the method through which one is abused and exploited.

Until we understand what is happening ‘on the ground’, the wider debates surrounding African regionalist integration at the macro-level will be lacking a real
depth of understanding. Rather, as Söderbaum and Taylor have suggested, by altering our ‘level’ of study towards the micro-region, we can perhaps inform and reflect those macro-regional processes.

**Structure of Thesis**

The thesis is broken into six chapters, the second of which engages the Capabilities Approach and its applicability to the study of micro-regionalism in Africa. It will attempt to define the concepts used throughout this thesis and marry the NRA with Nussbaum’s Capabilities Approach. It concludes that her reliance on an Aristotelian conception of human flourishing is an appropriate framework with which to examine the positive and negative effects of West African borders.

The historical background to modern African borders is examined in Chapter Three. A discussion of the history of African migrations undertaken, as well as a comparative look at British and French colonial rule and the subversion of the colonial state. Contrary to the view that Africans were the inactive inheritors of outside forces in the development of borders on the continent, this chapter will demonstrate that Africans, even during the colonial period, were very involved in the process of boundary-making. Africans have had a long history of political engagement, and their interactions with the various colonial powers provided them with new opportunities to exercise that political power. A general narrative of the history of the Ghanaian-Ivoirian region will also be outlined, in order to provide the historical context for subsequent chapters.

The fourth chapter analyzes the way in which African borders provide positive avenues for self-preservation and economic survival, particularly in regions that may have very little in the way of ‘official’ economic opportunities. The porous nature of the Ghanaian-Ivoirian border allows for the (sometimes illegal) transportation of goods, which can at times serve as a positive outcome for those with little choice. In addition, the existence of the border (albeit with an inconsistent presence) is a key tool for
achieving safety from violence and political upheaval. Particularly in recent years, the flow towards Ghana during periods of escalating violence in Côte d’Ivoire has demonstrated a key use of borders as a means of sanctuary. These positive uses will be explored in depth throughout this chapter.

Chapter Five examines the way in which African borders can be used to oppress and abuse, particularly through the prevalent practice of human trafficking for the exploitation of women and children. Child labour is an unfortunate feature of West Africa, and at the state-level many political agreements and international instruments have been recently employed to eradicate this practice, with little success. By looking to the micro-level, we can see the pressures that continue to persist and encourage these practices, providing a possible explanation as to the failure of macro-level policies. We will also challenge Martha Nussbaum’s piece in defence of the sale of bodily services, by demonstrating that in situations of desperation, true consent to exploitation is impossible to discern.

The final chapter will provide an introduction to the rise of new technology and question its potential impact on West African regionalization more broadly. The proliferation of wireless communications across the entire continent has begun to change the way in which Africans interact. From criminal networks, to benevolent donations of money, wireless technology is opening up avenues for cross-border interactions that require no physical movement. How likely it is to redefine the impact of physical borders is yet to be seen.
Chapter Two:  
The NRA and the Capabilities Approach  
Developing a moral framework for the study of African borders

Political theory, as it is applied to Africa, continues to be a topic of debate in and of itself, and therefore it would be an injustice to undertake any large study of African politics without first acknowledging this reality, in order to come to terms with the theoretical framework of one’s own research. Are the concepts and conclusions within political theory universally applicable or does there exist something theoretically distinctive about the nature of African politics, which sets it apart from other societies? Has the African reality of the 20th century been, on the whole, a creation of outside actors, or is it inherently the product of self-creation in the face of exterior forces? These types of questions are not an aside to the study of a given political situation in Africa, but are inextricable from any such endeavour, as the answers will set the parameters wherein the focus of enquiry is set.

Many of the writings on the subject of African borders tend toward the bleak and are all too ready to dispense blame (Dowdon, 2009). In contrast to the question of borders in other areas of the world, the studies on Africa seem more despondent than most. Borders are seen as impediments to free movement, they divide peoples, even families. They are the source of corruption and greed, and “are the sites and symbols of power” (Donnan & Wilson, 1999, p. 1). What is curious is not that scholars take this position when discussing Africa, but rather, that frequently they do not justify their stance or ground the nature of their value judgement in a moral framework.

Of late, there has been growing scholarship on the utility and function of borders, though generally still set in macro-level or state-centric approach (Donnan & Wilson, 1999, p. 45). The setting up of boundaries between communities normally has the intended function of dividing peoples, and yet the outcome is not always congruent with the intention. Nugent’s (1996, p. 2) characterisation is very apt; he states, “while
the purpose of a border is to corral sets of people, creating either citizens or subjects, the reality is frequently that it sets up a zone of interaction rather than representing a genuine partition.”

This zone of interaction is utilized by not only economic agents such as smugglers and traders, but also by families and communities. For the individual entrepreneur, a border is an extremely functional tool, especially if it divides two distinct monetary systems. In times of economic downturn in Ghana, for example, cocoa farmers were able to subsist by selling their crops across the border in Côte d’Ivoire, and vice versa (Nugent P., 1996, p. 7). Without the border, separating not only the differing currencies but also the marketing boards, the individual farmer could not in many cases, have survived.

Traders have been utilising a variety of routes in West Africa for centuries, though with the concretisation of boundaries these routes generally began to alter in order to take advantage of the variety of monetary systems, as well as banned or rare items. In many cases, commodities such as alcohol were prohibited in certain colonies by the European power which controlled the area, whereas a neighbouring power did not. This lead to a huge opportunity to take advantage of supply and demand. Many traders began and currently maintain routes along the coastal countries in West Africa, from Abidjan to Lagos.

Borders, from colonial times to the present, are also used strategically by individuals in order to escape conscription, taxation and forced labour. In the French Colonies, labour taxation (préstation) and forced labour (corvée) were two of the most loathed practices of the colonial government, whereby African subjects were required to leave their crops or jobs in order to participate in public plantations (champs administratifs), private plantations or road works (LeVine, 2004). Those who lived in borderlands had the opportunity of escaping the harsh directives of the colonial administration. From
an example of the border between Zambia and Mozambique, we can see clear
evidence of this type of strategy:

*Here was a place from which a choice of two sets of services, markets and
sources of commodities would ensure a better deal, and indeed here was an
area where the tax man had no sting. In the borders people described
membership to a community that transcended in a controllable manner their
social networks in Mozambique and Zambia, and in which they had governance
less subject to the strictures of the states on either side* (Ken Wilson as cited in

In Africa, perhaps more poignantly so than in other areas of the world, the role of
borders assumes a significant function in the day-to-day existence of the individual
faced with the predatory and neo-patrimonial state. State disintegration usually hits
hardest those furthest from the seat of power, normally these are the populations in
the borders. Aside from the individual entrepreneur, however, states and the state
apparatus also utilize borders to their own ends. This can take the form of turning a
blind eye toward corruption of state officials at border crossings, to the promotion of
smuggling networks for personal or public gain. “States use boundaries as a tool in
economic policy whether they are located in Europe, North America or Africa, and
whether they are in the stage of developed industrialisation or in a period of economic
under-development” (Svendsen, 1969, pp. 36-37).

This thesis will attempt to dispel the view that African borders are inherently artificial
and necessarily negative. However, in order to make moral judgements on the effects
of borders in Africa, one must develop a theoretical framework which can allow for
such judgements. Moreover, traditionally questions of regionalism have been analyzed
in a state-centric fashion, without reference to the informal regionalization which can
occur at a grassroots level. If this thesis is to examine local regionalization in Africa,
and its positive or negative impact upon the lives of individuals, than a new framework
of analysis must be developed which can tackle these types of questions.
In the discussion that follows we will raise questions regarding the neutrality of social science and the universalism of political theory. We will then examine the rise of the New Regionalism Approach (NRA), highlighting its advantages and disadvantages. I will then contend that for the purposes of this thesis, the addition of Martha Nussbaum’s Capabilities Approach within the scope of the NRA provides for an appropriate moral analysis of borders in Africa.

The Neutrality of Social Science

As an aside, it seems auspicious to discuss briefly the (possible) neutrality of social scientific enquiry at large, prior to engaging the specifics of this project. Epistemological assumptions abound in any scientific investigation, whether consciously recognised or not. Prior to any undertaking, we make various postulations, firstly, as to what there is to observe, and secondly, how we go about observing it. The great debate between Empiricism and Rationalism still resonates today, and although Logical Positivism (the descendant of Empiricism) has come under heavy fire (Hollis, 2000, p. 67) if one examines closely the projects of modern social scientists, perhaps it still has some foothold. This debate does present some interesting questions, however: Is knowledge gained through the faculties of reason in the human mind, or is truth discovered through observation of exterior phenomena? Should one approach the subject of enquiry with theory in hand, or rather does one develop a theory following the enquiry itself?

Such musings have a decided tendency toward perpetual circularity – chicken or egg? – and perhaps it is more edifying to question what the two main approaches have in common. Martin Hollis’ discussion (2000) of the reliance of both Empiricism and Rationalism on the objectivity of truth, provides an interesting query. Is there an objective reality that we can perceive, and must philosophy rest on such firm foundations? Hollis provides a convincing rejoinder, with the assistance of various theorists such as Karl Popper, W.O. Quine and Thomas Kuhn, and finds that the objectivity sought in both Empiricism and Rationalism is somewhat of a myth. In truth,
the investigator approaches the observed with preconceived concepts, and employs such concepts based on human judgement (Hollis, 2000, p. 71).

This leads nicely into a subset of the greater question of whether social science can be “neutral”, for this question of objectivity is, in fact, two-pronged. First, as discussed above, there is a claim of neutrality concerning the epistemology and methodology of social science. However, the secondary, and interrelated debate rests on a supposed linguistic objectivity. The notion that political words and ideas can be employed in a neutral sense, that in some way these words possess a ‘natural’ meaning, is an almost impossible position to defend. And yet, many social scientists bandy political words about, without first acknowledging their imperfect definition or attempting to clarify their usage. Moreover, those who tend toward a positivistic approach, might naturally assume that there does exist an objective meaning for a given political concept.

There are many works which provide a counter to the positivist view of political terminology, mostly relying on the relationship between political ideas and the context in which they are used. Miller’s critique of Burnham’s ‘rationalization’ of political concepts, wherein the latter attempts to distinguish ‘real’ from ‘formal’ meaning, states emphatically that political ideas cannot be understood independent of politics itself (Miller, 1965, p. 178). However, William Connolly’s work on the *Terms of Political Discourse* (1993) is perhaps the most poignant critique of the passive usage of political words and ideas, as it maintains that politics is at its core a debate over meanings, imperfectly shared. To employ a given term (e.g. murder) in lieu of another term (i.e. manslaughter) is to make a judgement of a given phenomenon. Therefore, political language is in fact intersubjective, with the articulator as the biased judge, employing a meaning that is socially-negotiated. Yet, the interesting twist in Connolly’s thesis is that he does not perceive the subjectivity of political discourse as a problem. The debate over meaning *is* the business of politics, not a precursor, an antecedent or an aside to it. In attempting to convince you of my use of terminology to describe a particular phenomenon, I am essentially trying to obtain your agreement of my
viewpoint. To describe is inherently to make a judgement. For the purposes of this thesis, however, Connolly’s most poignant warning would have to be the following: “to adopt without revision the concepts prevailing in a polity is to accept the terms of discourse loaded in favor of established practices” (1993, pp. 1-2). One must remain wary when employing highly-charged political terminology, and must endeavour to make explicit their usage, where possible. The definition of such essentially contestable concepts will be treated in this chapter.

**Universalism vs. Third-Worldism: Some initial thoughts**

Whether done deliberately or unconsciously, all analyses of politics are at minimum informed by a series of prior assumptions, even if they do not rely on an explicit theoretical paradigm. It is, therefore, a grave oversight not to lay bare one’s own biases and political leanings with the overt concretisation of first, a theoretical framework in which to place one’s study, and second, an outline of one’s conceptual approach. The clarification will ultimately serve a dual function: to deal honestly with one’s own predispositions as much is possible, and to demarcate the boundaries of investigation. The latter of these functions is crucial, for there cannot be any effective observation in the absence of a clarification of what you already – albeit perhaps incorrectly – expect to find. As stated above, the claim that the social scientist has the ability to approach a subject of political enquiry with complete neutrality is a somewhat untenable position to take. In order to observe, one must first, at least to some degree, delineate the subject of observation.

In undertaking a study of *African* politics in particular, it quickly becomes apparent that almost all works seem to rely on one of two theoretical assumptions, namely what I will demarcate as Universalism and Third-Worldism. The latter is the purview of many development scholars, and those who defend the position that the developing world cannot be understood through a Eurocentric, Western lens. Traditional political science, having its roots in the evolution of Western thought from Plato to NATO, is ill-equipped to comprehend the unique political reality of sub-Saharan Africa. Indeed
there is a fair point in these claims of the Third-Worldism approach, and perhaps the leading International Relations (IR) paradigms of realism and liberalism leave much to be desired.

However, there is another question related to this debate, regarding the investigator and the agents of investigation. Who has the right to study whom? Particularly with regard to African politics, we are faced with the question of where non-African researchers fit in the scheme of investigation. This, I contend, ties into the debate surrounding Third-Worldism, as again, it can be seen to be the imposition of a Western focus, on what is uniquely an African subject. Most useful to my own research, is a paper written by Marlize Rabe on the role of ‘insiders’ and ‘outsiders’ in social research. In her paper, Rabe (2003) begins by examining the counter arguments for use of outsiders as researchers and the disadvantages of not possessing local, insider knowledge. Not being aware of one’s position as outsider, and not attempting to understand local conditions through local eyes, can result in extremely skewed results. Rabe discusses the inequality of power relations between outside researcher and those being researched, in that the investigator has the upper-hand. It is the researcher’s account of the situation which is published, and not necessarily the account of the individual being researched.

However, Rabe makes an interesting point with regard to the role of the insider as researcher, in that at times this can work to one’s disadvantage, as there are certain social norms and practices which may inhibit the insider from finding answers. In the end, Rabe concludes that if one makes a conscious effort to take into account his or her own shortcomings as researcher – whether insider or outsider – then either perspective can provide a narrative which furthers our knowledge of the subject of enquiry (Rabe, 2003).

The second of our theoretical paradigms is what I have classified as Universalism. This is the view that politics, regardless of the idiosyncrasies of continent and state, can be
studied under the rubric of common theoretical approaches. In this respect, I draw much from the framework devised in Patrick Chabal's edited piece on *Political Domination in Africa* (1986). In the introduction to the book, as a theoretical exposition to underlie the subsequent contributions by a variety of Africanists, Chabal states that Universalism is better suited to the understanding of African politics, rather than restricting oneself to the confines of narrower theories. In this way, he and the other scholars, prefer “an approach grounded in universal political theory rather than in the theory of political development (or dependence) devised for Third World countries today” (Chabal, 1986, p. 1). It is a strategy that combines common political theory, with the growing knowledge of African history, which previously was not readily available. In this way, a Universalist epistemological and methodological toolset can be applied to local contexts, without resorting to Third-Worldism.

One final note to this brief discussion is the underlying condescension which inadvertently seems to accompany Third-Worldism, whether or not applied by African scholars themselves. To claim that African politics is *theoretically distinct* from politics the world over, I contend, does a serious injustice to the reality of sub-Saharan Africa. It is not that the politics are inherently different, but rather that the context and history of the political arena in Africa may not always correspond to the Western reality. Therefore, this thesis will employ a more Universalist approach to political theory, in the examination of regionalism in West Africa, while attempting to be as explicit as to the possible biases held by its author.

**A Defining Moment**

In furthering the attempt to contend with possible biases, it would do well to tackle the definitions of many of the concepts employed within this piece. For instance, the term ‘region’ itself is a contestable concept, and can be casually employed (along with its various derivations). But what is a region? How is it defined? How permanent is any characterisation? What is the exact differentiation between the terms ‘regionalism’ and ‘regionalization’? These are questions whose answers are essential to any
discussion of regionalism, in that the ill-defined usage of the terminology will only seek to unravel one’s argument. In this section, we will endeavour to make explicit the definition of these concepts.

Region and Regionness
Of the three, ‘region’ seems at first to be the most obvious in definition, if only that the noun presents quite a clear image in our minds. A region is necessarily geographical in some sense and the delineation of its borders outlines its members and those outside of it. It “can be distinguished as a territorial subsystem (in contrast with non-territorial subsystems) from the rest of the international system” (Hettne & Söderbaum, 1998, p. 10). However, further to this basic understanding, there lies a deeper appreciation of ‘region’, of which the NRA distinguishes further characteristics. Firstly, a region is neither natural nor given, rather it is a socially-constructed entity, the product of a given context and perspective (Hettne & Söderbaum, 1998, p. 10). Moreover, regions can overlap, and their borders may be more or less fluid, with varying levels of ‘regionness’. Regionness is analogous to concepts such as ‘stateness’ and ‘nationness’ (Hettne & Söderbaum, 1998, p. 10) and can vary in increasing and decreasing degrees. The relationship between region (the noun) and regionness (with the suffix ‘–ness’ to indicate a state or degree of the noun) is an important one for the NRA. The purpose of the NRA is not to concretise the various global regions, but rather “to determine the role of regions in the current global transformation and analyse the origins, dynamics, and consequences of regionalism in various fields of activity: this is, increasing and decreasing levels of regionness” (Hettne & Söderbaum, 1998, p. 10).

Unlike earlier definitions, the NRA does not view regions as mere collections of states, and indeed regions can cut across any given state. For example, there are various parts of China which could be classified as part of the East Asian region, to the exclusion of mainland China (Schulz, Söderbaum, & Ojendal, 2001, p. 15). Furthermore, it can be argued that regions can only be identified post factum, that along the regionalization process they are simply ‘potential’ or ‘emerging’ regions.
This leads to a rather protean definition of region, the fluidity of which is sometimes advocated. “It is therefore fruitful to maintain eclectic and open-minded definitions of regions, particularly in the lower stages of regionness and as far as their outer boundaries are concerned, which often tend to be the most blurred” (Hettne & Söderbaum, 1998, p. 10). Due to the fact that there can be more or less regionness, the delineation of any given region is thus an inexact art.

**Regionalism**

Semantically, regionalism is perhaps the most difficult of our concepts to grapple with. The suffix ‘-ism’ presents many interpretations and meanings, which is probably the primary reason for the innumerable ways in which the concept of ‘regionalism’ is employed. Firstly, our suffix can indicate a quality or condition, in the simple sense that regionalism is a phenomenon. Secondly, the suffix can signify a doctrine, so that regionalism is understood as an ideology. And lastly, regionalism can imply an action, process or practice, or rather the “urge for a regionalist order” (Hettne, Inotai, & Sunkel, 2000, p. xxii). Generally, this last interpretation allows for a certain moral undertone, and typically sees regionalism as a good.

The complexity and convolution of meaning does promote a certain obfuscation of the discussion at hand, particularly with the differentiation between ideology and process. For the purposes of this work, therefore, regionalism will be employed to indicate either the condition or the ideology of regions, and not the action nor processes of increasing or decreasing regionness. This will fall under the concept of ‘regionalization’.

**Regionalization**

Regionalization is quite straightforward as a term, the rub of which seems only to be its overlap with ‘regionalism’. The word itself possesses an “activist element” (Hettne, Inotai, & Sunkel, 2000, p. xxii), and quite obviously suggests a process. What is essential to note, is that the regionalization process is not teleological and that the various forces which impinge upon it may propel a region toward greater or lesser
cohesiveness. Bringing our definitions together, therefore, our consideration of this concept will conform to the general usage, which understands regionalization to be the process by which a given geographical unit (or region) follows the trajectory of regionalism, with increasing or decreasing degrees of regionness.

**Globalization**

Globalization is not only a contestable concept; it is one that is, strangely, not applied globally (Moore, 2001, p. 909). Taylor (2005) contends that the use of the term globalization in scholarly research tends to reflect the bias of the author, and that these attempts to understand globalization do so in a way that ignores much of the global community. Africa in particular has been ignored in the globalization discourse, and Taylor notes that this omission (among others) results in a concept that is not truly ‘global.’

Globalization is a term that is frequently employed in the absence of robust conceptualization. This is not entirely surprising given the wide range of processes and phenomena that this single term is said to encompass. Broadly, however, as Taylor notes, globalization “might be said to capture those processes that underpin contemporary global economic integration and the political, social, cultural, ecological and gender outcomes that this engenders” (2005, p. 1026).

This global process of integration can subvert or transcend the traditional divisions among the domestic, regional and international. And although many studies of globalization may ignore Africa, Moore (2001) argues that this process “affects Africa profoundly” (p. 910). He goes on to state that “colonial boundaries and their states are falling apart, but they are not disappearing” (Moore, 2001, p. 910).

Globalization in this work is understood as a non-linear process marked by increased economic and social linkages among states (and non-state actors). In the Ghanaian-Ivoirian borderland, globalization is not merely an abstract concept. As will be
demonstrated throughout this thesis, to paraphrase Moore, these macro-level processes have a real impact in Africa.

**Borders, Boundaries and Frontiers...oh my!**

To discuss the phenomenon of regionalism in the absence of a clear account of the role of borders is almost to put the cart before the horse. In order to understand the variety of interactions between peoples, it would first be useful to outline the division between them, whether that is a physical boundary or a symbolic one. Communities of people may define themselves in opposition to others, and demarcate the limit of its ‘same-ness’ through cultural artefacts, shared histories, language, and physical space. The debate as to whether nations are in some way objective and timeless, or essentially ‘imagined’ (Anderson B., 1991) is not really the issue at hand. What is at the crux of this discussion is not the objective reality of communities, but rather the view that because the community imagines its collective to be real it takes on a reality and expresses itself in contrast to other communities. They believe, therefore they are.

Once this community defines itself, the question of how it physically controls the interaction of its members and members of neighbouring communities brings to the fore the role of borders. In this section, we will commence with an attempt to define the various contestable concepts which are haphazardly used with reference to borders.

As with all political discourse, the multitude of terms, and the subsequent waves of their individual usage provides a myriad of possible concepts one could employ, with a corresponding flood of interpretations on the part of the reader. Thus, our attempt to clarify the usage of these terms will also serve to make plain the argument of this piece. Employing a method similar to that of Malcolm Anderson (1996) we will begin with the broadest of terms, that of *frontier*. 
The concept of frontier has its roots in military usage, meaning the “front line or foremost part of an army,”\(^5\) and many of its varied definitions combine two main aspects, firstly, the notion of line or barrier, and secondly, and perhaps most significantly, the concept of ‘facing’ or ‘fronting’ another entity, whether country or army. Then again, there are definitions which seek to overcome previous understandings and cast frontier in a new light. Allot (1969, p. 9) sees the frontier not only a physical concept, but a functional one: “a frontier is a boundary at which inter-state functions are applied.”

Another derivation the concept of frontier is tied to the notion of expansion and empire, as was the case with the American myth of the western frontier. The frontier is therefore never a permanent delineation of space, though it may not move for decades or even centuries, but rather is the outer-most demarcation of the community, with the inherent assumption of further expansion. “Thus the frontier was not the end...but rather the beginning...of the state; it was the spearhead of light and knowledge expanding into the realm of darkness and of the unknown” (Kristof, as cited in Donnan & Wilson, 1999, p. 48). Kristof sees frontiers as inherently outer-oriented, “with their attention directed to those areas of friendship and danger which exist beyond the state” (Donnan & Wilson, 1999, p. 48). Although frontier is commonly used synonymously along with terms such as border to indicate the precise line of demarcation between two states, in its widest meaning it can also refer to a region, such as the zone between France and Germany of Alsace-Lorraine (Anderson M., 1996, p. 9). Hence, the term can create a great deal of confusion due to, not only the depth of its meaning (military, political, cultural), but also the breadth of its meaning (fine line, wide region, symbolic zone).

The next concept is that of border, and the related term of borderland. Usually understood as the line of delimitation between states, it (as with frontier) is also employed to encapsulate the area of interaction surrounding the line. Therefore, we

\(^5\) From the Oxford English Dictionary
can conceptualise the Canada-U.S. border as a clearly defined line along the 43rd and 49th parallels, but are just as easily able to grasp the notion of the Scottish boundaries as a small region which neighbours England (Anderson M., 1996, p. 9). A border thus becomes both a concrete line, as well as the zone surrounding it. The term borderland has been developed to encapsulate more clearly the latter definition, though the two have been used synonymously. Unlike frontier, however, border does not possess an expansionist element, or a necessarily outward-orientated quality.

*Boundary* is our last and most narrow of terms, although it too has been applied to wider phenomena. Malcolm Anderson (1996, p. 9) defines boundary as, “the line of delimitation or demarcation” but notes that it also has been used to “refer to the frontier of political and administrative authorities below the state level” (1996, p. 10). Most conceptualisations of political boundary do encompass the idea of the extent of authority and sovereignty, as well as a spatial limit. Kristof further defines boundary, in contrast to frontier, as innately inner-oriented (Donnan & Wilson, 1999, p. 48).

For our purposes, usage of these various terms will be confined to the following. In order to circumvent the complexities of the frontier debate, this piece will favour the concepts of border and borderland to depict the region of interaction which occurs along the boundary that divides communities and/or states. The etymology and military heritage of the term frontier, along with its expansionist undertones, does not seem an apt description of the phenomena this research aims to study. And although, the term boundary can be construed as useful in the sense that it is narrow, I will also

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6 A further abstraction of the notion of borders has been elaborated in the concept of border landscapes. Donnan and Wilson (1999, 46-47) refer to a continuing research interest of Rumley and Minghi who note that the definition of border areas remains relatively ignored. Border landscapes are “those areas contiguous to the state boundary which are moulded by the human and physical environment, including the boundary itself” (Donnan & Wilson, 1999, 47). This concept appears almost synonymous with borderland, though it does seem to go further than mere definition and possesses the underlying current of propelling the research agenda.
tend to prefer the terms border and borderland for the reasons listed above, but also to maintain a relative consistency with the prevailing literature this area of study.

I am aware that these characterizations are neither perfect, nor wholly distinct from one another, and that especially in African politics, the apparatus of the state does not always feature on the border itself.

**Out with the old: Old Regionalism and the NRA**

The slippery concept of ‘regionalism’ has been conceptualised in the past in very stark contrast to many current definitions prevailing in social scientific research. Modern regionalism is said to have occurred in two fairly distinct waves in the post-World War II era (Farrell, Hettne, & Van Langenhove, 2005, p. 7), the first of which can be understood as the paradigm of Old Regionalism. Prior to engaging the subject of Old Regionalism, it would be wise to note that the use of the adjective ‘old’ should not be interpreted as the complete passing of the previous paradigm, superseded by the ‘new’ regionalism. Perhaps one day the paradigmatic shift will occur, but as with all changes to a body of theory there exists a time – sometimes centuries in duration – where two competing paradigms co-exist (Hollis, 2000, p. 84). Old Regionalism still maintains supporters (Schulz, Söderbaum, & Ojendal, 2001, p. 5), and therefore use of the New Regionalism cannot be summarily employed without discussion of the shortcomings of the former and advantages of the latter.

**Old Regionalism**

The study of regionalism following the Second World War began in the 1950s, in light of the growing cooperation in Europe with the development of the European Coal and Steel Community (ECSC) (Farrell, Hettne, & Van Langenhove, 2005, p. 7). As with all politics of that era, one cannot understand the first wave of regionalism without reference to the global context in which it arose, namely the bipolar structure of the Cold War international system. Indeed, many authors of the New Regionalism point toward the inextricable link between regionalism and global politics (Farrell, Hettne, &
Van Langenhove, 2005); (Grant & Söderbaum, 2003). Hettne et. al. states emphatically that, “regionalism is one approach to deal with various global problems, but its content will be conditioned by the nature of these problems” (2000, p. xx). Invariably, Cold War politics influenced not only the manner in which regionalism began to emerge, but also coloured the academic analysis of the phenomenon. Hence, the realist vein becomes very apparent in the characteristics of Old Regionalism discussed below.

The first feature of Old Regionalism is its state-centric approach, with regionalism falling within the purview of state actors. As with most depictions of international politics during the Cold War, regionalism was understood as integration among states, through the medium of government-led treaties and the formation of inter-state institutions. There existed a variety of theories to account for regionalism during this era, for example, IR realists could interpret regionalism as a strategic choice, which states would employ to garner increased security and power. Neo-functionalists, however, could see integration as a series of economic spillovers, “with actors transferring their expectations and loyalties to a supranational central authority” (Farrell, Hettne, & Van Langenhove, 2005, p. 7). Even though in this latter theory the state is seemingly more passive, in that the theory has a teleological undercurrent, in both neo-functionalist and realist theory, the primary actor is still the state. “In essence, integration was an intergovernmental phenomenon” (Farrell, Hettne, & Van Langenhove, 2005, p. 7).

The second characteristic of Old Regionalism is its circumscribed applicability due to its dependence on the European experience, or rather that it is Eurocentric. The assumption that regionalization is a process which possesses a particular trajectory, of which the EU model is the epitome, leaves a huge void of political phenomena unaccounted for under the framework of Old Regionalism. Regionalization outwith formal political and economic channels does not even appear on the radar and is thus ignored. In the case of Africa, where informal economic channels sometimes outweigh
the ‘formal’ economy, the narrow confines of Old Regionalism provide quite a skewed image.

Hegemonic influence and imposition from above is another key feature of the Old Regionalism (Schulz, Söderbaum, & Ojendal, 2001, p. 4). The reality of US hegemony throughout the Cold War meant that the various forms of ‘new’ regionalism did not have as much space to develop. The characteristics of New Regionalism (which will be discussed below) were not given “room-for-maneuvre….This type of regionalism would not have been consistent with the Cold War system since the ‘quasi-regions’ of that system tended to reproduce the dualist bipolar structure within themselves” (Hettne, Inotai, & Sunkel, 2000, p. xx).

The last of the main features of the first wave of regionalism, is its introverted and protectionist quality. As the first wave was primarily economic in nature, regional institutions had a neo-mercantilist aura about them; a bulwark against the globalization of markets. The European experience, with its agricultural policies and industrial endeavours provides a perfect example.

Obviously, many of these characteristics were a product of the global political reality of the Cold War, and this is not to claim that analyses of Old Regionalism were off-the-mark. Indeed, academic accounts of regionalism during the first wave may have provided a fairly accurate depiction of a budding phenomenon. However, with the end of the Cold War, and the rise of the second wave of regionalization, the drawbacks of the old paradigm begin to show.

The New Regionalism Approach (NRA)
Starting in the 1990s, though accounting for a phenomenon which had its roots in the 1980s, research into the ‘new wave’ of regionalism has provided a very distinct account of integration. If regionalism is understood “within a particular historical context,” (Hettne & Söderbaum, 1998, p. 6) and it “needs to be related to the current
transformation of the world” (Schulz, Söderbaum, & Ojendal, 2001, p. 3), it stands to reason that the collapse of the bipolar world order would have had a huge impact on the structure of international relations. This has manifested itself not only in the academic approach to the study of regionalism, but also to the phenomenon of regionalism itself. Spearheaded by scholars like Bjorn Hettne, this new paradigm has been dubbed the New Regionalism Approach, or NRA.

One of the primary underlying characteristics of the NRA is the expansion of what constitutes an agent for the purposes of regionalism, or rather that it is multi-actor and multi-level (Hettne, Inotai, & Sunkel, 2000, p. xx). In Old Regionalism, we noted that the processes were the purview of states and state-actors alone, leaving analyses with a very distinct and narrow lens. In the NRA, regionalization is a process actively, and passively, promoted or discouraged through the actions of states, as well as the private cross-border entrepreneur, not to mention the multitude of group actors in between (Grant & Söderbaum, 2003, p. 5). Regionalization can be encouraged by trans-state organisations, charities, religious groups and even families, thus opening up the academic study of integration, and allowing for a greater depth of understanding. The process can therefore be at once more ‘formal’ (i.e. multi-national trade organisations, ECOWAS) as well as ‘informal’ (i.e. cross-border smuggling), but it is the sum of these interactions which accounts for the rise or decline of regionalism in a given geographical unit.

Hence, in relation to this first characteristic, we find that the NRA naturally provides a multi-disciplinary approach (Schulz, Söderbaum, & Ojendal, 2001, p. 4). Due to the fact that regionalization occurs at so many levels, between a variety of actors, scholars in fields other than IR are provided an arena to investigate the causes and impacts of this second wave. The role of the transmission of diseases, the consequences of borderland familial ties, the importance of religious pilgrimage are all topics which have been studied in other disciplines, but which are now able to engage with regionalism itself. This depth is one of the most stark contrasts with Old Regionalism,
which sees integration in very politico-strategic or economic terms, but ignores the informal, and sometimes more poignant modes of regionalization.

Rather than being imposed from above, the third characteristic of the NRA is that regionalism becomes a product of the responses to pressures from both within and without. At the risk of sounding platitudinous, the NRA is very much a “grassroots” process, while at the same time still encompassing the formal actions of states. If any private actor engaging in trans-state activity can impact on the trajectory of regionalism in the area, then indeed regionalism ceases to be confined within the ambit of ‘high’ politics. The unique method of the NRA allows for the sometimes competing, sometimes complementary forces of regionalization to be examined contiguously, encompassing “‘formal’, top-down, state-driven or...’real’ bottom-up, market- and society-induced processes” (Schulz, Söderbaum, & Ojendal, 2001, p. 16).

Also, in opposition to Old Regionalism, this new breed is much more extroverted in character, and seems, for the most part, to have abandoned its neo-mercantilist edge (Schulz, Söderbaum, & Ojendal, 2001, p. 4). The origin of the first wave regionalization was very much rooted in a protectionist foundation, whereas the increasing degree of inter-regional trade displays something distinctive and unique in this new form of regionalism. Schulz et. al. sees this growing trend as a reflection of “the deeper interdependence of today’s global political economy” (2001, p. 4).

Inextricably linked to all of these characteristics is the indelible and interdependent relationship between this new regionalism and globalization (Bach, 2004, p. 70). Some scholars see the increased regional integration as a form of protection against the globalization process, still others see the impact of the opening of the global market on informal markets and the criminalisation of trans-border trade. And despite the fact that there are a plethora of definitions of globalization, and therefore some divergence of meaning, almost all scholars who employ the NRA paradigm acknowledge this link.
As Schulz et al. succinctly state, “if globalization is the challenge, the new regionalism can be a response” (2001, p. 16).

The NRA is a radical overhaul of the way in which regionalism is approached from an academic standpoint, although it has very real implications for policy-makers and governments. Obviously, the opening up of the field has provided a greater scope of enquiry, the possible questions and answers multiplying exponentially, and hopefully this will encourage a greater depth and breadth of understanding. With what we gain in the increased scope of the NRA, we must also acknowledge that the greater complexity can also be a burden. It is therefore even more imperative to outline with precision the focus of investigation, for if one had the inclination, he could really get quite carried away with the extent and scale of questions and answers.

**Options for a Moral Analysis**

Although the NRA allows for a study of African borders, which is broader in scope and cross-disciplinary in nature, alone it does not necessarily provide a robust analytical tool for all elements of new regionalist study. The focus of this thesis questions the morality in the use of African borders more broadly, and in particular the borderland area of interaction between Ghana and Côte d’Ivoire. The NRA provides a framework which acknowledges a grassroots, micro-regionalization process, but does not inherently possess a means of evaluating whether that regionalization is good or bad. What is necessary, I maintain, for the purposes of this study, is to incorporate a moral analysis within the NRA.

There are a variety of moral approaches that one can bring to the question of borders in Africa; however, one persuasive argument comes from Martha Nussbaum, with a starting point focused on the quality of life. Certainly, in this attempt to analyze the utility of African borders, a moral judgement on their positive or negative aspects must include their impacts upon people. As an alternative, Nussbaum first enumerates three primary methods of moral analysis, from a development standpoint, which she
groups under three headings: resource-, preference-, and human rights-based. She finds all of these approaches lacking (Nussbaum M., 2002).

One common approach in examining the quality of life in a given geographical location is to base the analysis on economic factors, such as the GDP per capita. Although the health of an economy can provide insights into the overall development of a nation, Nussbaum argues that what resource-based approaches offer is much less significant than what they omit (Nussbaum M., 2002, p. 126). GDP per capita cannot inform us as to the distribution of wealth, political liberties, nor really provide information about the quality of life of a given socio-economic group within the nation. Furthermore, simplistic resource-based approaches, such as GDP per capita, are essentially state-centric and limit studies based on regional analyses that cross state boundaries and do not conform to political-geographical divisions.

Most importantly for Nussbaum, however, is that resource-based approaches cannot account for the fact that “individuals vary in their ability to convert resources into functionings” (Nussbaum M., 2002, p. 127). By ‘functionings’, Nussbaum is referring to those capabilities that individuals are able to exercise. That is to say, that even given identical resources, needs may dictate that Person A requires greater resources to achieve a certain functioning in contrast to Person B. For example, “women’s literacy will prove more expensive than men’s literacy in many parts of the world. If we operate only with an index of resources, we will frequently reinforce inequalities that are highly relevant to well-being” (Nussbaum M., 2002, p. 127). This issue of capabilities will be dealt with, in depth, in the section which follows.

The second common approach is what Nussbaum dubs ‘preference-based’. Despite that fact that this approach has certain advantages over the resource-based approaches, Nussbaum still finds that overall it is faced with many difficulties. Preference-based analysis tends to extrapolate the effect of resources on people’s lives by asking individuals “about their satisfaction with their current preferences”
(Nussbaum M., 2002, p. 127). Nussbaum notes a serious flaw in this approach, as it assumes that preferences are somehow exogenous, when in reality preferences can be constructed by socio-economic conditions. For example, a woman who has no conception of herself as having equal worth, might prefer to be excluded from political activity. Simply asking her to rate her degree of satisfaction with reference to political engagement, may reinforce socially-embedded inequalities, rather than demonstrating a need for change.

Finally, the last of the approaches in the field of development studies comes from human rights discourse. Nussbaum recognizes the gains made by human rights approaches, and yet finds that they possess certain flaws due to contested definitions and lack of success in tackling pertinent questions of social justice owing to their circumscribed purview. To employ the language of ‘rights’, according to Nussbaum, brings with it a great deal of definitional baggage: what are rights, how do they relate to duties, what are they rights to etc. Moreover, human rights discourse has flowed from a particular tradition of political philosophy linked with “negative liberty, and with the idea of protecting the individual from state action” (Nussbaum M., 2002, p. 129). This state-based focus of ‘rights’ limits the applicability to other areas of human well-being that have traditionally not been within the public realm. For example, Nussbaum points to the lack of action on areas such as domestic violence and bodily threats suffered by women.

Nussbaum concludes her survey of approaches by putting forward a new account of social justice based on human capabilities. And it is to this approach that we now turn.

**Capabilities Approach Presented**

Developed alongside Amartya Sen, Martha Nussbaum has in the past twenty years brought her unique neo-Aristotelian focus to the areas of international development and social justice. In response to the primarily economics-based literature in these areas, Nussbaum and Sen proposed a shift of focus from preference-based, rights-
based or resourced-based approaches to one that is embedded in human capabilities. It was not, they argued, enough to simply take the GNP per capita and then rank states based on the ‘freedom’ of their citizens. This economic focus does not take into account the distribution of that wealth, and takes no interest in other impediments to freedom (Nussbaum M. , 2002, p. 126). Moreover, preference-based approaches, although more agent-centred, are not satisfactory in gauging human flourishing in that an individual’s preferences may be themselves socially-constructed. And finally, rights-based approaches have conceptual difficulties, and are too often “linked with the idea of negative liberty” (Nussbaum M. , 2002, pp. 128-129).

Nussbaum begins her study of international development through a feminist lens, although her approach is universally applicable to both genders. The argument commences with an array of statistics regarding the relative vulnerability and poverty of women in relation to their male counterparts in almost all parts of the world. “[Women] are less well nourished than men, less healthy, more vulnerable to physical violence and sexual abuse. They are much less likely than men to be literate, and still less likely to have preprofessional or technical education,” (Nussbaum M. , 2002, p. 124) and so on. On the whole, Nussbaum claims that women “lack support for the fundamental functions of human life.” (Nussbaum M. , 2002, p. 124). And it is this conception of the ‘functionality’ of human life that becomes the focus for the rest of her argument.

Essentially, the question of social justice more specifically, and international development more broadly, boils down to a conception of ‘the good life’. What underpins Nussbaum’s approach is an Aristotelian account of the purpose of human life, and of eudaimonia (or human flourishing). It takes the subject of study back a few steps, and begins with the question of what we are as human beings. This might seem a strange and perhaps unnecessary aside, but in fact any real attempt to tackle the questions of the positive or negative impact of borders in West Africa should require an understanding of the human condition.
Most people would agree that as living creatures we require certain necessities such as food and shelter. However, is this where the provision ends? To answer such a question, we must first understand what type of animal humans are. For Nussbaum, humans are replete with abilities, and it is the possession of these abilities which “exert a moral claim” for their development.

**What do we mean by human capabilities?**

For Nussbaum, it is a false start to question social justice by tallying the resources one is able to possess, or to ask individuals how they feel about their situation. Instead, the primary question must be, “what is [the agent] actually able to do and to be?” The Capabilities Approach focuses on potential human functionings, and the extent to which humans are able to flourish in a truly human way.

This subsection was explicitly titled to emphasise the ‘human’ aspect of capabilities. Nussbaum makes it quite clear that her approach relies on two interrelated ideas: firstly, “that there are certain functions that are particularly central in human life, in the sense that their presence or absence is typically understood to be a mark of the presence or absence of human life” (Nussbaum M., 2002, p. 130). Secondly, turning to a Marxist interpretation of Aristotle, that the performance of these functions must occur in a human way, namely that these functions are imbued with a certain reasoning and sociability. Marx gives an example of a starving man, whose relationship to food might be more akin to that of an animal in his desperation for sustenance. His feeding might lack that second criterion of the fully human element of functioning. In the end, for Nussbaum, “the core idea seems to be that of the human being as a dignified free being who shapes his or her own life, rather than being passively shaped or pushed around by the world in the manner of a flock or herd animal,” (Nussbaum M., 2002, p. 130).

This concept of human flourishing, or eudaimonia, is at the crux of the Capabilities Approach.
Eudaimonia explored

The concept of eudaimonia, or human flourishing, comes from ancient Greek philosophy and is tied to the field of virtue ethics. It is not the purpose of this thesis to delve into ancient philosophy or propose a modern use of virtue ethics. However, it would do well to draw at least a rudimentary depiction of the Aristotelian understanding of eudaimonia, as it forms the basis from which Nussbaum has developed the Capabilities Approach.

Aristotle, in his Nichomachean Ethics, presents the concept of eudaimonia, which is most commonly translated “as ‘happiness’ or ‘flourishing’ and occasionally as ‘well-being’.” (Hursthouse, 1999, p. 9) This is related to virtue, in that the purpose of acquiring and developing any set of virtues is that they are essential to human flourishing (eudaimonia). Whatever the contestations of what constitutes the virtues themselves, the value of virtues is that they allow us to pursue the good life (however understood).

The second concept to grasp is that of phronesis, or rather practical wisdom, without which the virtues cannot lead to flourishing. Phronesis, which can only be properly developed through experience and the course of time, allows one fully to appreciate the intricacies of practical situations and the action required therein. “For it is practical reason that integrates the different ends of character, refining and assessing them, and ultimately issuing in all considered judgements of what is best and finest to do” (Sherman, 1989, p. 5). For example, the virtue of benevolence can run counter to eudaimonia, when phronesis is lacking. Hence, we have persons who are described as ‘too generous’, unable to see when they are being preyed upon and abused. Thus, this virtue seems to cease being a virtue in absence of this practical wisdom.

Alasdair MacIntyre, a leading modern figure in the semantics of virtue, has distinguished its many incarnations over history and has found that it has had a plethora of meanings. Our inability to grapple with the notion of virtue lies in the fact that we have lost our moral language and in the complexity of seemingly simply words
like virtue. Virtue in the Homeric age, the Greek aretē (αρετη), had a very unique meaning in that it was inextricably related to one’s social role. Indeed, one could not be described as agathos (αγαθός), loosely translated as ‘good’, unless he possessed the aretē of his allotted function. “The aretē of a king lies in ability to command, of a warrior in courage, of a wife in fidelity, and so on” (MacIntyre, 1998, p. 8). However, this definition did not remain unaltered, and the Sophists had a reinterpretation of aretē, which was defined as one’s “functioning well as a man.” (MacIntyre, 1998, p. 14) At that time, ‘functioning well’ referred to a man’s ability to exude the knowledge of citizenship, and specifically the laws of a given city-state. Indeed, many other interpretations of aretē would follow, not the least of which Aristotle’s view which tended to set the aretē of men above that of women.

Aristotle himself formulated a list of virtues, corresponding to ‘spheres of experience’, seemingly shared by humans alike. For example, the shared experience of death has, according to Aristotle, the corresponding virtue of courage. Martha Nussbaum (1993) investigates the question of the non-relativity of Aristotle’s list of virtues, saying that although these virtues are not definitive, their study should allow for an evolution of understanding not unlike that in the sciences. The utility of elucidating these shared human ‘spheres of experience’ (or grounding experiences as she calls them), allows for a point of departure, as it “fixes a subject for further inquiry.” (Nussbaum M., 1993, p. 247).

Elaboration of Capabilities
In her seminal work, Women and Human Development: The Capabilities Approach, Nussbaum gets down to the nitty gritty business of elaborating a list of capabilities she deems to be central to human functioning. Although not without caveats, the ten items on the list provide a great starting point from which to examine the extent to which one can be said to be free and flourishing. As separate components of human flourishing, the ten capabilities are nonetheless interrelated. Nussbaum emphasises
that all ten capabilities are equally important, and therefore one cannot exchange some of one element for more of another (Nussbaum M., 2000, p. 81).

Taken directly from Nussbaum’s piece, *Women and Human Development* (2000), the ten capabilities are as follows:

1. Life
2. Bodily Health
3. Bodily Integrity
4. Senses, Imagination and Thought
5. Emotions
6. Practical Reason
7. Affiliation
8. Other Species
9. Play
10. Control over One’s Environment
   a. Political
   b. Material

Nussbaum makes a clear distinction between the conceptions of capability versus that of functioning, dispelling the interpretation of this list as being autocratic. She claims that the ultimate aim of this list (in terms of public policy) must rely on human capabilities in order to provide space for those who freely choose to abstain from certain elements. Nussbaum gives the example of the person who might undertake ‘strenuous fasting’ for religious reasons, willingly forgoing a degree of bodily health. Although this person’s functioning might not be at a level of robust nourishment, she does have the capability to be adequately nourished. This leaves intact the important element of individual choice and personal freedom.

**Framing the Question**

In an attempt to bring the various currents of the previous discussions together, this last section will focus on the elucidation of the precise subject of enquiry which will guide the subsequent chapters. Threading together the outcomes of the theoretical debates provides the raw material for the task at hand, and a solid base from which to frame one’s question. Guided by a Universalist framework, the NRA seems a useful
approach in both its theoretical grounding, as well as the insights it has the potential to provide. The depth and breadth of investigation that it allows is uncharacteristic of previous approaches to the study of regionalism, particularly with reference to the political realities of the Africa sub-continent.

My focus will be given to a sub-regional unit, as such attention to date has been slim. Rather than repeating attempts to characterise the process at the macro-regional level, that of Africa or West Africa, choosing but one sub-regional entity allows for a completely unique lens through which to view the subject. Although, one could argue that this approach may tend toward a statist account of regionalization, my use of the border between Ghana and Côte d’Ivoire will not be in the strictest of territorial terms. Particularly in the colonial context, the sub-regional unit may encompass a wider area than that which the two states currently possess, due to the fluctuating boundaries of French West Africa, as well as the cultural links which transcend those boundaries. However, in choosing a state-based sub-unit, I do not feel necessarily confined to an account of regionalization which relies purely on statist concerns and motives. The role of borderland cultures, trans-state actors, and non-governmental regional organisations can still be accounted for in this approach. And, perhaps conversely, the role of government and its agents, does have a place in the NRA, and I believe that to understand regionalization in West Africa one cannot discount their influence completely.

Yet, our concentration will not be on the overarching formal accounts of institutional regionalism, but rather the ‘low’ politics of regionalization. Despite the growing number of works on the New Regionalism, as Schulz et. al. (2001, p. 5) notes, “the great majority of studies maintain a focus on regionalism and/or state-initiated regionalization: regional projects, regional organizations, and instrumental state policies, rather than the processes of regionalization.” This piece will attempt to address this issue, as its focus will be the trans-state networks, the borderland realities, and grassroots regionalism. As Fredrik Söderbaum states, “too little attention
has been awarded to the multitude of vibrant, multidimensional and dynamic processes of de facto, ‘soft’, market and (civil) society regionalization in West Africa” (2001, p. 75).

Moreover, our examination of the role of borders and the various ways in which they can be studied ties in quite well with our use of the NRA. In order to study the integrating forces at play in any given ‘region’, one must be able to depict the furthermost reaches of the region, and thus is outlying boundaries. However, and most significantly in the context of this study, the role of intra-regional borders can arguably have a much greater impact upon the course of regionalization, both integrating and disintegrating. The incorporation of borderland studies is something which has be relatively ignored in the social sciences, and in particular there has been a “relative dearth of research on the cultural construction of interstate borders” (Donnan & Wilson, 1999, p. 11). One novel aspect of this study will be its acceptance of, and its attempt to contribute to the under-researched area of boundaries in Africa. Taking my cue from scholars such as A. I. Asiwaju, this piece will be an attempt to redress the “inadequately explored borderlands alternative perspective to scholarly...research on African boundaries” (1996, p. 253).

However, as beneficial as the NRA is, particularly in allowing for the study of previously ignored phenomena, on its own it does not necessarily allow for moral judgements. The incorporation of Martha Nussbaum’s Capabilities Approach adds a robust tool for the study of cross-border micro-regionalism in West Africa. This fusion of the NRA framework with moral philosophy will provide the backbone of the theoretical approach employed throughout this piece, and will allow for possible answers to the question of whether borders in West Africa have a positive or negative impact upon the lives of Africans.

7 Donnan and Wilson (1999) have noted the lack of borderland studies among anthropologists, although there exist many good reasons as to why this should be so, particularly the variety of problems and dangers which surround this type of research.
Chapter Summary

This chapter presented differing perspectives on West African borders, contrasting their divisive quality with the argument that their presence actually compels interactions among individuals. This was followed by a more general discussion of biases inherent in social scientific research and the contestability of political concepts. The terminology used throughout this thesis was then defined.

An examination of the traditional understanding of regionalism preceded a more robust presentation of the New Regionalism Approach (NRA), which provides the framework for the thesis as a whole. The chapter suggests that one omission of the NRA is its inability to provide a moral account of micro-regionalism, and therefore Martha Nussbaum’s Capabilities Approach was presented as an option to fill this gap. The Capabilities Approach allows for a moral analysis based on a neo-Aristotelian conception of *eudaimonia* (or human flourishing), which coupled with the framework of the NRA will be used to study the question of the positive and negative impact of the Ghanaian-Ivoirian border.
Chapter Three:  
Wielding the Weapon of the Weak?

Too often in Africanist scholarship there is a tendency, when analyzing the effects of European colonialism, to attach all modern ills to that significant period of history, while not according the requisite degree of agency to Africans themselves. While colonialism undoubtedly shifted the course of history in West Africa, it was the interactions among colonial powers and indigenous peoples that are overlooked, for a more simplified, exogenous interpretation of modern African history.

This over-simplification is no more apparent than in the misinterpretation of African non-involvement in the creation of borders in West Africa. The imposition of borders can be seen as one of the starkest examples of colonialism still evidenced in Africa today. These ‘artificial’ and ‘arbitrary’ lines, it is argued, have balkanized the continent, resulting in many unviable states and leading to war, violence, poverty and underdevelopment (Dowdon, 2009, p. 267).

Alternatively, African history can be seen as a varied and thriving, replete with signification population migrations and sophisticated political systems. And it is important to emphasize the impact of African agency in the creation of the modern continent.

Therefore, as a necessary precursor to our discussion of the positive and negative effects of West African borders, this chapter will have a three-pronged aim. Firstly, it will allow for the requisite historical background for our understanding of West Africa more broadly and Ghana more particularly. Secondly, we will attempt to demonstrate that pre-colonial, as well as colonial, Africa was littered with vibrant migratory societies in contrast to the image of a “continent mired in timeless immobility” (Kopytoff, 1987, p. 7). Lastly, this chapter seeks to dispel the erroneous vision of the
exogenous imposition of West African borders on the part of colonial powers by highlighting the political acumen of both pre-colonial as well as colonial African agents.

**Pre-colonial Africa “On the Move”**

“The spirit of a man is without boundaries” – Akan maxim (Danquah, 1944, p. 191)

The assertion that pre-colonial Africa was devoid of any concept of territory or border cannot be effectively maintained in face of evidence to the contrary (Allott, 1969; Nugent, 1996). Much of what we know about early African society indicates a history of what John Iliffe dubs ‘frontiersmen’ (1995). This conception of frontier is not quite equivalent to the American ideal of a linear progression, rather “Africa’s colonisation was mainly an internal process, with innumerable local frontiers, and its cultures were chiefly formed on frontiers” (Iliffe, 1995, p. 3). Igor Kopytoff’s argument concurs with this view, in what he elaborates as the *African Frontier Thesis*, which views the continent as a “stage for many population movements of many kinds and dimensions, ranging from such sub-continenal proto-historic dispersion as that of the Bantu or Nilotes to the local movements preceding the colonial era” (Kopytoff, 1987, p. 7). Kopytoff further states that the term ‘frontier’ itself is the reconciliation of two concepts, that of region and boundary. As will be discussed below, the notion of territoriality is inextricably linked with African history.

*Early forms of movement*

The frontiers expanded by migration in Africa have varied widely from the Neolithic period to modern times. Although most of our concentration in this chapter will be on the more localised movement of peoples, one startling example of a mass migration dates from the fourth millennium B.C., when it is thought that many of the ancestors of the current population of sub-Saharan Africa began to move southward from the

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8 As discussed in Chapter Two, this thesis will avoid the usage of the term ‘frontier’, however its application in this sense is used to reinforce the territoriality of pre-colonial Africa.
northern part of the continent. The theory is based on the desiccation of the once fertile Sahara (Levtzion, 1973, p. 5), pushing populations further south and west toward more fruitful lands. Africans, then, are no strangers to migration.

Rushing forward several millennia, by the eighth century A.D. recorded accounts of Ghana – that is the Kingdom of Ghana whose territory was located to the north and west of the current state of Ghana – as the Land of Gold, began to appear in the writings of the Islamic world as far east as Baghdad (Levtzion, 1973, p. 3). This political entity was highly regarded in the Muslim world, as one of the great kingdoms and the trans-Saharan trade route brought these two divergent peoples into closer contact.

This began centuries of not only the trade of goods, but also the bridging of cultures and religion. Both Islam and Christianity were brought to various societies in West Africa through a number of routes. Across the Sahara, Muslim and African traders conducted economic transactions at several growing commercial centres, such as Timbuktu and Jenne. As salt, slaves and gold traded hands, so too did the language and ideas of the people involved. These cities themselves grew into large communities, with the region of Jenne encompassing “7077 villages close together” (Levtzion, 1973, p. 160). The trading profession was dominated by certain ethnic groups, the “western parts were controlled by the Mande and Soninke [of which Ghana was a member]…[and] east of the Mande sphere of commercial influence the Hausa were in control” (Sundstrom, 1965, p. 45). Moreover, there were traders from North Africa (Tripolitanians) as well as Muslim traders to the east.

Trade encouraged the spread of Islam to West Africa and the “formation of states [and] their integration in large-scale empires” (Levtzion, 1973, p. 174). Indeed, although the King of Ghana was a follower of traditional beliefs, many of his “ministers and advisers were Muslim and he permitted a mosque to be built inside his palace for
their use” (Wingfield, 1957, p. 10). This led as well to the introduction of literacy in the Arabic script (Smith R., 1973, p. 613).

Much like Europe in that same era, West Africa underwent significant changes throughout the 15th and 16th centuries, with the fall of Mali (the kingdom which succeeded Ghana in pre-eminence, and was centred on Timbuktu) and the rise and fall of Songhai, centred on the city of Gao (Wilks I., 1961, p. 1). The latter fell to an invading Moroccan army possessed of superior gunpowder weaponry; however, finding it impracticable to rule from so great a distance, the Moroccans departed leaving the former kingdom to splinter into smaller political entities.

Asante and Regional Interactions

Travels by strangers to the Gold Coast began as early as 600 B.C., starting with Phoenicians in the employ of Pharaoh Necho (Reindorf, 1996, p. 17). Indeed, this circumnavigation of West Africa is said to have been imitated by the Carthaginians some 40 years later, in a colonising expedition led by one Hanno, who appears to have landed on the Gold Coast (Reindorf, 1996, p. 18). These explorations did not result in any longstanding settlements, or if they did then the traces of such communities have long since been lost to the depths of history.

Culturally, there exists a wide variety of linguistic groups in the modern state of Ghana, with the Akan-speaking peoples forming a majority (Fynn, 1971). This group includes the Asante, the Akwamu, the Fante, and the Twi. The origins of the Akan-speaking groups are as varied as the groups themselves, and the unwritten accounts provide a myriad of narratives. The Akwamu state owes its foundation to frontiersmen from Kong, “the Mande [Dioula] town on the medieval trade route between Begho and Bobo-Dioulasso” (Fynn, 1971, p. 2), whereas the Fante claim to have settled on the coast from Tekyiiman in the Brong-Ahafo region. Other groups such as the Ga and Ewe are said to have arrived from southern Nigeria. Fynn notes that the interesting aspect of these accounts is “that all these traditions of origin indicate movements en masse."
The Akan, the Ga, the Adangbe and the Dagomba all claim that their ancestors occupied a previously uninhabited country” (1971, p. 2).

Due to its wide scope and sheer dominance, examination of the grand changes in migratory flows in and around what is now Ghana, would not be complete without a thorough account of the Asante Empire, and its zenith in the 19th century. With its historical capital in Kumasi, the Asante Empire at its apogee spanned a wider area than that of the current state of Ghana (Fynn, 1971, p. 125). This section will provide an historical account of the Asante kingdom, in particular its diplomatic relations with other groups both within Africa and without.

**Friends and Foes: Dealings with Immediate Neighbours**

The Asante empire arose at a time of great upheaval, with not only the fall of the Songhai kingdom, but the “decline of power of the pashalik of Timbuktu and the general collapse of central authority [which] was clearly not conducive to trade” (Fynn, 1971, p. 4). The origins of the Asante kingdom lay in the migration inland to Kumasi, undertaken by migrants from Adanse and Amanse within the former Akanny state, through fear of economic and political hardship (Fynn, 1971, p. 27-29).

The customs which governed the interactions between various indigenous communities prior to colonisation has been an overlooked subject. However, political exchanges were very commonplace, and in this section we will utilize Irwin’s rubric for the study of the variety of diplomatic relations at this time. Irwin maintains that African diplomacy can be understood under three headings: indigenous, Afro-European and Eur-African, of which the first two are indicative of the pre-colonial period (Irwin, 1975, p. 83).

As may be surmised, indigenous diplomacy is that which characterises interactions among African states themselves, and which Smith (1973) describes as ‘African customary law’ not unlike its European counterpart. Some characteristics of such law
are as follows: the exchanging of ambassadors and frequently those close to the king, economic interdependence through trade, a rudimentary form of diplomatic immunity, third-party negotiation, the observance of protocol, and diplomatically-negotiated alliances (Smith, 1973).

The primary hero of Asante history is Osei Tutu, nephew of the kwamanhene, said to be the creator of the Asante kingdom (Fynn, 1971, p. 22). Relations between Asante and her neighbours are exemplified in the tale of Osei Tutu, though specifics of the account differ. It is said that in the latter half of the 17th century the Asante were under the rule of the Denkyira, then the greatest power in the area, and the former were to send tribute in the form of palm oil and a relative of the leader who would live in the Denkyira court (Wilks I. , 1995, p. 103). Osei Tutu, as envoy of his uncle, was to undertake this role, however this is where the story bifurcates. In one account, Osei Tutu seduces the sister of the denkyirahene, and when she is discovered pregnant he flees to Akwamu, and the protection of the akwamuhene solidifies the friendship between the two nations (Fynn, 1971, p. 29). In the alternate telling, Osei Tutu marries a Denkyira woman, and following a dispute over the spoils of war, the denkyirahene seduces his wife. Osei Tutu demands a sworn oath at knife-point from the denkyirahene, then flees back to Kumasi (Wilks I. , 1995, p. 104). In this account, Osei Tutu only travels to Akwamu following the divination of the priest Anokye, who implores him not to fight in a battle against the Domaa, rather to take refuge with the akwamuhene. Osei Tutu remains in Akwamu until he is requested to return to Kumasi as leader, following the demise of his uncle in the unsuccessful war against the Domaa (Wilks I. , 1995, p. 105).

As one of his initial acts as King, Osei Tutu formed a military alliance with various neighbours at a war council to gain independence from the denkyirahene (Gocking, 2005, p. 22). By November 1701, victory was attained by the Asante, and it is here that the first account of this nation is found in the writings of European traders. From this point, Osei Tutu, along with his adviser Anokye, laid the foundations of the
kingdom with a plethora of symbols and concrete institutions, sophisticated as any western governmental system. The union of nations was embodied in the symbol of the Golden Stool, “conjured down from the sky” by the priest Anokye himself (Fynn, 1971, p. 152). These two nation-builders “endowed the nascent Asante state with a national capital [Kumasi], a national festival, a national army and a flexible constitution” (Fynn, 1971, p. 152). The chiefs of the individual divisions were known as amanhene, and sat with the asantehene in the Asanteman Council, which was not dominated by the former, but functioned as an egalitarian forum with the asantehene as a ‘first among equals’.

We can extract from this narrative a few key indications of the diplomatic characteristics elaborated above. For instance, Osei Tutu was sent as ambassador to the Denkyira court, as he was a relative to the kwamanhene. Although subjugated by the denkyirahene, these two peoples were political and economically linked. When Osei Tutu fled, he sought council with the akwamuhene, and when appointed king drew on the support of such neighbouring Akan states to overthrow the power of the Denkyira, at a diplomatically-negotiated war council. Following his enstoolment, Osei Tutu concretised this war council into a fledgling nation in a loose federation, with a constitution. However, it is only following the rise of the Asante kingdom that we find increased evidence of growing diplomatic norms, as historical accounts become increasingly available with the introduction of written text, from both Muslim and European traders.

Following the reign of Osei Tutu, his successor Opoku Ware expanded the kingdom into a veritable empire in a series of conquests, annexing a host of neighbouring states. These were kept at arm’s-length from the administration in Kumasi and were overseen by Asante Wing Chiefs (Fynn, 1971, p. 153). This form of distant control led to a rather uneasy relationship between subjected nations and Kumasi, until “the reforms of in Asante government initiated by Osei Kwadwo” (Fynn, 1971, p. 153). The Asante sent officials to reside in these other states, and this provides an example of a type of
ambassador in the host tributary. Moreover, trade representatives were also sent to locations such as Accra and Akyapem (Smith, 1973, p. 618). The role of the representatives on the coast will be dealt with at greater length when this piece treats the nature of Afro-European diplomacy later in the chapter.

**Asante, Islam and Northern Trade**

From the earliest incarnation, the Asante kingdom had economic ties to the northern trade centres on the Niger bend, such as Jenne and Timbuktu (Wilks, 1961, p. 13). Of the four trading routes running north from Kumasi, this particular path was created by Mande Dioula traders who penetrated south from Jenne, settling in Bobo-Dioulasso and Kong. Some scholars have even gone so far as to credit the northern trade with the development of the Asante Empire, encouraging the interest in gold and kola nuts, and the acquisition of slaves from the north (Gocking, 2005, p. 21). The surplus labour, supplied by the slaves, allowed for the clearing of forested areas for the further mining of gold, “so that the original settlers who controlled the mines became the founders of new Akan chiefdoms” (Gocking, 2005, p. 22).

With the expansion of empire, Asante eventually encompassed several areas which were primarily Islamic, such as the city of Bondoukou (just over the Ghanaian border in present-day Côte d’Ivoire). The northern borders of the kingdom in the late 19th century ran alongside the Muslim state of Kong, and the vibrant and rather unrestricted trade to the north (primarily in kola nuts) had a great impact by way of relations between these two powers. Islam became a profound force in the latter half of the 19th century, with quite a significant, growing population of Muslims in Kumasi itself. So sympathetic was the asantehene Osei Kwame to the religion that he gave permission for a Muslim school to be built within the city, run by Mohammad-al-Ghamba (Wilks, 1961, p. 20). The formation of this institution led to the increased interactions between Muslims from Kumasi and those form as far afield as Cairo, who made the long trans-Saharan trek to visit with Mohammad-al-Ghamba.
Seen as too favourable to Islam, Osei Kwame was destooled in 1803, to be replaced by Osei Tutu Kwame (hereafter Osei Bonsu), “an avowed enemy to the religion of Islam” (Wilks, 1961, p. 24). However, due to the advantages offered by cordiality with the Muslim community, Osei Bonsu turned from persecutor to patron, and surrounded himself with several Islamic advisers. Due to his profuse respect and awe of the Islamic religion, the reign of Osei Bonsu possessed a flourishing northern trade in slaves and gold. Moreover, “it would appear significant that it was only in this period that the greater North African merchants began to show sufficient interest in Kumasi to come to visit there in person” (Wilks, 1961, p. 24). The flourishing trade aside, the use of literate Muslims in the capital led to the creation of a chancery to record “the greater political events” (Smith, 1973, p. 614). Indeed, the growth of empire and interaction with the north are inextricably linked in the rise of Asante.

**Afro-European Diplomacy: Asante & European Trade to the South**

Just as trade to the north was a feature of the Asante kingdom from its earliest inception, so too were its relations with European traders to the south. The Portuguese, the first Europeans in modern times to settle on the Gold Coast, established the fort of Elmina (Castle of São Jorge da Mina) at the mouth of the Benya River in 1482 (Gocking, 2005, p. 25). The Portuguese dominated commerce in the area until the early 17th century, initially trading in gold and later in slaves. Following a wave of attempts by other European powers to break this monopoly, “in 1643, the Dutch managed to expel the Portuguese entirely from the Gold Coast” (Gocking, 2005, p. 26). This point in history saw the influx of a host of European traders, and the construction of numerous fortifications along the coast; a number so great that in fact “of the roughly 110 fortification that Europeans erected on the coast of West Africa, about 100 of them were located on the Gold Coast” (Gocking, 2005, p. 26). The most significant of these were Elmina (captured by the Dutch), Christiansborg constructed by the Danes near Accra, and Cape Coast Castle, taken from the Swedes by the English in 1665.
Relations between Asante, a huge military as well as trading power in the area, and these European entrepreneurs were dictated largely by the diplomatic norms of Asante itself (Irwin, 1975, p. 95). Irwin dubs this as Afro-European diplomacy, in that “a European diplomatist, who might be a trader, missionary, hunter or traveller as well as an official, sought benefits from an African ruler” (Irwin, 1975, p. 83). In this sense the European must conform to the practices of its host, as with the adage ‘when in Rome.’

i. Asante Diplomacy

Many accounts of the European diplomatic experience with the Asante in the pre-colonial period come from the era of Osei Bonsu in the early 19th century. His reign was immensely colourful as it also coincided with the abolition of slavery in 1807, one of Asante’s chief trading industries. At the beginning of Osei Bonsu’s reign, several missions were sent to the court of the asantehene in Kumasi on the part of the British and the Dutch, all seeking some form of concession or favour from the king (Irwin, 1975, p. 84). Moreover, “diplomatists from Asante regularly visited the British at Cape Coast and the Dutch at Elmina Castle” (Irwin, 1975, p. 84). Despite the fact that the latter form of interaction took place on seemingly European territory, it is argued that these relations in the pre-colonial period whether at Cape Coast Castle or in Kumasi were governed by the norms of the Asante.

What were the characteristics of this Afro-European diplomacy? Our conclusions can been drawn from the accounts left behind by those travellers to Kumasi, as well as official European records. Irwin (1975) provides a detailed description taken from these sources and sketches a typical diplomatic experience during the reign of Osei Bonsu. Above all else, it seems that protocol had to be strictly observed; it was paramount to all other details. Upon entry into Asante territory, foreigners would be stopped at the frontier and would wait until the king had given order for them to be received, which could take “from a day or two, to several weeks.” (Irwin, 1975, p. 87). These delays were not arbitrary, and were vitally important, as it allowed the
asantehene to gather his advisers and chiefs, in order that he would be “properly briefed” (Irwin, 1975, p. 87). Once having reached the capital, visitors were usually detained once again until a particular time had been decreed for their reception.

Foreign envoys were usually received with a degree of splendour and grandeur far surpassing their station. Some accounts described thousands of people lining the streets, music and much fanfare. As one visitor, Huydecoper, stated “a king could not have expected more honor than was done to me today” (Irwin, 1975, p. 88). These displays of ceremony had dual purpose: to impress and to intimidate. An audience with the king was many times public, however, as with modern diplomacy, secret negotiations were also employed, with only the foreign envoy, the king and his linguists present (Irwin, 1975, p. 90).

While the foreigner was officially the guest of the king, with his accommodation and sustenance being provided free of charge, he was also subject to his whim. The asantehene frequently ‘requested’ his foreign guest to perform a variety of tasks while in Kumasi, including the writing of letters. Huydecoper went so far as to “arrange for the king’s silver to be cleaned” (Irwin, 1975, p. 90). Visitors were also at the mercy of the asantehene when wishing to take their leave, which was not so easy to secure.

Relations also took place while Asante envoys were sent to the coast, to conduct business with European traders. Indeed, envoys “paid frequent visits to the headquarters of the European traders and occasionally to Europe (Smith, 1973, p. 615). However, when in the host territory, ambassadors from Asante frequently gained support from local populations in order to increase their bargaining capability. In 1819 when an ambassador arrived at Elmina he had with him about 1,200 people. “Only half were Asante, for the remainder had been recruited from the local population” (Irwin, 1975, p. 94). Although the coastline was not officially in Asante territory, it was made quite obvious through display of force exactly whose authority was more potent.
Ambassadors were to be respected in all other territories, and lack of such respect was harshly dealt with. In order that one might recognise these officials, they were given symbols of state power, with the highest officials garbed in costly and elaborate costume (Smith, 1973, p. 604). Lower ranking messengers would carry some form of staff or cane to distinguish themselves. What is most interesting about these diplomatic missions, in contrast to later times, is the oral culture. Messengers in particular who, unlike ambassadors, were not at liberty to negotiate but rather to merely state the position of the asantehene, had no recourse to written documentation. Therefore, it was required that these officials be possessed of great memory and oratory skills. An Asante envoy is recalled during a meeting at Elmina to have “made a speech lasting for about an hour without having to pause to search for a single word” (de Maree in Irwin, 1975, p. 95).

Afro-European diplomacy seems to have been sophisticated, coherent and well-developed in this pre-colonial era. The comings and goings of ambassadors and envoys, both to and from Kumasi indicate a vibrant interaction with the southern traders, most of whom were European.

**ii. Asante Trading Patterns**

Separating the subject of trade from that of diplomacy may seem at first glance to be misguided, however in isolating the one from the other, one might be able to better elucidate both halves of the interrelated whole. Dickson (1966) describes three primary trading patterns in the 18th century in this region: southward to the sea, and onward toward Europe and the New World; southward to the sea and along to a variety of coastal destinations; and lastly, by land, northward to the Sahara. We have already touched on the importance of the northern trading pattern, and the Mande Dioula, in the rise of the Asante Empire. Therefore, in this subsection our concentration will be on the southward European trade.
One of the first and certainly the most significant forms of trade began with the Portuguese and Castilian interest in slaves (Gocking, 2005, p. 26). It was not long before other European traders jostled for advantage on the coast, and the slave trade soared. Although a lucrative business, it was highly unpredictable, as slaves were much easier to obtain in times of war than in times of peace. “When there had been a serious war between the Akwamu and Ga, a French man-of-war had collected three hundred slaves...within a matter of days” (Dickson, 1966, p. 427). Eventually the slave trade was outlawed in 1807, though other commodities, such as gold, ivory and later rubber, continued to be traded quite extensively. “It is estimated that as much as seven thousand marks’ worth of gold was exported annually” (Dickson, 1966, p. 426).

As goods left the shores of the Gold Coast, items of European manufacture also entered, and arguably had a profound effect on African society. These commodities ranged from fabrics to metals, and alcohol and weaponry such as guns (Dickson, 1966, p. 428). Asante, however, had strict controls over guns and ammunition and did not permit such goods to be carried through their land toward the north (Dickson, 1966, p. 424).

Due to the enormous strength of the Asante Empire, it has been described as the “nerve center and focal point of the country’s trade and trade-route network” as they “brought their organizing genius to bear on trade” (Dickson, 1966, p. 431). Indeed their controls on weaponry and the state involvement in trading operations has led scholars to the conclusion that the Asante governmental apparatus held a virtual monopoly on trade, to the detriment of the common entrepreneur. It is said that the southern trade in gold and slaves was highly regulated (Iliffe, 1995, p. 143). Moreover, trade in Asante was apparently a state-led enterprise, “under the management of the Gyasewahene, who was ‘overseer of the King’s trade’, and ‘was at liberty to send the trade where he [pleased]’” (Fynn, 1971, p. 117). This view, touted by Ivor Wilks and subsequently adopted many other historical scholars of the Asante period, has been
denounced as overly-simplistic and outright inaccurate through the findings of Gareth Austin, in his piece which examines private ownership during the 19th century.

Contrary to the overarching statements by Wilks, who argued that this virtual monopoly did exist, Austin points to accounts of Asante traders, not in the employ of the asantehene, frequenting markets as south as Cape Coast (1996, p. 13). Although governmental traders did receive small concessions, such as the waving of a toll (which amounted to little more than 2 percent of a load), “all subjects were encouraged to take a hand in trade” (Austin, 1996, p. 14).

With regard to the trade in slaves, this was not only significant in the southward migration of these captives. The regional interaction of the northward trade in slaves also had a social impact. The crux of Austin’s counterargument to Wilks stems from the role that commoners, rather than a ‘middle class’, had in the development of private ownership. Wilks maintains that the common man in Asante had not the means to accumulate private wealth, and even if he did so, the state would siphon most those earnings through death taxes. Austin, however, points to the proliferation of small-scale, kin-based units engaging in economic activities to accumulate wealth. This could range from local production of agricultural goods, mining operations, and most significantly, trade. Indeed, evidence of this growing wealth can be found in the fact that almost all Asante homes possessed domestic slaves, acquired from markets to the north (Austin, 1996, p. 17).

The economic ramifications of this fact were pervasive in that they allowed families to acquire even more wealth through production of other marketable goods through use of their slave labour. This would then allow the family to re-invest the earnings in the purchase of more slaves. The social outcomes of this practice were many, as it provided opportunities for common people to acquire slaves, which were not the sole purview of the aristocracy. The cultural interaction also had a marked effect, as almost all slaves were obtained from differing northern ethnic groups, but once ensconced in
Asante were “incorporated as members of cadet lineages” (Austin, 1996, p. 17). These intercultural relations are yet another consequence of the (sometimes involuntary) mobility of Africans in the pre-colonial period.

In truth, West Africa played host to innumerable migrations, exchanges, interaction, antagonisms and alliances throughout its long pre-colonial history. From the Neolithic frontiersmen, to the modern empires that have risen and fallen, Africa’s people have developed norms and patterns of social interaction intra- and inter-ethnically. At the apex of the Asante Empire, not only did these regional connections link the people of (what is now) western Ghana to the states of the north, but also the various European trading outposts to the south. Asante contended with rivals and peers, with uprisings and wars, with trade and social interactions, and did so with an evolving and sophisticated diplomacy at the level of high politics. Unfortunately, data is scarce at the level of grassroots interactions. However, from what we do know about the pervasive nature of individual entrepreneurs and traders, the movements of enslaved persons from the north, and the numerous exchanges which must have occurred at the wide variety of markets, the average commoner in Asante can be thought to have had a role in this budding regionalization as well. In a section which follows, we will see how this mobility of the individual will prove essential to undermining the power of the colonial state.

**Colonialism: French and British Styles**

Prior to the real ‘scramble’ for Africa, which most scholars would situate during the last two decades of the 19th century, the penetration of Europeans in West Africa was still fairly superficial, located mainly in the coastal and riverine areas (Hargreaves, 1974, p. 402); what is sometimes described as ‘beachhead colonialism’. The French were largely confined to the Four Communes (Quatres Communes) of Senegal, the coastal areas of Grand Bassam (in present-day Côte d’Ivoire) and the ports of Cotonou and Porto Novo (in present-day Benin). The British in 1880 had a presence in Sierra Leone, much of the Gold Coast and the areas around Lagos. Over the following two decades, the map of
West Africa was to be altered dramatically, leaving no independent states, save the Republic of Liberia. Whether or not this push toward the interior was a direct consequence of the Berlin West Africa Conference of 1884-1885, as is the general assumption⁹, the reality is that within the span of 20 years, the competing European powers, of which Britain and France were the most proactive, succeeded in appropriating an unfamiliar land with an output of relatively small numbers.

The question of how these small contingents of occupiers could have overwhelmed indigenous resistance has two probable answers: either resistance was relatively modest, or rather the European powers possessed significant advantages over those who opposed them. As to the former hypothesis, Hargreaves (1974, p. 403) contends that, “considering the area involved and the proud independence of the peoples there had...been surprisingly little violence.” However, other authors have provided evidence of high levels of resistance to European intrusion in many areas, with African armies outnumbering “the European armies as much as five-to-one, sometimes even ten-to-one” (Crowder, 1977, p. 134). With such a discrepancy of numbers, how was the partition accomplished with such celerity?

Crowder (1977) focuses on four factors that ran in favour of European occupation. Firstly, the overwhelming degree of fire-power on the part of Europeans, not only afforded by the Maxim gun (660 shots a minute) but also the antiquity and limited number of firearms at the disposal of African armies effectively nullified the advantage of population possessed by the latter. Secondly, the expertise associated with the advances in firearm technology meant that even if the indigenous fighters possessed new weapons, they did not always use them to their full advantage. “Ijebu never took advantage of the fact that breech-loading rifles permitted you to fire lying down thus presenting a smaller target to the enemy. Instead they continued to fire them

⁹ For an alternate interpretation of events see Simon Katzenellenbogen’s piece “It Didn’t Happen at Berlin: Politics, Economics and Ignorance in the Setting of Africa’s Colonial Boundaries”, which is also discussed later in this chapter.
standing up as though they were the old fashioned muzzle-loading guns” (Crowder, 1977, p. 134). Moreover, European forces were comprised of standing armies, with regular training, whereas most African armies of the time were formed on an ad hoc basis from members of the general population. Finally, one significant fact is that most African forces were not allied, providing smaller, individual targets for invading European armies.

However, regardless of how it was accomplished, by the turn of the 20th century, metropolitan power was to be exercised over an expansive and difficult terrain. Our focus in this section turns to the question of how this authority was imposed, and inquires as to the significance of the variation in British and French policy. Following a discussion of ideal types of direct and indirect rule, and a brief look at the mission civilisatrice, we will compare colonial practices in West Africa.

**Direct vs. Indirect Rule**

“The same ideal inspires both our policies. In our respective histories, the generous spirit of humanity creates the same impulse in both countries, and the great voice of your Wilberforce, the liberator of the African slave, and your Fowell Buxton, echo across the halls of Time the words of our Declaration of the Rights of Man.” – M. Albert Sarraut (cited in Arnett, 1993, p. 251).

Though it is not now as common to contrast British and French colonial practice in West Africa as stark opposites on a spectrum running from indirect to direct methods of rule, the divergence in the rhetoric of their respective policies still maintains some of its salience. As ideal types, both indirect and direct rule have their own moral justifications, as well as practical applications.

Direct rule, sometimes referred to as assimilation, is generally associated with French policy (Crowder, 1977, p. 145). As the name contends, the aim of colonialism is then the evolution of indigenous peoples into a society which mimics the métropole politically, culturally, linguistically, and socially. This transformation is accomplished through education, the transmission of cultural artefacts, and the transplanting and
linking of institutions. Though later admonished for its reprehensible condescension, from the ethical standpoint of French colonisers from as early as the beginning of the 19th century, this desire to share with other nations the ideals of the Revolution cannot be said to have had wholly pernicious motives.

Indirect rule, on the other hand, was as a policy that was later developed by, and associated primarily with the British. As a result of Lord Lugard’s experience in Northern Nigeria, whereby he incorporated the organs of existing indigenous institutions to carry-out policy at the local level, the possibility of exporting these methods became very attractive. From a practical standpoint, utilising structures already in existence solves many administrative headaches, and does not force one to stretch the already thin line of colonial officers and administrators. Moreover, it has the added feature of increasing the allegiance to the colonial government by keeping the local indigenous leaders in office. Furthermore, from a moral stance, indirect rule does skirt around the issue of overt ethnocentrism, though conversely can be criticised for its impersonal and exploitative nature, extracting benefits from a colony without necessarily contributing to it socially.

A third form of colonial rule, utilized by both the French and English at various times and places in West Africa, is that of association. Indeed, from the onset of the 20th century, association was the espoused form of colonial policy in France, which sought to walk the line between extreme forms of direct and indirect rule. The theory behind this policy, which is rather vague in its specifics, was that rather than the imposition of French culture (which demeans that of the indigenous culture), the colonies ought to develop for the ‘mutual benefit’ of both peoples. Crowder describes this policy in quite a cynical fashion, in that “the association was like that of a horse and rider, with the French in the saddle!” (Crowder, 1977, p. 145).

These typologies are merely clarified above for the purposes of the discussion that follows. Neither France nor Britain conformed to one strategy at all times in their
dealings with the colonies in West Africa, however, neither were their policies without trend or logic.

**France & the Mission Civilisatrice**

“In the shapeless clay of primitive peoples, France is modelling the face of a new humanity.” – E.J. Arnett (1933, p. 424)

“La France doit porter partout où elle le peut, sa langue, ses moeurs, son drapeau, ses armes, son génie.” – Jules Ferry (cited in Dimier, 2004, p. 11)\(^\text{10}\)

The mission to civilize was not the sole purview of France with reference to her colonies, however the drive to cultivate France Outre-Mer (Overseas France) affected policy and had consequences in practice. From the foundation of the fort of St-Louis-du-Senegal in 1659, the French presence in West Africa expanded and shifted in character. Initially, as with the other European powers, the lure of Africa lay in her economic potential, particularly in slaves (Adloff, 1964, p. 132). However, following the Revolution of 1848, and the rise of the Second Republic, slavery was abolished and French citizenship extended to the possessions in Senegal, divided into the Four Communes (Quatres Communes) of Dakar, St. Louis, Rufisque and the island of Gorée (Crocker, 1947, p. 59). This had the far-reaching implications of equality before the law for all men, and for the first time Senegal was to have an elected representative in Paris (Hargreaves, 1967, 86).

An analysis of French policy in the 19\(^{th}\) century through the lens of regionalization provides an interesting narrative. Indeed, the form of assimilation (or direct rule) favoured in this period did have significant outcomes in certain areas. It is to these regionalizing forces that our discussion now turns.

It is perhaps with regard to institutions, and their effects, that France’s influence on West Africa has been most influential, when examining the phenomenon of

\(^{10}\) Translation: “France must always carry, wherever she is able, her language, her morals, her flag, her weapons, her genius.”
regionalization in the colonial period. As mentioned above, even prior to the formation of French West Africa (or AOF\textsuperscript{11}), the linking of the politics in the colonies to that of the métropole was a key difference between the colonial powers. The fact that African citoyens were permitted to elect a representative was symbolically, though perhaps not practically, significant. This is not to claim that the French were necessarily more enlightened and accepting than the British, and certainly there was hesitation on the part of the former to extend these benefits to all Africans within the sphere of their control.

A distinction was made after 1848, with the extension of the rights and privileges of citizenship, between Africans who were citizens and those who were subjects. Citizens enjoyed the benefits of French patronage in the form of electoral rights, education, taxes and most importantly French laws (LeVine, 2004). Subjects, however, did not fall under the sphere of these advantages, and in fact were treated under a series of less favourable practices (this will be treated at greater length below). To be counted as citizen meant that one must be born on French soil (in Africa to be born in the Quatres Communes was to be born on French soil), or one could become an assimilé, by proving one’s evolution and francisation. This could be accomplished through the acquisition of French education, by becoming a Christian, or by allegiance to France through military service (LeVine, 2004). Though in theory this policy of assimilation was universalist, in practice it was a highly selective and elitist system, and by 1940, the entirety of the AOF comprised only 500 assimilés (LeVine, 2004).

For those few citizens, however, allegiance to France and to the AOF brought with it an understanding of space much wider in scope than the locality or colony. To be a citizen was to feel part of a larger region. The desire to link the various coastal outposts of the French African empire was one which, with the onset of the Scramble and the suspicion of British ambitions, drove colonial policy in the late 19\textsuperscript{th} century. By the turn of the century, France was in possession of an “area of West Africa nearly as

\textsuperscript{11} Afrique Occidental Française
large as the United States of America” (Crowder, 1977, p. 146), but with a comparatively small population of roughly 12 million. In order to govern this sparsely populated and immense space, the French decided to join the various colonies into a federation (AOF), which by 1904 was comprised of Senegal, Soudan (Mali), Guinea and Côte d’Ivoire (Crowder, 1977, p. 146). This later expanded to include Niger, Mauritania, Dahomey (Benin) and Upper Volta (Burkina Faso).

In order to administer this federation, France created the office of the Governor-General in Dakar, Senegal, to oversee the workings of the other colonies, himself represented by a Lieutenant-Governor in each of these subsidiaries. The central government was composed of a Conseil Supérieur de Gouvernement, whose membership of French and African citizens was appointed by the Governor-General. Lieutenant-Governors in each colony also possessed their own bureaucracy, as well as a handpicked Conseil Administratif. Only the Quatres Communes were governed separately, and along with their elected representative in Paris, they retained a separate Conseil Général. Under this system, the central government remained highly centralised, with a great deal of power resting in the hands of the Governor-General who exercised control over the individual colonies. However, his power was itself circumscribed by the métropole, and he did not enjoy the liberty of personal legislative authority (Crowder, 1977, p. 153).

The development of these administrative units, and the wider AOF created a situation whereby children born in West Africa in the early 20th century (certainly those who were directly linked to these institutions) began to affiliate themselves with these new political constructs. And certainly, this reality is evidenced in the field of education.

Although missionary schools have had a presence in West Africa for almost as long as Europeans have settled there, official governmental educational programs tarried somewhat. The first foray into African education on the part of the French establishment came in 1816 with the founding of a school at Saint-Louis. However,
this institution was criticised for teaching in both French, and the local language, Wolof (Gifford & Weiskel, 1971, p. 672). By the mid-19th century, the French government had turned over the direction of education in Senegal to religious orders of monks and nuns (Gifford & Weiskel, 1971, p. 671).

However, with the continued penetration into the interior, the benefits of secular education became more desirable, as most of the inhabitants of these regions were Muslim. In 1855, the Governor, Louis Faidherbe, appointed secular instructors to a mission school in Saint-Louis (Harrison, 2003), which coincided with the creation of a French school for the sons of chiefs, known as the “School of Hostages” (Gifford & Weiskel, 1971, p. 672). This education policy was implemented primarily for strategic purposes, in order to facilitate the push toward the interior.

By the turn of the century, and following the demand for the secularisation of education in West Africa by the French parliament in 1903, educational policy was markedly changed. Governor-General Roume altered the course of education in the AOF by elaborating the four essential features of this public educational system: that it take place in the medium of the French language, that it be entirely free of charge, that it remain secular, and that education be linked to the need for administrative personnel in the colonies (Gifford & Weiskel, 1971, p. 674-675).

In order to gain a high administrative position, one would inevitably need to move, sometimes a great distance, in the process of his schooling. Graduates of village schools could hope for no better than the lower ranking positions in the governmental hierarchy, and even those who completed the courses at the regional (upper primary) school would only become “subordinate clerks in each individual territory” (Gifford & Weiskel, 1971, p. 675). It was only the select few who attended one of the federal schools in Dakar, most notably the École Normale William Ponty, who could achieve the higher ranks, or train to become teachers and medical assistants.
One of the consequences of the mobility in education was the wider affiliation many students felt for not only the AOF, but for France itself. This hierarchical educational system linked students from all areas in West Africa, from Porto Novo to Saint-Louis, and impressed upon them the construct of this federation. “Members of the French-educated African elite who had travelled outside their home territory...could feel culturally Guinean, Ivoirian or Soudanese while at the same time seeing themselves as part of a larger federation” (Chafer, 2002, p. 18). Moreover, the affiliation and affection for Mother France was also apparent, with one former Ponty graduate stating that decolonisation for Africa is like “someone who has lost his father or mother” (cited in Sabatier, 1985, p. 180).

For the elite, French colonial policy provided opportunities for education, work and travel, and linked its citizens not only in each individual colony, but in the larger AOF itself. Political space became markedly expanded, even in comparison to the preceding generation.

*Britain & Native Authorities*

“Take up the White Man’s burden--
Send forth the best ye breed--
Go, bind your sons to exile
To serve your captives’ need;
To wait, in heavy harness,
On fluttered folk and wild--
Your new-caught sullen peoples,
Half devil and half child.”
(Kipling, in Spielvogel, J., 2008, p. 754)

“The Englishman by temperament feels little sympathy with the new class of schooled African; his preferences are for the “savage.”” (Crocker, 1947, p. 76)

At the level of central government, the British, in contrast to their French contemporaries in West Africa, chose not to link their disparate colonies into one uniform governing structure. Instead, the four territories (1914) of the Gambia, Sierra Leone, the Gold Coast and Nigeria were each headed by a Governor, possessed of legislative control (Crowder, 1977, p. 155). Unlike the French Governor-General in
Dakar, the individual Governors of the British colonies were accorded a great deal of freedom from London, and worked in conjunction with their own Legislative and Executive councils. Although the Legislative Council could contain African members appointed by the Governor, the vast majority were British officials upon whom the Governor could always be assured of an acquiescent vote (Crowder, 1977, p. 155). Moreover, in the case of the Gold Coast, although the colony was itself subject to the laws created by the Legislative Council, the protectorate area of Asante and the Northern Territories was “ruled by proclamation: that is the Governor proclaimed law on his own authority” (Crowder, 1977, p. 155).

Nevertheless, it is in the sphere of local government that the contrast between British and French rule is most apparent, with the former associated with the policy of indirect rule. This policy, though lauded for its high morals (non-imposition of foreign ideals and institutions), was not developed by theorists in the ivory tower. The system of Native Authorities espoused by Lord Lugard following his experiences as High Commissioner of Northern Nigeria from 1900-1907, was heavily influenced by realities on the ground. At the turn of the century, Northern Nigeria was ruled by a class of Fulani Emirs, who had some time in the distant past conquered the native Hausa, and converted many of the population to Islam (Mair, 1936, p. 120). There existed already a high degree of economic development, specialisation of trade, a sophisticated taxation system, as well as judicial powers exercised in accordance with Koranic Law. The political and economic system that Lugard found in place upon his arrival was one which was highly adaptable to the needs of the colonial government, and indeed in utilising these local institutions, the meagre British resources would not be stretched beyond their limits.

The British presence in each division would be represented by a District Officer (or Resident), whose aim was to ‘assist and ‘advise’ the local government, in an effort to promote improvement in these systems. However, such improvement rarely took place, and District Officers “increasingly came to regard their role as one of preserving
rather than modifying.” (Crowder, 1977, p. 157). Despite the unique characteristics of
the Northern Nigerian case, indirect rule was later attempted in all parts of British
West Africa, becoming the canon of British policy following the First World War.

It is fallacy to suppose, however, that British practices in her dealings with colonial
peoples were never informed by assimilationist tendencies. Indeed, prior to the
Scramble, it is arguable that British actions lent much more to the direct, rather than
indirect, form of rule. This is evidenced in the high degree of cultural cross-
pollenization and the rise of a class of Creole elites\(^{12}\), throughout many parts of British
Africa prior to the 20\(^{th}\) century. Bickford-Smith (2004) maintains that in the mid-19\(^{th}\)
century, Creole elites, throughout the Empire saw themselves as ‘black Englishmen’,
and not ‘natives’. Just as the French *mission civilisatrice* was all-invading in the actions
of its colonial officers, so to, Bickford-Smith asserts, the British were compelled to
‘civilize’ the African cultures with whom they interacted. Perhaps a superficial reading
of Kipling’s *White Man’s Burden* held a motivating place in the minds of British colonial
officers, for indeed the cultural interactions and assimilationist practices were not as
uncommon a feature as one might assume.

Bickford-Smith (2004) points to the frequency of social interactions between the
British inhabitants of colonies, such as Sierra Leone, with the Creole community, who
mixed at various engagements, ranging from balls to concerts and even in each other’s
homes. However, by the 20\(^{th}\) century, this mixed society had all but vanished, with
white settlers in Freetown establishing a separate residential community called Hill
Station, set “750 foot above the city”, the purpose of which was to protect Europeans
from local diseases, and the African carriers of such maladies (Bickford-Smith, 2004, p.
205). This rejection of Creole elites, he maintains, was a break from previous

\(^{12}\) The term “creole” is here employed in the sense outlined by Bickford-Smith, not necessarily
descriptive of a person of mixed race, but rather encompassing all persons influenced by a high degree
of “cultural hybridity”, which may or may not be accompanied by “racial hybridity” (Bickford-Smith,
2004, p. 195)
encouragement, and brought about due to the policy of indirect rule, which favoured ‘traditional’ African elites, to the exclusion of the new class of educated, Europeanized Africans.

However, even outside of the urban centres, where indigenous communities were much more isolated from the everyday of European influence, indirect rule was not universally achieved, nor in some cases even employed in the first instance. Initially, British practice was not informed by policy, and a variety of methods of rule were employed according to the realities on the ground. However, following the Lugard experiment in Northern Nigeria, indirect rule became the favoured policy, leading the British to attempt “to impose this system even where it was obviously unsuitable” (Crowder, 1977, p. 156).

At the onset of the 20th century, in southeastern Nigeria, the British sought to impose a system of indirect rule, for which they required the traditional chiefs to be identified. Unlike their northern neighbours, inhabitants in this region were not as stratified, nor did their chiefs possess the degree of power found in the north. Furthermore, due to suspicion on the part of these communities, when the British appeared, desiring to uncover the identity of the chiefs, false chiefs (sometimes in the form of criminals) were put forward “to go and see what this was all about” (Gann & Duignan, 1978, p. 211). The result was thirty years of abuse on the part of these false rulers, now entrusted with judicial and executive powers.

Latterly, several measures were taken, to develop a congruence of policy throughout the disparate colonies of British West Africa, following the First World War. These included a common training for colonial officers, instituted in 1920, though still falling short of the rigorous educational requirements of their French counterparts. Furthermore, research and development programs were initiated, and in 1927, the first Governors’ Conference was realised (Heussler, 1971, p. 575).
Despite these late initiatives, the governance policies employed by the British in West Africa could never be said to be consistent. As has been stated, local factors had to be taken into consideration, and in light of the ‘thin white line’ of the colonial service\textsuperscript{13}, cooperation with local communities more often than not made the momentous task of governance slightly less daunting. “Indirect rule could not be fully practiced, and had to be modified in different ways by the different colonial powers” (Boahen, 1990, p. 144). It seems that for both the French and the British in West Africa, the ability to undertake either a pure form of indirect or direct rule proved virtually impossible, and in some cases undesirable as well. So how can we account for the logic of colonial governance, if our current paradigm of indirect-direct rule does not seem to hold? In analysing a counterfactual case, to which we will now turn, an attempt will be made to explain the divergence between reality and official rhetoric.

**Neither Indirect nor Direct:**

**Institutional Choice & British Colonial Practice**

Having treated the diplomatic relations of the Asante Empire above, it seems quite fitting to continue our discussion of British policy in relation to this large, well-developed society. The professed aims of indirect rule, as well as the normative arguments in favour of the British presence in Africa, rely heavily on the principle of relative non-intervention of the European power, whose purpose is merely an advisory role. Colonial development was to be for the benefit of Europeans and Africans alike, with the British District Officer as the assistant to the local authority, the result of which would be the gradual evolution of native institutions toward a higher level of institutional development. In this vein, strong indigenous leaders were requisite for the policy of indirect rule, for the greater control these chiefs possessed, the easier it was, in theory, for the British colonial service to maintain a state of equanimity.

\textsuperscript{13} Taken from Kirk-Greene’s study of the role of British colonial service in Africa (*The Thin White Line*, 1980)
It has been stated several times over that the British, unlike the French in West Africa, seemed to favour traditional elites. Reasons for this apparent discrepancy have been explained by the differences in policy, but also by the differences in metropolitan politics; the British with their monarchy, and aristocratic traditions intact, the French in the aftermath of their Revolution. Granting that this explanation is somewhat crude, there seems to be an element of veracity in it. Though initial recruitment in the British diplomatic service was haphazard at best, by the turn of the 20th century a more rigorous process was set in place, with a vast majority of officers having completed a university education, and more often than not were a product of the professional classes (Gann & Duignan, 1978, p. 197).

The British viewed their own role in Africa as distinct from the French in that, unlike their contemporaries, “our aim and also our practice is to eliminate ourselves” (Crocker, 1947, p. 66). With these thoughts in mind, how does one account for the fractious relationship with Asante throughout the 19th and early 20th centuries, which led to the forced exile, on the part of the British, of the rightful asantehene? By means of an analysis of the causes of the Anglo-Asante wars, through the lens of Boone’s thesis on institutional choice, we will demonstrate how this case may act as an example contrary to professed British policy in West Africa. It may also call into question the rubric by which many scholars have come to account for colonial policy in West Africa more generally.

**Institutional Choice**

A recent book by Catherine Boone (2003) develops a theory of political governance in Africa based on local institutions, a work expanded from a previous article on the same subject. Her thesis rests on the countering of the traditional argument that the policies and strategies of African governments have been determined by exogenous factors, which impinge on the decision-making powers of national leaders. In the case of Africa, these have included European colonial legacy, bipolar Cold War rivalries, the international financial system etc. Boone turns the question on its head, and by
looking to cases wherein there have existed starkly divergent policies within the same government toward various regions within its control, she analyses the question through endogenous factors. She rests her explanatory structure on the basis that a ruler’s decisions is influenced “in response to situations they confront...on the ground” (Boone, 2003, p. 34).

From this foundation she develops a sophisticated rational-choice paradigm, based on two factors: the degree of hierarchy found within the local community, and the level of economic independence it possesses. These two variables provide four strategies available to the ‘central’ government vis-à-vis the rural territory it seeks to govern: Powersharing, Usurpation, Non-incorporation and Administrative Occupation.

Although Boone has crafted this paradigm for use in her analysis of post-independence governmental strategies in West Africa, she does allow that it can be applied to colonial governments as well. Furthermore, she maintains that “this argument should hold regardless of colonial administrative doctrine (France’s formal commitment to direct rule, and Britain’s to indirect rule), and even across regions with a single postcolonial state” (Boone, 2003, p. 36).

Taking my cue from Boone, the case of Asante is interesting in that the empire was possessed of a very well-defined social hierarchy, with relative economic independence vis-à-vis the centre. Therefore, given Boone’s hypothesis, it was strategic for the British colonial government to choose usurpation, rather than a form of collaboration with Asante, for the latter were positioned to be strong rivals, rather than strong allies (Boone, 2003, p. 29). To demonstrate this relationship, we will examine the case of two major events in Asante history, and the political events which would eventually lead to the removal of asantehene Prempe I.
Osei Bonsu and the First Anglo-Asante War

Osei Bonsu, one of the pre-eminent asantehenes in history, was to be the first leader challenged by the British in 1824. Relations between the two nations had been strained due to the abolition of slavery in 1807, however it was the Asante occupation of the coastal Fante areas in that same year that worried the British on the Gold Coast. This invasion should not have come as a surprise, according to Boahen (1974), who maintains that the conquest was “an historical inevitability” (p. 167). Occupying a huge territory provided Asante with many opportunities for trade both northward and southward, however the Fante states effectively blocked the coastal areas, and thus European trade. Asante traders were therefore forced to deal with these middlemen, who, they claimed, were dishonest. “As Osei Bonsu told Bowdich in 1817, the Fante received pure gold from Asante and mixed it with base metal before selling it to the Europeans, ‘ten handkerchiefs are cut into eight; water is put into rum, and charcoal to powder, even for the king’” (Boahen, 1974, p. 168). It was in fact upon his defeat of the Fante nations, that Osei Tutu Kwame (as he was then known) took on a new name. As the story is told, he continued on to the sea and after wading in it, returned with the name of Bonsu, meaning whale, for not even the sea could produce an enemy to resist him (Boahen, 1974, p. 174).

Despite the fact that the British were sympathetic to the coastal Fante, with whom they had developed trade relations by this point, they were forced to seek harmonious relations with Asante, who now controlled an area wider than that of the current state of Ghana. Therefore, in 1816 a mission was sent to Kumasi, and a treaty was signed, securing British trade interests in the Gold Coast. However, this treaty was not honoured on the part of the British, who refused formally to recognise Asante rule over the Fanteland, though it was an important clause agreed to by both parties in the treaty. Moreover, when the asantehene’s messengers arrived to report disrespectful behaviour, which ran contrary to the treaty, they were duly overlooked. “It is humiliating to be compelled to make the admission and to confess that a King of [Asante] had greater regard for his written engagement than an English Governor” (Cruickshank cited in Boahen, 1974, pp. 182-183).
Furthermore, it was a great shock to the *asantehene* Osei Bonsu to later discover that his copy of the treaty was not identical to that published by the British Government. One significant divergence was the inclusion of the King of Dwaben, putting him on par with the *asantehene* (Boahen, 1974, p. 182). Following this insult, another envoy, Joseph Dupuis, was sent to Kumasi in 1819 and a new treaty was agreed upon. Despite this success, the political situation in the Gold Coast was to drastically alter within the next few years.

Until the year 1821, the Gold Coast fell under the jurisdiction of the British Company of Merchants. It was, however, disbanded for a variety of reasons, including its inability to effectively end the slave trade. From that point, all the British forts came under the command of Sir Charles MacCarthy, then Governor of Sierra Leone (Crowder, 1977, p. 106). It seems from his earliest visit to the Gold Coast, MacCarthy held little sympathy for Asante, and in fact described them as “true barbarians”, headed by a “Barbarian Chief”, though he hoped they would be subdued “without a war on an extensive scale” (MacCarthy cited in Boahen, 1974, p. 185).

Opinions regarding MacCarthy’s motivations and actions during his short tenure are divided. What is more certain, however, is the sequence of events which follow. Upon his arrival, MacCarthy did not send word to Kumasi of the change in administration, nor did he send any gifts and overtures to the monarch, as would be customary (Metcalfe, 1964, p. 71). In 1822, a Fante, who was also a sergeant in the British service was arrested for an insult to the *asantehene*, punishable by death (Boahen, 1974, p. 186). This spiralled into full-scale military confrontation, igniting an already incendiary situation. The *asantehene* claimed that the man was Fante and thus under his jurisdiction, whereas the British maintained that the sergeant “was a subject of the King of England and was consequently amenable to the laws of that country only” (Chisholm, 1822, p. 78). When in 1823 the man was executed, MacCarthy’s troops were rallied and following a few smaller encounters, a decisive battle was fought at
Adamanso in January 1824, where MacCarthy was to meet his demise (Metcalf, 1964, p. 72).

What is interesting to note about the case of the first Anglo-Asante war, is a thesis propounded by Boahen, who surmises that war could easily have been diverted had MacCarthy not been seeking an excuse for military confrontation. Indeed, control over trade had been a sticking point between the British and Asante for some years, and MacCarthy upon his arrival on the Gold Coast stated that Asante would have to be put down “before our footing in this country can be considered safe and respectable” (MacCarthy in Boahen, 1974, p. 186). With a high degree of hierarchy, including subsidiary states and an elaborate system of councils and chiefs, along with fierce economic bargaining power, Asante was not in a weak position. In the case of the young Fante who was apprehended, Boahen continues by stating that it was a full four months between his arrest and execution, and moreover that he had been kept at Abora Dunkwa, 18 miles from Cape Coast, and not further north at Kumasi. Boahen concludes that this is persuasive evidence that perhaps the asantehene wished for a peaceful settlement of the matter. MacCarthy, despite this four-month reprieve, never sent an envoy in that time, ignoring the advice of an official who “hinted that he thought it possible that” the British “would wish to send a person to intercede with the King” (Chisholm, 1822, p. 78).

What is even more intriguing is that Osei Bonsu is considered to have been in many respects a forward-thinking leader. He modernised the institutions of Asante, and for the first time men were appointed “to offices in the administration not because of the families they came from but because of their ability” (Crowder, 1977, p. 103). He engaged the services of literate Muslims, and strengthened ties to the north. He conquered the Fante states, something none of his predecessors had been capable of accomplishing. It is perhaps this degree of power, which the asantehene could wield over such a large region that prompted British action toward that of usurpation, rather than powersharing.
Much of the history of 19th century Asante was littered with political conflicts with the British, culminating in no less than five Anglo-Asante wars. Although questions may be brought to bear regarding the use of the first Anglo-Asante war and its clash with British rhetoric of non-intervention (for indeed this occurred long before it was official governmental policy to employ indirect rule), its incorporation, I believe, is warranted. Though not expounded as clear policy as at the turn of the century, the features of indirect rule have a longer history in the distinctions drawn by the British between their aims in Africa, in comparison to that of other European powers. The benevolent ambitions of empire do leave one to ponder the actions of the British in the many Anglo-Asante wars which ensued.

However, this alone is perhaps not enough evidence to support of Boone’s thesis of institutional choice. Therefore by this short examination of asantehene Prempe I’s reign and, the lengths to which British officials went in order to usurp Asante power, we will see how despite the official policy of the day Britain did not choose the path of collaboration, as one would assume if relying solely on a policy of indirect rule.

Following the fourth Anglo-Asante war of 1872, whereby the Asante suffered a great defeat and lost all the territory south of the River Pra, the power of the British on the coast was greatly improved. Unfortunately for Asante, further tributary states took advantage of this period of weakness and many succeeded in breaking away (Crowder, 1977, p. 110). Consequently, it was at a time of significant upheaval and insecurity that Prempe I came to the throne in 1888, as the “Empire seemed finally to have broken up” (Crowder, 1977, p. 111).

It was a testament to the force of Prempe’s personality and charisma, that within a matter of months he was able to bring metropolitan Asante back under his control.
Shortly thereafter, many tributary states also returned, including “the Dwaben, who had fled south of the River Pra” (Crowder, 1977, p. 237). The British, who had just achieved control over much of the Gold Coast, were unsteadied by this resurgence of power, as it “posed a threat to [their] imperial designs” (Adjaye, 1989, p. 237). It was at this time that the British employed ‘protection’ strategies in order to gain control over Asante, meaning that in exchange for their allegiance, Britain would protect Asante from its enemies and pay the Asantehene a fixed sum each year. Despite repeated offers in 1890, 1891 and 1894, Prempe refused this policy in favour of remaining independent, open to relations with all Europeans.

Due to their fears of French ambition in Asante, the British took drastic measures and in 1896 led an army into Kumasi to arrest the asantehene (Boahen, 1974, p. 261). There is a divergence of opinion as to the exact reasoning behind this startling move. Whether it was a pre-emptive action against the French (Metcalfe, 1964, p. 471), or merely that the British finally had an (albeit flimsy) excuse to take control over a land they had coveted for so long, either way the Asante were deceived.

Adjaye (1989) has brought to light greater knowledge of the motivations of Prempe himself, during that last stand against the British and also throughout his lengthy exile. It is a fact that during the 1896 expedition, the Asante offered no resistance whatsoever (Metcalfe, 1964; Adjaye, 1989; Boahen, 1974; Crowder, 1977). Speculation as to why Prempe did not militarily defend himself has been rife, however Adjaye, using documentary evidence, has shown that Prempe truly believed that negotiation would prove fruitful and that the British had deceived Asante by deposing their king. “The absence of all resistance to the advance of the troops was really due to the repeated promises that the government had no intention to depose the King provided that they acceded to the terms that would be imposed” (Adjaye, 1989, p. 226). And to these terms Prempe, it seems, was more than willing to acquiesce. On the morning when the British arrived in Kumasi, Prempe agreed to all the conditions brought before him, including the act of publicly bowing before Lord Wolseley (Adjaye,
However, upon demand of the payment of indemnity incurred by *asantehene* Kakari following defeat in the war of 1872, Prempe presented Wolseley with £2,720, saying that he was informed he would be allowed to pay the amount in instalments, and that furthermore they had only received notice of this amount owing two days prior. When the money was again demanded immediately, Prempe implored Wolseley to allow him to return to his home to retrieve more money. This request he was refused and he, along with many of his wing chiefs, was at that moment arrested. He was later exiled to Sierra Leone, and then to the Seychelles.

Prempe I spent the next 28 years in exile, and was only repatriated as a private citizen in 1924, later passing away in 1931 (Adjaye, 1989, p. 223). The question stands, why would Britain withhold office from a rightful chief of a sophisticated society, when their policy is officially one which seeks to support and encourage the development of these very same African societies? If Britain’s true aim in Africa was to assist in the flourishing of African institutions, through their own cultural means, and ultimately for the British to ‘eliminate’ themselves, why actively depose a ruler who by all accounts was known for his intelligence and modernizing tendencies (Adjaye, 1989, p. 247)?

The case of Asante, and certainly that of Prempe I, seems to run counter to the rhetoric of indirect rule espoused by Britain in that era. This would seem to lend credence to Boone’s thesis, that it was the realities of what the British found on the ground which drove their colonial policy, and ultimately to seek to usurp power in Asante.

**The Colonial State: Bula Matari**

It took but a mere two decades to bring all of Africa, save Liberia and Ethiopia, under European control. However, it is a certain truth that there exists a vast difference between conquering a land and governing it. The challenge set before these imperialists was a great one, for not only was the newly acquired territory immense, in many cases with a sparse population, but the terrain was perilous. Though by the
early 1900s medical advances had made significant progress, death by disease was still not uncommon in the colonial service in Africa.

With all of these obstacles, how did Europeans endeavour to govern the peoples of West Africa? The first essential move was to delimit the colonial boundaries on the ground, an act which has undoubtedly influenced the current geopolitical reality of West Africa. One can examine the rise of the colonial state from two opposing perspectives, that of oppression (which has ramifications for the development of the post-colonial state) or that of opportunity. As we shall uncover below, either one in isolation does not effectively account for the reality of the colonial state. Viewing the age of high imperialism as mere oppression does grave injustice to the ingenuity of indigenous populations, and ignores the adaptability and mobility which existed in pre-colonial and colonial Africa, and its continuation in the wake of independence.

The colonial ‘control’ over Africa in the latter decades of the 19th century was indeed accomplished through a combination of treaties and military confrontations. Superior firepower in the form of machine guns, the maxim gun and canons, as well as surprise attacks and the exile of leaders led to the quick overthrow of empires. Despite the religious fervour behind the resistance of the Sokoto empire in Northern Nigeria, the emirs were brought to heel within a few years (Boahen, 1987, p. 50). Exile was the fate of such leaders as the Oyo of Benin, Samori Toure and asantehene Prempe I, the latter sent to the island of Mahé in the Seychelles, the home to a host of ‘uncooperative’ African kings (Adjaye, 1989, p. 234).

It is undoubtedly true that this fierce conquest left behind an impression of fear and resentment among many of the newly subjugated peoples. In one colony in particular, that of the Congo Free State under King Leopold’s rule, the brutality of the conquest led to the establishment of the concept of the Bula Matari (Young, 1994, p. 1). Describing the awe-inspiring and fear-laden impression of native peoples for Henry Morton Stanley, the push into the interior led to his nickname, Bula Matari, meaning
“he who crushes rocks” (Young, 1994, p. 1). This epithet quickly shifted to describe any agent of the burgeoning and brutal regime which existed under King Leopold. Furthermore, Belgian officials, themselves, began to use the title as synonymous for the state, for the fear it instilled among the population. Therefore, “a summons from Bula Matari was an order from the government” (Young, 1994, pp. 1-2).

Young uses this notion of Bula Matari and expands it to account for the various colonial states in Africa, and their legacies following independence. For our purposes in this chapter, our use of Bula Matari is solely as a conceptualization of the brutality and grievous exigencies of various colonial practices, and the mingled fear and resentment of subjugated populations in West Africa.

**The Indigénat**

Though the French bestowed upon Africans many privileges not accorded to their peers in the British colonies, the contrast between the elite African citizens and the lowly African subjects in the AOF was startling. As we have discussed above, citizens and assimilés were governed under a separate system of law, and possessed particular rights such as the vote. Subjects, on the other hand, did not fall under the purview of this privileged system, and were governed by an arbitrary system of law.

The *indigénat*, a penal system developed first in Algeria, and transplanted to French sub-Saharan Africa, instilled in local administrative officers a wide degree of power; a power that was easily abused (Hargreaves, 1967, p. 137). Under the *indigénat*, a subject was not accorded the right of Habeas Corpus, and could be arbitrarily imprisoned, fined, or deported, with no recourse to appeal or judicial review. Moreover, offences punishable by the *indigénat* could be defined by decree, at the whim of the administrative official (Hargreaves, 1967, p. 137). For quite obvious reasons, this was probably the most detested institution of French colonial power.
Conscription
Another practice was that of military service, and in the case of the French colonies following 1904, conscription, should voluntary recruits not be sufficient (Adloff, 1964, p. 177). Volunteers had served in various conflicts in the name of France, such as the Franco-Prussian war of 1870, and later in the two World Wars. In all cases, African soldiers fought not only within their own continent, but in France itself (Adloff, 1964, p. 177). During the First World War, conscription numbers sharply increased to accommodate the demands of war, with 80,000 Africans in active service by 1916. These men, however, were not all fighting, rather many of them also served in ancillary battalions, engaged in labour and factory duties (Adloff, 1964, p. 178).

In the case of the British, their approach to the use of Africans in the military took a very divergent path. Indeed, much of the policing in early colonial West Africa was undertaken by the Indian Army, for it was thought (at least initially) that the continent was not a place for “soldiering or manpower recruitment” (Killingray, 1979, p. 421). In fact, though the Royal West African Frontier Force (WAFF) had been operational by the outbreak of the First World War, they, as well as other African troops, were thought unreliable, and unfit for service outside of Africa (Killingray, 1979). However, the effect of two World Wars, and the stark changes of the international system in the first half of the 20th century led to a need for greater African military involvement. Though the Colonial Office vehemently opposed the involvement of African forces, the desperate need of manpower during the Second World War forced their hand, and troops were deployed in campaigns in Asia and the Middle East (Killingray, 1979).

Taxation
“I’ai vue des exemples de villages déclimés par la maladie du sommeil continuant à payer depuis plusieurs années le même impôt que du temps où la population était dix fois plus nombreuse” (Pieusserges cited in Asiwaju, 1976, p. 585)14

14 Translation: “I’ve seen examples of villages decimated by sleeping sickness, continuing to pay for several years, the same tax as at the time when the population was ten times more numerous.”
Taxation of West African colonies was a delicate balancing act for both France and Britain. By the early 20th century, the common fiscal opinion in Europe was that the colonies ought to be self-financing, to bear the burden of colonial administration and development. This led to the introduction of several forms of taxation, from import and customs duties, to direct taxation.

Customs duties had existed in both territories at the time of official colonialism, however the French had imposed capitation tax in Côte d'Ivoire from 1901. The British, on the other hand, chose to levy most of their taxes from imports, and avoided direct taxation in the Gold Coast until 1936 (Asiwaju, 1976, p. 584). Taxation, in itself, is not necessarily a form of oppression, for indeed the sums collected provide for infrastructure development and institutional upkeep. However, in West Africa, it has been argued, the taxation systems introduced were, at times, very unjust for several of reasons.

Firstly, there was the issue of representation. As we have noted earlier, only citizens of the French colonies, not its subjects, were accorded full rights and privileges. And yet, French subjects were required to pay this capitation tax, without the benefit of receiving the vote, or falling under the jurisdiction of French law. The same resentment is apparent in the British colonies, with a fierce resistance to Lugard’s suggestion that direct taxation ought to be implemented in West Africa. Dr. Nanka Bruce, in his speech dated 24 September, 1931 (five years prior to the introduction of direct taxation in the Gold Coast) had this response to offer:

*We must not take the view of the Noble Lord [Lugard], no matter how experienced he may be. There is no need in this country to have direct taxation. In every country where direct taxation is imposed there must equal representation. I will only put this proposition: Is Government prepared to give this country full representation, and is Government prepared to give the control of our finances to the people of this country? If not, it is better that we remain...*
The second issue regarding taxation is illustrated by the quotation which began this section. The Inspector of Administrative Affairs, Mr. Pieusserges, noted the unfair implementation of the capitation tax, whereby members of the community who were deceased or had migrated were still included on the roll and the remaining population were responsible for providing the missing shares. This abuse of power by over-assessment led to a strong resentment on the part of the local populations, many of whom were unable to bear these fiscal burdens.

*Forced Labour and Préstation*

Apart from the indigénat, the system of préstation, or forced labour, was one of the most resented and detested policies of colonial administration in the AOF. In order to supplement the taxation system, all adult males were required to give up to twelve days a year of unpaid labour to the government (Hargreaves, 1967, p. 117). One could exempt oneself from this obligation through a cash exchange, however most subjects did not have the means to do so. The form that this labour took was generally local public works projects, road maintenance, and railway construction. Following the First World War, subjects could also be conscripted for paid labour in lieu of the mandatory military service (Hargreaves, 1967, p. 117). Though this form of ‘public service’ was defended from a standpoint of duty to the colony, the use of préstation for private enterprises is not so easily justified. It was not uncommon, for example, to use this unpaid labour for work on private plantations, particularly in Côte d’Ivoire, “often under conditions which were not adequately subjected to administrative inspection or control” (Hargreaves, 1967, p. 117).

The British policy of forced labour has usually been spared this last criticism, a common distinction being that unlike their French contemporaries, the British used such labour for public works only (Thomas, 1973, p. 79). In the Northern Territories
Protectorate (NTP) of the Gold Coast, labour recruitment was frequent, due to the lack of export production. However, from 1906, government recruitment for paid labour in the southern mines began, and it is argued that this recruitment of ‘voluntary’ workers can be likened to a forced (paid) labour strategy (Thomas, 1973). Thomas (1973) demonstrates that the governmental recruitment campaigns on behalf of the privately owned mines did not so much induce volunteers, rather than intimidate chiefs into coercing recruits. These campaigns were conducted primarily in the NTP, and the officers in charge were required to meet the demands of a pre-set quota. Moreover, desertion on the part of these recruits was an enormous dilemma for the mine owners, the reasons for which were primarily due to poor treatment, ill health and deception, as most workers were not initially informed that they would be required to spend their days underground (Thomas, 1973).

Though it is arguable that the French policy in West Africa was more of an imposition than that of the British, colonialism was certainly not carried out in the most benevolent of fashions. The legal system, conscription, taxation and forced labour were all institutions of colonial oppression, which were met with varying degrees of indignation and outrage from the indigenous population. However, as we shall uncover below, these institutions were not merely accepted by Africans, and indeed the adeptness with which local populations circumvented and opposed these impositions provide a more complex picture of the colonial situation.

**Subverting the Colonial State: Ananse**

When discussing the colonial state, it can be tempting to only list the policies of oppression, as above. However, it is helpful to also look at those opportunities created by the colonial state. Opportunity is expressed in this chapter through the character of Ananse, a popular folk-hero in Asante, and wider Akan, tradition. Ananse is a many-varied character, sometimes described as human, sometimes spider, who is son of the Nyame, the sky god. Ananse is a trickster, whose success relates to his great ingenuity and skill, and who is only ever captured in a trap of his own making (Danquah, 1944, p.
The popularity of Ananse still exists to this day, being the subject of children’s tales in Ghana and abroad.

Our use of Ananse in this piece is to give full credit to the ingenuity displayed by indigenous peoples, whose greatest stand against colonialism came not from overt military resistance, but from individual strategies. This cunning, inventive and subtle intransigence demonstrates the adaptability of West Africans, and strikes at the core of opinion which views their ‘acceptance’ of colonialism with relative passivity. We will examine two of the most significant forms of resistance in the era of colonialism.

Exploitation of Financial and Political Opportunities

“Considerable facilities exist for the smuggling of spirits across land frontiers. Both in the Ivory Coast and in French Togoland railways run northwards from ports situated near the Gold Coast frontiers.” (Report of the Commission of Inquiry Regarding the Consumption of Spirits in the Gold Coast, cited in Nugent, 2002, p. 85)

The most significant forms of resistance were dependent on the mobility of Africans, something which we have noted was not alien to them. There are two practices which proved most disastrous for the colonial governments, the first of which was the exploitation of divergent fiscal regimes. Unfortunately for the European imperialists, the parcelling of West Africa created the existence of a large number of borders, which they could not possibly hope to effectively monitor. This in itself would not have proven a great difficulty, had not the various colonial regimes operated their customs and fiscal policies in disharmony.

In his very detailed work of the Ghana-Togo borderlands, Nugent (2002) describes the incredible troubles wreaked by the high incidence of smuggling across the imperial frontiers. Despite the development of the British Customs Preventive Service (CPS), whose mandate it was to maintain order along the borders between British and French West Africa, the lack of personnel across such an extensive and rough terrain made the aims unattainable. Evidenced by the case of spirit smuggling in the 1920s, British officials were at a loss as to how they could implement the desired prohibition of
certain forms of alcohol, without “a doubling in strength of the Preventive Service along the eastern frontier” (Nugent, 2002, p. 84).

Indeed, due to the lower French tariffs, there already existed a flourishing illicit trade in spirits (Nugent, 2002, p. 85). Nugent contradicts a common argument, that cross-border trading routes during the colonial era (and to this day) are simply a continuation of traditional trading patterns, and not the product of colonial borders. This assumption is simply false, and does not give credit to the African entrepreneurs who sought to take advantage of the monetary discrepancies and variable tariffs that the borders afforded. Nugent (2002) demonstrates that contraband trading routes were a direct result of the borders, and that “smugglers, who were a familiar feature of every border town, were not resisting colonial borders so much as reinforcing them through their day-to-day activities” (p. 103).

The problem of tax evasion also became quite serious, certainly for the French who had imposed direct taxation, at a time where the British had not followed suit. In the borderlands between the colony of the Gold Coast and Togo, this led to a situation where a farmer would cross the border to work in his fields during the day, and return to his home on the other side at night. Thus, the farmer could avoid direct taxation, and in his daily crossings, could smuggle contraband goods as well (Nugent, 2002, p. 102).

As for political opportunities, Africans took advantage of times of imperial weakening to demand greater autonomy from the more exigent practices of the colonial administration. An example of such concessions occurred during the conscription crisis of the First World War, whereby the French government was forced to grant soldiers certain freedoms upon their return from service. These included “exemption from the indigénat, and from taxation, payment of allowances to their families and preferment for ex-soldiers in some government jobs” (Adloff, 1964, p. 178). Indigenous peoples began to take advantage of the benefits of politicizing themselves, through the
machinery of government, elected or otherwise, as well as the forming of political associations and trade unions. The colonial state offered new avenues for subsistence as well as the gaining of rights and privileges.

The Use of Migration

“L’exode est l’arme des faibles.”¹⁵ (Asiwaju, 1976, p. 578)

Migration, more so than smuggling and tax evasion, was detrimental to colonial designs, and was heavily employed by those communities in relative proximity to imperial frontiers. As a statement of resistance, using migration as method of refuge was made possible by the differing colonial practices of the French and British governments.

In his excellent piece entitled “Migrations as Revolt”, Asiwaju (1976) provides an account of the movement of residents of Côte d’Ivoire and Upper Volta toward, in particular, the colony of the Gold Coast, prior to 1945. Among the causal factors for these mass movements, were the oppressive colonial impositions listed above, such as taxation, forced labour and conscription. These emigrants were not returned to Côte d’Ivoire by British officials, despite demands on the part of the French government, for the simple reason that the increased labour force was to Britain’s advantage (Asiwaju, 1976, p. 581). Moreover, the French were piqued by what they “considered to be undue publicity” on the part of their British peers toward these migrations.

Asiwaju (1976) maintains that these migrations were very significant in terms of numbers, despite the fact that accurate estimates are impossible to make. Obviously illegal immigrants would avoid the policed border posts, and attempts at the time to account for these migrants in the Gold Coast were hampered by the difficulty in distinguishing them from their ethnically similar kinsmen (Asiwaju, 1976, p. 589) However, the impact of these movements can be weighed in light of isolated data, an

¹⁵ Translation: “Exodus is the weapon of the weak.”
example of which is the migration of over 12,000 people from Assini to the Gold Coast between 1916-1917, and a staggering 80,000 French subjects from Upper Volta, Mali and Niger to the Gold Coast from the late-1920s to the early 1930s (Asiwaju, 1976, p. 590).

Evidence of these movements is found in the accounts of British officers, who at the time were very much aware of the reason for the flights, and were in no hurry to discourage the influx of French subjects. The increase in potential labourers could only be an advantage over the competing French. David Boyle, a District Commissioner posted in Asante was said to have written in his diary in 1916 that “the large number of French emigrants from Segu and the Senegal Niger country seems to point to some heavy taxing, forced recruiting, or other difficulties up there” (Fuller, 2000, p. 127).

This use of migration and other forms of resistance against the dominance of an exterior power is reminiscent of peasant resistance in other historical and geographic contexts. In his seminal work, Weapons of the Weak: Everyday Forms of Peasant Resistance, James C. Scott (1985) demonstrates how subaltern peoples in Malaysia used a variety of tactics, from evasion to outright resistance, in the class struggle against the acceptance of the terms of their own subordination. In this same way, the system of colonial dominance imposed on African people was not passively accepted by the ‘subjugated’ classes. Rather the methods of resistance in and of themselves led to the creation of a colonial system that could not have been anticipated by either party.

The borders created and concretized during the latter 19th century and the early 20th century were not without their advantages, in light of certain oppressive practices of the colonial governments. Indeed, it is the resourcefulness of West Africans in their utilization of the borders, both for financial benefit, as well as for refuge, that hampered (in particular French) colonial designs. The indigenous populations were not
uniformly passive, for indeed it is their ingenuity and skill which would maintain their survival and help to bring about their independence.

The Partitioning of Africa Part I: The Balkanization Lament

“For about a century, perhaps since 1885 when it was partitioned, Africa has been ruefully nursing the wounds inflicted on it by its colonial past. Remnants of this unenviable colonial heritage intermittently erupt into discordant social, political and even economic upheavals, which, some may say, are better forgotten than remembered. But this ‘heritage’ is difficult, if not impossible to forget; aspects of it continue, like apparitions, to rear their heads, and haunt the entire continent in various jarring and sterile manifestations: how do you forget unhealed wounds?”

(Ajibola, as cited in Griffiths, 1994, p. 1).

It is said that in late 19th century, the culmination in the scramble for Africa was the Berlin Conference of 1885-86. The continent had experienced a sudden and profound change like no other before it, and even if what Katzenellenbogen (1996) claims is true (that much of the setting of African boundaries occurred prior to 1885), it is undeniable that the European influence was to have changed the historical trajectory of sub-Saharan Africa. The rivalries among the colonial powers pushed the expansion of the costal outposts into the hinterland, in order to secure a meaningful occupation of territory. Settlement grew, colonial governments developed and expanded, education systems were nascent and the proliferation of European languages and culture met with a variety of reactions from indigenous nations.

In the years leading up to independence, particularly in the French-speaking colonies, there began the faint rumblings of a new school of thought, which I for lack of a better term, I have called the Balkanization Lament. In the aftermath of the partitioning of the continent, and growing alongside the pan-African movement there began the critique of the colonial powers and grieving over the balkanization of sub-Saharan Africa which occurred (supposedly) at the Berlin Conference.

The Balkanization Lament has many distinct features. The first is the view that the 50,000 miles of boundary that divide Africa are artificial, and more so than other areas
of the world, due to the rapidity and outside-influence of their imposition (Griffiths, 1995, p. 2). This has left much of the continent parcelled into non-viable states, which are “too small, in terms of area, population and resources” (Griffiths, 1995, p. 4). Dowdon states that explanations as to Africa’s ‘failure’ begin with “bad geography and bad history” (2009, p. 266). He further states that Africa’s borders are artificial, in that they do not follow ‘natural’ boundaries.

Boutros-Ghali (1972, p. 7) elaborates this view with two further characteristics: that boundaries are foreign to Africa, and that they were imposed without the participation of indigenous peoples. In elaborating the ideas as to the problem with African boundaries (which he himself does not necessarily hold to), Boutros-Ghali (1972) clarifies the position with a series of linear claims. Firstly, that due to the under-population of pre-colonial Africa, and therefore the abundance of territory, the concept of boundaries in the Western ‘nation-state’ sense was wholly unknown. Moreover, the nomadic and semi-nomadic nature of most societies meant that authority in sedentary areas was exercised over only the locality, and not over the wider non-sedentary population. And lastly, that the lack of technology, and the complexity of landscape did not allow for the clarification of concrete boundaries.

As to the secondary claim, that Africans did not participate in the partition of the continent, Boutros-Ghali again elaborates the underlying assumptions. Colonial boundaries were imposed by outsiders, without reference to local ethnic groups, or the geographical realities on the ground. The divided nations were partitioned into artificial states, “characterised by a permanent irredentism” (Boutros-Ghali, 1972, p. 9). This lack of foresight on the part of the colonial dividers left several territories without access to the ocean, or unviable economically. Furthermore, many of the boundaries were drawn following meridians, parallels, or geometric lines, with only 26% depicting ‘natural’ boundaries such as lakes or mountains. Dowdon (2009, p. 267)

16 My translation
claims that “these lines gave birth to Nigerians, [Ivoirians], Ugandans and Tanzanians who had little in common with many of their new fellow citizens.”

This led the leaders of the first pan-African Conference in 1958 to state that “the barriers and artificial boundaries traced by the imperialists to divide the African people, to the detriment of Africans, must be abolished or modified”\(^{17}\) (Boutros-Ghali, 1972, p. 10). This statement made in Accra, was to occur just two years prior to the devolution of power to the constituent parts of the former colonies of French West Africa. Indeed, if what Griffiths (1995, p. 3) claims is true, that “the colonially-imposed partition is a political straight-jacket for modern Africa”, the burning question is thus, why despite the growing fervour of the Balkanization Lament, did the leaders of the newly-independent African states choose not to redraw these artificial, colonially-imposed boundaries, or rather do away with them altogether?

**The Partitioning of Africa Part II: The Proactive African Paradigm**

“*It n’est plus possible ni souhaitable de modifier les frontières des nations au nom de critères raciaux, religieux...; en effect, si nous prenions pour critère de nos frontières la race, la tribu ou la religion, il y aurait en Afrique des Etats qui seraient effacés de la carte...*”\(^{18}\) (President Tsiranana, as cited in Boutros-Ghali, 1972, p. 13).

In response to the previous question, the counter-view, that of the involvement of Africa in the creation of its historical trajectory, has been gaining supporters of late (see Chabal, 1986). As a caveat, the elaboration of this view is not to negate some of the disastrous effects that European occupation brought, nor to absolve the colonial powers of any wrongdoing in their dealings with sub-Saharan Africa. Rather, its aim is to throw off the shackles of condescension and put Africans at the forefront of their own history.

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\(^{17}\) My translation

\(^{18}\) Translation: “It is no longer possible, nor desirable to modify the boundaries of nations in name of race, religion...; in effect, if we use as criteria race, tribe or religion, there would be states in Africa that would be erased from the map.”
Reiterating the assumption underlying the Balkanization Lament, we recall that it is two-fold: that pre-colonial Africa had no real conception of boundaries, and that Africans themselves were relatively passive in the partition of the continent. In response to the former claim, many authors have set about the task of demonstrating an appreciation of territory and boundary among Africans, prior to the coming of the Europeans. Allott (1969) has made the claim that pre-colonial Africa did in fact have a conception of space and boundary, even if it was not defined precisely as the Western conception. A variety of groups, such as the Masai, would occupy and claim control over a given territory, which may or may not have been delimited by a natural boundary. These ‘spheres of influence’ defined the boundaries of a given community, as “territory [was] a fundamental conception with traditional African societies, as with modern western states” (Allott, 1969, p. 10). Paul Nugent’s argument (1996) concurs with Allot, though from a more economic basis he claims that in order to control people and goods, one must maintain some form of boundary. He goes on to say that pre-colonial Africa did not possess a unified conception of boundaries, as these would necessarily be dictated by the given politico-economic system, and Africa at this time possessed a wide variation of systems of production (Nugent, 1996, p. 37). However, territoriality and boundaries were essential to pre-colonial Africa, and defence of the claim that boundaries were relatively unknown seems illogical.

Brownlie also contradicts this assumption that pre-colonial Africa lacked borders. “From the seventeenth century onwards, societies became more organized. Agricultural people certainly had a concept of territory and legitimate holding. Even pastoral peoples have a concept of territory in the form of grazing grounds” (1979, p. 8). He also goes on to cite records of a border dispute between the Sokoto and the Matsina.

With respect to the second assumption, that of the passivity of Africans in the creation of boundaries, we return to the work of Boutros-Ghali. In his response to the
morcellement of Africa by the European powers, he states firstly that African boundaries are no more artificial than any other international boundary. Not even ‘natural’ boundaries, such as rivers, lakes and mountains are self-evident, that “Nature does not know any limits, except those imposed by Man” (Boutros-Ghali, 1972, p. 11). This then leads to the related claim, that Africans were not the passive recipients of boundaries, but rather had, at times, a proactive influence in their creation. Touval (1972) states that African leaders, though not familiar with European diplomacy, were not necessarily political innocents.

African societies did not exist in a political vacuum, and their leaders usually had political experience gained in dealing with neighbouring societies, with superior or subordinate tribal authorities and with rival groups or individuals. Thus when European emissaries came and offered inducements in return for treaties, their offers often fell upon politically-sensitized ears (Touval, 1972, p. 6). And as was discussed in the survey of the Asante empire, above, diplomacy and political manoeuvring was highly sophisticated among many African societies.

Touval goes on to state that African leaders had their own ambitions and aspirations, which many hoped to achieve through alliance with a given European power. Whether wishing to secure the status quo, or to gain an advantage over the enemy, many times indigenous peoples sought the assistance of outside powers to secure their own ends. “Still others, like the ruler of Buganda, attempted to make use of the special treaty relationships with European powers to preserve their own rule over rebellious subject peoples” (Touval, 1972, p. 6).

Nugent (1996) discusses the opportunities ushered in by colonial alliances for lower ranking vassals and those seeking to overthrow authority. In this time of great change, “old hierarchies could be reversed if political aspirants only played their cards right”

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19 Translation: parcelling
20 My translation
(Nugent, 1996, p. 47). Furthermore, Nugent takes to task the view that the lines drawn by the Europeans were done so without reference to local concerns and realities. Obviously, many of the initial international treaties among the colonial powers contained lines created in the absence of any topographic, geographic, and ethnographic knowledge, for the simple reason that much of the interior had yet to be explored. “However, what is often missed is that the respective colonial powers did tinker with the lines they began drawing in ignorance” (Nugent, 1996, p. 42). Boundaries were quite often redrawn to take into consideration local interests, as very often the maintenance of an ethnic group coincided with the colonial interest.

The two divergent views of African participation in the creation of boundaries, still leaves unresolved the question of why, despite the criticism heaped upon the ‘artificial’ and ‘arbitrary’ lines which divide the continent, have they not been modified? The answer, I believe lends more to the Proactive African Paradigm, than to the Balkanization Lament; that African leaders, particularly at independence, made a choice to recognise and retain the current boundaries, despite the statement of the 1958 pan-African Conference. In fact, it was in 1963, only five years later and once many of the former colonies had gained independence, that the charter of Organisation for African Unity (OAU) solidified the adherence to the status quo. Rather than taking the opportunity of redrawing the map at a time of change, the OAU charter recognised the sovereignty of all former colonial units (Boutros-Ghali, 1972, p. 12).

Certainly the task of creating new political boundaries is not a simple one. However, “in a rare instance of not muddling through on a question of monumental importance, the Africans decided early and decisively that the colonial map should be retained [emphasis mine]” (Herbst, 2000, p. 97). To say quite simply that the boundaries of Africa were colonially-imposed from without, is misleading. Boundaries were indeed set with reference to treaties among colonial powers, and with indigenous leaders.
However, from the late 19th century these lines have undergone a variety of changes, due to decisions taken on the part of Europeans as well as Africans.

Both Jeffrey Herbst and Christopher Clapham offer theories, as to why the colonial partitions were not altered at independence. Herbst (2000) views the issue as one of a choice between security and power on the part of the leaders of the newly independent states, contrasted with the desire for more ‘logical’ boundaries. In essence, it would appear to be a rather large gamble to risk one’s own political future and that of the newly-acquired state (Herbst, 2000, p. 97). “At independence, the leaders of the new independent states readily acknowledged the disastrous effects of the partition of the continent, but were reluctant, if not totally unwilling, to support policies likely to restrain state sovereignty and, consecutively, their power” (Bach, 1999, p. 2). One must not forget, as well, that these artificial boundaries had been in existence for over half a century at the time of independence, with many of the residents feeling some budding sense of patriotism.

Clapham (2005) turns the question on its head, and looks at the distinction between a state which creates its own boundaries, and boundaries that create a state. “The boundaries may be more artificial but they are for that very reason more – not less – central to the identity of the state that lies within it” (Clapham, 2005, p. 54). This notion of protecting what one has already won, and not risking all the chips on another round, does seem to ring true. Also, the inconsistencies in political philosophy among the new African state leaders demonstrate yet another obstacle to cooperation. However, these issues were perhaps not impossible to circumvent had all parties been willing.

As to this claim of the artificiality and arbitrary nature of African borders, Brownlie offers the view (1979, pp. 3-4) that no border is ‘natural’, even those that follow geographical features such as rivers. Even rivers must have a more precise definition of ‘boundary’ in international law. At times the boundary is the median line of the
river, at other times its thalweg, or the “median line of the principal channel of navigation” (Brownlie, 1979, p. 17).

What has been noted in this section is that the creation of African boundaries has been a complex and evolving process, which neither Africans nor Europeans alone could have accomplished nor envisioned. The roots of colonialism run deep, and once created, boundaries can take on a meaning which far exceeds the thin line on a map. However, Africans have been a part of the process of boundary creation from the outset, and their resistance, acquiescence and decisions have influenced the course of their historical trajectory. It is this freedom and responsibility, which the Balkanization Lament ultimately ignores.

A way forward

The static nature of African society in the pre-colonial and colonial periods is a notion which does not hold, in light of the plethora of contradictory evidence. From our earliest accounts of the continent, Africans have demonstrated that they are peoples who are no strangers to movement. The trans-Saharan trade which eventually brought together the cultures of West Africa with the Islamic world, began a partnership of migration and cultural exchange which extends to the present day. The West African empires which would rise and fall during the last millennium would owe their existence to this trade, and would eventually bring them into contact with the great commercial nations of Europe.

The sheer power of the Asante empire in its height greatly affected trade on the Gold Coast, and the diplomatic relations among the various indigenous ethnic groups, the Islamic states to the north, and the European outposts on the coast. The great changes brought about by the Scramble for Africa and the usurpation of Asante rule, though significant, did not divorce autochthonous people from their past. The adaptability and mobility of Africans which was a mark of the pre-colonial period, is
evidenced throughout the half-century of imperial occupation, both as forms of resistance and opportunity.

In this way, although I have used Asiwaju’s citation as the title of this chapter, that of migrations being the weapon of the weak, I am not certain that ‘weak’ is an appropriate descriptor. Africans were subject to many harsh policies under colonial rule, however it was their strength and ingenuity that made their subversion of the colonial state so successful. In maintaining a focus of the role that Africans have played in the resistance to colonial regimes, their eventual overthrow, and then in the creation post-colonial states (and preservation of colonial state boundaries), this thesis will now turn to examine the way in which Africans use modern-day borders in survival strategies, and also to subjugate and oppress.

**Chapter Summary**

This chapter traced a narrative of West Africa that demonstrates a history of migration as well as political acumen. It began through a comparison of British and French colonial ‘styles’ and found that their differences were not as significant in practice. The British relationship with the empire of Asante was given a comprehensive treatment, demonstrating British aspirations in usurping local control in the Gold Coast.

What followed was a depiction of the oppressive policies that existed in many of the colonial states, demonstrating an exogenous imposition of powers that constrained the freedoms of Africans. However, in response to the oppressive colonial state, the chapter also provides evidence for the ingenious tactics used by Africans to subvert the colonial state, including the use of migration as revolt.

The chapter concludes with a debate on the creation of borders in Africa, and suggests that the modern political map is the result of interplay between the ambitions of the colonial powers and local African aspirations. And that these borders were ultimately sanctioned by African leaders in the early years following independence.
Chapter Four: 
Borders as a means of eudaimonia 
Individual security in the Ghanaian-Ivoirian borderland

“Spatial boundaries have ambiguous features: they divide and unite, bind the interior and link it with the exterior, are barriers and junctions, walls and doors, organs of defence and attack, and so on” (Strassoldo, 1989, p. 393).

As an integral part of the ‘African borders as negative’ perspective, the questions of instability, criminality and political violence seem always at the forefront. In the opening pages of Uniting Africa, Francis outlines the view that, “[c]ontemporary Africa is portrayed as synonymous with perennial wars, armed conflicts, political instability, criminal violence; in a state of ‘permanent humanitarian emergency’. ....The continent...has moved from the periphery to the ‘periphery of the periphery’” (Francis, 2006, p. 1).

Proponents contend that the violence which plagues Africa can be, in part, blamed on the legacy of post-colonial borders that have carved up a great continent into disparate, warring opponents (Dowdon, 2009). And a certain logic exists behind this thesis, in that the division of the continent into separate political entities creates many divisive lines; an ‘us’ and a ‘them’. However, as discussed in the previous chapter, the creation of African borders was not simply the imposition of outside forces, but was also the result of an expression of political manoeuvring on the part of Africans.

This chapter will treat a more basic discussion of whether borders in Africa are complicit in the prevalence of violence and insecurity, using the lens of the Capabilities Approach. Although this is a very complex question, we will contend that the opposite argument can be made. Borders assist in the maintenance of two elements of personal security, namely sanctuary from physical threats and opportunities for economic survival. Using the example of the cross-border movements that occurred during the height of the Ivoirian crisis in the early 2000s, we can demonstrate the
positive outcomes that resulted from the permeable borders in terms of personal security for those fleeing violence. Following the case study, this chapter will examine the economic survival opportunities that exist at the border, both for Ghanaians and Ivoirians. We will conclude that the unique qualities of African borders can indeed provide a means of human flourishing, particularly in the context of limited opportunities.

**Artificiality of borders as an ingredient of instability**

As implied in the introduction to this chapter, a persuasive logic lulls one into the view that divisions between African nations in the form of postcolonial borders must contribute to the wars and political insecurity by pitting neighbours against one another in the pursuit of scarce resources. It appears on the surface to be a solid equation: the same resources met with increased demand from multiple challengers will led to greater instability.

This argument, however tempting, is built on less than solid foundations, and is supported by a structure replete with gaps and holes. The first assumption, that borders in Africa are artificial, arbitrary, and hence undesirable, has been shown to be insupportable. All borders are inherently artificial, even those which are said to be ‘natural’, given that they follow geographical features such as rivers or mountains. The delineation of space is a concept imposed on nature by man to a particular end, whether that be to solidify his hold on farmland, or as a collective to protect political influence by creating state borders. The second, and related assumption is that borders are the result of exogenous imposition by the colonial powers, and that this non-Africanist legacy is the crux of the security problem. To put it simply, it is the arbitrary delineation of the borders, and not their artificiality which is important. We have already dealt with this question at length in the previous chapter, but needless to say these assumptions are overly simplistic in their account of history.
Another error in logic arises from the assumption that a pan-continental African state is the ‘natural’ progression that would have taken place were it not for European interference. And that this great state would have had a peaceful birth and pacific growth. Dowdon (2009, p. 267) claims that “before colonization [in Africa] there were traders, artists and farmers and a ruling class. After colonization there were farmers and a small random group that had secured their status through Western education or by being soldiers.” This utopian view of pre-colonial Africa is misleading and arguably condescending; it assumes a lack of African agency with respect to interactions with colonial powers.

Obviously, there is no way to concretely test an alternate history whereby a pan-Africanist state would have evolved without colonial interference. However, some realities allow one to provide a counter-narrative to the ‘borderless’ African utopian thesis. Africans are not a singular people with a common history, culture or values. They comprise a multitude of religions, geographies, and histories, not to mention the staggering variations of language and dialect. Therefore, it is unrealistic to simply assume that a pan-Africanist state would have been a logical or ideal political structure for the continent.

**A question of security**

When treating the question of security more broadly, one must first define what the concept entails in terms of security for whom, by whom and to what end. On the whole, when treating the topic of African security, research on the subject tends toward a collective, more state-centric approach. This top-level study is an important exercise in understanding African security, and research in the area of borders and security are beginning to flourish. How does the existence of a border impact the prevalence of violence within a state, and vice versa? Is the strength of an African state proportional to the level of political and physical security? Are stronger states less prone to war?
In fact, research has indicated that conflict has a great deal to do with the security of neighbouring states, and in the postcolonial period the statistics have not been too encouraging. It has been shown, particularly in the case of West Africa, that most security problems have been the result of regime failures rather than inter-state conflict, which “then escalate into regional conflicts or spillover into neighbouring countries, *inter alia* through refugees and migration” (Söderbaum F., 2000, p. 125).

However, taking my cue from research done by Söderbaum and Taylor, it is the intention of this chapter to turn the whole question on its head. Just as “micro-regions act as a microcosm and an entry point to the study of regionalism in Africa,” (Söderbaum & Taylor, 2007, p. 6), so too is the question of individual security a potential entry point to the study of ‘regional’ security more broadly. Simply put, rather than a ‘top-down’ approach to the study of security, this chapter will look at various elements of individual security in the face of an African state-society complex centred on the question of borders, with the aim of complimenting current research, rather than detracting from it. It is not the intention of this piece to claim that analysis of regional security projects on the state-level are misinformed, rather that the addition of the lower-order focus might provide a fuller picture of the situation ‘on the ground’, as it were.

Using Martha Nussbaum’s Capabilities Approach, this chapter will focus on two positive uses of the border between Ghana and Côte d’Ivoire, emphasizing how the border provides an expanded range of opportunities for individual security. Using Nussbaum’s breakdown of the essential human capabilities, the question of individual security can be understood as a combination of the first three elements, namely the capabilities of Life, Bodily Health and Bodily Integrity. In short, we will look to the way in which the border broadens what individuals are able to do and be in light of these three capabilities, particularly in the context of circumscribed opportunities.
“Friendship with Vigilance”\textsuperscript{21}: Mapping the state apparatus in Brong-Ahafo

It would do well before discussing the way in which African borders can prove to be beneficial for individuals, to first examine the nature of the African state apparatus. The relationship between the state and its borders is an important one, particularly so for Africa, wherein the conception of the state does not always conform to a Westphalian ideal.

For example, how does the individual thrive, and indeed survive when a large threat comes not from external violence, but the reach of a predatory state apparatus? I contend that the unique qualities of the African state-society complex create a physical and ideational space to manoeuvre; to escape, or even subvert, a predatory state. These spaces, many times, tend to exist in the borderlands. Without the existence of borders, the following individual survival strategies would be eradicated or near-impossible to maintain. To clarify, these headings are quite broad. They are not intended to be all-encompassing, nor exhaustive; however, they do illustrate many unique micro-regional strategies.

In the Westphalian state, borders set the physical limits of state power and control, they delineate citizens from foreigners and they protect citizens from outside threats. However, it has been argued that the state in Africa does not correspond to this conception in many ways, and therefore it ought to be understood differently from its European-born brother. For some time, it was in vogue to lay the ills of Africa at the foot of colonialism. Dependency theorists claimed that the war, violence, famine and poverty in Africa were the direct result of the imposition of colonial institutions ill-suited to the structure of African society (further compounded by the artificiality of the colonial borders, creating non-viable territorial structures).

\textsuperscript{21} “Friendship with Vigilance” is the motto of the Ghana Immigration Service
However, in the late-20th century, Jean-François Bayart countered these dependency theorists, in his work “The State in Africa: The Politics of the Belly.” He contended that the African state was not merely a variation of the western, European state, nor simply the result of colonial imposition. Rather, the state structures in Africa can be understood as a product of their own historical trajectory.

The *Politics of the Belly* is a complex metaphor, describing the cooptation of elites by the state, resulting in an artificial bourgeoisie, without a true class struggle. Bayart uses the image of the belly due to its importance in African culture more broadly, which references:

- Food shortages
- And conversely, ‘eating’ both in a physical as well as in the metaphorical sense of accumulation
- Women and the politics of sexual relations
- Corpulence, often seen as representative of a powerful man
- Nepotism
- And the control over “forces of the invisible” (Bayart, 1993, p. xviii).

Bayart purports that the African state is not a result of colonial importation; a mere transplantation of European governmental structures on colonial Africa. Indeed, he suggests that the African state “rests upon autochthonous foundations and a process of reappropriation of institutions of colonial origin which give it its own historicity; it can no longer be taken as a purely exogenous structure” (Bayart, 1993, p. 260). Bayart claims that the long history of extraversion among African elites led to the cooptation of colonial structures. "Africans have been active agents in the *mise en dependence* of their societies, sometimes opposing it and at other times joining in it, in such a way that it became an anachronism to reduce home-grown strategies to formulas of 'nationalism' or indeed 'collaboration'” (Bayart, 1993, p. 24).

However, for all of the positives brought about by Bayart’s insistence at incorporating the historicity of African society into the study of the modern African state, Christopher Clapham asserts that Bayart’s thesis presents two key failings: that it deals
very little with the structures and institutions of the African state (emphasising rather the continuity of elite behaviour), and secondly that it fails to account for change (Clapham C., 1994). In moulding his account of African politics to the continuity of African society, Bayart’s argument does not tackle some of the major challenges replete in African life south of the Sahara: famine, war, economic collapse, environmental degradation, violence etc.

The African state has been variably described as neo-patrimonial (Cammack, 2007; Bratton & van de Walle, 1994), weak (Jackson & Rosberg, 1982; Reno, 1997), and failed (Kraxberger, 2007; The Washington Post, 2005). Neo-patrimonialism is a contestable concept that has been used to refer to the complex patron-client system that has existed in many post-colonial African states. This system may work in conjunction with existing bureaucratic structures or at times it may undermine these structures. Taylor and Williams (2008) provide an analysis of state power in West Africa, concluding that the dominant political culture is neo-patrimonial in nature. By maintaining a complex system of patron-client relationships, regimes are able to effectively counter challenges to their control of the state apparatus.

Pitcher, Moran and Johnston argue that neo-patrimonialism is a concept that is often incorrectly employed. Its origins are Weberian, from his work detailing systems of legitimating power and authority. Weber offered patrimonialism as one such system of securing compliance, although Pitcher et al. emphasize that Weber saw this form of authority as one that involved reciprocities, effectively checking the ruler’s authority. Therefore, neo-patrimonialism should not necessarily be understood as synonymous with “corruption, “bad governance,” violence, tribalism or a weak state” (Pitcher et al., 2009, p. 126).

In examining the process of political change in Africa, Bratton and van de Walle (1994) contend that it has been neo-patrimonial systems that allow many regimes to maintain their control of state power by establishing rules as to who may legitimately participate in the public system and the degree to which competition would be
permitted. A particularly ‘successful’ example of neo-patrimonial rule was that of Félix Houphouët-Boigny, President of Côte d’Ivoire for 33 years. A more robust examination of his particular brand of neo-patrimonialism will be treated later in this chapter.

To varying degrees, the state structures and institutions in sub-Saharan Africa have had limited success in gaining control over territories in the periphery. However, as Boone (2003) argues, the success with which the centre gains such a foothold has more to do with the structures of local politics in the periphery than with the power and structure of the centre. To illustrate her argument, Boone examines several regional case studies in West Africa, including Ghana, Côte d’Ivoire and Senegal. She demonstrates that even within one state, the structure of relations between rural regions and the centre can vary, as a result, she claims, of the unequal bargaining power among rural elites. This has led to an uneven pattern of state-building in sub-Saharan Africa, even within different regions of one state (Boone, 2003).

Using two variables, Boone creates a four-option strategy to illustrate the centre-rural relationship in West Africa, where the focus is not on the nature of the state structures, but on the rural powerbase. The two variables are the degree of social hierarchy in the rural area (how much control do local elites exert) and the economic autonomy of those rural elites (how dependent are they on the centre for their elite status). The interaction of these two variables then creates four institution-building options for the government at the centre vis-à-vis a given rural area, with the ultimate aim of gaining control of the rural economic industries, in particularly agriculturally-rich zones. These four options are then demonstrated as follows:

<table>
<thead>
<tr>
<th>Who wields authority at the local level?</th>
<th>Rural elites (devolved authority)</th>
<th>State agents (centralized authority)</th>
</tr>
</thead>
<tbody>
<tr>
<td>State institutions created at the village level (deconcentration)</td>
<td>Powersharing</td>
<td>Usurpation</td>
</tr>
<tr>
<td>State institutions ‘suspended above’ localities (concentration)</td>
<td>Non-incorporation</td>
<td>Administrative occupation</td>
</tr>
</tbody>
</table>
Boone argues that Kwame Nkrumah’s regime in the early post-colonial era sought to usurp the authority of the traditional Asante elite, who then had a firm control over the cocoa-producing belt of the forest zone. As part of this usurpation, Nkrumah created new parallel institutional structures to displace the authority of the rural elite in Asante, even though this strategy was not used in other rural areas of Ghana.

In many of the other rural areas, for example, the Nkrumah regime instituted a powersharing model, including the in north, and in Brong-Ahafo. Indeed, Brong-Ahafo was itself a new administrative area created by Nkrumah’s regime in 1959 in part to secure the support of the Brong-Ahafo chiefs by carving the area out from Asante as a “political reward” (Boone, 2003, p. 176). This also served to weaken the position of the Asante chiefs. I would argue that this powersharing model in Brong-Ahafo has led to an incomplete capture of state institutions in the region on the part of the centre, particularly in the borderland.

The term borderland is another of these highly-contestable political terms. In its most basic understanding, one can define the borderland as a region of interaction surrounding a border. However, a more nuanced interpretation can be found in Jonathan Goodhand’s piece *War, Peace and the Places in Between: Why Borderlands are Central*. In this work, Goodhand (2008) divides borderlands into three typologies, based on the area’s relationship with the state. *Classical borderlands* are found on international borders, with the border itself influencing the interactions across both sides. *Internal borderlands* are not located next to international borders, but function rather independently as regions with weak state penetration. And finally, *frontier states and global borderlands* are very similar to classical borderlands in that they are usually situate near an international border; however, Goodhand conceives of these global borderlands as being entirely non-state spaces.

In line with this typology, I would contend that the borderland between Côte d’Ivoire and Ghana functions as a classical borderland. It straddles an international border,
which creates a region of opportunity for populations on either side. As Goodhand rightly notes, the separation between the borderland periphery and the “state-controlled centre may be conceptualised as a mobile, semi-permeable, internal frontier – a zone of transition from low to high administrative intensity and where the border effect has become less significant than the ‘state effect’” (2008, p. 228). And yet, I believe that Goodhand’s admittedly rudimentary typology lacks one key feature. Within the classical borderland, and specifically in the case of the Ghanaian-Ivoirian borderland, one can argue that there is a frontier that exists between the borderland (periphery) and the state (centre), as well as another frontier within the borderland, where the state presence is reasserted at the international border itself.

In present day Brong-Ahafo, there are 19 administrative districts, each headed by a District Chief Executive (DCE), assisted by a District Co-ordinating Director (DCDs). These two positions fall under two authority lines, with the DCE answering to the Regional Minister (political head of the Brong-Ahafo region), and the DCD falling under a Regional Coordinating Director. Brong-Ahafo also has a District Assembly, which undertakes the legislative functions for the region, where two-thirds of its membership is elected, and one-third is appointed by government.

In addition to these local structures, two key institutional players include the Ghana Immigration Service and the Ghana Customs, Excise and Preventive Service (CEPS). The role of the former is “to regulate and monitor the entry, residence, employment and exit of all foreigners. Movement of Ghanaians in and out of the country is equally monitored” (Ghana Immigration Service, 2010). The role of CEPS is to collect all applicable customs duties and taxes on goods entering the country, as well as investigating incidents of smuggling (CEPS, 2006).

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22 In 2009, CEPS was incorporated into the Ghana Revenue Authority, however as my field research references CEPS I have decided to refer to it as such throughout the rest of this piece.
Despite these many key players with a vested interest in monitoring cross-border movements, the enormity of the task is daunting. On the whole, Ghana has over 2,000km of land borders with three neighbouring states (Côte d’Ivoire, Burkina Faso and Togo). According to the Ghana Immigration Service (2010), there are 45 official entry points along the land borders, a militarized border patrol unit as well as foot and vehicular patrols. But as is discussed later in this chapter, the function and abilities of these services in Brong-Ahafo are not as robust as they might seem. Lack of staff and resourcing, coupled with an incomplete state capture of institutions and individuals in the borderland have led to a flourishing of cross-border movements.

This imperfect state control over the Ghanaian-Ivoirian borderland in the Brong-Ahafo region has allowed for a flourishing of illicit cross-border movement, at times supported by agents of the state (border officials), as well as individuals on either side of the border. From a state-centric perspective this reality could be construed as a disadvantage; as a subversion of the state itself. From a micro-perspective, however, this fluidity of the border has opened up two important avenues for human flourishing, which shall be discussed at greater length in this chapter. The first of these opportunities presented by the border is the notion of escape in the face of physical threat; the second is the opportunity for economic survival that is presented by the border.

**Borders, Sanctuary and Safe Passage: The example of the Ivoirian Crisis**

If agents of the state can be predatory, then the conception of the state as ‘protector from exterior threats’ does not always correspond to reality on the ground. Take, for example, the effect of civil war on many states in West Africa, most notably Liberia, Sierra Leone and Côte d’Ivoire.

In the case of civil war, the ‘state’ ceases to have a monopoly on the legitimate use of force in the Weberian sense. In the case of Côte d’Ivoire, both the government and
the rebel forces make claims to their legitimate use of violence as agents of the state. As an individual, what recourse do you have once the primary threat to survival comes not from exogenous forces, but rather from within the state (and at times at the hands of state actors)? In this way, the borders as incompletely captured state institutions, become avenues for safety in the face of internal threats.

Long seen as a bastion of security and prosperity in the region, Côte d’Ivoire has been rocked by violent, political instability for over a decade, beginning with the 1999 military coup led by Robert Guéï (Central Intelligence Agency, 2010). The roots of this crisis are very complex, with studies tracing its origins to the death of President Félix Houphouët-Boigny in 1993 (and the collapse of his sophisticated neo-patrimonial system), the increasingly limited supply of fertile farming land, and the malleable discourse surrounding citizenship and Ivoirité. All of these factors have led to a crisis, in which the definition of Ivoirian citizenship (with its resultant privileges) has been a major battleground. Those who do not qualify, and are therefore considered ‘foreign’, have been subject to violent attacks, theft, and death. The borders have been crucial to the security of so many during this crisis. In order to understand the role of the border, we will first examine the three contributing factors which led to the crisis, before analyzing the way in which the border has been used by Ivoirians and ‘foreigners’ for sanctuary and safe passage.

**Houphouëtism**
Côte d’Ivoire first became an independent state in 1960, following more than fifty years of French colonial rule (Schwab, 2004, p. 47). Félix Houphouët-Boigny became its first President, remaining in this position until his death in 1993. Sometimes referred to as “Papa Houphouët”, during his tenure, Côte d’Ivoire was effectively a one-party state, ruled by the Parti Démocratique de Côte d’Ivoire (PDCI). The ‘success’ of Houphouët-Boigny’s 33 years in power can be understood as the result of a complex

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23 I use the terms ‘government’ and ‘rebel’ forces not to indicate any form of legitimacy upon the former, but rather to conform with common usage by media sources.
system of patronage and balance among disparate ethnic groups, described as *Houphouëtism*.

Houphouëtism has been variously defined, but one comprehensive understanding has been developed by Francis Akindès. Akindès describes Houphouëtism as “a set of structuring principles and practices interpreted in various ways, which function as a system of reference and a political culture that is socially recognised but is not conceptualised” (Akindès, 2004, p. 7). Effectively, Akindès sees Houphouëtism as a political-economic complex, which is the result of the synergy of the following three parameters:

**i. Deliberate and centralised openness policy to the outside world**

Côte d’Ivoire had been a destination for migrant labour, due to a variety of colonial policies, from forced labour to economic incentives. Following independence, Houphouët-Boigny instituted policies that further encouraged economic migration and investment in the burgeoning Ivoirian economy. These policies led to a massive influx of migrants from all over West Africa, particularly from Burkina Faso, “Mali, Niger, Guinea, Ghana, Togo and Benin” (Akindès, 2004, p. 10). Côte d’Ivoire was an economic success, and many of these migrants became long-term settlers. This abundance of labour resources was a key instrument for economic prosperity, benefiting the state as a whole, and solidifying Houphouët-Boigny’s political control.

**ii. Philosophy of the “peanut roasters”**

The concept of the “peanut roaster” originates from an African parable, which warns against looking too closely at the peanut-roaster’s mouth. In the process of roasting peanuts, the cook has the privilege of tasting the peanuts. The peanut roaster is a metaphor for those who belong “to a select circle of political clientele who benefit from an unequal but socially recognised distribution by the mere fact of belonging to this group” (Akindès, 2004, p. 11). Houphouët-Boigny maintained order through the creation of a group of elites, controlled by a sophisticated system of patronage. It was postulated that this fabricated bourgeoisie would then
contribute to an endogenous system of investment and entrepreneurship. Ultimately, the system of patronage led to an elite class, who had accumulated substantial fortunes.

iii. Paternalistic management of social diversity

The third component of Houphouëtism was the creation of a reinvented social history, which ordered the various linguistic groups within Côte d’Ivoire according to a hierarchy. There are four major linguistic groups in Côte d’Ivoire: the Mandé, Gur (Voltaïque), Krou and Akan. Houphouêt-Boigny belonged to the Baoulé, one of the major components of the Akan group. The rewriting of the social hierarchy in the decolonization and early independence period, ranked the groups with the Akan at the top and the Krou at the bottom. Akindès emphasizes that this myth of the superiority of the Akan (and in particular the Baoulé) was not a simplistic imposition, but rather was the result of a complex system of indoctrination and persuasion, to establish a “predestined elitist vocation of this ethnic group to govern the state” (Akindès, 2004, p. 14). It was another essential piece of the complex puzzle of Houphouëtism, which allowed for the political domination of the Baoulé within the PDCI.

Although the concept of Houphouëtism attempts to reconcile and balance competing interests and groups, it did not involve a democratic system. Indeed, Houphouët-Boigny’s aim was to create order, claiming “I prefer injustice to disorder: one can die of disorder, one does not die of injustice. An injustice can be repaired” (Schwab, 2004, p. 54). Houphouët-Boigny proclaimed the advantages of a single-party system, stating that “[n]ow we have no reason to be divided, so it is desirable that all of us should be
members of the sole party, just like an African family. We are not going to pay for an opposition just to please the Occident” (Schwab, 2004, pp. 53-54).

Limited land resources
The second contributing factor in the Ivoirian crisis was also a primary factor for the earlier economic prosperity of the fledgling nation. The extremely fertile and abundant land in the forest zone is an ideal climate for the farming of cocoa. One key aspect of the openness policy of Houphouëtism was a new conceptualization of land ownership that encouraged mass migration from neighbouring West African countries. Houphouët-Boigny instituted a policy of mise en valeur, meaning that anyone could claim user rights by working an unused plot of land. The slogan was “land belongs to those who make it produce”24 (Woods, 2003, p. 645).

When fertile land was abundant, as was the case in the early post-colonial period, the many agreements regarding user rights remained relatively unproblematic. Tens of thousands of migrants from northern Côte d’Ivoire and neighbouring countries arrived in the forest zone to work on coffee and cocoa plantations (Boas & Huser, 2006, p. 26). Although there exists many forms of work contracts, some of which involve access to land and some which do not (Koné, 2001), a common practice in the forest zone was a relationship called busan (or abusan). In Baoulé, busan “means to divide into three parts” (Koné, 2001, p. 13), and signifies a relationship between the land-owner and the labourer, where two-thirds of the sale of the crop goes to the former, with the remaining third going to the latter. Through the busan relationship, labourers eventually gained access to their own land, in exchange for their labour. As land became more scarce, farmers and labourers eventually moved further east in the forest zone, seeking new land for cultivation. This was also exacerbated by a lack of public investment into agricultural infrastructure, leading to “low and stagnant yields, soil depletion and erosion, and low quality output (Boas & Huser, 2006, p. 26).

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24 Alternately, this slogan is also understood as “the land belongs to the person who cultivates it” (Koné, 2001).
Unsurprisingly, as access to fertile land became more difficult to acquire, tensions arose among groups attempting to define who had the ‘right’ of access to existing farms. Unfortunately, access to land in the independence era has been largely regulated by customs and social networks as opposed to legal instruments (Koné, 2001, p. 1). Legislation was passed in the late 1990s, effectively excluding non-Ivoirians from land ownership (Koné, 2001, p. 2), despite the fact that many migrants had acquired Ivoirian citizenship. This leads nicely into a discussion of the discourse of Ivoirité, and the shifting definition of who qualifies as Ivoirian.

The Discourse of Ivoirité
With the death of Houphouët-Boigny, the economic decline and the increasing pressures on limited fertile land, the question of citizenship became a crucial political tool. The end of the Ivoirian miracle, and the subsequent fight for diminished resources fuelled an “anti-migrant rhetoric among those who consider[ed] themselves ‘true’ Ivoirians” (Boas & Huser, 2006, p. 28). The elections that followed Houphouët-Boigny’s death were subject to a new electoral code, instituted by his eventual successor Henri Konan Bédié. This code effectively prevented prominent opposition members from running in the elections, through the creation of two types of citizens: ‘pure’ Ivoirians and ‘mixed’ Ivoirians. The policy of Ivoirité conceptualizes the myth of the ‘pure’ Ivoirian, and accords to him certain political rights (the right to stand for election, the right vote etc.) as well as land-ownership rights.

Ivoirité is a socially and politically constructed concept that has not been applied and understood in a uniform manner. The rapidly changing leadership within Côte d’Ivoire in the late 1990s and early 2000s, led to an ever-evolving use of Ivoirité, with the discourse captured and adapted to solidify power. Akindès (2004, p. 26) states that Ivoirité has a dual function: “From an internal point of view, “Ivoirité” defines the

25 Although the 1995 presidential and legislative elections were intended to be free, open and democratic, they were ultimately boycotted by opposition parties (Boas & Huser, 2006, pp. 28-29).
criteria for participation in the distribution of scarce resources (jobs, property, power) within the country. From an external point of view “Ivoirité” defines national preference.”

Traditionally, the PDCI had a favourable relationship with the north, and indeed the ‘openness’ in Houphouëtism had led to the enrichment of both Baoulé land-owners and northern migrant labourers in the forest zone. However, the economic and political situation inherited by Bédié in the mid-1990s was very different from that of Houphouët-Boigny in 1960. Land was at a premium, and the fertile frontier of the forest zone had shifted west, away from the Baoulé-dominated east, and about a third of the population in Côte d’Ivoire was now foreign-born. Northern and foreign labourers had acquired access to their own land, and pressures from local Ivoirians had prompted a situation where these ‘outsiders’ were viewed in a less than favourable light. Furthermore, Bédié’s chief rival within the PDCI, was a northerner and the former Prime Minister of Côte d’Ivoire, Alasanne Ouattara. Ouattara was appointed as Prime Minister in 1990, and also undertook the duties of President in the final months of Houphouët-Boigny’s reign, while the latter was taken ill.

In order to engineer the election to secure his victory, Bédié capitalized on the nationalist, anti-migrant rhetoric by using the discourse of Ivoirité. Bédié asserted that Ouattara was in fact Burkinabé, claiming that both of his parents were not born in Côte d’Ivoire. Ouattara maintains that his parents were both Ivoirian and that he was born in Dimbokro, in present-day Côte d’Ivoire. The question of Ivoirité is further complicated by the relatively young age of the state of Côte d’Ivoire, the lack of consistent birth records and the fluctuating nature of the colonial border. Indeed, although present-day Burkina Faso was sometimes considered a separate entity (Upper Volta) under the AOF, it was “an integral part of Côte d’Ivoire until 1947” (Akindès, 2004, p. 8).
Relying on this xenophobic policy of nationalism, Bédié used the language of *Ivoirité* to secure his position as President, removing opposition members from posts within government and the military (Boas & Huser, 2006, p. 29). Foreigners were also used as scapegoats, blamed for the downturn in the Ivoirian economy. Although not overt, Bédie’s *Ivoirité* aimed to maintain political and economic control in the hands of the Akan (Akindès, 2004, p. 28). It was not an inclusive, pluralistic nationalism, but a tribal-based, Christian, ethnic nationalism.

Traditionally, the population in the north of Côte d’Ivoire has been predominantly Muslim (also referred to as Dioula). The discourse of *Ivoirité* has excluded northern Ivoirian Muslims, identifying these groups as culturally linked to Dioula in neighbouring countries like Burkina Faso and Mali (Akindès, 2004, p. 29). This understanding of *Ivoirité* is exacerbated by the fact that the 1998 census found that 86% of immigrants in Côte d’Ivoire were Muslim (Akindès, 2004, p. 29).

Following Bédie’s ‘victory’ in the 1999 elections, won using a similar strategy, he was ousted through a military coup, which put Robert Guéï into power. Interestingly, despite an initial attempt to broaden his support by the inclusion of opposition members within his government, Guéï eventually also turned to the language of *Ivoirité* (Boas & Huser, 2006, p. 29). This new interpretation was “selectively civic”, in that it was inclusive of other regions such as the west, east and centre, but still maintained the exclusion of northern Ivoirians (Akindès, 2004, p. 29).

Guéï’s reign was short-lived, as he lost the 2000 election to Laurent Gbagbo of the Front Popular Ivoirien (FPI), in which Ouattara was not allowed to run. Once elected, Gbagbo also used the concept of *Ivoirité*, however he manipulated the discourse to favour his own ethnic group, the Bété, and focused the anti-migrant rhetoric, at least initially, more on non-Ivoirians, rather than northern Ivoirians. The Bété, like the Baoulé, no longer had ready access to fertile agricultural land in the forest zone, and the only way in which they could now gain access was to challenge non-indigenous
ownership. “Their argument was straightforward: indigenous land could not be alienated from the community. Thus...migrants who had acquired land from Bété farmers in return for their labour, or who had purchased the land directly, now learned that they really did not own their land” (Woods, 2003, p. 651).

Bedié, Guéï and Gbagbo all agreed that Alasanne Ouattara was ineligible to stand for election, maintaining he was Burkinabé (Woods, 2003, p. 652). The discourse of Ivoirité was, and still is, a powerful political weapon, used to eliminate the opposition, and to enrich southern supporters, at the expense of northern and foreign migrants. This emphatic nationalism and the declining economic opportunities created a situation in which those not considered Ivoirian found themselves to be at great personal risk.

Xenophobia and violence
The three interrelated factors, which contributed to the Ivoirian crisis of the early 2000s, are inextricably linked. The death of Houphouët-Boigny, coupled with the collapse of the Ivoirian economic miracle created a power vacuum that was eventually filled by a leader who capitalized on the growing xenophobia in Côte d’Ivoire. The late 1990s saw a rise in violence and discrimination against foreigners and northerners residing in the south, and in the main city of Abidjan (Woods, 2003, p. 652). Relationships between law enforcement (the army, the police) and those not considered Ivoirian (foreigners, northerners) became strained, with accusations of harassment, violence and discrimination. Woods (2003, p. 654) states that, “increasingly, northerners viewed the state as dominated by ethnic groups from the south – particularly, the police and the military. The ethnic killings that followed the 2000 elections targeted only northerners....Thus, the rising levels of violence against Muslims created the conditions that led to the north rebelling and the onset of civil war.”
In 2001, 40% of inhabitants in Côte d’Ivoire were immigrants, with almost two-thirds of those migrants originating in Burkina Faso (Center for Migration Studies of New York, 2001). Widespread looting of immigrants was condoned by police, and between December 2000 and January 2001, more than 300,000 migrants left Côte d’Ivoire (Center for Migration Studies of New York, 2001). Some of these families had lived in Côte d’Ivoire for generations.

By 2002, the country was divided along north-south lines, controlled by two factions: the south, held by government forces of Laurent Gbagbo, and the north controlled by rebel groups and the Mouvement Patriotique de la Côte d’Ivoire (MPCI). Indeed, those who considered themselves autochthonous, “encouraged by the government and local strongmen, found in the civil war and the ‘Ivoirité’ discourse a pretext to ethnically cleanse their neighbours and harvest their neighbours’ cocoa” (Boas & Huser, 2006, p. 30).

Individuals on both sides of the conflict used cross-border movements for sanctuary and safe passage during violent outbreaks. These survival mechanisms were made possible by the proximity and permeability of the Ghanaian border.

**Burkinabé and Safe Passage**

During the height of the crisis that plagued Côte d’Ivoire, many of the victims of violence and persecution were the seasonal foreign workers, many whom were Burkinabé in origin. The links between what is now Burkina Faso and Côte d’Ivoire have a long-standing tradition, dating back centuries.

With the arrival of European settlers, and the development of the plantation and mining industries, the migratory seasonal worker began to emerge in greater numbers. This became the norm, certainly for those in Upper Volta (now Burkina Faso), where the soil was much less fertile than the coastal regions of southern Côte d’Ivoire. For decades, industry in Côte d’Ivoire was reliant on this steady flow of migrant workers,
particularly in the booming coffee and cocoa industries. The arrangement suited both the migrants who needed employment, as well as Ivoirians who were dependent on inexpensive labour. This flow continued even throughout the transition from colonial rule to the post-colonial state.

However, the troubles surrounding the succession of long-time President Houphouët-Boigny at the end of the 20th century, laid bare the divisive lines in Ivoirian society. Houphouët-Boigny was a very skilled neo-patrimonial ruler, maintaining not only his control for over three decades, but also the balance of power among his supporters and detractors.

Under his administration, the country flourished in the post-colonial era, with other states touting it as the shining example of a new independent Africa. Taking advantage of the rich natural resources, and the relics of French colonial infrastructure, Côte d’Ivoire enjoyed a comparative prosperity with relation to its West African neighbours. Yet, a confluence of factors led to the weakening of this neo-patrimonial rule, apparent even before Houphouët-Boigny’s death. Ivoirian society reeled under the full impact of the political uncertainty of the presidential succession, coupled with the economic downturn and ‘failure’ of the SAPs (Structural Adjustment Programs) implemented in the 1980s. This societal breakdown of the early 21st century led to widespread xenophobia, impacting not only foreign travellers, but mostly the very same Burkinabé upon which the agrarian economy depended.
The distance from the coastal regions of Côte d’Ivoire back to Burkina Faso is not insignificant, and the longer one stays within the country, the more one would be exposed to potential violence and even death. Workers were desperate to return home, and the safest route for most was to travel eastward across the border to Ghana, then turn north to Burkina Faso. In order to assist the evacuation during a particularly tumultuous time in 2002, six to ten escorted busses ran daily from Côte d’Ivoire through the border towns like Sampa, then north to Paga [see Figure 4.2] (Kpobi, 2007).

The border at Sampa in the Ghanaian Brong-Ahafo region is a primary port of entry, near the Ivoirian town of Bondoukou. Between the post at Sampa and the checkpoint of Soko (in Côte d’Ivoire) is a three-mile stretch of uninhabited land, which is comprised of mostly marshland (Kani, 2007). Although not witnessed by this researcher directly, officials at the Sampa border post state that the road on the Ivoirian side from Soko to Abidjan is paved. Once on the Ghanaian side, that road becomes a dirt track. However, when fleeing the violence in the south of Côte d’Ivoire, the road from Abidjan to the border post at Soko would have been a relatively quick journey, given that it was paved.

**Sanctuary**

The violence in the Ivoirian crisis was not restricted to foreigners, or rather, as discussed, the conception of a ‘foreigner’ was much more broad. Those citizens of foreign birth were targeted, as well Ivoirians born to foreign parents. Their proximity to the Ghanaian border provided a survival strategy separate from safe passage, which I have categorized as sanctuary. This differs from the Burkinabé escape route, in that Ivoirians seeking sanctuary generally cross the Ghanaian border temporarily during heightened tensions and outbreaks of violence. Once the violence has subsided, these citizens then cross back into Côte d’Ivoire.
There are two forms of sanctuary, a longer-term state-recognised version, namely asylum. The second form is an informal version, whereby individuals cross borders (officially or unofficially) for a limited period of time. It is this latter form sanctuary that provided security for countless Ivoirians during the crisis.

For several years, the Ghanaian representatives in Sunyani district recognised the waves of temporary migrants fleeing an acute situation of conflict in Côte d’Ivoire. These cross-border ‘migrants’ would stay sometimes as little as one day, then return to their homes once the situation was calmer (Kpobi, 2007). Most times this movement was completely legal, as the ECOWAS legislation allows for temporary free movement of the citizens of its member states. The existence of that border allows for a safe haven during times of momentary ‘flare-ups’ in local violence.

Rebel attacks against southern forces also led government officials, soldiers and locals to seek temporary sanctuary in Ghana. In October 2002, officials at the border post in Sampa noticed a daily commute by Ivoirian ministers and soldiers, between Côte d’Ivoire and Ghana (The Ghanaian Chronicle, 2002). Interestingly, to avoid the violent outbreaks, Ivoirian soldiers had taken to crossing the border each night, sleeping in the town of Sampa, Ghana, and then returning to duty in Côte d’Ivoire each morning. Similarly, several Ivoirian ministers had moved their families and households to temporary lodgings in Sampa, and they too commuted every day between Ghana and Côte d’Ivoire (The Ghanaian Chronicle, 2002).

The Deputy Superintendent of Immigration at Sampa stated that “police and custom officials from the war-torn country [of Côte d’Ivoire] also joined the fleeing soldiers and ministers” (The Ghanaian Chronicle, 2002).

Again in 2004, violence erupted in the north, following a siege by the government-led forces that killed nine French peacekeepers. The French government responded by destroying army aircraft. The violence that ensued involved Ivoirians engaging in “a
violent campaign of looting, torching and rape...targeting foreigners” (UN Integrated News Service, 2004). News reports from this period describe widespread ethnic violence on both sides of the conflict, of which the following is a small sample:

- **March – October 2004 (Abidjan):** Paramilitary police perform a daily round-up of Muslims (mostly northern Ivorians) through spot-checks of identity papers. These migrants are driven to locations outside of the city, then beaten and robbed (Balint-Kurti, 2004). In addition to the theft, violence and humiliation, they are also subject to murders by the gendarmerie that go unpunished (All Africa News, 2004).

- **March – October 2004 (Gagnoa):** 12 people killed in the southwest near Gagnoa, following which more than 700 Burkinabé farmers are removed from their farms in the region. Some returned home (Aboa & Murphy, 2004).

- **August 2004 (Korhogo):** Rebels massacre dozens of men and boys by suffocation in shipping containers. U.N. officials uncover three mass graves in the area (Oumar, 2004).

- **November 24, 2004 (Gagnoa):** “Bété youths armed with machetes, kitchen knives and sticks had attacked northerners in [Gagnoa], killing at least six people and injuring 29 others” (UN Integrated News Service, 2004).

- **December 23, 2004 (Ouragahio):** 11 villagers killed in a knife attack by an armed gang, suspected of being displaced Burkinabé. A note was left reading “unless you give us back our fields and plantations, we will attack the villages one by one” (Agence France Presse, 2004).

In the face of threats to personal safety, Ivorians and foreigners turned to the nearby borders to find sanctuary while the violence erupted. There are reports of individuals
fleeing not only to Ghana, but also other neighbouring countries. There is a real opportunity presented by the existence of borders in West Africa, allowing individuals to escape, seek refuge and ultimately to preserve key elements of human flourishing: life, bodily health and bodily integrity.

**Economic Survival: Creating opportunity out of scarcity**

The exercise of human capabilities is evidenced in the individual micro-strategies that exist in the borderland economy between Ghana and Côte d’Ivoire. Although it can be argued that the accumulated effects of these micro-regionalist actors culminate to destructure the economies of the countries involved, that is less the case in Ghana and Côte d’Ivoire, due to their diversified economies (Stary, 1999). In fact, the opportunities capitalized upon due to the existence of the border can help to fill a void created by an unfavourable geographic and economic location. As Stary (1999, p. 176) notes, “[c]ross-border trade may be interpreted as an adjustment on the part of the borderland population to an economic crisis which invites them to maximise every source of profit.”

In this section, we will analyze the factors which exist along the Ghanaian-Ivoirian border (focused particularly in the Brong-Ahafo region) that contribute to a budding, though unintended, micro-region. The opportunities presented by the border lead to cross-border activity, and it can be argued that the culmination of these movements by individual actors constitute a micro-region of sorts. We will then question the relationship between this micro-regional activity and macro-level economic forces.

**Migration and the search for prosperity**

There has been much research on the subject of rural-urban migrations more broadly, as well those focussed on Africa (Okpara, E. E., 1986; Potts, D. & Mutambirwa, C., 1990; Bakewell, O., 2009). This form of migratory movement has evidence across many continents and in various economic and historical contexts. In Ghana, the
percentage of the population residing in an urban centre has risen from 15.4% in 1950 to 47.8% in 2005 (United Nations Population Division, 2009).

Following the decolonization of sub-Saharan Africa, most cities witnessed a significant increase in population. However, this was not the only significant pattern of migration in Ghana and Côte d’Ivoire. As treated elsewhere in this thesis, both of these coastal nations have traditionally experienced a north-south migratory pattern, as well as cross-cutting west-east trade routes. Moreover, As Potts (1995) demonstrates, many African cities have also endured an out-migration or reverse migration toward the rural, in light of the limited prospects for economic survival. This reality might have implications for other rural areas, such as borderlands, that may offer economic opportunities that do not exist in urban centres.

**Social and economic characteristics in Brong-Ahafo**
The Brong-Ahafo region of Ghana lies along the western border adjacent to Côte d’Ivoire. Occupying much of the central-west of Ghana, Brong-Ahafo’s capital is Sunyani and its main market town is Techiman. Sunyani is almost 400km from the capital of Accra, and the market in Techiman lies 60km from Sunyani. The major market of Kumasi is also located to the south in the Ashanti region. Brong-Ahafo has an estimated population of 2.2 million, and straddles the forest and savannah climactic zones (Ghana Statistical Service). The major industries include cocoa and timber production (Government of Ghana).

The literacy rate in Brong-Ahafo is below the national average, and ranks only above the two northern regions. The percentage of residents aged 15 and over who are literate is 49% (with men surpassing women), while the national average at 54.5% (Government of Ghana). The difference between the sexes is not surprising, given that the school attainment rates are higher for men in the region. While attendance rates are relatively equal between boys and girls at primary school, the attainment rates for
boys exceeds that of girls at all higher levels. In the Brong-Ahafo region, 42% of the population over the age of 6 years has never been to school (Government of Ghana).

Contrary to a customary critique from the ‘borders-as-negative’ camp, the Ghanaian-Ivoirian border does not arbitrarily divide a common people with a shared history, culture and language. The major groups are comprised of the Agni and Koulango on the Ivoirian side of the border, and the Asante, Bron and Nafado on the Ghanaian side (Stary, 1999, p. 169). However, as Stary notes, the borderland community has undergone significant alterations, arguably due to the very existence of the border itself. The unique opportunities that exist along the border have led to a community made up of indigenous groups, “on to which alien populations have superimposed themselves (Burkinabe, Nigerians, amongst others), as well as populations that have traditionally been travelling over the whole of West Africa, like the [Dioula]” (Stary, 1999, p. 169). In other words, these outsiders have migrated toward the border in part to take advantage of the economic opportunities that the border itself presents.

**Border crossing in Brong-Ahafo**
The border posts in Brong-Ahafo are overseen by the Ghana Immigration Service, whose Regional Director, Francis Kpobi is located in Sunyani. There are also customs officials at the border posts, under the auspices of the Ghana Customs, Excise and Preventive Service (CEPS). The ‘official’ border crossings for the region are (from north to south): Gonokrami, Sampa, Kwameseikrom, Nkrenkwanta, Funa, Oseikojokrom. However, many unofficial and unguarded crossings also exist, which due to a lack of resources are not regularly patrolled.

The Sampa border post is separated from the Soko checkpoint on the Ivoirian side by a three-mile stretch of uninhabited land. Soko is four miles from the regional capital of Bondoukou in the upper-east Zanzan region of Côte d’Ivoire. Bondoukou became the

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26 Once exception is the southernmost part of the border, where the Nzima are located on both sides (Stary, 1999, p. 169).
primary northern base for the United Nations operation in Côte d’Ivoire during the crisis, and occasionally the UN peacekeepers crossed the border into Ghana at Sampa (Kani, 2007).

The hours of operation for the Sampa border post are 6am to 6pm daily, and the area is patrolled at night while the post is closed. The post is occasionally open out of hours for special crossings involving diplomats. The post has currency exchange facilities, and uses the same national exchange rate as all other border posts. Border residents do take advantage of price differences across the border, as well as any favourable exchange rates (Agbseye, 2007).

Officials at the Sampa border post primarily deal with three main forms of border crossings (Kani, 2007):

i. **Border resident crossings**

The vast majority of crossings fall into this category, where local residents from either side of the border cross regularly to visit family and go to the market. In fact, these crossings mainly correspond with market days in Sampa, Soko and Bondoukou.

- On Sundays, the Bondoukou market usually attracts approximately 50 people, who cross into Côte d’Ivoire and return the same day.
- On Mondays the Sampa market is open, which sees 200 people crossing and returning throughout the day.
- Fridays are the regular day for the Soko market, when 45 people cross and return.

The Soko residents will generally cross the border on foot, whereas larger distance traders (for example from Bondoukou) come by taxi or small buses.

As cross-border marriages are common in the region, frequent visitation occurs across the border, although not always through the official routes. Family members
may cross for a day, bringing special food cooked specifically for a family occasion (Kpobi, 2007). There are also usually more pervasive movements during holidays, such as Easter and Christmas.

Furthermore, there are cases of border residents whose farms are located on one side of the border, while their homes are on the other side (Kpobi, 2007). They would therefore make a daily crossing to work the land, and then return home in the evening.

Border residents are generally not required to produce a passport, as identification cards are considered sufficient. Unofficially, border staff confirmed that many people cross without any identification, as they are simply recognized by sight.

**ii. Commercial traffic**

Sampa sees official commercial traffic, comprised of traders from Niger, Burkina Faso, Mali, Nigeria and surprisingly, to a lesser extent, Côte d’Ivoire. Border officials felt that “Ivoirians don’t much like to travel” (Kani, 2007).

Following the crisis in Côte d’Ivoire, this type of traffic has undergone a significant reduction. Commercial crossings require official identification, and individuals must complete various forms of paperwork. Transit visas are frequently issued for cars, on the promise that the driver will exit the country (with the vehicle) within 60 days. Vehicles that do remain illegally in the country can be confiscated. In Sunyani, one of the Ghana Immigration offices sits in front of a field replete with hundred of confiscated vehicles. This was explained by an official who stated that the fines levied for the return of a confiscated vehicle usually outweighed their value.

**iii. Unofficial crossings**

Unofficial crossing are pervasive in this region of Ghana, a fact that is known to the immigration officials in Brong-Ahafo. A thriving industry of smuggling exists,
involving both foreign actors, as well as local conspirators. North of Sampa, there is an unapproved crossing at the village of Boku, which the Sampa officers attempt to police. There are also many footpaths over the border, in the surrounding woodland. However, border officials confirmed that their ability to patrol these areas is hampered by mobility and resourcing problems. At the time of the interview in 2007, the Sampa post had access to one car, which was broken, and one motorbike, and officials were unsure if this was broken as well.

Recognizing a need for greater security, particularly with the threat presented by the instability in Côte d’Ivoire, the government in Ghana has attempted to clamp down on illegal trade. Extra training has been provided for customs officers, and many now patrol the footpaths and unofficial crossings in plain clothes (Agbseye, 2007). The primary concern has been to prevent the spread of illegal arms.

Unofficial Crossings and Economic Survival:
The example of agricultural goods
It is this issue of ‘unofficial’ crossings that presents a unique challenge when studying the utility of borders. It could be argued, from a macro-level perspective, that this exploitation of permeable borders and collusion with official and locals, is actually a form of state subversion. The culmination of these individual actions constitutes a challenge to the state itself (both fiscally and in terms of state security), and moreover may run counter to higher-level regionalization processes.

If we examine the way in which agricultural goods are illicitly moved across the Ghanaian-Ivoirian border, we will gain a better understanding of how the border itself can be used to secure economic survival in a region where other economic opportunities are unviable or scarce.

As the above data suggests, the Brong-Ahafo region relies heavily on the agricultural industry, due to its position in the forest and savannah zones. At one time, Brong-Ahafo was the leading region in cocoa production, however due to environmental
pressures from bushfires and human activities, the region is now ranked third (Ghana News Agency, 2009). The high unemployment rate in the region has caused it to be the main source of illegal youth migration in the area, with young people leaving by way of the Sahara to northerly destinations (Boatang, 2011).

Officials in Brong-Ahafo are seeking ways to encourage youth to remain by developing new industries that will create employment in the region. However, until real economic opportunities are available, individuals have developed a variety of methods to sustain their economic survival. Once such ‘option’ is the trade in agricultural products, through legal or illicit means.

At the border post in Sampa, the vast majority of goods that are handled are foodstuffs, and in particular rice brought over from Côte d’Ivoire (Agbseye, 2007). The rice is not produced in Côte d’Ivoire, but rather imported into the country cheaply, and later moved into neighbouring countries (legally and illegally). The main levies that are applied to agricultural products are as follows:

- Value added tax (VAT): 12.5%
- National Health Insurance Levy (NHIL): 2.5%
- ECOWAS Levy: 0.5%
- Export Development and Investment Fund Levy (EDIF): 0.5%
- Import duty: 20%

This last fee, the 20% import duty, is applied to all processed agricultural products, however raw goods (like cashews) are exempt. Instead, raw agricultural products are assessed a 1% processing fee and a 1% inspection fee (Agbseye, 2007).

Legally, the above fees apply to all quantities of goods, including small gifts. In practice, the border officials use their discretion regarding exceptions. One official described it as “the African way,” meaning that people are exempted from the charges for humanitarian and familial reasons, particularly if the quantity of food is small.
(Agbseye, 2007). One officer suggested that this would usually constitute two to three days worth of food.

Obviously, these levies assessed at the borders posts are not insignificant. Particularly the 20% import duty on processed foodstuff is a substantive fee, and therefore there is an incentive to circumvent the official routes. One crop which has been popular for smugglers is rice, which is considered a processed product.

In the early 2000s, the Ghanaian government sought to increase the local production of rice and decrease its importation by 30% (GHP, 2004). Rice has quickly become a staple of the Ghanaian diet, with an annual per capita consumption of 30kg, and growing at a rate of 4.7% annually (GHP, 2004). In 2003, Ghana produced 168,000 tonnes of rice, and officially imported 400,000 tonnes. The estimate for rice smuggled into Ghana that same year is about 160,000 tonnes (GHP, 2004).

The effort to increase local rice production is severely hampered by the thriving illegal trade in rice across the Ghanaian-Ivoirian border. The situation is caused by the very high tariff applied to the importation of rice into Ghana, compared with that of Côte d'Ivoire, whose tariffs on rice are one of the lowest in the region. A primary smuggling route runs from Abidjan through Sampa, to the market in Techiman [see Figure 4.3].

In 2004, it was estimated that 3,000 bags of rice were smuggled weekly across the Ghanaian-Ivoirian border, mostly at the Sampa border post (Ghanaian Chronicle, 2004). The loss of revenue from that post alone was an estimated 7.3 billion cedis (equivalent to over USD 800,000).

Figure 4.3 – Rice Smuggling Route from Abidjan
The smuggling route from Abidjan is operated mainly by women with the assistance of a transport owner. Allegedly, they bribe their way through the customs check-points, and by the time they arrive at the market in Techiman, their produce is able to be sold lower than market value. It is thought that the customs officials at Sampa collude with the smugglers for a share in the profits (Ghanaian Chronicle, 2004). The smugglers then move the rice into the market after dark, hidden in warehouses, before being distributed to ‘accredited agents’ (Ghanaian Chronicle, 2004). Accredited agents are those market sellers who have proven themselves to be trustworthy.

At the market in Techiman, a variety of popular imported rice brands can be found, including rice from China, India and the United States. The price variation between the smuggled rice and the imported rice can vary from 5,000 cedis to 30,000 cedis a bag (GHP, 2004). One newspaper found that a smuggled bag of the popular CCC brand of rice was being sold in the Techiman market for 180,000 cedis, whereas the imported bag of the same rice was being sold in the market for 200,000 cedis (Ghanaian Chronicle, 2004).
Even on a more local level, the farming communities along the border in Ghana have at times been co-opted by smuggling rings, and their residences have been used as temporary storehouses for illicit goods. As with the colluding customs officials, these borderland community members benefit by sharing in the profits (Kpobi, 2007).

In addition to the standard smuggling route from the port at Abidjan, other traders from neighbouring states are also capitalizing on the lower-priced agricultural goods at the market in Techiman. The Principal Customs Collector at Sampa has noted that there has been an increase in the number of Burkinabé traders that cross from Ghana into Côte d’Ivoire to sell goods they have purchased at the Techiman market (Agbseye, 2007). Although this route is in part a product of the Côte d’Ivoire to Ghana smuggling route, it operates through the official border crossings.

In 2010, the Ghana Revenue Authority (GRA) took the extraordinary measure of conducting meetings with community stakeholders at each of the border posts in the Brong-Ahafo region, with the aim of curbing illicit trade. Packaged under the banner of ‘national duty’, the Anti-Revenue Leakage Monitoring Team met with “revenue collectors, security agents and leadership of transport unions” to impress upon them the importance of revenue collection for national development (Ghana News Agency, 2010). The GRA also announced its intention of creating a Revenue Protection Information Bureau, to “enhance access to information on revenue-related activities in relevant communities for necessary action” (Ghana News Agency, 2010). The head of the Anti-Revenue Leakage Monitoring Team was also said to have warned border post staff against “conniving with importers and businessmen to dupe the nation” (Ghana News Agency, 2010).

It is apparent that illicit trade is thriving along Ghana’s borders. The complex economic activities, both illicit and official, that exist in the borderland operate due to social and market forces which offer survival strategies for the various agents involved. Although morally the issue of illicit trade is often seen as a negative and as a threat to the
security of the state, I contend that in fact at the micro-level these forms of smuggling can act as a bulwark against the threats of poverty and economic deprivation. Even individuals that function as part of the state apparatus at the border can play a role in the continuation of this illicit industry, although the micro-level activity can run counter to the macro (state-level) goals.

Borders and Individual Security in Africa

Borders can act in the interest of individual security, as well as detract from it. Borders in Africa have been viewed in quite a negative light, seen as vestiges of a colonial period best forgotten. Leaving the continent in perpetual fragmentation, the dream of a borderless supra-state has seemed an ideal solution for the security problems which arise, supposedly, from their very existence.

This chapter has sought a more balanced view of West African borders, demonstrating their utility according to the Capabilities Approach. The unique permeability of African borders allow a space for security strategies, proving essential to the safety and economic survival of individuals in situations where the greatest threat to individual security comes from within state, rather than from without. By providing safe passage, sanctuary and economic opportunities, borders play an important role in security of a more individual nature.

Individual security within this micro-region can inform the larger security questions at the macro-regional level. The continuing existence of micro-level cross-border movement is related to larger macro-level forces. The obvious physical insecurity created by large-scale civil war in Côte d’Ivoire has led to a variety of survival strategies, of which cross-border sanctuary is but one. The flourishing of illicit economic activity, particularly in the rice trade, is a direct result of the advantage created by differing macro-level economic import policies between Ghana and Côte d’Ivoire.
On the whole, although the permeability of African borders can be used to further positive outcomes for individual survival, they can also be used to subjugate and threaten the personal security of individuals. This question of the negative use of African borders is treated in the following chapter.

Chapter Summary

The purpose of this chapter was to demonstrate two ways in which the Ghanaian-Ivoirian border is used to further individual survival strategies. The definition of security in this chapter relies on the first three of Nussbaum’s capabilities, namely Life, Bodily Health and Bodily Integrity.

Employing data gathered during a field study in Ghana in 2007, the chapter presents the key players in the state-border apparatus in the Brong-Ahafo region. The case study of the Ivoirian crisis was examined, which demonstrated two ways in which the border was used to ensure safety from physical threats. These were safe passage (used primarily by fleeing Burkinabé migrant workers) and sanctuary (used primarily by Ivoirians). Economic security was then treated, using the example of illicit trade of rice through the Sampa border post, which is then sold in the market at Techiman.

The chapter concludes that the unique permeability of the border in Ghana and Côte d’Ivoire presents opportunities for survival strategies that may be filling a void left by a lack of legitimate economic opportunity or an adequate security apparatus.
Chapter Five:
Avoiding the Beast

Human Trafficking, Child Labour and Sexual Exploitation in West Africa

“A person finds herself on a small desert island. She shares the island with a fierce carnivorous animal which perpetually hunts for her. Her mental stamina, her intellectual ingenuity, her will power and her physical resources are taxed to their limits by her struggle to remain alive. She never has a chance to do or even to think of anything other than how to escape from the beast....All her choices are potentially horrendous in their consequences. If she ever puts one foot wrong she will be devoured by the beast,” (Raz, 1986, p. 374).

The challenge presented by the interrelated practices of human trafficking, forced labour and exploitation in Africa today is exacerbated by the very characteristics of African borders that also provide avenues for sanctuary. It is paradoxical that the porous and fluid nature of African borders, which can offer avenues for opportunities and even self-development, can also abet those who would oppress, abuse and exploit vulnerable individuals. A full account of African borders must also address these negative impacts.

This chapter aims to understand the prevalence of human trafficking in West Africa, set in its particular socio-historical context, and attempts to contrast this practice with traditional migratory patterns. However, the great difficulty in studying cross-border movements (or even movements within a state) is the lack of knowledge as to an individual’s motivation. Is the choice for migration voluntary or is she being obliged to move? Do we accept this individual’s personal assessment of her ‘decision’ or is she a vulnerable person being coerced? Is this person’s labour forced, or is it the result of an informed choice?

There are international, continental and state-based agreements, instruments and legislation designed to protect vulnerable groups (such as children) from trafficking and forced labour, however the success of these measures has been limited in West Africa. Children are still essential to several agricultural sectors, particularly cocoa and coffee in Ghana, and are also victims forced to become child soldiers in conflict zones.
While it is generally understood within these legal instruments that children are a vulnerable group requiring protection, other groups, such as women, are not always accorded the same concern despite their similar vulnerability. The sexual exploitation of women in Africa is also inextricably linked with trafficking.

Martha Nussbaum introduces a controversial view of prostitution in her piece “Whether From Reason or Prejudice”: Taking money for bodily services, arguing that our aversion to prostitution is not grounded in reason, and that many other ‘respected’ professions involve the sale of bodily services. Although Nussbaum includes a caveat stipulating that her argument assumes that the sexual act for sale is consensual, I will argue that in practice the distinction between prostitution by “choice” and sexual exploitation in West Africa is fallacious. The vulnerability of most of these women due to their socio-economic environment makes their “choice” of prostitution the result of a constrained agency; they are essentially avoiding the beast.

Following an examination of traditional migratory patterns in West Africa, this chapter will devise a picture of the current state of migration within Ghana and among its neighbours. The focus of this chapter will be on the prevalence of human trafficking for purposes of forced labour and exploitation. We will survey international and national agreements aimed to curb both trafficking and exploitative work in Africa, and examine the rationale for the special consideration given to children. Using the Capabilities Approach, this chapter will demonstrate the ways in which borders allow for the inhibition of human flourishing, focussing on the exploitation vulnerable women and children. Although employing Nussbaum’s Capabilities Approach, I will challenge her view that decriminalization of prostitution can prove positive for women, and conclude that due to constrained capabilities, true consent to sexual exploitation is impossible.
Human Trafficking

When analyzing modern migratory practices in West Africa, it is essential to look not only to the advantages of voluntary cross-border movement, but also to, conversely, examine the opportunities presented to those with more nefarious intentions. Not all migration is voluntary or positive in outcome. For all of the good which can arise from open and porous borders, the opposite is also possible. Current migratory practices in West Africa range from voluntary commercial exchanges, to forced ‘migration’ (i.e. the trafficking) of primarily women and children.

African borders are arguably unique with respect to the lack of capable state infrastructure and the opportunities resulting from the permeability that this engenders. Along the Ghana-Côte d’Ivoire boundary, for example, border posts are separated by thousands of kilometres of unprotected land, through which unofficial roads traverse unmonitored. These roads are patrolled only intermittently, mostly due to a lack of state security personnel. This situation allows all manner of unregulated trade, trafficking and migration to occur. Although we have previously seen some of benefits of the unique characteristics of borders in Ghana and Côte d’Ivoire, the potential for exploitation also exists. For instance, Ghana is a source, transit and destination country for human trafficking (U.S. Department of State, 2010, p. 157).

Moreover, Ghana is a member state of ECOWAS (Economic Organization of West African States), whose treaty contains objectives aimed at allowing free movement of goods and people among its member states. The Protocol on the Free Movement of Persons and the Right of Residence and Establishment was passed in 1980, and ostensibly allows citizens of the member states free entry into other ECOWAS states for a period of up to 90 days. These elements, coupled with socio-economic push and pull factors, spur a thriving activity along Ghana’s external borders and across its internal regional boundaries. Unfortunately, this activity includes human trafficking.
As outcomes of migratory practices can be both positive and negative, an analysis of open borders in West Africa cannot shy away from a moral perspective. The questions surrounding human trafficking, modern-day slavery, sexual exploitation, child labour etc. are not effectively examined in a moral vacuum; firstly, to do so seems nigh impossible, and secondly it does a disservice to the lives of those adversely affected directly and indirectly by human exploitation. Therefore, in order to understand modern migratory practices in Africa, we require a method which allows for a moral analysis. Many methods currently employed in the study of international social justice rely on one of three approaches: preference-based, resource-based and rights-based as discussed in Chapter Two (Nussbaum, Capabilities and Social Justice, 2002). In the field of human trafficking, the attempts to understand and prevent the phenomenon have primarily come from a rights-based approach, elaborated below. Although this approach has achieved successes in the passing of international agreements, it falls short in providing a robust tool for examining human trafficking at a more local level. I contend that Nussbaum's Capabilities Approach is a preferred method of analysis.

**A Rights-Based Approach to Human Trafficking and Exploitation**

The definition of trafficking is perhaps one of those essentially contestable concepts that are replete in political life. How do we define trafficking; is it necessarily movement across an internationally-recognized state border; must it involve the use of physical force? These are crucial elements that even international bodies and instruments have great difficulty in defining. For purposes of the prevention and reaction to the phenomenon of human trafficking, international instruments are circumscribed by jurisdictional boundaries which may not adequately provide protection and assistance to victims of trafficking confined within state boundaries.

There are international conventions, state acts, and scholarly works which attempt to define trafficking, and although they do vary, most of these instruments are rights-based. To begin, we will survey the international and national instruments which pertain to trafficking in Ghana.
International Instruments

Modern international instruments which attempt to prevent trafficking stem from the United Nations 1956 Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery. This convention treats many elements of what we would now term ‘trafficking’, including the abolition of debt bondage, serfdom, forced marriage, child exploitation, and the trafficking of slaves (Office of the United Nations High Commissioner for Human Rights, 1957).

There are six international and continental agreements deal directly or indirectly with trafficking:

- The 1989 UN Convention on the Rights of the Child (CRC)

- The 1999 Convention No. 182 of the International Labour Organization on the Worst Forms of Child Labour

- Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (the Palermo Protocol) and the Protocol against the Smuggling of Migrants by Land, Air and Sea supplementing the United Nations Convention against Transnational Organized Crime

- The African Charter on Human and Peoples' Rights (Banjul Charter) and the Protocol on the Rights of Women in Africa


Regional and Domestic Instruments

In addition to the international agreements to curb human trafficking, there are also several regional and domestic instruments that now exist in West Africa:

- A Declaration and a Plan of Action against Trafficking in Persons (2001): Adopted during the Dakar ECOWAS summit in 2001, the Declaration and Plan of Action aims to have all member states sign and ratify the Palermo Protocol and the CRC.


A Definition of Human Trafficking

The Palermo Protocol defines trafficking in a very particular way. It states that trafficking in persons,

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\text{shall mean the recruitment, transportation, transfer, harbouring or receipt of people, by means of a threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purposes of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs} \quad (\text{United Nations Office on Drugs and Crime, 2008, p. 2}).
\]

In order to illustrate this definition, as it is quite lengthy, the *UN Toolkit to Combat Trafficking in Persons* breaks down the definition into its three constituent parts: the act, the means and the purpose. Graphically, it can be represented in figure that follows:
This means, therefore, that for the act of trafficking to take place all three of these constituent parts must come into play.

*Other approaches to human trafficking?*
What outcomes flow from these rights-based agreements? How have they improved the lives of those being trafficked? Arguably, trafficking is a booming business that has not been contained by the many cross-jurisdictional instruments aimed at curbing its existence. Ultimately, Nussbaum argues that rights-based approaches, while successful in “articulating the demands for justice” (2002, p. 128), fall short for a variety of reasons. Traditional rights discourse tends to ignore certain phenomena (i.e. focussing on political or civil liberties, in the absence of economic or social liberties; the distribution of family wealth), the language of the discourse is itself so contestable that it can lead to confusion in its interpretation, and rights discourse tends to be linked with negative liberty, focused on protecting the individual from the state.

So, with what options are we then left? One oft-used international barometer for social justice is resource-based approaches, either at the macro or mirco-levels. For example, the quality of life can be linked to the overall Gross Domestic Product (GDP) of a state. Ghana has one of the highest GDPS per capita in sub-Saharan Africa, and is
ranked 99th overall out of 228 countries (Central Intelligence Agency, 2010). But what can this type of data really tell us about the lives of Ghanaians? Unfortunately, on its own, GDP cannot elucidate the differences between certain segments of the population, in terms of their command of resources (rural vs. urban, male vs. female, Ghanaian citizens vs. foreigners).

One obvious drawback of the resource-based approach is the lack of information provided by the GDP data as to the distribution of wealth within the state. Nussbaum recognizes that even if we were to use a resource-based analysis to examine the quality of life within a country that was sensitive to the distribution of wealth, the analysis still fails to account for how individuals are able to convert those resources into functionings (Nussbaum, 2002, p. 127). Nussbaum gives several examples, such as the increased physical needs of a lactating woman, the additional resources required by a person who does not have the use of his limbs, or in certain nations, the need for more funding to improve women’s literacy as compared to men’s. Equal resources do not bring equal equality of functioning, where the starting point of functioning for individuals vary.

Another popular approach aims to account for the preferences of the target group. This approach is quite attractive in that it is truly focused on people and how they account for their resources. While Nussbaum is not as critical of this approach, she points to certain flaws in its use. Many researchers who use preference-based approaches will survey individuals to assess their satisfaction with their preferences. However, what this research fails to take into account is the notion that preferences are themselves socially-constructed. Therefore, to rely solely on an individual’s interpretation of their preferences risks reinforcing and entrenching the social status quo, including inequalities. Nussbaum gives the example of a country where women may be socialized to believe that they are entitled to a lower standard of living, that may not include certain goods like education or political participation. These women “may be under considerable pressure to say they are satisfied without such things, and
yet we should not hastily conclude that public policy should not work to extend these functions to women” (Nussbaum, 2000, p. 229).

Nussbaum concludes that the preferred approach ought to be one that is grounded in human capability; examining what people are able to do and be. Trying to account for an industry, like that of human trafficking, is complicated, and can be tackled through the approaches described above. However, providing a moral account of the way in which borders are used for practices like human trafficking and ultimately how they can negatively impact the lives of individuals and constrain what they can ‘do’ and ‘be’, is a fruitful exercise that is often ignored in favour of a more traditional economics or rights-based analysis.

**The Depth of Consent**

Before delving into the heart of this issue, it seems imperative that we question the notion of consent. Contrary to popular belief, objects of trafficking can be active agents while still being victims. I would contend that they are, however, exercising a constrained agency, and ‘consent’ is therefore not truly possible.

The issue of consent is in a superficial way quite simple (i.e. does someone agree to something) but in practice extremely convoluted and difficult to distinguish. How do we interpret consent? How can we define consent? Can consent be truly given when social and economic forces unfavourably impinge on the available choices presented to an individual?

In this section, we will unravel the concepts of agency and choice, and attempt to clarify our understanding of victimization. The distinction between constrained choice and consent will be delineated below.
The victim as ‘blameless’

In her research, *Trafficking of women for prostitution*, Cameron (2008) states that it is a fundamental fallacy that victims of trafficking must be entirely ‘blameless’, and that they must have had no part in the decision(s) that ultimately led to their being trafficked. The victim as a ‘non-agent’, whose unfavourable situation is the result of the complete domination of others, is not reflective of reality. Cameron postulates that the notion that a trafficking victim may have been responsible for decisions that led to their situation is “unattractive to media and governments alike” (2008, p. 85) and that these individuals are therefore generally treated as co-conspirators, rather than victims.

Contrary to the neo-liberal perspective that accords the success and failure of agents to their individual choices, Cameron puts forth the notion that given unequal socio-economic environments, agents make certain decisions from a constrained menu of choices. Therefore, the consequences of their choices are not entirely the result of the agent alone. Indeed, she cites a study where some trafficked women in Europe and the Middle East suspected they might be forced to work as prostitutes, but that given their circumstances they were willing to take that risk (2008, p. 85). In these cases, the women did exert agency in making choices that ultimately led to their being trafficked and exploited. However, “this neither makes them responsible for the system into which they were pulled nor mitigates the seriousness of the offences later committed against them” (Cameron, 2008, p. 85).

Like Raz’s hunted woman scenario, the choices made by these agents are not made within the context of a life of full human flourishing. At times, these choices are made as a result of extreme deprivation, poverty, and insecurity. In an attempt to avoid the devouring beasts that surround her, the hunted woman weighs her constrained choices and exerts her agency in making a decision in the context of her environment. In this way, it is not paradoxical to have trafficked individuals as agents capable of making choices, while still remaining victims. They are ultimately preyed upon due to their vulnerability by those who use that vulnerability for exploitation and profit.
Special allowances for children and vulnerable groups

In international agreements, such as the Palermo Protocol, children are given special consideration in the area of consent. It is contended that in light of their vulnerable status, children cannot truly consent to trafficking and exploitative acts (United Nations Office on Drugs and Crime, 2008, p. 6). A child is generally considered to be any person under the age of 18 years, as is the case in the UN Convention on the Rights of the Child (ECPAT International, 2007, p. 5).

While not in disagreement with this perspective, but I do wish to challenge the notion that we accord special status to children, based on their vulnerability, and yet do not accord that same status to other potentially vulnerable groups, such as women. There are most likely a variety of reasons why this is the case in the rights-based approach of international and regional agreements. One can classify children very easily by establishing a cut-off age, and applying the rules to those persons below that threshold (although achieving an internationally agreed-upon definition of the age of majority is not in practice a clear-cut exercise). But theoretically, states who ratify international agreements that require the implementation of domestic legislation that protects ‘children’ (however defined) is simple in the sense that it applies to a clear group of persons, without the need for examining their vulnerability on a case-by-case basis.

Children, like adults, are agents with the ability to make choices, which may lead to positive or negative consequences. However, we accord special considerations to children, recognizing that their agency may be exerted in the context of vulnerability, making them not wholly responsible for the consequences of their actions. I contend that this ‘vulnerable status’ ought to be expanded to other groups, such as women who are victims of socio-economic deprivation and insecurity, as well as to other groups, such as those with certain disabilities.

Individuals within these vulnerable groups are sometimes exerting a ‘constrained agency’, which is not to say that they are not a decision-making actor, but rather that
their agency is exerted in a limited environment of choices. To say that any of these vulnerable agents are truly giving consent to their exploitation is therefore inaccurate.

*Constrained agency and consent*

In trying to define consent, it appears that there are several interrelated concepts that come into play when determining if and when consent is given.

a) Firstly, consent is a concept that requires the exertion of agency, which I contend can be satisfied by children as well as adults.

b) Secondly, that this agency is exerted within the context of a full menu of choices and a full disclosure of options.

c) And lastly, that consent cannot be truly given by agents in situations of vulnerability.

Can an agent then consent to being trafficked? Theoretically, you can probably argue for the affirmative. However, in practice the third criterion of lack of vulnerability is probably never satisfied. This notion of constrained agency will be teased out in greater depth in our later discussion of women in prostitution.

**Child Migrants or Trafficking Victims?**

It can be argued that the history of West Africa is a narrative of migration. As we noted in the third chapter of this thesis, the movement of peoples in Africa has been a feature of the continent for millennia. Empires spread beyond their borders, traders moved their goods across thousands of miles, and pastoralists followed cyclical patterns of migration in the tending of their herds.

With the arrival of colonial powers, the need for labour prompted the colonial governments to introduce economic incentives, tax structures, recruitment policies and coercive practices to secure labour from within and outside their territories. Although labour migration had been a feature of pre-colonial Africa, the division of
territories among the colonial powers and their distinctive economic and political structures marked a real break from traditional migration, and institutionalized the large-scale, seasonal and cross-border migration that has been a key feature of modern Africa (Adepoju, 2005, p. 1).

In more recent times, both Ghana and Côte d’Ivoire have been main countries of immigration, with neighbouring Burkina Faso, Mali and Togo among the source countries for labour emigrants (Adepoju, 2005, p. 1). The people of West Africa move for economic reasons, social or familial ties, to seek security and safety, and for political aims, among others. The diversity of push and pull factors in modern migratory practices makes its study difficult to undertake, as the distinction between voluntary and non-voluntary movement is often blurred.

Child Migrants: The difficulty of definition
Distinguishing between child migrants and child trafficking is a serious obstacle. Is it the motivation that separates the two? The decision-making process? Or is it the effect on the child that determines whether or not a child is a migrant or has been trafficked? As will be discussed below, special considerations are given to children in international and national instruments designed for their protection. These rely on the assumption that children are vulnerable and therefore unable to make an informed choice for purposes of migration.

Can we then rely on the decision-making process being undertaken by a parent or guardian as being a sufficient distinction? In these instances, the parent (an informed adult) makes the decision regarding their child’s welfare, which may involve their movement for labour purposes. Traditionally, it is not uncommon in West Africa for children to be sent by their parents to live with relatives, engaging in labour particularly on plantations owned by the relatives.
If using this distinction, it is possible that both child migrants and children who have been trafficked may end up performing the same labour (working on a plantation), one having been forced by an intermediary, and one sent by their parents. If the outcomes are the same, does the distinction hold any value?

In a working paper analyzing north-south migration in Ghana, Kwankye et. al. (2009) used data from the Independent Child Migration Survey in Accra and Kumasi conducted in 2005, which depicted the following picture of child migration. Child migration from the northern regions of Ghana to the south is a very common practice, with one interviewee noting that, “[t]here is no house in this community from which a child has not migrated to the South,” (Kwankye et. al., p. 16). Of the 450 surveyed migrants, 87.3 percent have little or no education, the majority are female, and they are most likely to migrate between the ages of 15-17 years (45.1%). The 10-14 age group is also highly represented with 38.9% of respondents falling into this category. It is also of note that 16% of child migrants surveyed first migrated when they were below the age of 10 years.

The primary reason for migration was overwhelmingly the desire for independence and money. And although a majority of respondents attributed the decision to migrate as self-made, many others cited parents and relatives as key decision-makers.

**Trafficking, Child Labour and the Agricultural Industries**

The forced or coerced labour of children is a practice that is still prevalent in West Africa, despite efforts to eradicate its existence. Although it is impossible to obtain exact figures, it is estimated that 200,000 children a year are trafficked from West African countries (Cullen-DuPont, 2009, p. 77). Many of the international and regional agreements recognize the interrelated nature of human trafficking and child labour, treating the two phenomena concomitantly.
Côte d’Ivoire is a destination country for trafficked persons, with victims forced to work in the agricultural sector primarily originating from Ghana, Mali and Burkina Faso. These children work in “cocoa, coffee, pineapple and rubber plantations [and] boys from Ghana are forced to labor in the mining sector” (U.S. Department of State, 2010, p. 123). Girls are also trafficked from Ghana, Togo and Benin and forced to work as domestic servants and street vendors. Child domestic servants who are abused or discarded by their host family have little means to support themselves and return home. Often, these girls become sexually exploited as a means of survival (ECPAT International, 2007, p. 16). Girls are also lured to Côte d’Ivoire to work as waitresses, only later to be forced into prostitution (U.S. Department of State, 2010, p. 123).

In Ghana, many children are displaced internally by traffickers, either unwillingly or with the consent of their parents, who are often deceived by the trafficker. They are forced to work in the fishing or agricultural industries, or as domestic servants, beggars or porters (called kayayeit (U.S. Department of State, 2010, p. 157). It is estimated that in Accra alone, over 30,000 children are working as kayayeit (Baafri, 2010). Children are also used in the commercial sexual exploitation27 industry.

This cross-border trafficking is a serious blight on the comparatively stable political system in Ghana. Not only are Ghanaian girls trafficked out of country into forced prostitution in Europe, girls from neighbouring countries like Burkina Faso and Côte d’Ivoire are trafficked into the Ghanaian commercial sexual exploitation industry. Moreover, “[c]itizens from other West African countries are subjected to forced labor in Ghana in agriculture or involuntary domestic servitude. Trafficking victims endure extremes of harsh treatment, including long hours, debt bondage, lack of pay, physical risks and sexual abuse” (U.S. Department of State, 2010, p. 157).

27 The terminology used here is intentional. Sexual exploitation, as distinct from “prostitution” makes clear the unequal power relationship that exists between the exploiter and the victim.
Data Challenges

In cocoa producing nations, like Ghana and Côte d’Ivoire, it is not uncommon for members of a farmer’s family to be involved in many of the farming activities. This may also include more distant relatives being sent to work on the cocoa plantation. This traditional practice presents challenges in the study of child labour, and the determination of whether it is exploitative. Boas and Huser tackle this issue in their comprehensive report on Child labour and cocoa production in West Africa. When trying to capture the extent of child labour in the cocoa industry, data becomes a serious obstacle due to these definitional issues. To many farmers, the notion that the work of their children (or foster children) should be considered as ‘child labour’ is absurd (Boas & Huser, 2006, p. 15), even though some of the work can present real safety hazards to the children.

Harkin-Engel Protocol

The cocoa industry in West Africa, and most significantly in Ghana and Côte d’Ivoire, is a global industry which still uses child labour to this day (Oved, 2010). Estimates by UNICEF put the number of African children working on Ivoirian cocoa plantations at 10,000 to 15,000, and they are mainly ‘sold’ by intermediaries to farm owners (FitzGibbon, 2003, p. 83). In 2001, the Harkin-Engel Protocol was signed by the Chocolate Manufacturers Association (CMA) and the World Cocoa Foundation (WCF) to develop a child-labour-free certification process that conforms to ILO Convention No. 182, and covers all of West Africa by 2010. The Payson Centre at Tulane University was tasked with auditing the progress of the Harkin-Engel Protocol, from 2006 – 2011 in Ghana and Côte d’Ivoire.

The Payson Centre recently released its fourth annual report on Harkin-Engel Protocol on September 30, 2010. They found that both countries are far from meeting the targets set out in the Protocol, and that 97.46% of cocoa-growing communities in Côte d’Ivoire and 86.3% of cocoa-growing communities in Ghana have yet to be reached with remediation activities (Payson Centre for International Development and
Technology Transfer, 2010, p. 14). Moreover, researchers found evidence of forced adult labour in the cocoa industry. However no remediation interventions have as yet been designed to eradicate this issue in either country.

Interestingly, the 2010 annual report provided the results of a household survey and a snowball survey undertaken by researchers in Mali and Burkina Faso, both identified as source countries for trafficked children. The snowball survey indicated that a high proportion of respondents were at one time victims of child trafficking (75% in Burkina Faso, 63% in Mali), and almost all had been exposed to hazardous work on a cocoa farm (97.9%) and experienced the “worst forms of child labour other than hazardous work” (99.5%) (Payson Centre for International Development and Technology Transfer, 2010, p. 123).

Of the victims of child trafficking, very few (25% in Burkina Faso, 20% in Mali) had interactions with police or border guards, and only two respondents had ever had any contact with non-governmental organizations (NGOs), government agencies or social services agencies (Payson Centre for International Development and Technology Transfer, 2010, p. 16). Borders guards in both Burkina Faso and Mali indicated that they were aware of the problem of child trafficking to both Ghana and Côte d’Ivoire, but many reported that if they suspected a case of child trafficking, they would ‘do nothing’ (Payson Centre for International Development and Technology Transfer, 2010, p. 128).

**Borders, Child Soldiers and the Ivoirian Crisis**

Conflict zones in Africa continue to be fertile ground for child trafficking, particularly for use as child soldiers. As FitzGibbon notes, “[m]en, women and children continue to be abducted by all sides in African conflicts to serve as porters for looted goods, arms and ammunition, forced labourers, and sex slaves for military and militia officers” (2003, p. 83).
Following the attempted coup against President Laurent Gbagbo in Côte d’Ivoire in 2002, pro-government and opposition forces held territories which essentially divided the state along north-south lines (Coalition to Stop the Use of Child Soldiers, 2009, p. 116). During the height of the political crisis that rocked Côte d’Ivoire in the early part of the decade, child soldiers were ‘recruited’ and trafficked both from within the country and from the neighbouring states of Liberia and Ghana (Coalition to Stop the Use of Child Soldiers, 2004, p. 17). Child soldiers were used by both the pro-government and the opposition forces, recruited in refugee camps in Côte d’Ivoire and Ghana, and in volatile areas where schools had been closed. Clearly children in these situations were extremely vulnerable.

The cross-border nature of child militants has been a serious issue in the area since the Sierra Leone conflict in the 1990s. Many of the military operations crossed multiple state borders, with governments and opposition factions providing support. The Child Soldiers Global Report 2008 states that,

A migrant population of thousands of young fighters, including child soldiers, crossing borders between Liberia, Guinea, Sierra Leone and Côte d’Ivoire, saw conflict mainly as an economic opportunity. Many had first been forcibly recruited as children in one conflict, and then had willingly crossed borders to take up arms in another conflict, often with different armed groups….most had been motivated by promises of financial gain, and many could not articulate the political objective of the group they fought with (2009, p. 117).

The government of Burkina Faso, located directly to the north of Côte d’Ivoire, has admitted that armed Ivorian groups did temporarily cross the border to seek refuge in Burkina Faso during the conflict. It is generally believed that Charles Taylor of Liberia also provided refuge, as well as military support to factions during the crisis.

28The word ‘recruitment’ is used loosely, not intending to imply a sense of voluntary enlistment on the part of children into these armed groups.
The role of cross-border movements in the Ivoirian crisis cannot be underestimated in importance. Both sides in the conflict relied heavily on support from neighbouring countries, financially, militarily and in terms of soldiers, many of whom were children.

Moreover, related to the conflict itself, children were also abused in ways other than forcible recruitment into armed factions. Children were used by militant groups as servants and girls were sexually abused.

**Commercial Sexual Exploitation of Children**

Globalization, while it has arguably brought many innovations and benefits to the lives of those touched by its effects, has also exacerbated certain negative impacts. The rise of the global sex trade industries has created a demand for not only adult ‘workers’ but also children. In many parts of the world, children are bought, transported and sold for use in a variety of commercial sexual exploitation industries, including child sex tourism (CST) and child pornography.

Unfortunately, much of the attention and research into this growing epidemic has focussed on Southeast Asia, to the exclusion of other significant players, such as Africa (Flowers, 2001, p. 148). Although Flowers notes that hard data on global child sexual exploitation is difficult to acquire, due to the illegal and underground nature of the industry, he concludes that, “the proliferation of the sex trade industry globally has resulted in an increase in the prostitution and sexual exploitation of children” (2001, p. 148).

Africa has not been immune to this global trend, and indeed the continent as a whole has been recognized as a destination for CST (Flowers, 2001), defined as “tourism organized with the primary purposes of facilitating the effecting of a commercial-sexual relationship with a child” (Office of the U.N. High Commissioner for Human Rights, 1996). Certain Sub-Saharan African countries have been identified as key CST destinations, of which Ghana, along with Kenya, South Africa and the Gambia are the
most popular (ECPAT International, 2007, p. 6). And it is not only young girls who are victims to this growing industry. A local Ghanaian ECPAT group conducted a study in 2006, which found that the abuse of boys was increasing (ECPAT International, 2007, p. 6).

Nigeria has now become a key transit country for trafficking West Africans to Europe for the purposes of commercial sexual exploitation (Cullen-DuPont, 2009, pp. 78-79). A well-organized network of recruiters, traffickers and exploiters lure young girls from public places with the promise of employment in a large African city or even overseas. Traffickers use a variety of methods to entice and then oppress their victims, including,

- the use of trusted intermediaries, such as family friends or even relatives to undertake the recruitment
- the seizure of identity documents upon arrival in a destination country, therefore making escape much more difficult
- threats of violence against the victim’s family in her hometown
- the use of violence against the victim herself
- the practice of cultural forms of oppression (for example, some West African traffickers will use traditional rituals to coerce their victims to remain obedient).

These networks operate efficiently, with the aim of immediately separating the victim from systems of support (such as family), and this almost always involves physically transporting the individual either internally within the country, to a neighbouring country or even to another continent, such as Europe. In this way, borders play a key role in maintaining the international industry of human trafficking and commercial sexual exploitation.

Borders in West Africa facilitate the easy movement of people, due to their comparative permeability, whereas the more stringent European borders inhibit the escape of victims once their identities have been seized. It is a perfect marriage of
these border systems that has made West Africa a leading supplier of human trafficking victims.

In Nigeria, many prepubescent trafficking victims are transported twice. The first will be to a country for forced labour as a domestic servant, and then once they reach adolescence, they are transported to a second country and forced into commercial sexual exploitation (Cullen-DuPont, 2009, p. 82).

The Good Life and the Sale of Bodily Services?
Can true human flourishing exist when a person takes money in exchange for the use of one’s sexual or reproductive capacities? It is generally assumed that prostitution runs counter to ‘the good life’. However Martha Nussbaum argues against several feminist responses to prostitution in her work “Whether From Reason or Prejudice”: Taking money for bodily services. Her argument relies on the proposition that prostitution, like any other ‘profession’ is based on the sale of a bodily service in exchange for monetary compensation. Comparing the sale of sexual services with that of an opera singer selling his vocal talents, and a professor marketing her mental faculties, Nussbaum concludes that the ‘assumption’ that prostitution is necessarily ‘bad’ is one that may not be grounded in reason (Nussbaum, 1998).

What is it that differentiates the sale of sexual bodily services from that of other uses of our being? Nussbaum begins her argument by comparing prostitution with other professions: a chicken factory worker, a domestic servant, a nightclub singer, a professor of philosophy, a masseuse, and what she dubs a “colonoscopy artist” (a person who receives pay for having her colon examined with the latest instruments). By examining each of these professions as compared to prostitution, Nussbaum quite convincingly demonstrates that each of these ‘legitimate’ professions can carry comparable risks and negative impacts as one might face in prostitution. In each case, the individual gives up a portion of herself, in exchange for monetary compensation.
However, not all of her arguments are equally as persuasive. In the comparison of the prostitute and the professor of philosophy, Nussbaum likens the invasion of body (prostitute) with that of the invasion of mind (philosopher), and concludes "when someone’s unanticipated argument goes into one’s mind, is this not both intimate and bodily? (And far less consensual, often, than the penetration of prostitute by customer?)" Yes, along that line of argument, Nussbaum may be correct but, as will be discussed below, her entire argument relies on a faulty foundation; the presumption of consensual prostitution.

Nussbaum then counters six arguments that are traditionally used to prove the amorality of prostitution, demonstrating that the difference between the sale of sexual services and other professions might not be quite as clear as we would wish to assume.

At the outset, Nussbaum makes clear that the form of prostitution she discusses must be consensual; that non-consensual prostitution does not allow for human flourishing. I would question how we can determine or even infer consent in the case of prostitution; and in fact I will go one step further in contending that consent for the sale of one’s sexual or reproductive capacities is most often non-consensual.

Legalization of Prostitution
I contend, as stated at the outset of this chapter, that consent and prostitution – in practice – are generally incompatible. Although Nussbaum’s article is very persuasive and successfully demonstrates that our aversion to prostitution lacks a grounding in reason, her conclusion that the state should not prevent this ‘option’ to those with little choice is perhaps a dangerous one to make.

While is true that the stigmatization of these women does little improve their lot, case studies of legalized prostitution have not yielded results that have led to increased security, enhanced economic liberty nor reduced discrimination against the women in
this ‘profession’. Furthermore, the legalization of adult prostitutes may in fact lead to greater sexual exploitation of children.

What follows are the real consequences of the legalization of prostitution in jurisdictions across the world. Loose borders may facilitate the trafficking of vulnerable individuals and legalization of this global sex industry has exacerbated this exploitation to meet with increased demand.

**Constrained Agency**

Frequently, sex traffickers and pimps prey upon vulnerable individuals, who “come from families marred by incest, alcohol abuse, and parental suicide” (Mees, 2009). Research demonstrates that entry into prostitution is generally preceded by a period of prolonged and repeated trauma (Farley, et al., 2004, p. 35). The majority of prostitutes (anywhere from 55% to 90%, depending on the study) have experiences of childhood sexual abuse, and many claim that that abuse influenced their entry into prostitution.

As with those who are victims of human trafficking, even when prostitutes are not trafficked for purposes of sexual exploitation, it is their vulnerability that is taken advantage of. And although they may ‘choose’ to become prostitutes, often that decision is made when the individual is still a child, in the context of constrained agency. Revealingly, the average age of entry into prostitution is usually around the age of 13 or 14 (Farley, et al., 2004).

**Violence**

The *American Journal of Epidemiology* published a study that statistically analyzed the mortality rates of prostitutes. Potterat et. al. (2004) followed 1,969 prostitutes in Colorado Springs over a period of 30 years. They found that the crude mortality rate (CMR) for this cohort was 391 per 100,000, compared to the general population, whose standardized mortality rate (SMR) was 1.9 per 100,000. For periods of
presumed active prostitution, the rate increases to 459 per 100,000. Disease and drug use were causes of death, however, violence was another key cause. The CMR for death by homicide for active prostitutes was found to be 229 per 100,000.

The Netherlands is one of the most well-known jurisdictions to have legalized the sale of sexual services. The notorious ‘red light district’ in Amsterdam is a leading tourist attraction, where women have engaged in legalized prostitution since October 2000. Even in this highly controlled environment, women are “routinely threatened, beaten, raped, and terrorized by pimps and customers” (Mees, 2009). Studies have found that roughly 60% of prostituted women in the Netherlands suffer physical assaults, and 40% were forced into prostitution or sexual abuse by acquaintances (Farley, et al., 2004, p. 34).

Prostitution was decriminalized in New Zealand in 2003, and one of the key intentions of this legal change was to improve safety by encouraging the reporting of violent incidents. However, the Prostitution Law Review Committee Report found that, “adverse incidents, including violence, continue to be experienced by those in the sex industry. There is conflicting evidence on whether violence is reported more often since decriminalisation, but clearly there is still a marked reluctance amongst sex workers to follow through on complaints” (New Zealand Ministry of Justice, 2008).

*Human Trafficking to meet demand*

It is argued that prostitution and human trafficking are two phenomena that cannot, and should not, be understood in isolation (Ekberg, 2004, p. 1189). The demand for human beings to ‘work’ in the sex industry in many countries creates a demand that is filled by human traffickers.

In Amsterdam, the high demand for prostitutes has encouraged traffickers to transport women across Europe, and from other continents to capitalize on this market. A recent trial involving more than 100 women forced to work as prostitutes in
Amsterdam found that many came from vulnerable situations, or were lured by traffickers with the promises decent jobs (Mees, 2009).

However, the New Zealand Prostitution Law Review Committee Report (New Zealand Ministry of Justice, 2008) is adamant that the decriminalization of prostitution has not led to any increase of human trafficking for purposes of sexual exploitation. Indeed, they firmly state that,

*the Committee considers that in the case of New Zealand, there is no link between the sex industry and human trafficking....Information received from Immigration Service NZ indicates that no situations involving trafficking in the sex industry have been identified. In addition, there have been no prosecutions for trafficking under section 98D of the Crimes Act 1961.*

The Report provides a caveat that the immigration service information relies solely on the indoor prostitution sector in New Zealand, and that the illegal, street-based industry is outwith their purview. They relied on other data to determine that no trafficked persons were being sexually exploited in New Zealand. The New Zealand case also presents a unique example in that its position as an island nation may present different challenges than those nations with multiple land borders.

*The Swedish Model: Demand-Side Legislation*

In contrast to the decriminalization trend seen in other countries, such as the Netherlands, Australia and New Zealand, in 1999 Sweden instituted *The Law that That Prohibits the Purchase of Sexual Services*, or the “Sex Purchase Law” (Ekberg, 2004). This new law effectively decriminalized the sale of sexual services, while criminalizing its purchase. The rationale behind the Sex Purchase Law was to tackle the negative effects of commercial sexual exploitation by focusing on the demand-side, rather than the traditional method of criminalizing i.e. the supply-side. This ground-breaking
approach to curbing prostitution has yielded positive results during the first decade of its institution.

The rise of prostitution as a normalized ‘profession’ had been gaining ground in the decades prior to the institution of the Sex Purchase Law (Ekberg, 2004, p. 1187). With the “free market” economy reigning supreme in many parts of the world, the sale in human beings for sexual exploitation has been one among many commodities that have become profitable to traffic. Ekberg (2004, p. 1188) found that a employment as a sex worker “is seen as a legitimate career path for women, and employment centers in the Netherlands, where prostitution and brothels are legalized, suggest brothel worker as an appropriate professional choice.”

In contrast to this trend in other parts of the world, the Swedish government has made it an offense to pimp or to purchase sex. Based on a feminist understanding of prostitution as violence against women, the purchase of sex is punishable by fines or prison sentence, in addition to the threat of public exposure. At the same time, the sale of sex is no longer a crime. Moreover, the Sex Purchase Law has a wider purpose, namely to “to create a contemporary and democratic society where full gender equality is the norm, and to recognize the right to equal participation of women and men, girls and boys, in all areas of society.” (Ekberg, 2004, p. 1188).

This campaign against sexual exploitation in Sweden is not limited to the Sex Purchase Law. The government funds programs to assist sexually-exploited women in leaving prostitution, and also targets those social and economic factors which lead to the vulnerability of women and children. Measures to reduce poverty, along with social programming have been introduced to empower vulnerable segments of the population, to reduce their risk of exploitation in the first instance.

Although the introduction of the new law has not reduced the overall incidence of prostitution, it has resulted in a reduction of street prostitution by half. Comparable
jurisdictions in Norway and Denmark, which do not have similar legislation, have seen a rise in street prostitution during this same period. Norway has since changed its legislation to be more in keeping with the Swedish law (Mees, 2009).

**Legalization or Criminalization: The Answer for West Africa?**
The feminist interpretation of prostitution as violence against women (and children) is in contrast to another branch of feminism which sees the ‘sale of bodily services’ as a form of female choice and empowerment (when the decision to enter into prostitution is solely made by a woman of age, without coercion). Although both streams of feminism are persuasive in their arguments, in practice I believe the former to be a more sound interpretation of reality, as it is on the ground.

To legislate (or to avoid legislating) based on a rational, albeit theoretical basis risks harm to a vast number of vulnerable people in order to protect the rights of a group that may not exist. In this instance, to legalize prostitution to protect the economic rights of entrepreneurial women has the unintended consequence of removing what little protections that do exist for vulnerable women who are coerced, trafficked and forced into the ‘industry’ of sexual exploitation.

Data on sexually-exploited women and children overwhelming demonstrates forced or coerced entry into the ‘profession’ and the use of violence and intimidation to ensure the continued participation of these women and children. The difficulty in separating the entrepreneurial prostitute from the sexually-exploited woman creates an extremely difficult task for law enforcement and legislators.

Nussbaum does conclude her piece by recognizing the plight of women in many parts of the world that leads them to work that is not expressive of true human flourishing. Prostitution, along with other forms of work, is generally the result of circumscribed choice. Nussbaum advocates for studies and initiatives aimed at enhancing and empowering women and children, to create true opportunities, but recommends that
in instances where choice is limited that the ‘choice’ of prostitution ought not to be outlawed.

**A practical solution?**

In practice, Nussbaum’s argument may allow for the perpetuation and expansion of sexual exploitation of women and children in West Africa due to continued lax enforcement of laws designed for their protection. It is too easy to ignore the practice of sexual exploitation by rationalizing its existence through the lens of female empowerment. On the ground, women and children in West Africa are bought, sold and trafficked across the region and across the globe to supply the growing demand for commercial sexual exploitation. Ghana has become a safe haven for sex tourists, and young Africans faced with limited economic opportunities are easy prey for traffickers.

Any real attempt to create avenues for ‘the good life’ in West Africa must tackle the economic and social vulnerability of certain classes of citizens. The Swedish model is perhaps a good starting point in this respect. It recognizes the inequality that exists between those that are exploited and those who exploit. It aims to address the economic and social disparity that creates vulnerable classes of citizens. And by criminalizing the demand-side of commercial sexual exploitation, it may impact the prevalence of commercial sex tourism and human trafficking for purposes of sexual exploitation.

Admittedly, gathering data on the prevalence of sexual exploitation and human trafficking is no easy feat. Indeed, this thesis, while advocating for a Capabilities Approach to the study of borders in Africa, does fall short in this respect of having access to reliable primary data when tackling illegal or subversive phenomena. Safety for the researcher is challenging to ensure, and gaining access to sources as an outsider can prove particularly difficult. I do not believe, however, that the lack of such
data discredits the underlying rationale for a moral analysis, and certainly this would be an excellent avenue for further research.

The real challenge presented by human trafficking and sexual exploitation in West Africa however is found at the border. Without a more robust presence at the intra-regional borders and ports of entry / exit in West Africa, practical application of this type of legislation would be near impossible. This is again another example of the impracticality of imposing a European model on Africa. Any successful legislation will require an African solution that is cognizant of the reality as it is, on the ground.

**Chapter Summary**

As a counterpoint to the positive impacts of border opportunities, this chapter presents the alternative: that borders can be used to oppress and abuse. This was demonstrated through the study of the practice of human trafficking, an issue that continues to be all too prevalent in West Africa today. In order to curb these illegal activities, many international, regional and national instruments have been ratified, and these were outlined at the beginning of this chapter. Research suggests that these instruments have been unsuccessful, which may be due to their failure to address issues at the micro-regional level.

The chapter then questioned the issue of consent and found that true consent to trafficking and exploitation is not possible. This view runs counter to the popular ‘victim as blameless’ perspective, frequently found in the media. This research has indicated that trafficking victims can exert agency with respect to actions that eventually lead them to be trafficking, and that this does not negate their status as victim. The issue of child migrants, child trafficking and child soldiers was then treated, using the example of the Ivoirian crisis.

The chapter concludes with a discussion of Nussbaum’s defence of the sale of bodily services, countering her assumption that a person can consent to sexual exploitation.
This piece suggests that interpretations such as Nussbaum’s may actually result in further exploitation, and if real policy change is to occur in West Africa to curb the trafficking of human beings, it must address the reality of borders.
Are borders a yoke holding back progress in West Africa, or rather is their permeability an avenue for economic and physical survival? The answer is as complex as the people who use the borders to their own ends. Stating that African borders are ‘bad’ or ‘good’ is too simplistic (Griffiths, 1995; Boutros-Ghali 1972) – it masks the intricacies of the way in which borders are used politically, socially and economically by individuals on a daily basis. Using Nussbaum’s Capabilities Approach, the previous chapters have demonstrated that borders can play an integral role in the safety and security (both physical and economic) of Africans, in both Ghana and Côte d’Ivoire. The permeability of the border allows for individuals to find sanctuary and economic prosperity, particularly in volatile or economically-depressed regions. Conversely, that very permeability is a chief feature that facilitates the oppression and subjugation of Africans, particularly in the thriving industry of human trafficking.

In this conclusion, I will summarize the salient points of this thesis, highlighting the key arguments of my approach and discussing some of the gaps that still remain. And finally, I will shift the debate somewhat by questioning the potential challenge to the overall impact of borders in West Africa presented by the proliferation of new technologies. A very interesting avenue for further research might investigate whether the use of borders in Africa, and therefore their positive and negative impacts, might be transcended by the growing trend in wireless communication technologies.

**Contributions**

While the intent of this thesis was not a defence of African borders per se, it expressly sought to challenge the view that borders in Africa are the source of continental ills. The argument that borders are artificial, arbitrary and have led to poverty and violence
in Africa is overly-simplistic. The hypothesis of this piece was that if West African borders are the sometimes unintended tool through which individual agents attempt to achieve personal, political, economic, social and security ends, then the impact of borders can be both positive and negative.

One key aim of this research was to add to the literature in the area of New Regionalism by contributing a micro-regional case study focused on the Ghanaian-Ivoirian border. As the NRA is a relatively young field of study, the inclusion of new geographical case studies is important in that it can help to further strengthen the growing body of literature by providing another point of comparison. Furthermore, my decision to focus primarily on a cross-border, micro-regional level analysis, rather than a meso- or macro-level analysis, also constitutes a meaningful contribution. Cross-border micro-regional studies have been too often neglected in favour of “state-centric, formalistic [analyses that].....concentrate either on inter-state or...sub-national...developments” (Söderbaum & Taylor, 2008, p. 14). With respect to Africa, cross-border micro-regional studies may have particular salience due to the unique ways in which borders themselves are used by individuals.

A further aim of this research was to provide a moral account of the cross-border, micro-regional activity that I sought to analyze. While the NRA allows for a focus that is multi-disciplinary and multi-level, opening up what constitutes a subject of regionalist study, in and of itself it does not provide a framework for a moral analysis. I, therefore, chose to incorporate Martha Nussbaum’s Capabilities Approach, which is based on a neo-Aristotelian account of the good life, or rather what it is to be capable of flourishing a truly human way (Nussbaum M., 2002). Using the Capabilities Approach has created a foundation for those value judgements in my study of micro-regional activity.

Although I could not foresee the continuation of the civil war in Côte d’Ivoire at the outset of this project (the violence and instability had decreased by the time I was...
engaged in this research), this issue of borders and migration is still relevant considering the ongoing violence. The disputed presidential elections in Côte d'Ivoire in 2010 have many concerned that the nation is returning to a state of full-scale civil war (BBC News Africa, 2011). Indeed, the Office of the United Nations High Commissioner for Refugees (UNCHR) (2011) has just reported that due to the post-election violence, up to one million persons are believed to be displaced in Côte d'Ivoire. There are reports of overcrowded bus depots, with people desperate to escape Abidjan. More than 100,000 Ivoirians have already crossed over into Liberia (Office of the United Nations High Commissioner for Refugees, 2011).

The policy implications of this research are very relevant today, as the situation has many parallels with the violence that erupted during the height of the civil war in 2002. The use of borders will continue to play a key role in the survival strategies of individuals, and this has implications for border security, local economies and the work of aid and refugee agencies.

Key arguments

Within the structure of this research, an account of the NRA was first presented, providing background to the field of study. This was then followed by an engagement with the Capabilities Approach, which outlined its advantages in relation to resource-based, preference-based and human-rights-based approaches. Finding Nussbaum’s model to be appropriate for the research question of this thesis, I chose to focus primarily on the first three of her ten capabilities, namely Life, Bodily Health, and Bodily Integrity.

It is this focus on only three of the ten capabilities that presents a potential weakness of this research, as Nussbaum herself emphasizes that all ten are interrelated and that one cannot exchange some of one element for more of another (Nussbaum M., 2000, p. 81). There are two reasons I chose to focus on a reduced number of Nussbaum’s capabilities. Firstly, I was unable to provide a complete account of all ten capabilities
within the scope of this thesis. The ten capabilities are vastly wide-ranging and to do them justice would require a study in much greater scope than was possible here. Secondly, wishing to account for both positive and negative impacts of borders made data a serious challenge when studying those activities that are by their very nature illicit, illegal or criminal. To then attempt an extrapolation of that limited data to account for an impact on the more abstract capabilities such as “senses, imagination and thought” would be superficial and misleading.

The discussion on theory was followed by an historical account of migration and diplomacy in West Africa, with particular reference to the area around modern-day Ghana and Côte d’Ivoire. The dissertation outlined how migration had been a feature of the African landscape long before European colonization, but that the effects of the colonial presence did alter those traditional migratory routes. Furthermore, this piece countered the view that diplomacy and politicization were unknown to pre-colonial Africa, and provided historical accounts of the political interactions between the British colonial officers and the empire of Asante. Although one can argue that this foray into an historical narrative of politics in pre-independence West Africa is perhaps unnecessary, I would contend that any attempt to study modern African politics must first situate the subject with reference to colonialism, being mindful of not falling into a cause-effect analysis when studying colonialism. The impact of the colonial presence on borders in West Africa cannot be denied, however to attribute the creation of borders to a solely exogenous imposition by colonial powers is also misleading. This question was treated in depth at the close of the third chapter and suggested that modern borders in West Africa are the result of interplay between colonial ambitions and local African aspirations, later sanctioned by African leaders during the early years following independence.

The fourth chapter presents an argument that the Ghanaian-Ivoirian border can have positive impacts for individuals seeking economic or physical survival. This self-preservation is particularly important in areas subject to a lack of official economic
opportunities or heightened threat of physical violence or death. This thesis employed an understanding of security that relied on the first three of Nussbaum’s ten capabilities: Life, Bodily Health, and Bodily Integrity. Using data gathered from a field study conducted in Ghana in 2007, much of the focus in the chapter centres on the Ghanaian-Ivoirian border adjacent to the Brong Ahafo region (in Ghana). Relying on unstructured interviews with key officials representing the Ghana Immigration Service and the Ghana Customs, Excise and Preventative Service, the research suggests that unofficial border crossings are pervasive in this region, and take many forms. The example of the civil war in Côte d’Ivoire was examined, which demonstrated two forms of cross-border movement: safe passage and sanctuary. Both of these strategies have been used by migrant workers (mostly Burkinabé) in Côte d’Ivoire, as well as by Ivoirians themselves. Ghanaian border officials recollected bus-loads of migrant workers fleeing Côte d’Ivoire each day, as well as temporary border-crossers seeking sanctuary for as little as one night.

Furthermore, the research indicates that the opportunities for cross-border economic survival are also prevalent in this region. The interrelated factors of reduced economic opportunities in Brong-Ahafo, coupled with different customs tariffs between the two states of Ghana and Côte d’Ivoire has led to a thriving economy in illicit trade across the border. These unofficial crossings are used for agricultural products (among others), due to the high import duty assessed in Ghana. Although this presents an enormous challenge for Ghanaian officials, the prevalence of this unofficial trade is, arguably, being used as a tool to address a need for economic survival. As Stary (1999, p. 174) notes, “it may be interpreted as an adjustment on the part of the borderland population to an economic crisis which invites them to maximise every source of profit.” In this sense, the thesis demonstrates that the opportunities for self-preservation and economic survival presented by the border can be understood as an avenue for the expression of capabilities or eudaimonia. One can again challenge my conclusion of eudaimonia by pointing to the circumscribed use of Nussbaum’s capabilities, which I addressed through the arguments made above.
As a counterpoint to the previous chapter, the fifth chapter demonstrates the ways in which West African borders can be used to oppress and abuse individuals through the practices of human trafficking and exploitation. Human trafficking is a serious blight on West Africa, despite the many international, regional and state-based instruments that have been designed to curb its existence. These instruments were presented, and then it was suggested that the lack of success of these rights-based approaches might be in part attributable to their failure to address the cross-border mechanisms used in the illegal transport of human beings. For instance, the blurred line between exploitation child labour and the traditional practices of child migration has made progress on human trafficking particularly difficult to achieve. The thesis also examined the related issue of the sexual exploitation of women, and argued that Nussbaum’s defence of the sale of bodily services is flawed in that consent is impossible to discern.

In one way, demonstrating that borders in West Africa can be used to constrain human capabilities is simple, in that it is not subject to the same criticisms as the previous chapter. Because all ten of Nussbaum’s capabilities are interrelated and cannot be exchanged, establishing that one or more of these capabilities has been inhibited (as for example Bodily Integrity) may be sufficient to conclude that true human flourishing is constrained. However, in another way, this argument has been much more challenging in that the data surrounding criminal activities in West Africa at the micro-level is very difficult to ascertain and acquire. Macro-level statistics cannot provide the same depth of analysis that is necessary when attempting to focus on the impact at the micro-level.

This research as a whole traces a narrative of cross-border migration that suggests both a preservation and subjugation of human capabilities. It has demonstrated that the permeability of the Ghanaian-Ivoirian border presents opportunities for both positive and negative impacts on the lives of Africans at the micro-level. These micro-level activities do reflect macro-level forces, at times running in parallel and other
times conflicting. For example, the thesis illustrated that state-level economic policies on the importation of rice in Ghana has influenced the growth of smuggling across the border in Brong-Ahafo. While, despite the regional and international agreements designed to stop human trafficking, a confluence of forces at the micro-regional level lead to its continued existence and growth. This suggests that micro-regional analyses may be very significant to the understanding of macro-level studies. Combining the framework of the NRA with the Capabilities Approach has enabled a moral analysis of micro-regional activity in the Ghanaian-Ivorian borderland.

**eRegionalism and virtual border crossing**

Although this final discussion may at first appear disjointed from the main thrust of this study, I would suggest that the rise of information and communications technology presents an interesting challenge to the study of cross-border ‘movement’. Currently, borders are being physically crossed with a variety of aims and subsequent consequences. Whether legitimate or illicit, whether for positive or negative ends, the fluidity of movement across African borders is pervasive. Is this reality challenged, reinforced or enhanced by the growth of technologies that allow for a ‘virtual’ cross-border interaction, rather than a physical one?

Current data on the proliferation of information and communications technology in Africa is somewhat limited. However, the West African Borders and Integration (WABI) group has collated some significant information in this area. Drawing on the logic that European integration was not fully-fledged at signing of the Treaty of Rome, WABI contends that the same expectation cannot be applied to West African regionalism; that it is a processes, and not yet a developed reality (West African Borders and Integration, 2003-2006). Working alongside the Secretariat of the Sahel and West Africa Club, WABI’s main objective is to encourage the processes of integration through information sharing between the various players, and to promote research.
To this end, WABI has gathered statistical data, illustrating trends such as mobile phone usage versus fixed line, export and import data for the region as a whole, fibre optic cables and their development, roads and transport links, and even population statistics based on soil quality. I will briefly touch on the interrelated technologies of mobile phones and the internet.

**Connecting the disconnected**
First-hand observation would indicate that certainly mobile phone usage has increased, and in particular areas has proliferated to a great extent. When walking through the bustling markets of Accra, mobile phone sellers abound and are even superseded in number by the prepaid phone card vendors. One can provide supposition as to why this might be, from the lack of fixed line infrastructure to the more flexible payment options associated with mobile phones. WABI (2005, p. 8) states that the growth rate for mobile phones in West Africa is higher than any other region of the globe. A recent UN International Telecommunication Union report (2009) found that “amongst the developing regions, Africa continues to have the highest mobile growth rate (32 per cent in 2006/2007) and mobile penetration has risen from just one in 50 people at the beginning of this century to over one fourth of the population today.”

And it’s not just the proliferation of the technology that is significant, but also the use to which mobile phones are being put. Not simply a method of communication, mobile phones in Africa are used to transfer funds between individuals (Rice, 2007), to access the internet for those in areas without broadband (Smith D., 2009), and used by medical professionals to provide care for patients in inaccessible areas (Kimani, 2008). One newspaper article even discusses the use of mobile phones in Uganda by local fisherman, who now use their cell phones to call the various markets for their prices. This allows the fishermen to determine the most profitable market in which to sell their catch (Perkins, 2010).
Related to the rise of mobile phone technology, is the expansion of internet accessibility in Africa. In terms of the penetration of internet technology, Africa lags behind the rest of the world, with only 5% of the population online, as of 2007 (United Nations International Telecommunications Union, 2009, p. 4). Although this represents an increase from 1% in 2002, it still falls short of the figures exceeding 40% for areas such as Europe and the Americas.

The UN International Telecommunications Union sees the expansion of internet, and in particular broadband, access as key to development, as it is essential for services such as e-commerce and e-government. However, the proliferation of mobile internet services and 3G networks may fill the void where traditional broadband lines are lacking. These 3G technologies allow for similar internet services delivered via broadband without the same infrastructural investment.

This access to communication and information on the part of Africans may have many unintended consequences, both positive and perhaps negative. Money transfers via SMS have been very beneficial, particularly in regions where access to bank accounts is limited. Some mobile phone companies have even expanded this service to allow business to pay salaries directly to the employee’s phone (Rice, 2007). However, just as positive transactions can occur, there exists the risk of individuals taking advantage of such new technologies for more nefarious purposes, such as money laundering, theft, or trade in illegal goods.

Regardless, all trends seem to point to the continued growth of the mobile phone and mobile broadband market in sub-Saharan Africa. The consequences of this expansion would be an interesting topic for further research, with respect to the issue of cross-border regionalism. Is it a driver for change with respect to micro-regional activity, or will it simply run alongside migratory patterns that currently exist?
**Regionalism and Popular Uprisings**

What occurs when people become increasingly interconnected through the use of communications technology? Recent examples of the influence of technology on political space are the popular uprisings occurring in the Middle East and North Africa. Although these conflicts are not caused by technology, it can be argued that their promotion, spread and organization have been directly influenced by new technologies, and in particular the wider access to social media.

A confluence of factors has been described as key in these uprisings, and includes disaffected youth with little access to employment and ready access to social media. During popular protests in Tunisia, for example, strict controls were put on internet and the media, to inhibit the spread of anti-government protests. Regardless, protesters managed to communicate their intentions through Twitter, Facebook, blogs, and text messages (Lewis, 2011). The swift result of the protests that eventually led to President Ben Ali fleeing the country is said to have influenced the growing unrest in Egypt. Indeed the BBC has the overthrow of Ben Ali as the first event in their “Egypt protests” timeline (BBC News Africa, 2011).

With the resignation of Hosni Mubarak in Egypt in mid-February, and the current escalation of violence in Libya, political commentators are questioning how far this wave of popular unrest will spread. Interestingly, in late January China blocked the search term “Egypt” in the country, for fear that the example might spur popular unrest (Sacks, 2011).

As a crude compilation of data, the table below collates some of the variables that may be influencing these political events.

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29 Source: CIA World Factbook
<table>
<thead>
<tr>
<th>Country</th>
<th>Population (millions)</th>
<th>Median age</th>
<th>Joblessness (%)</th>
<th>Population below the poverty line (%)</th>
<th>Internet users (% of total population)</th>
<th>Mobile telephone users (% of total population)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Egypt</td>
<td>84.5</td>
<td>24</td>
<td>9.6</td>
<td>20</td>
<td>23.7</td>
<td>65</td>
</tr>
<tr>
<td>Libya</td>
<td>6.5</td>
<td>24.2</td>
<td>30</td>
<td>33</td>
<td>5.38</td>
<td>76.9</td>
</tr>
<tr>
<td>Tunisia</td>
<td>10.5</td>
<td>29.7</td>
<td>14</td>
<td>38</td>
<td>33.33</td>
<td>93.3</td>
</tr>
<tr>
<td>Yemen</td>
<td>24.3</td>
<td>17.89</td>
<td>35</td>
<td>45.2</td>
<td>9.05</td>
<td>34</td>
</tr>
<tr>
<td>Côte d’Ivoire</td>
<td>21.5</td>
<td>19.5</td>
<td>Estimates around 40-50% due to violence</td>
<td>42</td>
<td>4.5</td>
<td>62</td>
</tr>
</tbody>
</table>

Tunisia has one of the highest rates of internet users in the region and in particular a high penetration of social media, with 21% of the population registered as Facebook users (SocialBakers, 2011).

Can we extrapolate any findings that may have salience for Côte d’Ivoire? In many respects the situation in Côte d’Ivoire does not mimic that in the Middle East. It is facing civil war rather than a lone authoritarian ruler. Moreover, the penetration of the internet and social media is comparatively low. However, Côte d’Ivoire does have a very young population, with an estimated high rate of unemployment and the mobile phone penetration is very high.

Obviously this presentation of data is extremely rudimentary, but there is an interesting opportunity for further research into the application of various forms of new communications technology and their impact on political and social movements, that have the ability to transcend borders. Will these technologies eventually be used more readily in sub-Saharan African as the penetration of the technology increases? How might it differ from the way in which technology and social media is currently being used in North Africa and the Middle East?

**There and back again**

This study has provided an account of micro-regionalism in the Ghanaian-Ivoirian borderland. Using the framework of the NRA, coupled with a moral analysis borrowed
from Martha Nussbaum’s Capabilities Approach, this research has provided a more nuanced interpretation of the impact of West African borders in the lives of individuals. It is hoped that this case study can serve as a comparative piece in the field of new regionalism studies, and that it may fill a gap in micro-regional analyses in West Africa.
Appendix

Agreements and Conventions that treat human trafficking

*International and continental agreements deal directly or indirectly with trafficking:*

1. **The 1989 UN Convention on the Rights of the Child (CRC):** The CRC was the “first legally binding international instrument to incorporate the full range of human rights” (UNICEF, 2008). It applies to all those under the age of 18, and aims not only to protect them from harmful influences and exploitation, but also to protect their ‘right’ to survival and full development. In addition to the 54 binding articles of the CRC, there are also two Optional Protocols: on the involvement of children in armed conflict, and on the sale of children, child prostitution and child pornography. Ghana is a signatory to the CRC and its two Optional Protocols, however it has yet to ratify the Protocols.

2. **The 1999 Convention No. 182 of the International Labour Organization on the Worst Forms of Child Labour:** Convention No. 182 builds upon previous ILO agreements which aim to prevent undue hardship on children, such as the 1973 Convention No. 138 on establishing a minimum age. According to Convention No. 183, the worst forms of child labour include, “all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict” (International Labour Organization, 2006) and “work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children,” (International Labour Organization, 2006). Ghana ratified this convention in 2000.
3. **Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (the Palermo Protocol) and the Protocol against the Smuggling of Migrants by Land, Air and Sea supplementing the United Nations Convention against Transnational Organized Crime**: The Convention against Transnational Organized Crime was adopted by the General Assembly in 2000, and aims to curb transnational crime through cooperation and new national legislation to make the various acts of participation in transnational crime a criminal offence. Three Supplementary Protocols were later adopted, of which the two listed above are particularly relevant to the subject of trafficking. The Palermo Protocol offers the first legally-binding international instrument with an agreed definition of trafficking (United Nations Office on Drugs and Crime, 2010). The aim of the Palermo Protocol is two-fold; it seeks to investigate and prosecute traffickers, and also to provide assistance to victims of trafficking. The Protocol against the Smuggling of Migrants provides an agreed definition of smuggling of migrants, and seeks to prevent its occurrence. Ghana is neither a signatory to the Convention nor its Protocols.

4. **The African Charter on Human and Peoples' Rights (Banjul Charter) and the Protocol on the Rights of Women in Africa**: Adopted on the 21st of October 1986 by the Organization of African Unity, the Banjul Charter is an overarching continental agreement intended to protect the basic freedoms and rights of Africans. The most salient element in terms of human trafficking is Article 5, which states that, “Every individual shall have the right to the respect of the dignity inherent in a human being and to the recognition of his legal status. All forms of exploitation and degradation of man, particularly slavery, slave trade, torture, cruel, inhuman or degrading punishment and treatment shall be prohibited” (African Commission on Human and Peoples' Rights, 1981). Ghana ratified the Banjul Charter in 1989.
The Protocol on the Rights of Women in Africa entered into force on November 25th, 2005, guaranteeing new rights for women, including the elimination of discrimination, the right to dignity, integrity, security of person, and elimination of harmful practices, among others. In particular, the Protocol requires the following action on the part of States:

- Article 4.2(g): “prevent and condemn trafficking in women, prosecute the perpetrators of such trafficking and protect those women most at risk,”
- Article 13 (g): “adopt and implement appropriate measures to prohibit any exploitation or degradation of women,”
- Article 13 (m): “adopt and implement appropriate measures to prohibit any exploitation or degradation of women” (African Commission on Human and Peoples' Rights, 2003).

Ghana became a signatory to the Protocol in 2003, but has yet to ratify.

5. **The 1990 African Charter on the Rights and Welfare of the Child**: Following on the heels of the CRC, the Organization of African Unity developed a charter protecting the full spectrum of civil, political, social and economic rights for children. The Charter has several sections pertinent to the questions of trafficking and exploitation, summarized in the bullet list which follows. The Charter requires that States:

- Article 15.1: [ensure that] “Every child shall be protected from all forms of economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child’s physical, mental, spiritual, moral, or social development,”
- Article 24 (d): “take all appropriate measures to ensure that in inter-country adoption, the placement does not result in trafficking or improper financial gain for those who try to adopt a child,”
- Article 28: “take all appropriate measures to protect the child from the use of narcotics and illicit use of psychotropic substances as defined in
the relevant international treaties, and to prevent the use of children in the production and trafficking of such substances,”

- Article 29 (a): “take all appropriate measures to prevent the abduction, sale of, or traffic in children for any purpose or in any form, by any person including parents or legal guardians of the child”
- Article 27.1: “shall undertake to protect the child from all forms of sexual exploitation and sexual abuse and shall in particular take measures to prevent:
  i. the inducement, coercion or encouragement of a child to engage in any sexual activity;
  ii. the use of children in prostitution or other sexual practices;
  iii. the use of children in pornographic activities, performances and materials” (African Commission on Human and Peoples’ Rights, 1990).


6. The 2006 Ouagadougou Action Plan to Combat Trafficking in Human Beings, Especially Women and Children (Ouagadougou Action Plan): The Ouagadougou Action Plan is a joint initiative of the European Union and the African Union (and applies to both regional organizations and their members), which outlines four priority areas in the fight against human trafficking:
   - Prevention and awareness-raising
   - Victim protection and assistance
   - Legislative framework, policy development and law enforcement
Regional and Domestic Instruments

1. **A Declaration and a Plan of Action against Trafficking in Persons (2001):** Adopted during the Dakar ECOWAS summit in 2001, the Declaration and Plan of Action aims to have all member states sign and ratify the Palermo Protocol and the CRC. Furthermore, it stipulates other measures, specifically:
   - “criminalization of trafficking in persons,
   - creation of an ECOWAS Coordination Unit to liaise with National Task Forces,
   - protection and support of victims,
   - awareness raising,
   - cooperation between border control agencies, and
   - data collection by ECOWAS countries” (Fong, p. 7).

2. **The Human Trafficking Act, 2005 (Act 694):** Given assent on the 5th of December, 2005, The Human Trafficking Act (the Act) is an act of the Parliament of the Republic of Ghana, which sets out the penalties related to the crime of human trafficking. The Act defines human trafficking as “the recruitment, transportation, transfer, harbouring, trading or receipt of persons within and across national borders by

   (a) the use of threats, force or other forms of coercion, abduction, fraud, deception, the abuse of power or exploitation of vulnerability, or
   (b) giving or receiving payments and benefits to achieve consent” (The Parliament of the Republic of Ghana, 2005). The definition is interesting in that human trafficking is not interpreted as necessarily cross-border in nature, rather the law provides a broader definition, inclusive of intra-state trafficking.
The Act goes further and states that,

*Exploitation shall include at the minimum, induced prostitution and other forms of sexual exploitation, forced labour or services, salary or practices similar to slavery, servitude or the removal of organs.*

*Placement for sale, bonded placement, temporary placement, placement as service where exploitation by someone else is the motivating factor shall also constitute trafficking.*

*Where children are trafficked, the consent of the child, parents or guardian of the child cannot be used as a defence in prosecution under this Act, regardless of whether or not there is evidence of abuse of power, fraud or deception on the part of the trafficker or whether the vulnerability of the child was taken advantage of* (The Parliament of the Republic of Ghana, 2005).

On paper, this Act is very far-reaching and encompasses many of the key definitional elements seen within other agreement to curb human trafficking, such as the Palermo Protocol.
Bibliography

Interviews


News Articles


**Written Sources**


