

AFRICAN BORDERLAND RESEARCH NETWORK
ABORNE CONFERENCE
« Cross-border trade in Africa: The local politics of a global economy »
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**TRANSNATIONAL CRIMINAL FLOWS AND NETWORKS IN THE
SAHEL REGION: REDRAWING THE MAP
OF THE SAHELIAN TERRITORIES**

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ANALYTICAL FRAMEWORK

1- This analysis is regional in its focus, which enables us to take into account the links and new territories which make room for patterns of flux and criminal networks (to include points of arrival and departure as well as newly mapped routes) that deliberately ignore national political boundaries and existing legal barriers. The flow of illegal goods, to include drugs, weapons and human beings is a security issue which transcends national boundaries in the Sahel region. It extends from the Atlantic to Sudan, from the Mediterranean to the Gulf of Guinea. In the Sahel region, the desert blurs boundaries and unmonitored areas (also called “zones grises” or “grey areas”) provide sanctuaries for all manner of illicit practices. Criminal activities and networks therefore redesign the map, re-defining the strategic configuration of cold war African States in line with their own interests. They are able to act in different areas simultaneously and to morph into local, regional or trans-national organisations as required.

2- The term “criminal activities” refers to mafia groups, networks and trans-national criminal organizations, which practice activities such as the trafficking of drugs, migrants and humans as well as cyber-criminality, corruption, money-laundering and piracy.

3- In some French research, distinctions are made between the trading of legal and illegal products. Is this distinction appropriate? Let’s take the example of cigarettes. When they are produced in counterfeit laboratories, they become illegal and yet they are real cigarettes. This practice is considered a crime. Does this mean that it is the nature of the products which defines their illegality or is it rather the nature of the transactions which take place beyond legally defined trading parameters (to include the deduction of taxes, which should be paid to states by law)?

4- The flux and criminal networks are integral to international relations. They constitute what are known as “illegal international relations” whose actions and scale of activities concern the financial, social, political, criminal and commercial sectors, thus asserting themselves as a dominant characteristic of globalised markets. The globalisation of the north and west African regions thus also occurs by way of criminal activities. Distant zones interact with each other through trading of legal and illegal products such as drugs from Latin America, arms from former Soviet states, people from central Africa or Pakistan/Afghanistan heading towards the Mediterranean in order to cross it, cigarettes from Asia, stolen vehicles from Europe, consumer goods from China, etc. These illegal activities are not only criminal activities. They can also be the result of a collapse of economies which were formerly state-governed and for which new norms do

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not yet exist or are currently being established for the long-term. It can also be at the heart of a reconstruction project, thus constituting the basis from which future entrepreneurs are born and trained (Algeria, for example). In certain countries in which criminal activities provide leaders with a (large scale) private income or a barrier against poverty for impoverished populations, the domestic economy and the small scale counterfeit economy still constitute the dominant sector of the economy. This is commonly referred to as the "informal sector" and is pervasive across the Maghreb (for example the *trabendo* in Algeria), the Sahel and West Africa. The informal sector is defined as all the economic exchanges and markets which are not subject to taxation and are not accounted for in a country's GDP. This can conceal bribes paid by foreign companies to a country's leaders for the right to exploit its natural resources.

5- The criminal activities are the work of non-state actors who often operate with the support or complicity (or in collusion with) different levels of state actors and with different codes of practice (this is particularly true for arms trafficking). This collusion is not necessarily permanent. It can be occasional, isolated or based on the opportunities which present themselves (corruption of police forces, customs officers, government agents who take off a « dime » on the revenue from a deal, privileges offered to certain civil servants or military officers to acquire bankrupt public companies in the context of « liberalisation of the economy » - the structural adjustment requested by the IMF – war economies, which favour the black market, etc.) Different non-state actors can also act collectively, help one another and provide intermittent, needs-based, case-by-case support (terrorist groups and drug traffickers who provide support in the form of security services in exchange for financial support).

NB: A specific study should be carried out on criminal practices associated with the diversion of oil revenues (bribes and political corruption) or all other income from a dominant natural resource. This is relevant to several countries in the region (Algeria, Libya and Nigeria, as well as recent/new oil-producing countries such as Ghana, Mauritania, or Niger, for other resources such as uranium, Morocco for phosphates, etc.)

6- As everybody knows, the Sahel region has always been a transit area for constant flows of people, trade, finance and religious groups. For the past twenty years, organized crime has had ample opportunity to develop here, either by using traditional networks or by taking over areas where there is no state control. It is also a region afflicted by perennial crises and weakened states, notwithstanding its undeniable strategic importance, which arises from its natural resources: oil, gold, phosphates, diamonds, copper, iron, coal, nickel, zinc, bauxite, uranium, plutonium, manganese, cobalt, silver, chrome and precious timbers.

7- It seems important to specify that the Sahel region covers nine million square kilometres and encompasses ten countries. Contrary to the assessments of former colonial French powers as to why the region should be occupied, the Sahara is not an unhabited, nor empty area. It is instead a place of intense and constant flux. The human settlements there are densely inhabited, cosmopolitan and active. In thirty years, the Sahara has gained five million inhabitants.

8- The new regional alignments created by the commitment of Maghreb and Sahel countries to EU and US security and economic concerns and their adoption of "vertical bilateralism" has led to the redefinition of a specifically Mediterranean area of strategic interest, whose boundaries now include the Sahara. The process of North-South integration has shifted the border southwards. The southern boundaries of the Euro-Mediterranean area are now within the Sahel, a sea of fluid, shifting sands that the states have difficulty controlling, despite a number of agreements, plans, programmes and mechanisms in the economic, legislative, military and police spheres.

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9- Borders can be lived as resources and not as obstacles and we can play on the differences between the situation on both sides of a border, drawing benefits from trading in products that only exist on one side of the border. There are also stakes at crossroads, which have become Saharan towns, critical stages of migratory routes as well as legal and illegal trading routes.

10- Given the magnitude of these interconnected criminal networks and their tight solidarity, there would be no point in trying to split them up into single components: the phenomenon of organized crime can only be understood if viewed as a whole, on trans-national and regional scales, since organized criminal activities and opportunistic trafficking are mutually supportive and driven by interdependent dynamics. However, for the purposes of analysis, the different types of criminal activity will be studied separately, in order to paint a clearer picture of their specific characteristics.

OUTLINING THE CURRENT SITUATION

Crossborder trading in legal products (“informal” sector, counterfeit)

The trading of legal products has been practiced for a very long time at land boundaries in Algeria, Mali, Niger, Mauritania and Morocco. It concerns:

- Basic foodstuffs, subsidised by the Algerian and Moroccan governments;
- Vehicles;
- Cigarettes.

This is part of what is called “informal trading,” which is commonplace all over Africa. Initially, close cross-border exchanges took place and for many years, local populations benefited from this practice. It always made up for food shortages and helped combat poverty. In this way, a certain degree of food security could be maintained in the Sahel region. Far from acting as barriers to informal trans-national exchanges, the borders created different contexts which, if intelligently utilized, could offer additional advantages, enhancing the dynamism of networks. In addition, there are traditional informal transactions of commonly used articles, often found in markets in the same sub-region.

The process of trading from vans started after the Second World War. Today, it is carried out in smaller, more discreet vehicles. It increasingly involves official and non-official exchanges of new and second-hand vehicles, livestock (which can bring in up to one million FCFA per year) and tobacco (which brings in between five and 15 billion FCFA per year.)

Informal maritime trading of merchandise takes place at Atlantic ports. Nouakchott is one such port and is considered a tax-free port for the entire sub-region, given the limited taxes that are charged there. From here, the products are sold to Morocco or exchanged with Saharans for camels, goats, cigarettes and food stuffs. The counterfeit cigarettes arrive in Nouakchott, are transported illegally to Morocco via Nouadhibou, and are resold on the West Saharan market in Dakhla, Laâyoune and Tan-Tan, Senegal, and Algeria. The Western Sahara plays a central role in the regional distribution process for the whole of North Africa. Transport is provided by local drivers, connaisseurs of the desert, who are paid between 450 and 690 dollars per trip.² Mauritania is, in fact, one of the continent’s three entry hubs for counterfeit cigarettes, with ports in Lomé and Cotonou in addition to those in Guinea.

² United Nations Office on Drugs and Crime (UNODC), *Transnational trafficking and the rule of law in West Africa: the threat assessment*, June 2009.

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For the most part, the cigarettes come from China, Vietnam, Southern and Eastern Europe as well as from tax-free zones, such as the United Arab Emirates and tax havens. They do not arrive directly from their country of origin. Instead, their commercialisation is carried out by way of intermediary companies, which ensure that they transit through offshore investment centres.

In 2007, the annual consumption of counterfeit cigarettes in North Africa was estimated at 21 billion and 11 billion in West Africa, which, with an adjustment in line with national sales prices, is the monetary equivalent of an annual total of 774 million dollars³.

This can also be connected to counterfeiters of legal products and drug-traffickers. The operation of the Royal Armed Forces of Morocco at the Algerian border in early February 2009 established the existence of a network of cigarette and drug traffickers, which involved Moroccans, a Mauritanian and elements of the Front Polisario in Tindouf.

These examples illustrate the existence of a very old and widespread barter economy, whose principles apply to other types of legal product exchanges, though the products are sold illegally. They also reveal the huge range of possibilities and the tremendous fluidity, not only in geographic terms, but also in terms of the nature of the goods being trafficked and the fusion of legal and illegal products.

The new drug routes

Saharan and Sub-Saharan Africa have been part of the drug economy since the 80s, the drugs in question mainly being cannabis (and cannabis resin) and cocaine. Africa has thus become the strategic trading centre for drugs arriving from Colombia, Venezuela and Brazil, which are shipped to the ports of Guinea Bissau and Cap Vert in the north, and to Ghanaian ports in the south. From here they are shipped to Nigeria, Guinea, Senegal and Mauritania, and on to Morocco and Algeria. These countries are now referred to as narco-states. There are two reasons for this evolution are as follows:

- Tougher crackdowns by the US and Canada have driven drug traffickers to seek new smuggling routes and to redirect traffic towards the European market.
- The high level of corruption greatly facilitates entry of consignments into Africa. Drug trafficking has reached such proportions that, from a transit and trading zone, Africa has become an area of large scale consumption of cannabis, cocaine and even hard drugs.

Indeed, the African continent offers numerous advantages for traffickers: poor border control; the predominance of diasporas with trans-national trading operations; local police with no training in investigation; the spread of corruption to all levels of state institutions; total lack of national criminal records; inadequate, outdated judicial systems that are susceptible to corruption.

Cannabis and cannabis resin: a resource against poverty

If Africa is a cannabis production area, this is first and foremost because cannabis cultivation is a highly profitable activity. Its expansion during the 1980s made it a far more lucrative cash crop than traditional plantations, enabling farmers to earn an adequate income from smaller plantations and thus compensate for the reduction of arable land. The new anti-drug policy, adopted since 2005 by Morocco, has encouraged traffickers to turn to cocaine and to reorganize traditional cannabis channels. Nigerians, who are notoriously active in the Golden Crescent (Pakistan, India, Afghanistan), work closely with Latin American cartels.

³ UNODC, *Transnational trafficking and the rule of law in West Africa: the threat assessment*, July 2009.

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Nigeria is still the biggest regional producer of cannabis, with plantations bringing farmers 200 million dollars per year, generating profits of 12 billion dollars for traffickers. Algeria, for its part, has established itself as the new east-west cannabis route. In the south-western regions, along the border with Morocco (Bechar), consignments are shipped to Tunisia and Libya via the towns of Ouargla and El Oued. The old route through Oranie (Oran province) is no longer used. Having been a transit country, Algeria has gradually become a producer (Adrar) and consumer of drugs, including heroin.

Cocaine

Although cocaine is not produced in Africa, according to Interpol, every year about 50 tonnes of the drug, worth 1.8 billion dollars, are illegally trafficked through West Africa. Since the late 1990s, cocaine produced by Latin American cartels has been shipped through the Gulf of Guinea to Senegal and Mauritania, and then from Morocco or Algeria to its final destination in Europe. The land route is through Mauritania and then Morocco, and the air route is through Bamako, Casablanca or Dakar. Guinea Bissau has become the most important transshipment centre for traffic from South America. The principal reason for this is that its coast, which is dotted with the numerous islands of the Bijagos archipelago that are difficult to monitor. The second reason, which is political, is the weakness of the state. Local links in the drug traffic chain reach the highest spheres of government, as demonstrated, for example, by the involvement of the former chief of general staff and that of the former president. These favourable conditions have encouraged numerous Columbian, Venezuelan and Nigerian nationals to settle in Guinea Bissau. Drugs shipped by sea or air are received by the military, for whom this activity is a means of acquiring wealth, political power and access to national resources.

In Morocco, the policy of eradicating cannabis plantations has led to a constant rise in cocaine traffic. The country has thus become a transit area increasingly used by “mules,” couriers paid to carry the drugs in their stomachs.

Algeria is an east-west transit zone for hard drugs arriving from the south. The vast region stretching from Tamanrasset to Ain Guezzam is an area of choice for traffickers, and the Naama region is the entry point for the drug, before it is shipped to Tunisia and Libya via the town of Tiaret.

Drugs are frequently trafficked along the same channels as arms and diamonds, all of which help finance local wars or enrich warlords and unemployed veterans.

Light weapons traffic and plundering of resources

According to the United Nations, arms are shipped to West Africa from Central and Eastern Europe and from Russia and China, as well as from other African countries.

Many of these weapons are smuggled first into Africa and then sold illegally, thus fuelling corruption.

The United Nations Development Programme (UNDP) states that there are 100 million light weapons in circulation throughout Africa. For West Africa, the figure is estimated at eight million, including 100,000 Kalashnikovs in the Sahel region alone.

Regional conflicts and internal rebellions play a decisive role in the transfer of light weapons, which have fuelled conflicts in the Ivory Coast, Guinea Bissau, Liberia and Sierra Leone, as well as the Tuareg uprisings in Mali and Niger, and the Casamanca rebellion. The political decline and break-up of the Polisario Front and Western Sahara's proximity to Mauritania have created an ungoverned area that has been exploited by members of this organization to make money from arms smuggling. The Polisario Front's Sahrawi refugee camps in south-west Algeria (Tindouf), southern Libya and northern Mali are also transit zones. Thanks to its strategic location, the town of Tindouf provides the ideal bridge between the eastern and western Sahel.

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Terrorism, too, is an aggravating factor and a catalyst in arms trafficking. The Algerian civil war caused an escalation of the phenomenon and made it easier for local and foreign terrorist groups to obtain supplies in the towns of Ouargla, Tamanrasset, El Oued, and Batna, where arms shipments arrive from over the Mali and Nigerian borders. On the eastern and western borders of Algeria, antipersonnel mines and explosive devices are passed from smuggling networks into terrorist hands. Smugglers, protected by terrorist groups, are able to transport their merchandise in complete safety, while terrorist groups can obtain references from arms dealers operating in the Sahel.

Light weapons are also passed on from one conflict to another. They can either be recycled for use by other combatants and local crime organizations, or sold to neighbouring countries, where there are ongoing conflicts. Arms used in the Lebanese civil war have even been found among the GSPC maquis.

Arms trafficking is also combined with the plundering of natural resources, thus merging the interests of certain multinationals, arms dealers and heads of state.

The governments concerned are known as “kleptocracies.” This applies particularly to diamond production in Sierra Leone or Liberia, which has created genuine war economies.

Terrorism and collusion with traffickers: from a national to a regional phenomenon

Terrorist networks are involved in international crime and use the considerable profits from trafficking to procure weapons. For this reason, any attempt to combat terrorism must be part of a global campaign against all forms of crime, whose interconnections and interdependence are well established. Since the two activities feed on each other, there is a clear link between organized crime and terrorism, fuelled by their converging interests: criminal organizations profit from the violence perpetrated by terrorist organizations and guerrillas or by rebellions, which in turn benefit from the funding provided by criminal activities.

“The area of Northern Mauritania is notorious for trafficking and counterfeiting. It is also a zone in which elements of Al Qaida (AQMI) operate. In the era of president Ould Taya, Mauritanian powers controlled this zone, notably because president Ould Taya indirectly controlled the traffickers, partly because of former alliances between his tribe (the *smacid*) and the large tribe (*rgueibat*, which controls the Polisario). This has changed and the zone has “internationalised,” as new actors have appeared (touaregs, networks of smugglers and drug-traffickers, isolated relationships between Moorish tribes or, at very least, between individuals who make claims on the tribes...) The current authorities no longer seem to have the capacity to know entirely what is going on in this region and to control it.”⁴

The Algerian Charter for Peace and Reconciliation (September 2005) led to the release of a large number of GSPC militants who are now present not only in the Sahara, but also in Darfur and Iraq. The operational connection between the different Maghrebi groups has been made possible by the alliance of several North African Islamist groups: the Algerian GSPC, the Moroccan GICM, the Libyan GICL and the Tunisian GICT, as well as other splinter groups in the various Sahel countries, particularly Mauritania, Mali and Niger. The invasion of Iraq by American troops has encouraged the development and spread of recruiting networks in Maghrebi and Sahelian countries, and nearly 25% of the suicide bombings in Iraq have been the work of Maghrebis, mainly Algerians. The status of AQIM has evolved from that of supplier of combatants for the Iraqi insurrection between 2004 and 2006, to that of federator of salafist North African movements. It has hence extended its sphere of operations, which now transcends national borders, as a result of the establishment of a command centre for several countries in the Sahel-Maghreb zone. Its training platform and training centre host Tunisians, Libyans, Moroccans and Mauritians, in

⁴ Alain Antil, “Mauritania: security threats to a young democracy,” *IFRI News*, 2, 2005.

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particular, as well as militants from Niger, Nigeria, Tchad and Mali.⁵

In this regard, a crucial question about security still needs to be answered: after the imminent withdrawal of US troops from Iraq, what will happen to the Libyan, Moroccan, Algerian and Tunisian combatants who have held sway in the area? Their return to their home countries entails the serious risk of their becoming radicalized and posing a real threat to the stability of the Sahel states. Once back in the Maghreb, they could use their newly acquired expertise in urban combat to instigate forms of insurrection hitherto unknown in North Africa.

Migrant trafficking

The African wars are a major cause of insecurity for human beings, leading to migrations and displaced populations (refugees). Migrations are not in themselves a direct threat to security, but the desperate plight of migrant groups could force them to become involved in trafficking of varying degrees of seriousness.

However, while the illegal situation of migrants makes them fragile and dependent on traffickers, smugglers and drug couriers, it does not necessarily make them criminals.

West African migrations have for some time been lawful seasonal migrations towards the sub-region, following agreements on the free circulation of people in force in the countries of the Economic Community of West African States (ECOWAS). It is only since the eighties that forms of intercontinental migration have appeared. The littoral countries, particularly those of the Maghreb, have become stopping off points and/or transit zones in the migration strategies of sub-Saharan Saharans heading for Europe. It is extremely difficult and indeed almost impossible, to calculate the number of illegal migrants in this region: "It is thought that 65,000 (to) 120,000 sub-Saharan come into the Maghreb every year. 75 % of them are believed to emigrate to Libya and 25 % to Algeria and then to Morocco. According to different estimates, at least 100,000 sub-Saharan migrants are currently living in Mauritania and in Algeria, 1 to 1.5 million are living in Libya, and 2.2 to 4 million, mainly Sudanese, are living in Egypt."

The link between conflicts and migration is also a proven fact. It has altered the old migratory patterns and has drastically changed traditional north-south and south-south migration. Immigration countries, like Senegal or the Maghrebi countries, have become emigration countries. Consequently, for the last twenty years or so, the geographical area used as a migratory route has been more extensive than the Sahel itself.

Intra-African migrations and migrations towards Europe: a political issue first and foremost

Crime in Africa is a danger that all too often is underestimated by Western countries, which only look at the tip of the iceberg: that is to say migration. It hardly needs to be said that migration represents a financial opportunity for organized criminal networks. But, as we have seen, not all African migration is illegal, since migration for employment reasons within the West African subregion is in fact permitted by law.

All illegal migration is fraught with peril and entails very real and serious risks, both immediate and remote, that concern not only the countries directly involved (West African and Maghrebi), but also European countries.

That is why they are the subject of numerous programmes and action plans. The proximity of the Euro-Mediterranean area, including its African dimension, and shared interests on both shores of the Mediterranean, call for a common definition of the threats related to criminal exploitation of migration, and for cooperation that is not confined to security.

⁵ *Ibid.*, p. 16.

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The growing number of irregular migrants and the complexity of migratory patterns in West Africa demand a more coherent cooperative approach. To ensure smoother and more amicable management of the Schengen area, the ECOWAS should become a priority interlocutor for the EU in the debate on sub-Saharan migration to Europe. The issue is an important one because at present the strategies adopted to fight clandestine migration could, by trying to restrict or stop free movement of workers in the West African area, have the opposite effects to those expected and increase illegal immigration to Europe.

POTENTIAL REPERCUSSIONS

North-West Africa is experiencing two parallel and paradoxical phenomena:

- On the one hand, there is a constant increase in the merging and/or overlapping of state territory and grey areas, as the result of a combination of political, economic, ethnic and social networks and alliances, driven by endemic corruption that blurs the links between the public and private spheres. In the confusion that this creates, criminal activities find ways of adapting to the situation and become firmly established.
- On the other hand, conflicts cause fragmentation of national territory in areas with no state control. Interconnected criminal networks graft themselves onto these areas, and thus national territory becomes absorbed into the international criminal system.

Corruption fuels organized crime. Traffic does not always use the most direct routes, but adapts to the most favourable conditions it finds on the way, which in this case are regions where states are weak. In Africa, government officials are often involved with illegal networks (for example, garrisons sell some of the goods sent to them). More often than not border police, customs officers and military guards are part of the same social and family networks. As a result, corruption is not automatically perceived as a crime but as a large-scale redistribution of wealth. Trafficking, therefore, is not regarded as a risk but as a source of income wherever there are links with government actors.

CORRUPTION:

1- Essential to the existence of organised crime

Criminal activities are possible in a corrupt context, this being the first plague to security and regional stability. As we have indicated, trafficking routes are not necessarily the most direct. Instead, they are adapted to the best conditions for passage, which, in this case, are regions in which states are weak. For various reasons, Africa is home to the weakest states in the world, in terms of their capacity to ensure that the law's authority is respected on their territory. The agents of the state are often extensively implicated in illegal networks (for example, garrisons resell some of the goods that are intended for them). This ensures that private actors can benefit from both legal and illegal transportation. The social and family networks of police officers, customs officials and border officers are often the same. As a result, corruption is not always perceived as an offence, but rather as a large scale redistribution of revenue. Trafficking is thus not considered a risk, but a source of private income, where there is a connection to government actors. The former president of Mauritania redistributed trafficking revenues within his clan, as control of the criminal economy was shared between certain dominant families, who benefited from trafficking revenue from cigarettes and arms, which came in containers from Nouakchott. Also, as the trading rules are not designed for these areas, they cannot be applied to it, so the migration of people is also often associated with human trafficking.

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2- Overlapping of political and criminal activities

As we have seen, corruption is at the root of trans-national organised crime in Africa. It is a symptom of states' political and economic dysfunction and it undermines state institutions as a whole. Corruption is an economic phenomena as much as it a political one. It feeds on an unstable, violent environment and remains an unproductive practice, which encourages nepotism, sustains patron-client relationships and maintains the confusion between the public sphere and private assets.

Prevalent at all social levels, it affects the elites close to power as much as managers and mid-level civil servants, military officers, security agents and all agents of the state with the capacity to negotiate a position of power. At every level, people deduct their share of the profits, whether they originate from the trading of legal products, counterfeit cigarettes, exploitation or pillaging of natural resources, profits from drug or arms trafficking, or human trafficking.

Many countries' economies rely predominantly on private revenues, which is the case of the African continent. It can be seen as an advantage to states' budgets, but also as an inconvenience as private revenues slow the diversification of national economies and prevent the replacement of political personnel. Just like criminal revenues, oil revenues do not favour democratic mechanisms. On the contrary, they fuel corruption.

CONCLUSION

Crime: a geopolitical factor

Since the end of the bipolar era, criminal networks have displayed three characteristics:

1- Organized crime can destabilize states by infecting them with the gangrene of corruption, by taking over whole regions (war zones and areas of devastation, drug production and distribution), by undermining the country's economy (through the rerouting of financial flows that have not been reinjected into the national system and/or by money laundering), by generating violence (terrorism) and chronic insecurity, and by threatening the population (refugees, migrants).

2- Illicit trafficking is the criminal component of conflicts, of which it is both a driver and a product. In this sense crime is a geopolitical factor in its own right that undermines territorial borders because, like terrorism, it is able to survive and prosper without a territorial base.

3- The link between crime and conflicts is due to the fact that criminal organizations always need to develop sectorial activities. The sectorization of crime enables the networks to perpetuate themselves, to reinforce the networking of territories where there is no rule of law, and to adapt to each new obstacle as it arises. At the same time it increases the various types of threats, making them more dangerous to states and institutions, as well as more complex and more difficult for crime fighting authorities and organizations to deal with.

CROSS-BORDER TRADE: AN ANALYSIS OF TRADE AND MARKET INTEGRATION ALONG THE NIGERIA-CAMEROON BORDERLANDS

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1.1 INTRODUCTION:

The phenomenon of unrecorded trade is not only widespread but so large, in scale, and well integrated into the functioning of almost all economies in Africa and has become the subject of concern to government policy planners, and development agencies due to the challenges it poses to many economic assumptions and its implication for policy formulation. Conventional economic analysis has often ignored this ever-expanding sector of the total economy because it does not appear in official reports and statistics. It has become imperative to design new approaches to the study of national economies which should include the unrecorded sector and the market integration processes in general.

Although the unrecorded sector of the economy is not reflected in the national accounts and official economic gazettes, a great deal of economic activity is taking place outside the official system. In most African economies, it is this sector that really

works, given the failure of state-centric economic policies. The economic activities taking place outside the official one has been conceptualized and referred to in various terms and focus on the magnitude organization and motivation of traders.

This cross-border trade more or less is “illegal”, in admissible, and “little” is known about the causes and consequences, organization, profits, expenses, the factors that motivate people to participate in it and its linkages with the official economy. Such information is lacking because this is not only part of the total economy unrecorded and unmeasured but many of its activities are covert and on the other side of the law and difficult to investigate.

The empirical data presented here focus primarily on the unrecorded trade and market integration along the Nigeria, (Cross River) borders with Western Cameroon. The data for this study was collected during field work in the area of study from January 2009 to July 2010. The research method adopted consisted, primarily of intensive interviews with the traders, middlemen, bus truck/car drivers, canoe/boat owners, participant-observation focusing on the activities which the field worker could make use of contacts and networks established in the course of previous research.

It is indicated that trade across borders and market integration formalities are not merely vestiges of pro-colonial economies or, recent reactions to economic imbalance. They are historically grounded economic systems, involving actors and institutions capable of responding to new trends and defending their interests.

Historically, speaking the borders were created by the British, Germans and later the French, whose political and economic rivalry led to the diversion of trade to their respective spheres, thereby creating market conditions that were favourable to their interests.

The survival and growth of cross-border trade into contemporary times has benefited this long institutional history, and have also, depended on the capacity of cross-border trade networks to adapt to changes in political organization, transport and communications technology in the world economy. The constraints and opportunities created by shifts in monetary and fiscal policies between Nigeria-Cameroon has led to a variable flow of cross-border trade and market integration in the cross-border area. In this regard, trans-border trade and market integration have undergone transformation in almost every aspect of their organization, motivation and operation.

Cross-border trade between the two countries was expanded in the post-independence era due to the delinking of Nigeria from the British West African sterling zone while the predominantly Francophone Cameroon remained integrated into the semi-convertible France Zone. The adoption of development strategies, based on liberal import regimes including the structural adjustment programme introduced in the 1970s aimed to redress the resulting imbalances and eliminate incentives for cross-border trade, instead of eliminating the trade only ushered a new phase in its development; and new opportunities emerged in the context of economic liberalization.

The cross-river region with south west Cameroon, have locational advantage in the trade across borders. From pre-colonial times, Old Calabar in (Nigeria) and Duala in (Cameroon) were the foci that provided sea lanes for this trade.

These sea lanes are supplemented by trade routes that straddle along and astride the border lands. Apart from border markets, the development of twin towns is traceable to the activities of cross-border trade. These thriving border markets and twin towns play intermediary roles or receivership in the trade across borders.

The volume of trade in these border markets and twin towns

is enormous and the governments of Nigeria and Cameroon are aware of the trading activities in these markets and twin towns. Incidentally, these towns and markets have become centres or camouflage for miscreants, criminals, human traffickers, and smugglers. The presence of these undesirables is known to government officials who gloss over their activities and have themselves become participants in these shady deals.

Interestingly, the border markets and twin towns are inhabited by nationals of both states who transact their businesses without inhibition. Both the customs, immigration, gendarmes are not unaware of this, development as in some instances, the Boki, Ejagham, Ibibio/Efik languages including “pidgin English” are spoken along and astride the borders, making it difficult to distinguish a Nigerian from a Cameroonian and vice versa.

It is concluded that despite all efforts at containing it, unrecorded trade is still thriving in the border lands. Economic reforms such as structural adjustment has only succeeded in reorganising rather than undermining trade, while globalization has enabled the convergence of internationality and location. Policy makers are now confronted with two major options; either to suppress the trade or to incorporate it into the formal economy through more appropriate policy incentives to guide and reorient

its activities. In spite of the existing bilateral agreements between Nigeria and Cameroon, this have had negligible impact on their trade relations. Their state-centric policies have failed to realize the reality of unrecorded cross-border trade relations. Rather, their policies seem to favour the interests of western powers regarding control and protection of their markets than the empirical evidence in the borderlands.

Instead of raising the relevant analytical questions that relate to the distinction between indigenous trading networks and criminal elements, the entire process of unrecorded trade is treated as “illegal” or “criminal”. These cross-border trading networks which have survived over the centuries involves the accumulation of specific skills, commercial contacts, social relations based on ethnic, religious or moral codes, informal trade infrastructure, systems of local lending based on trust or “OSUSU” contributions and savings in the absence of formal banking institutions, leading to market and political integration in the borders. These infrastructures and local credit arising from “OSUSU” contributions are owned by both nationals, drawing the border landers closer to themselves than the nationals of their core states.

In this regard, cross-border unrecorded trade provides

opportunities for livelihoods, affordable consumer goods and remittances that have kept the borderlanders from collapsing under the hardship imposed by structural adjustment. Though criminal elements exist in these border markets and twin towns indiscriminate clam down can only create more problems. Despite the limitations of unrecorded trade, the criminalization thesis should be treated with caution. Cross-border unrecorded trade remain a viable option in era of state-centric economic policies and worsening economic conditions. It is instructive to note that the commercial skills, experience and organizational infrastructure of cross-border unrecorded traders remain invaluable institutional resources and an effective strategy of integrations into the global economy. The governments, policy markers and development agencies should erect effective developmental framework within which these networks can be galvanized and energised into an operational model for economic integration in Africa given the wide spread presence in Africa. It is hoped that liberalization policies and excessive state-centric regulations should be persuaded to yield ground to the reality of empirical data derived from cross-border unrecorded trade and a regulatory framework be put in place for wider economic and market integration in the continent.

2.1 STATE CENTRIC ECONOMIC POLICIES AND PRESSURE ON CROSS-BORDER TRADE

The resilience of trans border unrecorded trade has produced tensions and divisions among state-centric scholars and policy makers in the analysis of African development. These divisions and tensions are evidenced in the debate in favour or against market reforms and the perception of cross-border trade as an impediment to or a force for liberalization. Trans-border unrecorded trade was characterized in the 1980s as the product of price distortions. It was perceived that these parallel trading activities constituted a justification for African states to embark on drastic market reforms that would lead to the rectification of structural imbalances and the total elimination of trans border unrecorded trade ¹

In spite of the so called development decade of the 1980s, the failure of governments economic policies coupled with the resistance to structural reforms enabled a search for policy options to liberalization.. This search produced an awareness that trans border unrecorded trade was not a product of price distortions, but activity rooted in pre-colonial economic organization. Trans-border unrecorded trade was therefore affirmed as an activity that:

increase(s) competition, supplies products across

borders, provides opportunities for employment in neighbouring countries, and encourages entrepreneurial activities.²

It has also been indicated that instead of being a hindrance and threat to national economic survival, trans border unrecorded trading activities arose as a form of resistance to the failures of state-centric policies.³

The arguments in favour of trans-border unrecorded trade appears to have shifted ground against its existence in the early 1990s. This reversal in the debate was due to the inability of the trans border operators to exploit the differential implementation of structural adjustment reforms. The accompanying growth in corruption, violent conflict, plunder of natural resources, incidents of drug and human trafficking, political instability and weakness of state institutions, and unemployment, led to frustration due to the fact that trans border unrecorded trade lacked the capacity to nurture productive investment and competitive market behaviour within the context of deregulated and privatized economies.⁴

According to Castles and Portes, there is a clear distinction between the informal and criminal dimensions of trans border trade. The informal trans border trade refers to the import and export of goods outside of official channels. On the other hand, criminal trading activities by contrast, refer to the illegal goods

such as arms, narcotics or human beings, the purchase and ownership of which is deemed socially undesirable irrespective of the distributive channels.⁵

This distinction has become necessary because there has been a tendency to aggregate them together thereby blurring their different social historical origins and dynamics. Farrel has argued that this blurring has led to the weakening of the empirical and analytical value of contemporary perspectives on African trans border unrecorded trading and market integration networks.⁶

Border regions are sub-national areas whose economic and social life is directly and significantly affected by proximity to any international boundary. These areas are mostly affected by state-centric economic policies and distortion. In his analysis of border lands situation, on each of Nigeria's international boundaries, Asiwaju noted that:-

The asymmetry in the economies and traditions of mutually opposed policy have continued to sustain contraband and fraud as dominant characteristics of the border economy vis-à-vis the neighbouring countries”⁷

The asymmetry in economies and fiscal policies pursued by both countries have provided an enabling environment for the thriving of cross-border trade and market integration.

Further more, one of the ironies of structural adjustment is

that it led to a boom in trans border trade. Attempts to restore economic equilibrium have produced a free for all in parallel commodity and currency markets. Thus, deregulation and widespread liberalization has precipitated a deepening of the economic penetration of the border trade in relation to sub-national territories and popular livelihoods including accumulation and strategies for obtaining further profits.

The aim of structural adjustment was to eliminate destabilizing policy disparities; unfortunately, this has been exacerbated owing to problems in their implementation. Thus, far differences in political and monetary regimes, pressure from international interest groups, difference in resource endowment, level of industrialization and manufacturing outfits have served to perpetuate significant disparities in monetary and fiscal policies, the adoption of structural adjustment notwithstanding.

Meagher has argued persuasively that structural adjustment perpetuated and in some cases intensified fiscal and monetary disparities between African countries. The liberalization of commodity and currently market facilitated or boosted trans border activities by providing early access to foreign exchange through legislation of the parallel currency trade. Similarly, the liberalization of inter nation trade and local commodity market has

facilitated the exploitation of cross border price disparities. The price disparities derive as much as from differences in cooperative advantage and levels of industrial and agricultural development.⁸

Sall and Salleh's study reveal that structural adjustment created a general environment of disarray in the official economy which has contributed to the growth of trans border trading opportunities.⁹

The necessary conditions for adjustment have intensified the need among traders and consumers to cut costs, and trading outside official channels provides an effective means of doing so. This can also be analyzed from the effects of devaluation, inflation, decline in real incomes which has produced a contrast between the rising cost of goods and declining effective demand.

Traders are therefore encouraged by this to evade the payment of duties, tariffs and taxes. Evidence deduced from the field indicate that this triggered a variable flow of goods to and from the borders using unofficial trading routes in an attempt by traders to evade duties and taxes imposed by both states.

At the fringes or margin of the borders, their neglect by both governments is palpable as modernity is yet to reach most parts of the borders. In the context of rising unemployment and low

level incomes, the border landers are encouraged by the failure of state-centric policies to increase their participation in cross border trade.

The same processes have encouraged official complicity in trans border activities as officials of all description have aggregated their survival instinct to participate in the trade across borders. These pressures have also resulted in a shift of consumer demand from locally produced or officially imported goods to low cost alternatives supplied through trans border trade routers. The unofficial imports from overseas keep prices down through the evasion of tariffs, duties and other forms of tax. In these border lands, Nigerian goods are cheap and the devaluation of the Naira have aided trans border trade .¹⁰

More importantly, is the fact that cross border trade in this borderland is not financed by conflict diamonds and drugs. Rather proceeds from illegal deals or stealing of crude petroleum oil, trading in small arms and light weapons acquired by militants fighting for the resource justice in the Niger Delta, ill gotten wealth from corrupt government officials and politicians genuine cocoa merchants, traders, financiers, "Osusu" credit groups are involved in the trade.¹¹

Available evidence suggests that there has been an

increase in the actual quantity of trans border flow as manifested in the growth of markets and twin towns and the penetration of transborder pence operations into the heart of national cities such as Lagos, Enugu, Calabar, Onitsha Owerri and Aba, in Nigeria, and Duala, Limbe, Yauonde, Mamfe, in Cameroon.

The pressures from below appear to be questioning the relevance of the nation state in contemporary capitalism. These pressures are an admission of the rejection of the colonial borders and the post colonial states. This primordial argument insist that borders have violated ethnically defined territories and traditional forms of economic organization, while state centric policies are plagued by propensity to corruption and clientelist forms of organization.¹²

The above perspective has been interpreted to mean that state centric policies such as structural adjustment is an official recognition of pressure from below as border landers attempt to “slough off the inappropriate and enfeebled institutions of the nation state”, so as to become integrated into the wider economic opportunities of regional and global markets¹³. Though the above perspective has its limitations attention should be paid to external forces and globalization in the disruption and dismantling of states capacity to sustain the development of its territorial space.

2.2 EMPIRICAL DATA: UNRECORDED TRADE ACROSS CROSS RIVER (NIGERIA) BORDERS WITH SOUTH WEST CAMEROON.

Historically speaking, the Cross River region has been the gateway into central Africa, Europe, the Americas to Latin America and Asia.

From pre-colonial times to date, the ports of Calabar and Doula were the foci for the transatlantic slave trade, “legitimate trade” and a cultural infiltrate between the coast and the interior. The region is straddled with trade routes and sea lanes that formed the basis for the development of market centres and twin towns along an astride the border lands.

The Cross River borderlands is shared by Nigerian-Cameroonian related ethnic groups divided by the 1913 Anglo German boundary, and later, the Anglo-French condominium over Cameroon in 1916. The region has witnessed and intensive trading activities from the pre-colonial, colonial and post-independence era.

The border region is therefore an area where internationality meets with locality given the presence of the international boundary, and the interplay of different economic and fiscal policies of Nigeria and Cameroon. While the international capitalists economy, by the logic of globalization impacts on the

regions economy, the local populations also responds to the pressures of the global economy and adjust to these pressures to suit their local environment. This is mostly repeated in new forms of economic organization and trading activities across borders, new life styles resulting from the accumulation of profits, the development of twin towns and market integration processes evidenced in the border region.

The trade in food and agricultural produce between Nigeria and Cameroon takes place against the particular economic background of Nigeria's predominant position as the "giant of Africa" influencing the economic policies of her neighbours by virtue of its historical, economic and demographic importance. Nigeria has an abundance of agricultural and mineral resources, and its population of roughly 100million includes the largest social-economic groups in Black Africa.

The evolution of Nigeria strengthened the commercial ties given the British preference for trade. In this region trading activities were well developed by the British, German, French and Portuguese traders and colonial firms who used the Cross River, Calabar sea ports to Duala in Cameroon and Equatorial Guinea, including the hinterland trade routes. The flow of trade across the colonial borders in this region shaped by colonial preference

largely explains the exceptional development of cross border trade between Nigeria-Cameroon in this segment of the borders.

Cameroon which has similar resources like Nigeria's concentrated on expanding its agricultural production. The Cameroonian SEMKY (3) scheme was aimed at the Nigerian market than the home market, despite the country's need for sufficiency in food.

Through these policies, Nigeria's neighbours have been able to hatch into her economy to earn a share in the distribution of its oil income. The result is that an informal cross-border trade has grown in this border region.

Thus, between 1978 to 1986, Nigeria became the biggest trading partner of certain neighbouring countries – Benin, Chad and Cameroon. The introduction of “good neighbour” policies reflected in the signing of bilateral agreements and joint ventures a steady flow of goods and persons has helped to make the Nigerian Naira and the Cameroonian CFA franc acceptable in border towns and markets. The establishment of new trading towns along and astride the borders attracted the Igbo, Syrians, Lebanese, Francophone Cameroonian nationals, Yoruba, Hausa who settled in Calabar to take advantage of cross border trade.¹⁴

These traders are the main actors in the regions markets.

They have always overcome obstacles such as colonialization or unfavourable policies adopted by the two states. Traders adapt to new restrictions in order to continue running the cross border trade and markets.

The traders organize their activities within the region around highly structured networks covering a wide geographical areas and these networks at times cover several countries. The traders have considerable influence over the regions markets, speculating on differences in prices, currencies and economic policies between Nigeria and Cameroon.

(1) ARTICLES OF UNRECORDED TRADE IN THE CROSS RIVER BORDERLANDS

(i) Petroleum Products (ii) Rice (iii) Bush mango (iv) used secondhand clothings/shoes (v) Pharmaceuticals (vi) Pirated Music Cassattes/home videos (vii) Wine/hot drinks (viii) Manufactured/industrial goods/building materials/cement. Sources Lagos, Port Harcourt, Owerri, Aba, Calabar.

**(2) MARKET CENTRES/POINT OF ENTRY INTO CAMEROON
FROM NIGERIA**

Nigeria	Cameroon
Bellegeta/Obanliku	Akwaya, Mamfe, Kumba
Boki/Danare	Bisong Abang, Mamfe, Kumba
Basho/Danare	Oyi, Kajifu-Mamfe, Kumba
Ajassor/ Ikom	Mfum, Ekok, Mamfe, Kumba
Bendeghe, Agbokim (Waterfall)	Etymojuk, Nsuaragatti
Itaka, Agokim, Abia	Ekugatti, Kumba
Ekang, Amani	Matengi, Etel
Ikang, Epri Ikang	Kumba, Mamfe
Calabar	Limbe, Tiko, Yaounde

Source: Field work. January 2009 – July 2010.

**(2) ARTICLES OF UNRECORDED TRADE FROM CAMEROON
TOWNS INTO NIGERIA**

- (i) Roofing sheets (Cameroon Zinc) (ii) Cameron mattress, (iii) pirated makossa music (iv) Wine/hot drinks (v) French shoes (vi) Second hand clothing (vii) Cigarettes (viii) cocoa (ix) plantain (x) Bush mango (xi) Rice

**(3) MAJOR MARKET CENTRES/POINTS OF ENTRY FROM
CAMEROON INTO NIGERIA**

Cameroon	Nigeria
Ekok, Mamfe	Ikom, Ajassor
Bamenda	Obanliku, Obudu
Kumba	Boki/Danare
Nsanaragatti	Besho/Abo
Eyumojuk	Mfum/Agbokim
Ekugattai	Ajassor/Abia
Limbe, Yaonde	Calabar
Duala	Oron/Ikot Abasi
Kumba, Mamfe	Ikang/Ekang

Source: Field work. January 2009 – July 2010.



Fig.1 Cross River State, Nigeria/South-west Province, Cameroun Border Twin Towns and Markets

(4) MODE OF TRANSPORTATION TO AND FRO THE BORDERS

(i) Motor car/truck/lorry (ii) Boats/Canoe (iii)Ships from Calabar to Limbe/Duala.

This trade is organized both at night and day depending on the strategy of the traders in the presence of the security agents – customs, immigration, police, army, gendarmes, and officials of the National Drug Law Enforcement Agency who have become participants in the lucrative trade across the border.

It is interesting to note that the financiers of these businesses do not live in the borderlands, but in the cities or core areas of their respective states. They have a network of receivership in the border markets and twin towns. In most instances, those who own the means of transportation, boats, canoes, cars/lorries/trucks are different from those who finance the purchase of the articles of trade. The motivation for those involved in the border trade is profit.

2.3 UNRECORDED TRADE, MARKET INTEGRATION AND THE DEVELOPMENT OF TWIN TOWNS

The word “marginalization” has often been associated with Africa in the literature of globalization Cook and Kikpatrick indicate that among the developing countries Africa’s share in world export flows has fallen particularly in relation to manufacturing, a key

sector in the globalisation process.¹⁵

Castell's analysis suggest that in the face of declining exports and international investment, Africa has fallen far behind in the development of the appropriate infrastructure, technology and skills to link up with the revolution in information technology, which is central to the global restructuring of production, trade and finance.¹⁶

Africa has also been marginalized in the development of international institutions for the management of globalization, which has tended to reinforce its position of economic disadvantage in the global process.¹⁷

The globalization process has therefore reduced Africa to "global commons" and to a position of "structural irrelevance".

In spite of the fact that African economies have been languishing in the environment of globalization cross-borders trade is flourishing. Egg and Igue have opined that the advantages of trans-border operators, in terms of flexibility and responsiveness to economic change and in terms of network structure of Africa trans border commercial organization are now legendary.¹⁸

As Bach put,

*The spectacular growth of trans-state regional networks in sub-Saharan Africa has fuelled global trends towards the continentalisation and multilateralisation of trade flows and the further integration of Africa into the world economy.*¹⁹

It is interesting to note that a global structure for trans border trade and currency flows has begun to develop. In line with the development of global cities in the world, some port towns in West Africa have become global cities of trans border trade, where the parallel economies merges with official, economy (or internationality converging with locality). Along the Nigeria-Benin borders, Lagos – Cotonou, Lome and Banjul, have become the centres of international economic activity with liberalized markets and modernizing infrastructure including banking and financial facilities. (Sall & Sallah 1994). MacGaffey believes that trans border trade is helping to relaunch the official economy and the investment of trans border profits in local production and services. ²⁰

In the Cross River border lands with South West Cameroon this trend is noticeable in the activities of Calabar port to Duala in Cameroon. As indicated earlier, Calabar and Duala share locational advantage in the trade across borders. Calabar sea port has assumed the status of receivership of goods and services that move to and fro Cameroon through ships. The Tinapa Resort, a modern trade and investment centre provides facilities in terms of communication, accommodation and investment opportunities for a wide range of foreign and local business men. The Resort is

being supported by an array of banks and financial institutions in the city. There is a ready flow of traders from Duala, Limbe and other Cameroonian cities who come to take advantage of the peaceful environment in Calabar to invest and carry trade across borders.

In the account of Rosemary Harriss, it was cross border trade that led to the speedy development of Ikom and the Cameroonian twin town of Ekok, in close proximity to the international boundary at Mfum. Ikom town, was a small settlement whose inhabitants used the Ikom beach to trade up to the Cameroons but with the trade across borders, traders and indigenes alike migrated to settle in Ikom Four Corners, close to the borders. Following this development the Ikom market has assumed international status instigating the development of a twin settlement from the Cameroonian side – Ekok market.

In both Calabar, Ikom and Ekok twin towns, both the Nigerian Naira and the French franc are exchanged freely particularly at the Hausa settlement at Bogobiri in Calabar, Ikom market and Ekok in Cameroon respectively.

In the same vein, the development of Ekang, Ikang, Ajassor, Agbokim Waterfall, Utangca, Bellegette Danare market with adjacent Cameroon towns owe their development to cross border

trade. Along the Ikom – Boki axis with their adjacent settlements in Cameroon, cocoa, pharmaceutical and manufactured products are exchanged in the open markets. In Ekang and Ikang border markets, sea foods including fish and crayfish are sold to Cameroonian counterparts in large volumes. The inflow of agricultural commodities is so common.

The local traders in order to remain competitively relevant have evolved a local credit savings scheme locally known as “OSUSU” a weekly or monthly contribution to enable them obtain credit to enter into the lucrative trade. Not all involved in trading per se are traders, as some boarderlanders provide the much needed services such as boat owners/drivers, motor car or lorry owners/drivers. Those who load cocoa, plantain, roofing sheets, bananas, shop owners, patent medicine stores, truck pushers, local food, hoteliers, vendors, are different from those who own the goods.

Unlike the Nigeria-Benin Nigeria-Niger borders this borderland lack the basic infrastructures of transport, and other indices of modernity. Therefore the borderlanders feel free to live their lives the way it suites them. Lack of government presence at the margin of the borders promote anti national behaviour. In some instances according to informants, drug peddlers, human

traffickers and smugglers have taken advantage of this to perpetuate their nefarious activities across borders.

One important factor of the border markets and twin towns is that school enrolment is poor as grown up boys and girls have taking up odd jobs either as loaders, drivers or food vendors. Those involved in the “sins business” or prostitution are seen loitering around hotels not only in Duala Limbe, Mamfe and Kumba in Cameroon, but also in Calabar, Ikom and Ekok. In spite of the above, those involved in genuine cross border transactions outweigh the criminal elements.

The border region has become highly integrated socially and politically. It is difficult to distinguish a Nigerian from a Cameroonian and vice versa. This situation has been enabled due to the fact that the border divided related ethnic groups, the Boki and Ejagham, while Efik and Ibibio languages including English or its pidgin version are spoken. In Ekok, a Cameroon twin town with Ikom, there is a distinct border culture, or Cameroon English that is spoken and only those who have inhabited that area for long can understand. This has become the secret language code for cross border trade.

However, the admixture of foreign nationals and the indigenous people have given the border its distinct character

leading to social integration through marriages particularly in the twin towns of Ikom-Ekok, Calabar, Ekok-Ikang.

In spite of the crisis between Nigeria and Cameroon over the Bakassi Peninsula, market integration has afforded the inhabitants to aggregate socially and have not been affected by the crisis. The border people are interested in their daily livelihoods which cross border trade provides and not in the state-centric border conflict.

Though unrecorded trade impoverishes the states, it brings considerable wealth to people who have no other means apart from it. It represents local solutions to local problems such as unemployment and provision of livelihoods.

However, unrecorded trade cannot address the fundamental issues of Africa's economic marginalization in the context of globalization in spite of its widespread. The networks that drive globalization relate to economic integration through production rather than cross border. In an age of global computerized networks continued reliance on trade rather than production coupled with low technological levels give trans border operators little to offer.

It is instructive to note that while international operations are largely through official channels, cross border unrecorded trade moves commodities from one market to another. Manufactured

goods are first imported through official channels into ports and then smuggled into large cities where they are received and distributed through agents in border markets. Thus, participation in the international smuggling network is at the lower level of the ladder as middlemen couriers and agents of the “upper world players”. It can be argued that in spite its quick spread practice, unrecorded trade cannot penetrate international markets and can do little to overcome the marginalisation of Africa on international trade.

Evidence advanced from the Nigerian Cameroon borders reveal that trans border flows of agricultural commodities is capable of undermining the long term viability of local agricultural commodities by price cuts and erosion of demand. Meagher argues that, trans border outflows can widen local markets and can undermine local food security and disrupt agricultural development incentives through the siphoning of subsidized inputs, to neighboring countries (Meagher, 1994). In relation to the above Nigeria loses enormous amounts of income through the smuggling of subsidized petroleum products to neighbouring countries.

The absence of manufacturing industries in the Cross River region and South West Cameroon has given rise to cheap Asian

manufactured goods and pharmaceutical products imported via trans border cities and found in border markets and in patent medicine stores and shops in the twin towns.

That the Nigerian-Cameroon governments have continued to loose millions of unpaid duties and excise taxes and foreign exchange receipts due to the inability of the states to control resources. The situation is compounded by the fact that the two countries development strategies have not factored the border region in their development planning. Infrastructural development is very low and what has been in place is due to the efforts of local traders. Even the markets are unplanned , no good sources of portable drinking water, government hospitals or clinics are inadequate to take care of the sick.

Globalization involves the development of production and service networks linked by high-level communications and information technology. Investment is attracted to countries and regions that have these facilities, and areas where there are lacking are usually by passed. This has created a sanctuary or safe heaven for unrecorded trade, and this is assisted by the unstable economic and monetary policies.

Hurrel and Woods submit that trans border trade is incapable of re-integrating Africa into the global economy even though it

has facilitated global trade and private accumulation, it has tended to undermine the critical dimensions of manufacturing, financial stability and infrastructural investment (Hurrel and Woods, 1995).

In spite of the assertion that trans border trade is opportunistic, that it exploits disparities in fiscal and monetary policies, the opportunities of in liberalising networks and loopholes in trading and financial institutions in weak states, despite efforts to control it is still growing strong in most border regions in Africa. State-centric policies have succeeded in reorganizing it rather than undermining the trade and globalization has widened its global reach. Cross border traders and businessmen have taken advantage of these anomalies to accumulate profits generating the development of border markets and twin towns in the border region.

CONCLUSION:

The paper examined and analysed the phenomenon of unrecorded trade along and astride the Cross River (Nigeria) boundaries with South West Cameroon. Conventional economics analysis as often ignored this ever-expanding sector of the total economy because it does not appear in official statistics. It was indicated that this wide spread practice in Africa have become a subject matter of concern to policy makers,

governments, and development agencies and poses challenges to many economic assumptions.

The empirical data derived from the border region reveal that cross border trade is enormous and has generated the power and development of sustained market integration and twin towns. The state-centric policies that generate and sustain the trend were highlighted and analyzed.

It is recommended that since these cross border trade networks have a long institutionalized history and have survived over the centuries, governments, policy makers and development agencies should erect effective framework within which these networks could be galvanized and energized into an operational model for economic integration in Africa.

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**Smuggling through Fluid and Porous African Borderlands and the State's Response: The
Case of the Zimbabwe-South Africa Border**

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Abstract

This paper explores the smuggling of goods (contraband) and of humans (border jumping) that thrives along the Zimbabwe-South Africa border. It investigates how cross-border traders ingeniously exploit the fluid and porous borderland to conduct illicit trade across the crocodile-infested Limpopo River and through the barbed-wired Nabob electric fence bordering the two nation-states. These fluid borderlands are also havens for pseudo-professional smugglers whose complex syndicates organise the illegal cross-border movements of Zimbabweans and their contraband to and from South Africa. In response, the two states have tightened their border security by joining forces and heavily militarizing their border patrols. Despite this, smuggling still continues as both the smugglers and the smuggled ingeniously try to negotiate and carve their own space to survive along the borderland.

INTRODUCTION

The Zimbabwe-South Africa border is one of most porous and fluid borderlands on the African continent. Its official entry point known as the Beitbridge Border Post, comprising of the Alfred Beit Bridge which spans the Limpopo River, is the busiest road border post in Southern Africa. This border post is situated about 1km from the Zimbabwean border town of Beitbridge and about 10km from the South African town of Musina. The border between the two countries is naturally demarcated by the crocodile and hippo infested Limpopo River. This natural boundary is artificially reinforced with a 200km high-security Nabob fence and is daily patrolled by Zimbabwean and South African police on both sides of the border. In spite of its apparent invincibility, border jumping and smuggling of contraband characterise life along the border. This illicit trade occurs along the infinite illegal entry points found along the border as well as through the Beitbridge Border Post itself. Cross-border traders, criminals, dealers, touts and vendors form part of the paraphernalia of the borderland as they engage in illicit activities to avoid customs and immigration authorities. The smugglers and the smuggled thrive along the borderland and in more extreme cases they become conduits or victims of human trafficking.

Most of these people view smuggling as an acceptable source of livelihood. This is reflected by the vernacular names they use in labelling the illicit activity. For example, smuggling along the Zimbabwe-South Africa border is famously known as *kujamba bhodha* implying border jumping. The smuggling syndicates/personnel are referred to as *maguma-guma* meaning “those who get something the easy-way even by illicit means”. They are also sometimes referred to as *impisi* meaning hyenas or *omalayitsha* which entails “illicit operators who ferry people and goods across the border”. This trend is found elsewhere along many African borderlands where smuggling is perceived by its protagonists as noble. Thus, in Ghana, smuggling is popularly known as *kalabule* and in Uganda as *magendo* while along the Mozambique-Zimbabwe border it is called *kujorija*.¹ Be that as it may, African governments do not tolerate smuggling. For instance, the Zimbabwean and South African authorities condemn smuggling viewing it as an endemic disease that is eating into their revenue generation efforts and they are, thus, making frantic efforts to cure it. However, due to many challenges and the versatility of the smuggling syndicates, the disease is proving to be incurable. In this light, the events occurring along the Zimbabwe-South Africa borderland are quite intriguing and they produce a complex story of the intricate interaction between state and borderland communities as they endeavour to carve a niche or define their own space. The resultant story is filled with various dynamics, complexities, motives, reasons, experiences, challenges and even death. It is a story of many actors; a story of smugglers and the smuggled; of networks and syndicates; of human abuse and prosperity and of state response and human resilience.

¹ N. Pophiwa, *A history of smuggling among borderland communities astride the Zimbabwe-Mozambique border, with special reference to Penhalonga and Nyaronga, c. 1990-2006*, MA in Economic History Thesis, Department of Economic History, University of Zimbabwe, 2007, p.2

BORDERLANDS AND SMUGGLING: A THEORETICAL OVERVIEW

For long, borders and borderlands have been treated as peripheral zones with little or no stories to tell. As such scholars have had little interest in these marginal areas so much that even the people living in these zones have been treated as such. This is despite the fact that borderland environments have continued to produce interesting and unique scholarly material of study, in particular illicit trade or smuggling activities that thrive in these zones. So what constitutes smuggling, borders and borderlands? The term “smuggling” is very problematic and ambiguous, thus, its meaning varies according to the perceptions of the participants. This paper conceptualizes smuggling as an act that involves moving goods in and out of the country contrary to the law or a practice of clandestinely importing or exporting contraband without paying customs.² It also involves the illicit movement of people across borders or what is generally known as border jumping. In most cases, smuggling is associated with the informal economy which is dominated by cross-border traders, touts, vendors, dealers among other illicit actors. Nonetheless, such smuggling of contraband and people occurs along many borders which by definition divides the margins presided over by a country/state or another authority. In other words, they are ‘symbols through which states, nations and localities define themselves’.³

These borders exist as real or imagined boundaries or demarcations of a country or state. They appear in various forms, three of which are widely recognised, geometric, natural and cultural. Geometric borders, which are also known as straight-line borders, are cartographically drawn on maps or nautical charts as straight lines following the cartographer’s intentions or latitude curves. Such borders are found within the colonial map of Africa drawn in 1884-85 at the Berlin Conference during the partition of the continent.⁴ Hence about 44% of African borders are straight-lines that either correspond to an astrologic measurement or are parallel to some other set of lines.⁵ Cultural borders follow imagined boundaries between homelands of different communities or ethnicities. Lastly, natural borders are usually defined by the physical landscape and usually follow natural geographic landscapes, such as rivers and mountain chains. The Zimbabwe-South Africa border is a typical natural border as it is demarcated by the Limpopo River. All these forms of borders are, according to J. Herbst, “often artificial and arbitrary because they do not respond to what people believe to be rational, demographic, ethnographic and topographic boundaries.”⁶ Consequently, they are also constantly shifting and are very fluid in nature which makes them susceptible to smuggling. However, what is interesting to note is that borders and smuggling are part of the paraphernalia of what is generally termed a borderland. In this light, a borderland is a conglomerate constituting anything that is physically

² N. Pophiwa, *A history of smuggling among borderland communities astride the Zimbabwe-Mozambique border, with special reference to Penhalonga and Nyaronga*, p.11; Concise Oxford English Dictionary, 11th Edition, Oxford University Press, 2008

³ R.J. Kloppers, “*Border Crossings: Life in the Mozambique/South Africa Borderland since 1975*”, DPhil Dissertation, Department of Anthropology, University of Pretoria, 2005, p.6

⁴ N. Pophiwa, *A history of smuggling among borderland communities astride the Zimbabwe-Mozambique border, with special reference to Penhalonga and Nyaronga*, p.5

⁵ J. Herbst, “The Creation and Maintenance of National Boundaries in Africa”, in *International Organization*, Vol.43, No.4, 1989, p.676

⁶ *Ibid.*

or mutually associated with the border.⁷ This includes the physical landscape, the people or communities who reside near or along the border as well as their activities, both legal and illicit, that they conduct along the border.

Due to the prevalence of clandestine activities within the borderlands, they have become a theatre of confrontation between the state and illicit traders. This is typical of the Zimbabwe-South Africa borderland where both governments have tried to justify the stringent control of the border to prevent the loss of revenue to smuggling as well as a way to preserve their “nation-state territorial boundaries”. The smugglers and the smuggled, on the other hand, perceive smuggling as a noble activity and that the border is simply an “artificial” obstacle whose fluidity and porosity offers opportunities for survival. Many anthropologists have castigated the term “smuggling” as inappropriate because it does not reflect the perspective of borderland communities since it criminalizes the activities of communities that have no other meaningful livelihood strategies in the so-called “margins of the state”. D.K. Flynn observes that although border residents are fully aware that according to state laws it is illegal for them to sneak goods around the customs post, they do not regard it as morally wrong for them to do so.⁸ As a result smuggling has remained a common component of the Zimbabwe-South Africa borderland where the state and the smuggling rackets continue to play cat and mouse in an attempt to define their space of control and survival.

STIMULANTS FOR SMUGGLING ALONG THE ZIMBABWE-SOUTH AFRICA BORDER: 1990-2010

Smuggling of people (border jumping) and contraband along the Zimbabwe-South Africa border has a long history. These illicit activities pre-date the 1990s when black South Africans fled from the white apartheid regime into Zimbabwe. Writing in 2005, J. Irish observed that “there is some evidence of smuggling across South Africa’s borders prior to the 1990s but, by all accounts, it appears that volumes have increased enormously in the past 15 years.”⁹ Prior to the 1990s, apartheid South African military and police control of the borders, and the lack of freedom of movement of people between South Africa and its neighbours, made illicit trade difficult without the necessary co-operation of the security forces.¹⁰ Therefore, things only changed with South Africa’s independence after 1990s leading to the opening up of borders and an increase in trade and the movement of people which considerably reduced the risks associated with smuggling to and from the country.

On the Zimbabwean side, smuggling was not common especially during the first decade of the country’s independence (1980-90) when the economic, social and political landscape was still euphoric. Given this, most Zimbabweans were not keen to cross into neighbouring states for a

⁷ C.S. Momoh, “A Critique of Borderland Theories”, in A.I. Asiwaju and P.O. Adeniyi, *Borderlands in Africa: A Multi-Disciplinary and Comparative Focus on Nigeria and West Africa*, Lagos, Lagos University Press, 1989, p.52-53

⁸ D.K. Flynn, “We are the border”: Identity, exchange and the state along the Benin-Nigeria border”, in *American Ethnologist*, Vol.24, No.2, May 1997, pp.311-330; N. Pophiwa, *A history of smuggling among borderland communities astride the Zimbabwe-Mozambique border*, p.12

⁹ J. Irish, *Illicit trafficking of vehicles across Beitbridge Border Post*, Occasional Paper 109, June 2005, <http://www.iss.co.za/pubs/papers/109/Paper109.htm>, accessed on 18 August 2010

¹⁰ *Ibid.*

living. Instead Zimbabwe was a hub of Southern Africa offering sanctuary to foreign citizens fleeing from the harsh political and economic environments in their mother countries. Border jumping and contraband activities by Zimbabweans to and from neighbouring Southern African states steadily began to rise with the gradual deterioration of the country's economy between 1990 and 2000 followed by political decay in the new millennium. These two decades saw the emergence of the informal economy which has thrived within borderlands with cross-border traders, vendors, foreign currency dealers, touts and smuggling syndicates becoming the epitome of illicit activities.

The year 1990 was a watershed in Zimbabwean history in general and illicit trade in particular, as the government adopted the infamous IMF and World Bank-prescribed Economic Structural Adjustment Programme (ESAP) as an anecdote to the country's economic instability.¹¹ ESAP was a total failure as the Zimbabwean economy came out worse off. The reform package fuelled the informal sector as many people lost their formal livelihoods through massive retrenchments and wage cuts leading to the rapid fall in living standards. Mupedziswa and Gumbo note that the longer the reform programme, the greater the havoc it wrought to ordinary Zimbabweans.¹² Therefore, the resultant massive unemployment left the informal sector as the only alternative means of survival.¹³ Cross-border trading became a success story that emerged from this economic chaos of the 1990s. By the mid-1990s informal trade was thriving with cross-border traders setting up flea markets in city centres and rural growth points. According to Muzvidziwa, "many traders carried goods to sell to South Africa where they sold mostly crotchet work and brought back car parts, electrical goods, foodstuffs, clothes and kitchen utensils for resale."¹⁴ Most of these cross-border traders have over the years perfected the art of smuggling through numerous fluid Southern African borders.

The troubles of the 1990s had by the turn of the century begun to encroach into Zimbabwean politics exposing ZANU PF's ineptitude to the plight of its citizens. New political opposition movements, especially the Movement for Democratic Change (MDC), emerged leading to the political polarization and violence that shaped the country's political landscape between 2000 and 2009. The resultant political and economic crisis further fuelled the informal economy with cross-border traders and smuggling syndicates becoming more daring and shrewd in their illicit activities within the borderlands. These conditions were compounded by the shortage of basic commodities and record-breaking hyper-inflation making Zimbabwe highly unbearable to its citizens forcing many into the sanctuary of neighbouring countries as well as illicit activities.

Visa requirements by South Africa also fuelled massive human smuggling or border jumping by Zimbabweans. Initially, independent South Africa was not strict on visas as they only required,

¹¹ A.S. Mlambo, *The Economic Structural Adjustment Programme: The Case of Zimbabwe 1990-1995*, Harare, University of Zimbabwe Publications, 1997

¹² R. Mupedziswa, and P. Gumbo, *Women Informal Traders in Harare and the Struggle for Survival in an Environment of Economic Reforms, A Report from the research programme The political and social context of Structural Adjustment in Africa*, Nordic Africa Research Report No. 177, 2001, p.101

¹³ P. Nyatanga, S. Mpofu and M. Tekere, *Informal Cross-Border Trade: Salient Features and Impact on Welfare: Case Studies of Beitbridge and Chirundu Border Posts and Selected Households in Chitungwiza*, Trade and Development Studies Centre – Trust (TRADES CENTRE), Harare, 2000, p.10

¹⁴ V.N. Muzvidziwa, *Women Without Borders: Informal Cross-Border Trade among Women in the Southern African Development Community Region (SADC)*, Addis Ababa, 2005, p.18

among other things, that a person state who they would be visiting and the minimum amount of money the applicant had in their bank account.¹⁵ However with the influx of desperate Zimbabweans in the new millennium the visa regulations and application process became increasingly strenuous and very expensive. Before its scraping in mid-2009, a multiple entry visa valid for 6 months cost a non-refundable R2000 South African Rands (about US\$200). In addition, Zimbabweans had to fork out about US\$400 for a Zimbabwean passport which was out of reach for many ordinary people, especially in a hyper-inflationary environment. As a result many people had no option but to become border jumpers. This trend has been continuing despite some changes in the political and economic fortunes of Zimbabwe due to the creation of the Government of National Unity between ZANU PF and the MDC in 2009 as well as the scraping of visa requirements by South Africa. This is because not many Zimbabweans can afford travel documents that cost US\$35 and US\$140 for an Emergency Travel Document (ETD) and ordinary passport, respectively.

Finally, recent xenophobic developments in South Africa itself have also increased clandestine activities at the border. The 2008 xenophobic attacks that claimed the lives of 62 foreign nationals and the renewed xenophobic paranoia after the end of the 2010 FIFA World Cup, temporarily reversed the trend of cross-border movement in general and smuggling in particular. Zimbabweans fleeing from the attacks have smuggled their way across the border into Zimbabwe. Most of them had gone to South Africa as illegal migrants or border jumpers and they are coming back as such. So for smuggling syndicates business has been brisk on both sides of the border, but it remains to be seen if this trend continues.

BORDER JUMPING AND GOODS SMUGGLING: ACTORS AND CLIENTS

The Zimbabwe-South Africa borderland is a haven of clandestine activities comprising border jumping and goods smuggling. Both activities usually occur concurrently as illicit traders, both the smugglers and the smuggled; carry goods across the border evading customs and immigration authorities. Smuggling along the borderland occurs in two forms namely “*smart entry*” and “*dirty entry*”. ‘Smart entry’ involves illegally crossing through the official entry points, such as the Beitbridge Border Post, evading the customs and immigration officials. ‘Dirty entry’ involves the most life threatening crossings through the numerous unofficial or unsanctioned entry points scattered along the border. Both these forms of border jumping contributed to an estimated 500 to 600 illegal migrants crossing into South Africa every day at the peak of the Zimbabwean crisis in 2008.¹⁶ These illegal migrants make part of an estimated 2 million Zimbabweans living and working in South African both legally and illegally.¹⁷

Syndicates that are responsible for facilitating goods smuggling and border jumping either through smart or dirty entry are known as *maguma-guma* and *omalayitsha*. According to Irish, “the *maguma-guma* are of Zimbabwean origin and comprise mainly of young men who reside predominantly on the Zimbabwean side of the border but move easily between the two countries and are involved in a variety of clandestine and criminal activities ranging from petty theft to

¹⁵ R. Mupedziswa, and P. Gumbo, *Women Informal Traders in Harare and the Struggle for Survival in an Environment of Economic Reforms*, p.101

¹⁶ M. Netsianda, “More than 200 000 illegal Zimbabweans deported”, *The Mirror*, 18 January 2009

¹⁷ *Ibid.*

facilitating the illegal crossing of people and goods through the border post.”¹⁸ Their targeted clientele are people intending to cross to the other side of the border without proper travelling documents. They work in cahoots with illegal South African-based cross-border transport operators known as *omalayitsha* who carry illegal migrants into South Africa as well as smuggle contraband on behalf of their clients. These smuggling syndicates consist of many people who mastermind the smuggling, bribing and transportation of the clients. They are well networked and very knowledgeable of the routes, timing and corrupt state authorities within the borderlands. They also work in cahoots with bus and haulage truck drivers as well as customs and immigration officials. These syndicates have large spheres of influence that stretch as far as the points of origin of the passengers in Harare, Bulawayo or Johannesburg. It has become the norm to find smugglers overtly operating at Harare’s Roadport Bus Terminus or Johannesburg’s Park Station uttering the following statement: “*Those without requisite travel documents do not worry; we are here to serve you*”.¹⁹ By expanding the smuggling syndicates’ hinterlands, the Zimbabwe-South Africa borderland has become highly elastic or fluid as it shifts its margins or spheres of influence to points of departure in the capitals of Zimbabwe and South Africa.

Inside the Dark World of Border Jumping

The world of border jumping is a treacherous and dark world that exposes the borderland communities, especially the smugglers and the smuggled, to life-threatening risks and challenges. As experts of human smuggling, the *maguma-guma*’s work involves the most dangerous and arduous tasks of taking people across the crocodile-infested Limpopo River and over the Nabob fence, along hidden routes and dodging the heavily-armed border patrols. In summer when the river is in flood it will be about a kilometre wide. The river is also occasionally infected with cholera, and the bodies of cholera and drowned victims are often found in the reed beds on the river banks.²⁰ These border jumping syndicates usually operate at night to avoid detection and through their navigational skills honed of natural instinct and long years of practice, the *maguma-guma* usually get one safely to the other side without maps, compasses or GPRS devices. “One would think that these guys follow well marked and well maintained trails, but that is not the case. All that is visible is bush but they seem to have a good knowledge about navigation and possess some navigational skills,” said Nompilo Nyoni, a habitual border jumper.²¹

Being smuggled through the porous borderland demands one’s total commitment, courage and sacrifice. Many sad or heart-wrenching stories have been told by participants. Thabo Kunene, a freelance but undercover journalist narrates:

It is almost 6pm and I am on the Zimbabwean side of the border with South Africa. I am about to infiltrate the world of Zimbabwean human smugglers who transport illegal immigrants into South Africa, with the help of corrupt border guards, who provide the smugglers with valuable information about the movements of South African forces for

¹⁸ J. Irish, “*Illicit trafficking of vehicles across Beitbridge Border Post*”, Occasional Paper 109

¹⁹ The author observed this through participant observation at cross-border bus termini in Harare and Johannesburg

²⁰ G. LaMarche, “The Crisis in Zimbabwe: Atlantic’s Work with Refugees in the Limpopo Province”, in *Atlantic Currents*, 11 March 2009

²¹ S. Ndlovu, “The *Omaguma-guma*: A Menace at the Border”, in *The Sunday News*, 03 November 2009

huge bribes. I have an appointment with a smuggler called Ndlovu. His job is to guide the smugglers and their clients through the thick forest, help them avoid the guards and cross the border safely. I am very nervous. Crossing the border into South Africa is not only illegal, it is also highly dangerous. Many 'border jumpers' die trying to reach the 'promised land'. Ndlovu is wearing a T-shirt with a picture of Jacob Zuma on his large belly, an indication that things are going well for him. The 'maguma-guma and omalayistha' are said to be very rich. Ndlovu claims to make more than US\$300 per day. With the money, Ndlovu says he has bought a five-bedroom house in Bulawayo, which most professional Zimbabweans cannot afford.

We wait in silence for a phone call from the drivers who will collect us in three vehicles. Then he breaks the silence. "Are you sure you want to take the risk and join the smugglers?" Then his phone rings. Ndlovu orders me to join the traffickers for a briefing. When I arrive a trafficker demands payment from everyone in the group. Those with no money are asked to provide contact details of their relatives who have to pay for them on arrival in Johannesburg. I pay 1,500 South African rand in cash. The briefing follows.

We are given 6 short and simple rules:

- **When you come across soldiers, don't run away or you will get killed.**
- **If they stop us, don't say anything, the traffickers will do the talking.**
- **When crossing the river, hold each other's hands in single file.**
- **If a crocodile approaches, attacks or kills one of you, the others must carry on with the journey.**
- **If you stumble on human remains in the bush don't panic, continue walking.**
- **And most importantly: don't talk, just whisper.**

We are told that there is no going back once the group is in the bush. We are also told to eat before we leave. Women in the group are told to change into jeans or tights. Our dangerous journey begins in the evening. It's very dark. We are dropped near the river, about 10 km from the immigration checkpoint. The drivers will meet us on the other side. We wade slowly in single file across the knee-deep river and walk through thick forest. I notice human remains under a bush. Pieces of clothing are scattered around the bones. We are told they belonged to border jumpers who did not make it. The sight does not appear to deter the group. After three hours walking through dense forest, we approach the border. There is only one major obstacle to go, a three-metre-high barbed wire fence. It used to be electric, but the fence was switched off when Apartheid was abolished. The guides spot a patrol. We have to wait half an hour until we are given the all clear.

We clamber over the razor wire fence, ripping our clothes and suffering serious cuts and bruises. On the other side, the border jumpers smile and pat each other on the back, but the traffickers warn us it is not time to celebrate yet. The traffickers are anxious about the roadblocks. Some border jumpers and traffickers have been arrested there by immigration officers in the past. Not all of them are easy to bribe. We are picked up in the vehicles and race to the border because of the danger of travelling at night. When we get there, a police officer demands our passports. The traffickers negotiate with him. We

*are told we have to contribute money to pay the officer or they will have us arrested. We pay 600 rand and are let through. I feel a huge sense of relief. We arrive in Johannesburg in the morning. For some, it is time to celebrate. But others are held in houses until their relatives pay the R1500 for their journey. For them the journey hasn't ended. It has only just begun.*²²

Other Forms of Border Jumping

Daring illegal immigrants, cross-border traders, dealers or criminals also independently gain entry to and from South Africa, especially through 'smart entry' techniques. One of the most common methods involves using fake, forged, stolen, expired or deceased ones' travel documents or passports. In most cases, they slip some cash in-between the passport's pages to bribe the border authorities. Another popular conduit of 'smart entry' used by border jumpers are bus and haulage truck drivers many of whom have efficient and blossoming syndicates with customs and immigration officials at the Beitbridge Border Post. The drivers notify the authorities in advance of their illegal clients or passengers some of whom may be hiding under seats or containers in the buses or trucks whilst the border checks or scans occur.

In addition, the Zimbabwe-South Africa borderland is so expansive such that many Zimbabwean ethnic communities who live along the border engage in what S. Lubkeman terms "commuter migration"²³ as farm workers daily commute across the Limpopo River for work in South African farms found along river. The South African Limpopo province is an agricultural province full of farms that grow tomatoes, fruits, flowers and tobacco. These farms heavily rely on the cheap labour from illegal migrant Zimbabweans many of whom live within the borderland. The borderland has numerous ethnic communities such as the Fingo, Xhosa, Kalanga, Shangaan and Ndebele, most of whom share ideological and ethnic characteristics with indigenous South Africans across the border. Many of these cannot use the official Beitbridge Border Post for entry due to its long distance. They also treat the borderland as what Tornimbeni views as "transnational environment without borders where interconnections and labour movements can be made without restrictions".²⁴ As such the border is non-existent and they, thus, simply commute on foot to the farms using illegal crossing points scattered along the Limpopo River.

While some illegal migrants return to Zimbabwe through 'dirty entry' methods others prefer getting deported back into Zimbabwe. Many have exploited South African deportation policies for an easy return to Zimbabwe especially in the wake of the 2008 xenophobic violence and the growing fear of its renewal in the aftermath of the 2010 FIFA World Cup. Therefore those without travel documents are simply depositing themselves in the hands of immigration officials at the border and getting deported. Hence, deportation ensures a hassle free and formalised crossing of the border. This is opposed to the expensive and risky illegal border jumping across

²² T. Kunene, "Inside the underworld of Zimbabwe's Human Traffickers", <http://www.rnw.nl/english/article/inside-underworld-zimbabwes-human-traffickers>, accessed on 18 August 2010

²³ S. Lubkeman, "*Situating Wartime Migration in Central Mozambique: Gendered Social Struggle and the Transformation of Polygyny*", D.Phil Thesis, Brown University, May 2000

²⁴ C. Tornimbeni, 'Migrant Workers and State Boundaries: Reflections on the Transnational Debate from the Colonial Past in Mozambique', in *Lusotopie*, 2004, p.107

the Limpopo River. Consequently, many illegal Zimbabwean migrants are deported every year. For example, the principal immigration officer at Beitbridge Border post, Mr Dennis Chitsaka, reported that in 2008, more than 200 000 illegal Zimbabweans migrants were deported from South Africa through the Beitbridge Border Post.²⁵ South Africa deports an average of about 500 illegal immigrants daily through Beitbridge Border Post with the figure increasing to more than 2000 on Thursdays and Fridays when the biggest holding camp, Lindela Repatriation Centre, outside Johannesburg in Gauteng, would have been cleared for new arrivals.²⁶

Smuggling Syndicates and Female Abuse

Border jumping is certainly not a rosy task. It is a risky or life threatening activity where the smuggled have to grapple with border security, dark forests, treacherous paths, the deadly Nabob electrical fence and wild animals, particularly snakes, crocodiles and hippos. As if this is not enough, many border jumpers have fallen prey to the *maguma-guma* and *omalayitsha*. The unsuspecting clients have been frequently abused by their smugglers for cash, goods and sex. Most smugglers have turned their rackets into robbing and raping syndicates that pounce on the desperate border jumpers in the dark forests of the borderland. According to Kachere, “the border between South Africa and Zimbabwe is a fertile ground for criminal gangs. The *maguma-guma* usually prey on illegal migrants, robbing and raping them as they make their way to South Africa, while some *omalayitsha* arrange safe passage for migrants, but do not always keep to the contract.”²⁷ Hordes of these smugglers roam the porous border with intention of robbing and raping border jumpers. Some victims even get murdered for their valuables or sex thereby turning the borderland into a graveyard.

Female border jumpers are usually the most affected because of their gender and physical well-being. They pay a heavy price for crossing the border illegally as they become highly vulnerable to the dangers posed by the smuggling rackets. They are subjected to all forms of abuse, physical, emotional and sexual, by both the smugglers, criminals and even the border security personnel. A number of sad stories are daily reported of females who are beaten, robbed and raped and left for dead by the syndicates operating within the borderland. For example, one such incident occurred to Ms Sukoluhle Ncube (pseudonym) on 02 June 2010 when she and another fellow female border jumper were gang raped by about 15 *maguma-guma* who had promised to assist her cross illegally into South Africa. Narrating her ordeal she reported that

I had prepared for this tragic journey for 4 months in the process paying 3 goats and R600 to an illegal omalayitsha (transport operator) who eventually linked me with the men who later raped us soon after crossing the Limpopo River. We were only 2 women in a group of 9 people who were trying to cross into South Africa through the Tuli illegal crossing point. Soon after the 5 maguma-guma had assisted us cross the river, a group of about 10 men emerged from the bush and started demanding cellphones and cash. They teamed up with our 5 guides and started physically searching us for valuables. I did not have a cellphone. After the body searches they called the other woman and myself aside, and they immediately began raping us. I am not sure how many men raped us but I

²⁵ M. Netsianda, “More than 200 000 illegal Zimbabweans deported”, *The Mirror*, 18 January 2008

²⁶ *Ibid.*

²⁷ P. Kachere, “Raped by the *Omaguma-guma*”, *The Sunday Mail*, 06-10 June 2010

*believe that all the 15 did. As a result I got severe genital lacerations which are being treated at the Medecins sans Frontieres clinic in Musina, South Africa.*²⁸

For Ms Ncube and the many victims of sexual assault along the border, rape has become part and parcel of the risks involved with border jumping. Theirs is a catch-22-situation because they have nowhere to report and seek justice since they are illegal migrants who risk arrest the moment they appear at the police station. Ms Ncube noted that she has not reported the matter to the Zimbabwe Republic Police (ZRP) or the South Africa Police Services (SAPS) on either side of the border because she believes the culprits may never be apprehended and reporting to the police means getting arrested for crossing into South Africa without travel documents and thus getting deported to her impoverished village in Lupane.²⁹ In addition, the border security officers also take advantage and abuse the apprehended females asking for bribes, particularly sexual favours in return for freedom. The border authorities sometimes connive with smugglers to lead the unsuspecting border jumpers into traps where they physically and sexually abuse the victims as well as fleece them of their hard-earned cash. Therefore, for many victims of rape reporting is not an option and is very worthless.

Due to such an attitude many cases of rape are going unreported. According to Dr. Giuseppe Damola, the Medecins sans Frontieres clinic in Musina has been inundated with rape victims. He notes that since January 2010 they had treated about 15 sexually abused Zimbabwean women per month and the figures have been increasing.³⁰ For example in March 2010 they treated about 35 rape victims and the numbers of these sexually assaulted women is much higher than those that present themselves at the clinic.³¹ In spite of all these odds and the obvious treachery of the python-coloured smuggling gangs, thousands of women and other Zimbabweans continue to cross illegally into South Africa. Other than rape, the cross-border traders at the Beitbridge Border Post have been falling victim to criminals who roam around the area right under the nose of ZIMRA officials and police. These criminals have turned the border post into their haven cheating innocent civilians as touts, foreign currency dealers and bogus clearing agents that masquerade as customs and immigration officials.

Contraband Smuggling at Beitbridge Border Post

The world of contraband smuggling at along the Zimbabwe-South Africa border also operates almost along the same principles as that of border jumpers. Some smugglers prefer the 'dirty entry' methods of smuggling goods across the Limpopo River. The majority prefer using the 'smart entry' techniques through the Beitbridge Border Post. Many players are involved in an extensive syndicate of goods smuggling involving the *omalayitsha*, cross-border traders, drivers, dealers, criminals, customs and immigration officials. The smugglers thrive on bribing the border police, customs and immigration officials to avoid duty as well as gain entry. This makes the Beitbridge Border Post one of the most porous entry points where the bulk of the goods that pass through the border post are smuggled leading to revenue loss by the two states.

²⁸ *Ibid.*

²⁹ *Ibid.*

³⁰ Interview with Dr. Giuseppe Damola, the Medecins sans Frontieres clinic, Musina, 16 August 2010

³¹ *Ibid.*

There are a variety of goods that are smuggled through the border. They come in all forms, types and sizes. Cross-border traders are usually associated with foodstuffs, flea market clothes, electrical equipment, cigarettes and furniture, most of which attract high levels of import duty. In many cases they use bus and haulage truck drivers and *omalayitsha* (informal transport operators) to smuggle their goods. *Omalayitsha* use their small vehicles, to transport any type of goods across the border into Zimbabwe. Their business is quite extensive as they usually carry goods from as far as Cape Town and Johannesburg and process the customs at the border on behalf of their clients most of whom will have gone home in advance or remained behind in South Africa. The *omalayitsha* are given delivery addresses or destinations in Zimbabwe and dutifully deliver the goods at the homes of their clients. Innocent Tshuma, a cross-border transporter who plies the Bulawayo to Johannesburg route, said that they charge R300 for travellers with passports and R1 500 for those without. As for household property such as fridges, they charge as much as R1 000.³² Another *omalayitsha* who simply identified himself as Bra Joe said that “Of late there has been an increase in cross-border business, particularly from Zimbabweans sending home their valuables. I realise about R15 000 per week and the number of trips has also increased unlike in the past two months due to the fear of xenophobic violence after the end of the World Cup.”³³

Informal cross-border traders and the *omalayitsha* also thrive on hiding their goods and bribing customs officials to circumvent duty payment. Duty at Beitbridge Border Post is pegged at US\$300 meaning that each person is allowed a maximum of \$300 worth of goods that are non-taxable.³⁴ Any extra purchases that are above this figure are taxed in relation to prevailing customs percentages. Therefore, the informal traders try by all means possible to avoid paying high taxes for their goods through smuggling. They thus hide their goods between duty free items like foodstuffs. Returning immigrants may hide taxable items between old belongings like clothes, utensils or electrical equipments.³⁵ Many cross-border traders have a tendency of sharing goods amongst colleagues or total strangers to reduce duty fees. When I went to buy my refrigerator in Musina in 2009 I had to assist a fellow female passenger with customs since my item cost about US\$200 and she had over US\$500 worth of goods to declare. So I volunteered to add another US\$100 worth of her goods to my refrigerator in order to reduce her duty/tax.³⁶ Such behaviour is typical of the Beitbridge borderland community because many traders treat one another as brothers in arms against the governments which they believe exist to siphon their hard-earned cash. Likewise, those who trade in bulky goods like clothes and blankets go to the extent of dishing out their blankets to fellow bus passengers to use or wrap around. This is meant to deceive the customs inspectors who usually board the buses looking for illegal goods at the border. Only 3 blankets are permitted per each passenger or trader.³⁷ Some traders even wear as many clothes as they can to reduce or avoid tax.

Furthermore, other traders make use of buses and haulage trucks to smuggle their stuff across the border to their respective destinations. The traders simply wait to receive the goods while the

³² Interview with Innocent Tshuma, Beitbridge Border Post, 16 August 2010

³³ Interview with Bra Joe, Beitbridge Border Post, 16 August 2010

³⁴ Interview with Tracy Chabwinja, Harare, 08 August 2010

³⁵ Interview with Edna M. Nherudzo, Harare, 08 August 2010

³⁶ The author operated as a participant observer learning how traders easily circumvent high duty at the border post

³⁷ Interview with Tracy Chabwinja

drivers do all the dirty work of hiding, bribing and declaring the goods on behalf of their clients. These drivers are shrewd in their smuggling business to such an extent that they meticulously time their journeys/trips to avoid police roadblocks and tough customs and immigration officials. As a result most trips are conducted during the night from 6pm to 6am when the roads are free of police. For example, a typical night journey of about 600km from Harare to Beitbridge takes close to 12 hours. The buses usually arrive at Beitbridge Border Post at dawn when the border is less busy. Such timing is essential in the business and it works well for those with intentions to jump the border and smuggle goods.

In some instances, the *omalayitsha* practise a unique form of smuggling that resembles child trafficking to and from South Africa. Most Zimbabweans who informally work in South Africa usually send back their young children, in particular babies, home for easy upkeep by their grandmothers and grandfathers. According to Nde Ndifonka, the Southern African spokesman for the International Organization for Migration, "Parents living in South Africa often pay an *omalayitsha* to bring children across the border and this is a "small step" to becoming a human trafficker.³⁸ These minors are mostly hidden under seats or the *omalayitsha* simply bribe the immigration authorities to let the children cross the border without travel documents. The *omalayitsha* are masters of this child transportation and they can carry as many as possible to maximize profits. In the aftermath of the FIFA World Cup and the general paranoia over xenophobic violence, business for the *omalayitsha* has become brisk. One immigration officer manning the counters at Beitbridge Border Post, reported that, "I actually saw *omalayitsha* escorting 5 children to Bulawayo and they were all below the age of 12 and their parents were in Johannesburg and had decided to send their children first as they continued to monitor the xenophobic situation that side" [sic].³⁹ As such the *omalayitsha* have become part of trafficking rings and target "specifically, vulnerable young children, as there is a demand for labour and sexual exploitation in South Africa".

Most children are transported without the ethical considerations and proper parental supervision. The traffickers hide behind the human tide that surges through the border post which provides ample camouflage for them. Sebelo Sibanda, of Lawyers for Human Rights in Musina, has acutely observed some trends occurring at the border where more and more women have been coming in with groups of children who are often too similar in age to be from one mother.⁴⁰ He reported that in mid-April 2009, during a spot check, police found two unaccompanied minors; boys aged about 4 and 5, in a car en-route to Johannesburg. The woman who was with them at first said they were her children, but when the children were interviewed separately, they said they did not know who she was. The woman then maintained that she was their mother's sister, but the children did not know who she was, but were told by her to call her 'aunt'. The woman then said she was taking them to meet their mother in Johannesburg, but the children said their mother was living in Cape Town. The woman was expected to be charged with kidnapping or a lesser charge of smuggling, as South Africa has yet to adopt human trafficking legislation.⁴¹ This absence of legislation is an advantage to human traffickers in South Africa who use the country

³⁸ IRIN, "South Africa: Zimbabwean Migration Camouflage Human Trafficking", 01 May 2009, <http://www.irinnews.org/Report.aspx?ReportId=84186>, accessed on 18 August 2010

³⁹ Interview with S. Jiri (pseudo), Beitbridge Border Post, 16 August 2010

⁴⁰ IRIN, "South Africa: Zimbabwean Migration Camouflage Human Trafficking"

⁴¹ *Ibid.*

as a source, transit and destination country for trafficked men, women, and children. African girls are trafficked within for the purposes of prostitution, while young men and boys from Mozambique, Zimbabwe, and Malawi are trafficked to South Africa for farm work, often laboring for months in South Africa without pay before “employers” have them arrested and deported as illegal immigrants.

Likewise, criminals and dealers prefer South Africa as a destination for their underhand dealings. They therefore, use the Beitbridge Border Post to smuggle arms and precious minerals, especially gold and diamonds, as well as drugs such as cocaine, marijuana, ecstasy and heroine. Diamonds have become a popular mineral for many smugglers especially after their discovery around 2006 in the Chiadzwa/Marange diamond fields in Eastern Zimbabwe.⁴² Many illegal panners and diamond dealers have been flocking to the diamonds fields to seek a fortune. Most of the diamonds are being smuggled through the equally porous Mozambican border but some are also passing through Beitbridge into South Africa where they fetch higher prices. In the same vein, Beitbridge has also turned into a centre of drug trafficking where foreign drug syndicates are using the border as a transit point to the lucrative South African market. These drug syndicates are dominated by Nigerians, Congolese, Kenyans and the Chinese who are treating Zimbabwe as their second home for many reasons, illicit trade being one. The state does not take lightly smuggling of such precious minerals because of loss of revenue that is realised from these natural resources.

The process of smuggling these minerals and drugs involves ingenious and daring methods by the dealers. One of the common ways involves swallowing the goods, especially minerals like diamonds and gold. After swallowing the dealers then simply formally cross the border and when they reach their destination in South Africa they retrieve the precious minerals after defecation in the bushes or secluded spots.⁴³ They make sure that they clean the minerals without reservations before trading them. Other than swallowing, some dealers hide the minerals or drugs in vehicle tyres, fuel tanks, engines and haulage containers/tankers. Others sandwich their illegal precious cargo between or within food items such as bread, butter bottles, paint tins or in sugar packets. Personal clothes are also handy in the smuggling of minerals and drugs as dealers saw the stuff within the hem of their clothes and innocently cross the border. Those who are caught always find a way out by bribing the authorities.

The Beitbridge Border Post is also well-known for vehicle smuggling. Vehicles of all types illegally pass through the entry point from South Africa into Zimbabwe through expansive and highly sophisticated networks comprising nationals from two or more countries. These networks, through their contacts in the different countries, are not only able to source stolen or hijacked vehicles, facilitate border crossings and gain access to buyer markets, but can also ensure that the vehicle can be reregistered in the country where it is to be sold or used. Many methods are used in this illicit movement of vehicles. According to Irish, “sometimes stolen cars are smuggled out of South Africa into Zimbabwe hidden in container trucks behind licit commodities packed at the

⁴² T. Nyamunda, “A ‘shadow’ economy in the terrain of contestation: Unpacking the interests and forces in the development of ‘illicit’ diamond activities in Marange, c.2006-2009”, Economic History Seminar Paper, University of Zimbabwe, 2010.

⁴³ Interview with Innocent Mwatwara, Harare, 08 August 2010

front of the container.”⁴⁴ Some vehicles are fraudulently removed from South Africa with the permission of their owners who report them as stolen or hijacked once the vehicles have crossed the Zimbabwean border and the owner will then claim insurance for the ‘theft’.⁴⁵ Some smugglers use fake duplicate papers to take stolen vehicles across the border. Other smuggling networks use export permits or temporary import permits and exploit the weaknesses identified in systems in place at border posts, lack of compliance with procedures at border posts, or compliant officials stationed at these posts.

The actual smuggling of vehicles across the Beitbridge Border Post is very complicated. Irish observes that a small group of people based in the Musina and Beitbridge towns are known to drive stolen vehicles across the border into Zimbabwe and these drivers are often termed jockeys or *Makintsa*, which has loosely come to mean ‘one involved in stolen vehicles’.⁴⁶ A jockey could work for one or more crime networks and has knowledge and experience of the functioning of the border post. The general *modus operandi* involves a person who drives the vehicle up to the border area. Once in the area, a new driver will take the vehicle through the border. This change over of drivers often occurs because the new drivers not only have better knowledge of the functioning of the border, but also have contacts on the Zimbabwean side of the border.⁴⁷ Vehicles being smuggled across the Beitbridge Border Post will often stop at particular locations in the border area, either to finalise details or change drivers before crossing into Zimbabwe. Some of the stolen vehicles will stop at these locations until the border officials that are known to the network are on duty at the border post. There are at least 4 known locations that have been identified by police and community members, and which are used by car smuggling networks as ‘safe locations’ where the stolen vehicles can stop.⁴⁸ These locations include local motels and petrol stations. All these dynamics of contraband smuggling characterise life along the Zimbabwe-South Africa border and they are proving to be a challenge to state authorities operating within the borderland.

CURING THE INCURABLE: STATE RESPONSE TO SMUGGLING

The rampant illicit trade along the Zimbabwe-South Africa border is certainly proving to be an endemic problem to the Zimbabwean and South African governments. The two states have over the years been making efforts to control it but with little success. Clamping down on smuggling along the Beitbridge borderland has been hampered by such factors as lack of competent manpower and technical infrastructure, corruption and the versatile techniques of the smugglers and the smuggled. The Beitbridge Border Post is administered and policed by the Zimbabwean and South African Ministries and Departments of Home Affairs, respectively. The whole borderland is collaboratively secured by the Zimbabwean Republic Police (ZRP) and the South African Police Services (SAPS) and occasionally by the South African Defence Forces (SANDF). The customs and immigration processes are run by civilian agencies, namely the Zimbabwe Revenue Authority (ZIMRA) and the South African Revenue Services (SARS).

⁴⁴ J. Irish, “*Illicit trafficking of vehicles across Beitbridge Border Post*”, Occasional Paper 109

⁴⁵ *Ibid.*

⁴⁶ *Ibid.*

⁴⁷ *Ibid.*

⁴⁸ *Ibid.*

These have Anti-Smuggling Units to deal with contraband, border jumping and other forms of illicit trade.

Despite the endemic nature of smuggling along the borderland, these state institutions have had made some efforts in arresting and deporting border jumpers and netting contraband. For example, during the peak of the Zimbabwean crisis in 2007-08, the principal immigration officer at Beitbridge Border Post, Mr Dennis Chitsaka, reported that a total of 204 827 illegal Zimbabweans were nabbed and deported between January and December 2007.⁴⁹ This was a sharp increase compared to 2006 when 163 548 were deported. He attributed this to intensified efforts by the Home Affairs Department and joint border patrols by the SAPS in conjunction with their Zimbabwean counterparts along the Limpopo River. The arrested are initially held in holding camps in particular the International Organization for Migration (IOM) Reception and Support Centre in Beitbridge whilst those nabbed in Johannesburg and other South African cities are kept at the biggest holding camp, Lindela Repatriation Centre (LRC), outside Johannesburg before they transported to IOM at the border. However, these efforts have turned into a vicious cycle where on being deported; most deportees immediately find their way back through undesignated entry points along border. Many also shun the IOM humanitarian assistance, in the form of food and free transport to their respective homes, as they opt to cross back to South Africa illegally. The ZRP and SAPS also find it very difficult to nab touts, bogus agents, the *maguma-guma* and *omalayitsha* because of their versatility and high mobility while some smuggling rackets are operated by the elites, especially government officials.

Likewise, the Anti-Smuggling Units are also making some in-roads in clamping down on contraband. For example, ZIMRA handles on average of 3000 cases of smuggling per month and its warehouses in Beitbridge are always full to capacity with contraband.⁵⁰ Most of the goods seized include footwear, cigarettes, blankets, clothes and copper cables. In February 2005 more than R12 million worth of cigarettes was confiscated and destroyed by SARS at Beitbridge.⁵¹ SARS also destroyed over 1500 boxes of cigarettes worth R1.5 million in 2008. In July 2009, ZIMRA and ZRP intercepted a 40-tonne truck carrying 35tonnes of copper cables worth US\$532 million destined for South Africa.⁵² In 2006 ZIMRA recovered a smuggled car that was hidden in a refrigerated truck destined for South Africa.⁵³ ZIMRA's fight against contraband has been bolstered by the installation of two international standard state-of-the-art mobile scanners on the Zimbabwean side of the border. These scanners can clear up to 50 trucks an hour.

In spite of all these efforts, smuggling of goods continues due to complicity of corrupt customs and immigration officials with clandestine smuggling. Most receive enticing kickbacks to let through consignments of contraband. Corruption is a major sickness at the border post because officials receive very low wages. A border police officer stated that he had once been offered R55000 to turn a blind eye to the smuggling of a R9 million cigarette consignment.⁵⁴ Faced with such lucrative offers, most border officials are tempted and end up complying. Staff shortage

⁴⁹ M. Netsianda, "More than 200 000 illegal Zimbabweans deported", *The Mirror*, 18 January 2008

⁵⁰ T. Muleya, "Smuggling: Scourge of Beitbridge Border Post", *The Herald*, 19 August 2009

⁵¹ J. Irish, "*Illicit trafficking of vehicles across Beitbridge Border Post*", Occasional Paper 109

⁵² T. Muleya, Smuggling: Scourge of Beitbridge Border Post

⁵³ *Ibid.*

⁵⁴ J. Irish, "*Illicit trafficking of vehicles across Beitbridge Border Post*", Occasional Paper 109

within ZIMRA and SARS is also playing a role in making the border very porous because it affects efficiency and leaves room for shoddy deals. As a result, despite the efforts in plugging the holes, smuggling or illicit trade is proving hard to cure for the both the Zimbabwe and South African governments.

CONCLUSION

The discussion has shown that African borderlands in general and the Zimbabwe-South Africa borderland in particular, are like texts full of rich, intriguing but complex narratives to tell. These environments are theatres of intricate state and civilian interaction where both are fighting to carve their respective niches in an ever-evolving marginal landscape. Most importantly, due to its porosity the borderland opens opportunities for illicit trade involving a plethora of actors or players. Amongst these clandestine operations is the smuggling of humans (border jumping) and of goods or contraband. The borderland is typical of such smuggling activities where the smugglers and the smuggled have become part of the paraphernalia of the borderland. The resultant smuggling networks/rackets comprising the *maguma-guma*, *omalayitsha*, informal cross-border traders, touts and vendors employ various techniques in illegally crossing the dangerous border as well as in smuggling contraband. The Zimbabwean and South African governments have been trying to plug the numerous holes of opportunity offered by their permeable border in order to cure the endemic smuggling disease. In the end, however, they seem to be fighting a lost battle since the versatile smugglers and the smuggled always come up with new methods to circumvent the border laws and security.

About the author

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Interview with Tracy Chabwinja, Harare, 08 August 2010

Gregor Dobler, Basel/ Freiburg

Are trade boom towns resistant to policy
intervention?

I'm talking about:

Dynamic trade towns on borders
in which not all trade is formal (i.e. registered,
taxed in principle)
and legal (allowed by law and taxed in full),
and in which non-state actors crucially influence
the legitimacy of both trade and political
practices.

Are border towns special?

- State regulation creates differences which can be exploited by traders bridging them
- Trade networks reach farther than state authority – actors can use ‚the other side‘
- Transformation between two sets of regulation enables changes in status of goods and people

Are border towns special? (2)

- States do not care so much about the other side – creative use of underregulated transition between states
- Often specific kind of marginality: interesting for everybody, but only sporadically governed
- Emerging orders not contained within state borders, even if they make use of them

Governance in border towns

- See presentations by Kate Meagher, Kristof Titeca...
- Paradigms:
 - Disorder, violence, disruption – a lack of governance
 - Order out of chaos - non-state leviathans or emerging social standards: a form of governance.

Disorder paradigm:

- Intervention will fail because of
 - Lack of state capacity
 - Lack of transparency
 - Greed
 - Weak civil society pressure
 - Institutional failure

Emerging order paradigm:

- Intervention will fail because of:
 - Weak state institutions
 - Too strong civil society (instead of checking and containing the strong state, it sets the rules)
 - Capacity to integrate new actors – too powerful people are co-opted
 - Lack of incentive to do otherwise

Two common points of both:

- Weak institutions
- Lack of motivation to implement rules

What is lacking from those debates?

- Moral discourse linked to legality (,corruption‘). Not always so different from official rules; can serve to reinforce them. (OK, not really lacking...)
- State officials‘ self-images and self-representations
- Bureaucracy as an important resource for officials
- Self-interested action can lead (and has led) to bureaucratic domination

Example: Oshikango, once more

- Trade boom town par excellence
- Politically stable
- New town; state officials often come from the capital and have no local trade interests (when they first come there...)
- Officials are selfish and greedy – but their power base is bureaucracy

What happens?

- Officials build up power by regulating.
- They have to be seen to follow the official rules
 - Corruption discourse, ACC popularity
 - Opposition parties
 - Media
 - But mostly: small society, every insider can use corruption discourse for their own aims

- Their actions don't match the discourse, but they have to evoke the rules. They have no economic power, no independent political strength, no solidaric networks. In order to have the power to be corrupt, they have to use regulations.
- This creates expectations and influences the moral discourse.
- Consequence: more reliable institutions, higher motivation to implement rules.

The big question:

- What are the structural conditions under which state regulation is (im)possible?

Smaller questions first:

- On what level do we have to look for the answer? (State and society institutions, traders' networks, global economy...?)
- What kind of traders are actually important for the emergence of order?
- In what role are they important? As entrepreneurs, as community members, as politicians...? Different roles might bring different logics of agency. Can be a starting point for regulation.
- Look for local types from comparative work

One example of local types:

	Synergy	Contestation	Criminalization	Predation
Administrators with trade links	Regulation possible	Neo-patrimonialism	Mafias	Shadow state
Administrators without trade links	Regulation, checks and balances	Indifference	Regulation	State failure

Tilly or Weber?

- Both are better than models like „neopatrimonialism“ alone: less prone to oversimplification
- Weberian: order threatened by chaos. State comes first as the framework of agency. Appropriate to many of the more institutionalised states (and borders). But: state is rarely what it claims.
- Tillyan: no order present to be threatened. Agency comes first and is a precondition of state formation. Appropriate to many of the less institutionalised states. But: borders never come before the state.

In any case:

- Take agency seriously, as an open-ended process which can create and change institutions,
- but remember the existing institutions' formative power – for regulation, but also for images of regulation.

From Macdonald to Madonna: Consumption, Labour Migrancy, Palpitation and the establishment of suzerainty on the Luapula Border, Northern Rhodesia Katanga 1904 – 1914

In 1904 Tanganyika Concessions Limited established a trading station in the very heart of central Africa just to the south of the Mambilima falls on the Luapula river, which formed the boundary between Northern Rhodesia (Zambia) and the Congo Free State (Democratic Republic of Congo). A company agent, Macdonald, was dispatched to the Mambilima falls and ordered to recruit labourers from North-eastern Rhodesia for the copper mines of what would become the *Union Minière du Haut-Katanga* in the Katanga province of Congo.¹

Between 1904 and 1914 Macdonald recruited thousands upon thousands of labourers for the Katangese mines, and in so doing gave his name to the settlement that developed south of the Mambilima falls. Recruits passing through *Madona*, as the settlement came to be known, signed on for set contracts, the deferred pay of which could then be cashed in at the trading stores that were established at the border crossing.

In the course of 1908 *Madona* as a settlement was abandoned on account of Tsetse fly infestation and the danger of sleeping sickness, none the less labour migrants continued to flow to the Katangese copper mines, and one hundred years later the waterfalls on the Luapula River continue to provide a home to the *Dona* fish that provides wealth to all those who are prepared to sacrifice to her and cross the river.

The paper, examines how for a brief period of time *Madona* became a nodal point in the interplay of global capital, financing the Copper mines of the Congo, and the hopes and aspirations of young African men anxious to acquire the products of industrial capital in the form of bicycles, phonographs, safety razors, clothing and so forth. In so doing, this paper contributes to a more nuanced understanding of historical slogans such as “the penetration of capital”, “consumption”, and the like. The paper provides an insight into

¹ Northern Rhodesia, present day Zambia, was initially administered by the British South Africa Company as two separate entities, North-eastern Rhodesia administered from Fort Jameson (Chipata) and North-western Rhodesia administered from Livingstone. In 1911 the two separate administrations were amalgamated. For the purposes of this paper I will refer to Northern Rhodesia and Zambia as a whole, and only when I am specifically dealing with one of the two earlier regional administrations will I explicitly note this.

the manner in which the incipient colonial state in Northern Rhodesia gained suzerainty over the people living in Northern Rhodesia. It indicates how the colonial state, in the absence of an effective actual on the ground presence in Luapula, was able, through an interplay of international law and the desire on the part of Africans for the products of industrial capitalism, to establish and extend its control over Africans to the most intimate and basic level.²

Writing on the development of a working class in Katanga between 1907 and 1951, John Higginson noted that:

At the outset of the twentieth century an industrial working class was still in the making in southern Africa. The initial phases of its making, *particularly the employer's transition from formal to substantive control over the workforce, were especially drawn out.*³

This paper seeks to give substance to the phrase, “*employer's transition from formal to substantive control over the workforce*”. It seeks to do so by attempting to discover the manner in which “*substantive control over the workforce*” came to be established in the daily lived reality of African workers in Northern Rhodesia in the early 1900s.

Operating within the logic of international law that recognised the validity of bureaucratic state systems and international concession companies, and gave them preference over the aims, ideals, and structures of Africans living in central Africa the copper mines of the Congo were faced by a colonial administration – run by a concession company - in North-eastern and North-western Rhodesia that demanded the recognition of its suzerainty over the labour being extracted from territories formally under its control. Desperately short of labour and beholden to the logic of a worldview that demanded that “correct procedures” be followed, the companies operating in Congo appointed labour recruiters to liaise and interact with the colonial administration in Northern Rhodesia. One such labour recruiter was a man named MacDonald who established a trading post that would become known as Madona.

² In a sense the alignment of a series of factors lead to the exercise of power; that is power is not single but is to be found in an alignment of forces that act upon the subject.

³ John Higginson, *A Working Class in the Making: Belgian Colonial Labor Policy, Private Enterprise, and the African Mineworker, 1907 – 1951* (Madison, 1989) p. 7. Italics added.

African access to manufactured material goods of the industrial world was made possible through engaging in labour contracts with men such as MacDonald. That is Madona, with its trading store, was a place where one could hope to get access to and thus consume a selection of manufactured material goods. But, in order to be able to get access to these goods, one first had to be formally registered to work. The incipient colonial state demanded this registration and latched on to this registration, and was able to exert power through determining who was allowed to go to work in the Congo on the basis of bio-medical knowledge.

Thus it could be argued that the state gained control through African consumption. To be able to consume, migrants had to go through the ritual of registration, work, palpitation and in some cases puncture, before they could finally purchase and consume the objects of their desire. That is, to gain control, the incipient state made use of African desires for the manufactured material goods of the industrial world; and imposed and made use of the bureaucratic logic of formal state structures – boundaries, and labour registration – and used bio-medical logic to domesticate and discipline the African worker.

The settlement of Madona only existed for five years and now no longer exists on any map yet - to frample Bob Dylan's *Hurricane* – at one time it could have been the centre of the world. In describing the rise and fall of this settlement, this paper gives us insight into the manner in which “*substantive control over the workforce*” came to be established in Northern Rhodesia.

Katanga

The distinguished historian of Zambia, Andrew Roberts, once aptly noted that Zambia is the detritus of the failure of Cecil John Rhodes, and by extension Great Britain, to gain control of the copper mines of Katanga in southern Congo. And, indeed, a look at the map of Africa shows the two lobes of Zambia embracing southern Congo, as Katanga and the pedicle penetrate deep into the heart of Zambia. Thrust into Zambia the exceedingly rich copper mines of Katanga were henceforth dependent on labour and supplies from territory that now lay across an internationally recognised boundary.

What is today the southern Congolese province of Katanga formerly lay in the heartland of the Garenganze kingdom of the Nyamwezi warlord Msiri prior to its destruction in 1891.⁴ Msiri had established the polity on the basis of controlling long-distance trade from the headwaters of the Congo river to the Indian and Atlantic Oceans. Centred on the settlement of Bunkeya, which had housed around 40.000 people in the 1880s, Msiri “ruled over a centralized state, roughly the size of Great Britain, which extended throughout much of the present Katanga province and the northern areas of Northern Rhodesia”.⁵ Msiri was killed in the infamous Stairs expedition of 1891 which firmly brought Katanga and its copper riches firmly within the ambit of King Leopold’s Congo Free State.⁶

The early exploration of the Congo, and the establishment of the Congo Free State, at the behest of King Leopold II, by men such as Stanley and culminating in the Stairs expedition, predates the Red Rubber boom popularised by Adam Hochschild and led to the disruption and destruction of African societies and the conscious re-orientation of the Congo Basin’s trade routes from the Indian to the Atlantic Ocean. As S.L. Hinde, a medical doctor who served as a mercenary in the Congo Free State noted in his address to the Royal Geographical society:

...the trade routes have been completely altered, and the traffic which used to follow the well-beaten track from Nyangwe and the Lualaba, across Tanganyika to Ujiji, or round the lake to Zanzibar, now goes down the Congo to Stanley Pool and the Atlantic.⁷

⁴ Thomas Q. Reefer, *The Rainbow and the Kings* (Berkeley and Los Angeles, 1981), 172 – 180 & Auguste Verbeken, *Msiri, Roi du Garenganze* (Bruxelles, 1956).

⁵ Robert I. Rotberg, “Plymouth Brethren and the Occupation of Katanga, 1886 – 1907”, *Journal of African History*, V, 2 (1964), 285 – 297, 285.

⁶ Stairs, a Candaian adventurer, cut his teeth in equatorial Africa through accompanying Henry Morton Stanley in his deadly expeditions on behalf of King Leopold in the Congo Basin. Janina M. Konczacki (ed), *Victorian Explorer: The African Diaries of Captain William G. Stairs 1887 – 1892*, Halifax 1998.

⁷ S.L. Hinde, “Three years Travel in the Congo Free State”, *The Geographical Journal*, Volume 5, 1895, No. 5, 426 – 446, 442.

This is the period of disruption and destruction that many saw, and which Joseph Conrad wrote about in his seminal work, *Heart of Darkness*, and officers who served in Leopold's mercenary army described in their reports to the Royal Geographical Society.⁸

The destruction of Msiri's kingdom destabilised the region as a whole, disrupting the caravan routes that had not only supplied the interior of Africa with consumer products, but had also provided substantial employment for populations in the area either in supplying food and service to the caravans, or in actually supplying portage labour. In the aftermath of the Stairs expedition many people gathered to the mission established by the Plymouth Brethren Missionaries.⁹

In the early 1900s the copper resources of Katanga, which had initially attracted Msiri to the area, began to be developed by international mining syndicates working within the aegis of the Congo Free State. Industrial mining began in earnest in 1904 and began drawing in labour from the region and eventually from far beyond.

Kambove

The industrial mines that would come to be established in the territories awarded to Tanganyika Concession Limited in Katanga were immanently dependent on African labour for transport, mine work, and the provision of food.

Industrial mining in Katanga was not conducive to forced labour and depended upon the voluntary registration of African labourers for labour in the mines, primarily from territories nominally under the administration of the Northern Rhodesian Governments. Indeed, by 1907 a minimum of 5,000 men constituted "a floating British Native population" in the Tanganyika Concessions Limited area.¹⁰ However, before Northern Rhodesian African labour could come to be employed in the mines of Katanga, it had to be weaned from other sources of employment and induced to register for work in Katanga. Missionary Campbell, returning to the Mweru Luapula from Lake Malawi in June 1903, reported meeting a number of caravans of African labourers in the Luangwa

⁸ E.G. Ravenstein, "Recent explorations in the South-Eastern Congo Basin", *The Geographical Journal*, Volume 1, 1893, 223 – 228; Joseph A Moloney, "The Stairs Expedition to Katangaland", *The Geographical Journal*, Volume 2, 1893, No. 3, 238 – 248.

⁹ David M. Gordon, *Nachituti's Gift: Economy, Society, and Environment in Central Africa* (London, 2006), 63.

¹⁰ *Africa. No. 1 (1908). Further Correspondence Respecting the Independent State of the Congo*, Presented to both Houses of Parliament February 1908.

valley who were returning from work on the mines in Southern Rhodesia. Surprisingly, given the later literature¹¹, Campbell noted that:

they spoke well of their treatment, some having spent two years over there. I believe we shall soon see a wholesale exodus of natives going south for mining work.¹²

Nearly a year later, whilst stationed at Johnston Falls, Campbell reported that formal recruitment for the mines in Southern Rhodesia had also begun in the Mweru Luapula area with “the first visits from “labour agents” from the mines, and they are taking numbers of natives south”.¹³ Campbell continued by noting that “the hut-tax compels the people to exert themselves, and thus becomes a blessing in disguise”.¹⁴

In an attempt to pay for the running costs of the BSAC administration, as well as to induce African labourers to seek work, beginning in 1901 hut-tax came to be applied in parts of North-eastern Rhodesia. Initially the payment of tax imposed by the BSAC administration was haphazard at best. BSAC administrators were few and far between, and more often than not villagers took to hiding in inaccessible areas to escape detection and taxation, or simply moved en masse to another locale beyond the purview of the BSAC administration.¹⁵ Writing a number of years later, BSAC administrator Theodore Williams noted of men that were eligible to pay tax in his district in North-western Rhodesia:

¹¹ Charles van Onselen, *Chibaro African Mine Labour in Southern Rhodesia, 1900 – 1933* (London, 1976) & Ian Phimister, *Wangi Kolia: Coal, capital and Labour in Colonial Zimbabwe, 1894 – 1954* (Harare, 1994).

¹² D. Campbell, 23 June 1903, *Echoes of Service: A Record of Labour in the Lord's Name*, September, 1903, p. 356. With thanks to Giacomo Macola for providing me with access to his research notes. All references to *Echoes of Service* in this paper, unless otherwise stated, are drawn from Macola's notes.

¹³ D. Campbell, 25 April 1904, *Echoes of Service: A Record of Labour in the Lord's Name*, August, 1904, p. 3317.

¹⁴ D. Campbell, 25 April 1904, *Echoes of Service: A Record of Labour in the Lord's Name*, August, 1904, p. 3317.

¹⁵ National Archives of Zambia (NAZ), KDF 3/1 Vol. 1. District Commissioner and Magistrate, Mweru – Luapula District at Fort Rosebery. folio 9. M.C. Musambachime, “Protest Migrations in Mweru-Luapula 1900 – 1940”, *African Studies*, 47. 1. 88. pp. 18 – 34.

If they feel oppressed with work and the approaching tax due in July they simply have to up and over the border [to Angola], where there are no taxes and no interfering administration.¹⁶

Similarly Williams' colleague Harrington noted in Fort Roseberry (Mansa), that it was inadvisable to attempt to tax the village of Mulewa Kisoni, the people of which ferried goods and mail across the Bangweulu:

Because if worried for tax & being water people they bolt to Kisi and Mbawala and leave no one to work the ferry which requires skilled paddlers as the crossing is 7 ½ miles wide taking 3 ½ hours and when the winds are on it is a dangerous crossing.¹⁷

None the less, in certain parts of the territory administered by the BSAC in Northern Rhodesia, where the colonial presence was strong, and depending on the whims of individual administrators, failure to pay hut-tax could result in terrible retribution; the exacting of which was couched in language that did not even bother to obscure the events described.¹⁸ Thus *Chiana* Harrington could note with equanimity in the District Notebook for Fort Roseberry (a document consciously written for posterity) his orders to burn a village that failed to pay tax in 1906.¹⁹

It is clear that by 1906 formal monetary employment within Northern Rhodesia and Katanga had increased to such an extent that African labour no longer needed to trek down to Southern Rhodesia for employment, instead thousands of men came to be employed on the mines of Katanga and the railway being built towards them. Missionary Lammond, writing from Johnston falls on the border with Congo in early 1906, wrote that:

¹⁶ Rhodes House, Oxford (RH), MSS. Afr. S. 776 – 781. Williams (Theodore R.) Administrative Officer, Northern Rhodesia: Diaries, 1912 – 21. 3 vols.; letters home, 1912 – 24. 3 Volumes. Letters Volume 1: 1912 – 1914. Letter addressed to Dear Mother, Tuesday ? Feb 11th? 1913 Mwinilunga, via Kasempa, N.R.

¹⁷ NAZ, KDF 3/1 Vol. 1, folio 21.

¹⁸ On taxation and its evasion and enforcement in the Mweru Luapula see, Giacomo Macola, *The Kingdom of Kazembe: History and Politics in North-Eastern Zambia and Katanga to 1950*, (London, 2000).

¹⁹ NAZ, KDF 3/1 Vol. 1. folio 20.

Since the new year over two thousand natives have been collected in these parts and sent down to work on the railway ... Yesterday more than three hundred men from our own district went off to work in the mines at Kambove.²⁰

Eight months later, in December 1906 missionary Campbell wrote that he had been informed by the magistrate “that the railway is coming on shortly to Ndola”.²¹ Which would mean, as in the previous two years, “the employment of from three to five thousand natives and some three hundred whites”.²²

Until the coming of the railroad to the mining areas of Kambove, and there after there was a need for porters to transport goods. As long as the railway had not reached the mines in Katanga every thing had to be transported by porters, thousands of whom came to be recruited in Northern Rhodesia. Yet, in its building the Railway also required the labour of literally thousands of men, all of whom had to be provisioned. In addition, even after the railway had been constructed, and industrial labour saving devices like steam shovels had come to be employed in the Katangan mines, there remained a seemingly insatiable demand for African labour for labour and portage. The desire for porters and workers also drove a demand for food.²³

A British Parliamentary commission reported in 1908 that the “Tanganyika Concessions (Limited) depends [for its food] mainly upon purchases made from the natives”.²⁴ This stood in stark contrast to what occurred elsewhere in the Congo. Instead of seizing by force, the report claimed that the TCL “sends out agents to buy flour, and natives bring flour and other foodstuffs for sale to the stations”.²⁵ Within the travesty that was the Congo Free State, the African inhabitants of the territory were obliged to pay tax for the right to live and occupy lands within the Congo Free State. Africans were expected to pay taxes for their use of the land, and in vast areas of the Congo they were

²⁰W. Lammond, 16th March – 31 March 1906, *Echoes of Service: A Record of Labour in the Lord's Name*, July, 1906, p. 250.

²¹D. Campbell, 1st December 1906, *Echoes of Service: A Record of Labour in the Lord's Name*, April, 1907, p. 158.

²²D. Campbell, 1st December 1906, *Echoes of Service: A Record of Labour in the Lord's Name*, April, 1907, p. 158.

²³Mwela Musambachime has described in numerous publications the manner in which the mines of the Katangan and Zambian Copperbelts drove the fishing industry in the Mweru Luapula.

²⁴*Africa. No. 1 (1908). Further Correspondence Respecting the Independent State of the Congo*, Presented to both Houses of Parliament February 1908.

²⁵*Africa. No. 1 (1908). Further Correspondence Respecting the Independent State of the Congo*, Presented to both Houses of Parliament February 1908.

forced to collect rubber in lieu of paying taxes. In terms of international law in the absence of a civil administration, concessionary companies, such as the Anglo British India Rubber company, were permitted to collect taxes in kind.²⁶ This policy led to extreme excesses in the territory and resulted in the devastation of societies and environment across the Congo Free State.²⁷

Many have detailed the manner in which the system worked. Robert Harms has neatly summarised what happened once a company post was established in the ABIR concession area:

..., the rubber agent made a list of all the men in the villages under his control, giving each man a quota of four kilos of dry rubber (eight kilos of liquid rubber) per fortnight. To oversee the collection he placed armed sentries, who were often former slaves, in the villages. The sentries, who lived in luxury at the expense of the villagers, made sure that each man collected his quota. They flogged, imprisoned, or shot villagers who fell behind. ...

Abir apparently had little difficulty containing resistance during the first decade of its rule. Each post kept a force of about eighty men armed with modern Albini rifles to put down resistance or punish villages that lagged behind in their quotas. To crush large scale rebellions, the State kept a large force at Basankusu which could reach any part of the Abir territory by river steamer within a few days after being called by a rubber agent.²⁸

A system of bonuses and commission for the rubber agents ensured that drive and demand for rubber increased evermore. Men who failed to bring in the required amount of rubber were imprisoned. Hostages were taken and families were ransomed to be freed only upon payment in rubber. The maiming, shooting, and whipping by *chicotte*, a whip made of dried hippopotamus hide, became standard practice. The reports are littered with

²⁶ Robert Harms, "The world Abir made: The Maringa – Lopori Basin, 1885 – 1903", *African Economic History*, 1983, no. 12, pp. 125 – 39.

²⁷ Adam Hochschild, *King Leopold's Ghost: A story of Greed, Terror and Heroism in Colonial Africa*, London: Macmillan 1999.

²⁸ Harms, *The end of Red Rubber*, p. 79.

the most debased forms of sadistic torture. Societies broke down and crumbled, and for observers at the time it was clear that evil reigned supreme.²⁹

In Katanga, TCL too, as a concessionary company, was permitted to collect tax on behalf of the Congo Free State, as the report to British parliament noted:

In the neighbourhood of Kambove the villages pay their tax in kind to the Tanganyika Concessions (Limited) ... These amount to from 10 to 12 tons per annum, and are accepted at the tax value.³⁰

Thankfully however, in the absence of a large indigent population and desperate for labour, the TCL did not aggressively pursue the policies carried out elsewhere in Congo in the hunt for red rubber.³¹ None the less writing in early January 1903 the missionary, Dan Crawford, did for see major transformations and hoped against better judgment for a favourable outcome when he wrote:

the opening of the Katanga mines threatens the poor Lufira Valley with a cruel stroke. The simple pastoral ideas must all go, just as urban life in England is killing the rural. As ... the land only lives a year at a time in the matter of cereals, the very slightest tampering with the agricultural year in the forcing of labour for the mines would eventuate in a cruel famine, and Africa gets no food imported.³²

Food, in addition to comparatively substantial wages were a strong incentive to drive young men, and in their wake women, to the mines. A British Parliamentary report noted in 1908 that:

The mine " boys " are usually engaged under a six months' contract (to be exact, five months and twenty-nine days). They are paid 6s. 8d. a-month and rationed. At Ruwe, which may be taken as a typical example, rations are distributed twice weekly on Wednesdays and Saturdays. Each " boy " receives 6 lbs. of Kaffir meal

²⁹ The multitude of individual reports by contemporary observers indicate very clearly that even in the context of the racial prejudices and the like that are associated with the colonial mind, it was clear to observers that crimes were being systematically committed.

³⁰ *Africa. No. 1 (1908). Further Correspondence Respecting the Independent State of the Congo*, Presented to both Houses of Parliament February 1908.

³¹ For an overview of the literature dealing with the impact of concessionary companies and colonial rule in Congo see, Jan-Bart Gewald, "More than Red Rubber Alone: A critical appraisal of the Memory of the Congo exhibition at the Royal Museum for Central Africa, Tervuren, Belgium", in *International Journal for African Historical Studies*, 39, 3 (2006) pp. 471 – 486.

³² D. Crawford, 7th December 1902 – 16th January 1903, *Echoes of Service: A Record of Labour in the Lord's Name*, May, 1903, pp. 194-195.

on Wednesdays, and on Saturdays 8 lbs. of meal and 1 lb. of one of the following: beans, sweet potatoes, dried fish, native salt. In order to obtain a sufficiently varied diet, the " boys " commonly arrange themselves in messes of four or six. At Kambove fresh meat is given once a-week.³³

Converted into contemporary currency values, African unskilled workers on the mines in Katanga earned the equivalent of 3€ per day in addition to food.

Worker registration

Beginning in 1904 TCL formally began recruiting labour from the NRG. Tens of thousands of men registered for six or three months work, and received their pay once their "tickets" were completed. Upon completion of their contract their tickets could be exchanged for money and goods at the TCL trading/recruiting store on the border between Congo and Northern Rhodesia. Loaded with material goods in the form of bicycles, clothes, and so forth the migrant labourer could then return to his home village in Northern Rhodesia. Yet, to be able to engage in labour contracts, African workers had to subject themselves to extensive control.

On account of formal agreements between the governments of the Congo and Northern Rhodesia, workers recruited in Northern Rhodesia had to be registered. That is, although workers could have chosen to cross the Luapula River where ever they may have wished to do so, their access to the deferred pay and hence the goods on offer in the trading store run by the Tanganyika Concessions Limited at Madona, was only possible if they had registered with the labour recruiter MacDonald. Hereby, by default, they unintentionally also submitted themselves to the bureaucracy of the incipient colonial state.

Madona

In May 1906 missionary Campbell spent two days at Madona, the "rising township on the Luapula, with three European stores".³⁴ Founded less than two years previously the

³³ *Africa. No. 1 (1908). Further Correspondence Respecting the Independent State of the Congo*, Presented to both Houses of Parliament February 1908.

³⁴ D. Campbell, 5th May – 2nd June 1906, *Echoes of Service: A Record of Labour in the Lord's Name*, November, 1906, p. 434.

settlement had grown to such an extent that according to Campbell “it needs a missionary, on account of the population and the great traffic passing to and from the Katanga mines”.³⁵ Indeed, so extensive was the settlement and so great was the belief in its continued existence, that – if the missionary is to be believed – “the mining company’s agent ... press[ed] that we should come and build here”.³⁶ The extent to which Donald MacDonald actually pressurised the Plymouth Brethren to establish a post in Madona is debatable, yet that the settlement that bore his name had grown by leaps and bounds since its establishment is beyond dispute.

The commencement of copper prospecting and later mining by the Tanganyika Concessions Limited in Katanga had a tremendous impact on Northern Rhodesia and led directly to the establishment and growth of Madona. In 1902 an estimated 100 loads were transported from Johnston Falls (on the Luapula just to the north of where Madona came to be established) to Kambove. In the following year 5,000 loads were transported to Kambove, and a year later “Mr Mac Donald ... took over the Tanganyika Concessions Agency ... & built at Chikovi now known as Madona”.³⁷ In 1905 Tanganyika Concessions recruited 10,500 men at Madona for transport and work to Kambove, 60 % of whom came from areas to the east of Luapula. In addition a further 848 men were recruited for the railway and the Northern Copper Co.³⁸ For the year 1906 a colonial administrator noted, “a busy year” with 5,000 men going to Kambove and an additional 1,000 men employed mostly in transport work between Kasama and Madona.³⁹ MacDonald, as the Tanganyika Concessions agent at Madona, “engaged about 10,000 boys [sic] all of which were paid off at Madona”.⁴⁰

These thousands of men recruited, were recruited for money which came to be spent in Madona. Thus, it was noted that 1905 was “a good year for the stores, large numbers of natives ... brought a considerable amount of money”.⁴¹ It was estimated that

³⁵ D. Campbell, 5th May – 2nd June 1906, *Echoes of Service: A Record of Labour in the Lord’s Name*, November, 1906, p. 434.

³⁶ D. Campbell, 5th May – 2nd June 1906, *Echoes of Service: A Record of Labour in the Lord’s Name*, November, 1906, p. 434.

³⁷ NAZ, KDF 3/1 Vol. 111, folio 179.

³⁸ NAZ, KDF 3/1 Vol. 111, folio 179.

³⁹ NAZ, KDF 3/1 Vol. 111, folio 180.

⁴⁰ NAZ, KDF 3/1 Vol. 111, folio 341.

⁴¹ NAZ, KDF 3/1 Vol. 111, folio 341.

African labourers of the Fort Roseberry district alone had earned “fully £ 5000, the greater part of which was spent at the stores”.⁴² MacDonald, as the agent of the Tanganyika Concession Company, had “engaged and paid off at Madona 10,500 boys [sic]”.⁴³ With so many men streaming through Madona the following year, 1906, was reported to be “the best year the traders had”, as “large numbers of natives ... returned with good money”.⁴⁴ Apart from itinerant traders and at least four trading stores that catered for African tastes, P.J. Posener, the African Lakes Company and the Tanganyika Concession Limited also ran “European stores” in Madona.⁴⁵ Not surprisingly therefore that “Madona soon became a busy little place”.⁴⁶

German traveller Theo Kassner, who travelled to Cairo from Rhodesia, visited Madona in 1907 to purchase supplies and acquire new porters for his expedition. Kassner, noted of “the English trading station of Madona in East Rhodesia”, that, “an active commerce is concentrated here. I visited Madona and spent some pleasant hours with the British officials and traders, and at a well-stocked store belonging to the African Lakes Company I was able to purchase several necessary articles”.⁴⁷

Purchases

The question of course remains what did young African men returning from the Katangan mines, purchase with their hard-earned wages. Plymouth missionary, who was opposed to his converts going to the mines, reported in 1907 that at least some of his converts were purchasing New Testaments with their wages:

The price of the New Testament in ‘Chi-Luba’ ‘is high, representing a month’s hard work for a native. Very few people at home would care to give a month’s salary for a New Testament, and certainly many more here would purchase it if it were, say, two shillings, instead of four. A native has to work a month to secure his hut-tax, besides having wife and bairn to clothe, and frequently mother and father-in-law as well, so you will see the difficulty of sparing four shillings. Of

⁴² NAZ, KDF 3/1 Vol. 111, folio 341.

⁴³ NAZ, KDF 3/1 Vol. 111, folio 341.

⁴⁴ NAZ, KDF 3/1 Vol. 111, folio 341.

⁴⁵ NAZ, KDF 3/1 Vol. 1. folio 360 – 1.

⁴⁶ NAZ, KDF 3/1 Vol. 111, folio 201.

⁴⁷ Theo Kassner, *My Journey from Rhodesia to Egypt* p.57.

course, if he goes to the mines he gets high wages, but this one seeks to discourage.’⁴⁸

The negative views expressed by missionary Campbell, with regard to converts going to work on the mines, are re-enforced in his comments a year later:

there is no sight more common or ridiculous nowadays than a native returning from the mines of South Africa in hob-nailed boots, toiling and sweating in the hot sun with a heavy bundle on his back, consisting of blankets, coats, trousers, shirts, hats, boots, etc., with shawls for his stay-at-home spouse, plus many odds and ends.’⁴⁹

Admittedly Campbell’s rather scathing remarks refer to miners returning from South Africa, yet there is no reason to suppose that the goods that they were carrying back, were in any way different to the goods which they would have purchased in Madona. Indeed, the goods being brought home by the migrants strongly echo those being brought home labourers from the Copperbelt mines twenty years later. In 1933 a commission of enquiry, “itemised” a list of articles contained in the kits of workers returning from the mines. Included were, women’s dresses, women’s head-clothes, shirts, shorts, trousers, singlets, tennis shoes, sweaters, cardigans, socks, ties, sun helmets, caps, puttees, sheets, towels, handkerchiefs, blankets, mirrors, enamel dishes and mugs, and so forth.⁵⁰ The researchers also referred to bicycles, gramophone players and sewing machines being amongst the goods normally purchased by returning migrants.

Writing in 1912 and 1914 plymouth missionary Lammond noted some negative comments with regard to the impact of the mines. For Lammond, the mines were “draining these parts of many of the smartest and fittest of the young fellows, and they come back with a smattering of “Kitchen Kaffir” and no end of conceit.”⁵¹ Two years later Lammond’s perspective had not changed:

From these remote, out-of-the-way places crowds of young men go to work in the south. They bring a lot of shoddy with them on their return, and hats, jackets and

⁴⁸ D. Campbell, 9th February 1907, ‘Johnston Falls’, *Echoes of Service: A Record of Labour in the Lord’s Name*, p. 215.

⁴⁹ D. Campbell, 8th – 19th October 1908, *Echoes of Service: A Record of Labour in the Lord’s Name*, April 1909, p. 156.

⁵⁰ J. Merle Davis, *Modern Industry and the African*, (London, 1933) pp. 401 – 403.

⁵¹ W. Lammond, 21st February 1912, ‘Kaleba’, *Echoes of Service: A Record of Labour in the Lord’s Name*, May, 1912, p. 194

boots are now quite common. It grates badly on one's ears to hear the oaths some of the lads bring back with them. Weeds seem to catch on easily, but real fruit ... represents years and years of toil.⁵²

No matter what Lammond and his colleagues may have felt, it is clear that the mines bore attractions, be it copies of the New Testament, new forms of swearing and cursing, or the chance to access industrial consumer goods.

Tsetse

The slowly advancing sleeping sickness is a dark cloud on our sky-line. This malady is slaying its thousands in Lubaland, a Government "Black Map" having just included the north shore of Mweru in the epidemic zone. Silently and remorselessly as destiny, it is creeping south, entering the Garenganze by the Belgian trunk road.⁵³

I have found three cases of sleeping sickness in the course of my work, all with a history of having worked in the Katanga mines. ... Considering the thousands from this country who have worked in the Katanga mines, I am perfectly convinced that there are many more cases scattered through North-East Rhodesia.⁵⁴

In 1906 sleeping sickness (trypanosomiasis) was discovered among African labourers living along the Luapula River that formed the border between Northern Rhodesia and Congo. Tsetse flies act as the vector for this disease, for which until the late 1920s there was no cure.⁵⁵ On the basis of bio-medical findings the NRG undertook all manner of actions in a vain attempt to stop the spread of sleeping sickness. The anti-Tsetse activities

⁵² W. Lammond, 18th February 1914, 'Kaleba', *Echoes of Service: A Record of Labour in the Lord's Name*, May, 1914.

⁵³ D. Crawford, 1st September – 20th September 1906, *Echoes of Service: A Record of Labour in the Lord's Name*, March, 1907, p. 114.

⁵⁴ Allan Kinghorn and R. Eustace Montgomery, "Reports of the 'Sleeping Sickness' Expedition to the Zambesi for the Years 1907 – 1908", *Annals of Tropical Medicine and Parasitology*, Volume II (March 2, 1908 to May 12, 1909), p. 65.

⁵⁵ Hellmuth Unger, *De Slaap des Doods* (Amsterdam, 1920?).

of the BSAC administration of Northern Rhodesia had far reaching consequences for the populations of Northern Rhodesia and the Mweru-Luapula in particular.⁵⁶

In May 1906 Dr Sheffield Neave was commissioned by the TCL, acting on behalf of Union Minière and the Benguella Railway Company, to ascertain:

In respect of the mining area of Katanga, the distribution of the various species of tsetse and other biting flies, to study the distribution of sleeping sickness... and to investigate the blood of the population in any infected area, ... and to report and advise as to what measures should be taken in respect thereto.⁵⁷

Due to the activities of Sheffield Neave and his assistants and colleagues, Madona has continued to exist in the fields of entomology and ornithology as the geographical site for a number of species types.⁵⁸ A few years later, in an academic tit for tat, Sheffield Neave wrote to the *British Medical Journal* to let it be known that it was one of his team, Dr. Arthur Pearson, who “first found [*Glossina*] *palpalis* on the Luapula, 4 miles down stream from Madona and just above the Nafunta Falls ... in the first week of January, 1906”.⁵⁹

In the course of their enquiries Sheffield Neave’s team, as well as another later team drawn from the Liverpool School of Tropical Medicine, reported on the existence of *Glossina palpalis* and *Glossina Morsitans* on a “stretch of 150 miles from Kazember to lat. 12 deg. S.”, that is effectively the whole of the Mweru-Luapula valley.⁶⁰ It was considered that the “most likely points of invasion of North-Eastern Rhodesia are at the north-eastern corner of Lake Mweru, and at the ferries across the Luapula River south of this lake, where 20.000 natives are said to pass annually”.⁶¹ Madona, as the main ferry crossing from North-Eastern Rhodesia to Katanga, carried the bulk of the 20.000 who travelled across the river, many of whom being workers for the TCL mines in Katanga.

⁵⁶ Mwelwa C. Musambachime, “The Social and Economic Effects of Sleeping Sickness in Mweru-Luapula 1906 – 1922”, *African Economic History*, No. 10 (1981), pp. 151 – 173.

⁵⁷ “Scientific notes and news”, *Science*, Vol. XXVIII, No. 724, November 13, 1908, p. 680.

⁵⁸ The journal of the British Ornithologists’s Union, *IBIS*, contains numerous references to Kambove for the period around 1910.

⁵⁹ Sheffield Neave, “The First Observation of *Glossina Palpalis* in North-Eastern Rhodesia”, *The British Medical Journal*, Nov. 6, 1909, p. 1388.

⁶⁰ “Sleeping Sickness”, *The British Medical Journal*, Nov. 2, 1907, p. 1267.

⁶¹ “Sleeping Sickness”, *The British Medical Journal*, Nov. 2, 1907, p. 1267.

Consequently any activities aimed at combating Tsetse and sleeping sickness would have major consequences for the settlement of Madona.

In 1907, following on Sheffield Neave's research, a team of specialists drawn from the Liverpool School of Tropical Medicine was appointed to "determine to what extent sleeping sickness had invaded British South African Territory, to map out the distribution of tsetse flies and to advise on means for checking the spread of sleeping sickness".⁶² Based in Madona, Dr. Kinghorn travelled up the Luapula to Kazembe, before traversing eastwards and returning to Madona via Mushota and the Luongo River.⁶³ In the course of his trip Kinghorn reported on the presence of *Glossina Palpalis*⁶⁴ and *Glossina Morsitans*, and found two cases of trypanosomiasis on the road to Kazembe:

Both these had decidedly enlarged glands and trypanosomes were present in the gland juice. Both men had worked at Kambove.⁶⁵

Not surprisingly Kinghorn concluded, "we have then, along the Luapula all the factors which are necessary for an extension of the disease, i.e., cases of human trypanosomiasis and tsetse flies".⁶⁶ Kinghorn was uncompromising in his position vis-a-vis the effective combatting of the disease, it was a position that although formulated with regard to the higher ideals of industrial capital, would also have devastating consequences for central Africans living in the Mweru-luapula as a whole. In words that brockered no opposition Kinghorn warned the BSAC government as follows:

It must be clearly understood, though, that if the disease is to be prevented from getting a foothold, all commercial considerations must give way until such time as

⁶² Allan Kinghorn and R. Eustace Montgomery, "Reports of the 'Sleeping Sickness' Expedition to the Zambesi for the Years 1907 – 1908", *Annals of Tropical Medicine and Parasitology*, Volume II (March 2, 1908 to May 12, 1909), p. 58.

⁶³ Allan Kinghorn and R. Eustace Montgomery, "Reports of the 'Sleeping Sickness' Expedition to the Zambesi for the Years 1907 – 1908", *Annals of Tropical Medicine and Parasitology*, Volume II (March 2, 1908 to May 12, 1909), p. 60.

⁶⁴ As Kinghorn noted in his report written from Madona, "To digress for a moment, I have a specimen of *Gl. Palpalis* caught on the verandah of the assistant magistrate here". Allan Kinghorn and R. Eustace Montgomery, "Reports of the 'Sleeping Sickness' Expedition to the Zambesi for the Years 1907 – 1908", *Annals of Tropical Medicine and Parasitology*, Volume II (March 2, 1908 to May 12, 1909), p. 62.

⁶⁵ Allan Kinghorn and R. Eustace Montgomery, "Reports of the 'Sleeping Sickness' Expedition to the Zambesi for the Years 1907 – 1908", *Annals of Tropical Medicine and Parasitology*, Volume II (March 2, 1908 to May 12, 1909), p. 61.

⁶⁶ Allan Kinghorn and R. Eustace Montgomery, "Reports of the 'Sleeping Sickness' Expedition to the Zambesi for the Years 1907 – 1908", *Annals of Tropical Medicine and Parasitology*, Volume II (March 2, 1908 to May 12, 1909), p. 61.

the etiology and treatment of human trypanosomiasis are on a more satisfactory basis.⁶⁷

In concrete terms this meant that everything within Northern Rhodesia had to yield in the interests of combating trypanosomiasis. A form of combat in which the hierarchies of colonial rule were to be ruffled as responsibility was to lie with “the medical officer ... and not the native commissioner”. Indeed, “the situation should be entirely under the control of the medical officer, and any assistance granted him from the native department should be subject to his direction”.⁶⁸

Kinghorn and his colleague Montgomery suggested a number of measures. These they grouped into two categories, major and minor measures. The major measures were to have a tremendous impact upon the daily lives of Africans in the Mweru-Luapula. Measures to be taken all dealt with the containment of Africans, in that a.) African movement was to be controlled, b.) cases were to be segregated, and c.) villages were to be moved from those zones deemed to be dangerous. Minor measures consisted of a.) bush clearing, b.) education, c.) personal prophylaxis, and d.) destruction of tsetse flies, their larvae and pupae.⁶⁹

Worker Palpitation

One of the measures taken was that each and every labourer recruited by the TCL had to be checked for sleeping sickness before the person could return to Northern Rhodesia. The NRG demanded, and was able to enforce this through international law, that every returning labourer be “palpitated”. That is that the lymph glands of the throat, armpits and groin, be palpitated and checked for swelling. Those found to have swollen or “shotty” glands were to have fluid extracted from their glands and examined for sleeping sickness.

⁶⁷ Allan Kinghorn and R. Eustace Montgomery, “Reports of the ‘Sleeping Sickness’ Expedition to the Zambesi for the Years 1907 – 1908”, *Annals of Tropical Medicine and Parasitology*, Volume II (March 2, 1908 to May 12, 1909), p. 61.

⁶⁸ Allan Kinghorn and R. Eustace Montgomery, “Reports of the ‘Sleeping Sickness’ Expedition to the Zambesi for the Years 1907 – 1908”, *Annals of Tropical Medicine and Parasitology*, Volume II (March 2, 1908 to May 12, 1909), p. 63.

⁶⁹ Allan Kinghorn and R. Eustace Montgomery, “The incidence and prophylaxis of human trypanosomiasis in North Estaren Rhodesia”, *Annals of Tropical Medicine and Parasitology*, Volume II (March 2, 1908 to May 12, 1909), p. 88.

Only those found to be free of sleeping sickness could then be allowed to return to the NRG the rest were to be quarantined.

Writing from Madona in early 1908 Dr. Kinghorn wrote, “Of 9,005 natives examined by me between July and December [1907], 20.85% had palpable glands, mostly very few in number and shotty to the touch”.⁷⁰ Secure in the paradigm of bio-medical knowledge, Kinghorn went on to mention in a further article that, “in as many cases as was practicable, gland puncture was performed and the juices thus obtained examined microscopically”.⁷¹ The whole system of prophylaxis was based on the “application of gland palpation and puncture”. Since it was by this means that Kinghorn and his colleagues were “enabled to detect the disease in its earliest stages in over 97 per cent . of the cases”, thus they were “in a position to weed out the infected and isolate them before they ...[could] become very dangerous”.⁷²

Just stop and imagine what this entailed. A young man went off to work. To do this he had to be registered. Then after a set period of time he was given a ticket. With this ticket he could then hope to gain access to material goods, but before this could take place, he had to strip and allow a complete stranger to “palpitate” his glands. Then depending on an outcome, the logic of which was contained within a bio-medical worldview, the young man could or could not gain access to his highly sought after material goods.

Thus, although the NRG had no power on the ground through international law they were able to ensure that the TCL carried out its wishes, and thus by extension the NRG was able to enter into and control at a very fundamental level the daily lived reality of African labourers in Northern Rhodesia in the early 1900s. *Science* magazine reporting on the activities of Dr. Sheffield Neave noted in 1908 that:

⁷⁰ Allan Kinghorn and R. Eustace Montgomery, “Reports of the ‘Sleeping Sickness’ Expedition to the Zambesi for the Years 1907 – 1908”, *Annals of Tropical Medicine and Parasitology*, Volume II (March 2, 1908 to May 12, 1909), p. 75.

⁷¹ Allan Kinghorn and R. Eustace Montgomery, “The incidence and prophylaxis of human trypanosomiasis in North Estaren Rhodesia”, *Annals of Tropical Medicine and Parasitology*, Volume II (March 2, 1908 to May 12, 1909), p. 83.

⁷² Allan Kinghorn and R. Eustace Montgomery, “The incidence and prophylaxis of human trypanosomiasis in North Estaren Rhodesia”, *Annals of Tropical Medicine and Parasitology*, Volume II (March 2, 1908 to May 12, 1909), p. 87.

In 1,327 palpations the percentage of enlarged glands from endemically-infected districts was found to be 62.4 per cent., as compared with 3,972 palpations, with a percentage of 39.2, where the disease did not exist.⁷³

Commenting on the work of Dr. Sheffield Neave *Science* magazine concluded in 1908 that, “the disease is not so severe and widespread in Katanga as was at first thought”.⁷⁴ Thus although it would later turn out that human trypanosomiasis was as widespread as first believed, yet the threat of this and the desire for industrial material goods was capable of allowing for the extensive disciplining of African people and society in the absence of military might and naked power.

People were forced to move, with disastrous consequences. Interestingly by 1910 the interplay between Tax and Tsetse had come to express itself in daily lived life along the Luapula. Thus missionary Shapland reported in early 1910:

Camped at Chituta’s ... This is a large village, and in the evening two hundred or more gathered. I was rather amused to see the people make for the bush as I entered each village to-day. They thought I had come to collect the tax, or else took me for the doctor on the look-out for sleeping-sickness patients. Sometimes I had to wait twenty minutes or half-an-hour ere they could be persuaded I had only come to tell them that God’s love.⁷⁵

Discussion

The case is fairly simple, yet the ramifications – as always – are extensive. In the early 1900s the legal construction recognised under international law and known as the colony of Northern Rhodesia entered into agreements with another legal construction known as the Tanganyika Concessions Limited (TCL). Although the legal construction of the Colony of Northern Rhodesia had no effective on the ground control in the territories that were formally under its control it was able to enter into detailed legal contracts with the legal construction known as TCL. That is, within international law, the Northern Rhodesian government could enforce its legislation on the TCL. If the TCL failed to comply with the wishes of the Northern Rhodesian government(NRG), then the NRG

⁷³ “Scientific notes and news”, *Science*, Vol. XXVIII, No. 724, November 13, 1908, p. 681.

⁷⁴ “Scientific notes and news”, *Science*, Vol. XXVIII, No. 724, November 13, 1908, p. 681.

⁷⁵ A.E. Shapland, 3rd May – 17th May 1910, *Echoes of Service: A Record of Labour in the Lord’s Name*, September, 1910, pp. 336 – 337.

could choose to pursue legal cases against the TCL in the law courts of Great Britain, and thereby ensure that the TCL kept to the letter of the law as determined by the NRG.

On the ground in Northern Rhodesia itself the NRG was simply unable to enforce its law. It simply did not have the manpower or the resources available to enforce its will. But, in the courts of law, within the context of international law, the NRG was capable of ensuring that companies operating within its territories kept to the law. If the TCL failed to keep to its agreements with the NRG, then it would be censured by the law courts in London. Now all of this is all very well at the level of companies and legal constructions; that is at the abstract level of legal entities that battle it out within the context of international law. But, what are the consequences of these battles at the level of everyday people living in Northern Rhodesia and southern Congo in 1903?

The mines of the TCL that lay within southern Congo needed African labour, and they needed lots of it. Within the framework created by the social construct known as international law, the bulk of the labour that came to be employed in southern Congo came from territory administered by the NRG. That is, the TCL was dependent on labour drawn from territory formally under the control of the NRG. Within the context of international law the TCL entered into extensive negotiation with the NRG with regard to the recruitment and employment of African labour drawn from Northern Rhodesia and employed in the mines of the TCL in southern Congo. That is, in what was purely an abstract exercise carried out in the legal chambers of law companies in London, the grounds and conditions on which the TCL could legally gain access to NRG labour was thrashed out. Thus, although the NRG was unable to enforce its will on the ground in Northern Rhodesia, within the context of international law it could make sure that TCL kept to the letter of the law.

The TCL was permitted to formally recruit labour from Northern Rhodesia. TCL labour recruiters kept records – that were then passed on to the NRG - of all those recruited, and kept to the terms and conditions as stipulated by the NRG. Thus, in Northern Rhodesia eight thousand kilometres away from London's law courts the TCL carried out the wishes of the NRG and this had a direct impact on the African Labourers recruited. That is bureaucratic agreements completed in London had direct influence and bearing on the daily lived reality of Africans in Northern Rhodesia. Africans were

registered and drawn into a bureaucratic system not because the NRG had any physical presence in Northern Rhodesia, but because the NRG could force the TCL to abide by its wishes in the context of international law. TCL wanted labour, and African labourers wanted work so as to get access to the consumption products of industrial capital. Yet access to these two desires – labour and employment – was regulated and controlled by the abstract authority of international law, which was recognised by both the NRG and the TCL. That African labourers may not have recognised this abstract authority is besides the point, in their desire for employment they submitted themselves to a process of bureaucratic registration that regulated and disciplined their lives. By registering for employment they became drawn into bureaucratic structures that would directly influence their daily lived reality.

Theoretical material that deals with the manner in which through the absence of physical power a state, or legal entity, is able to directly influence, control and discipline the daily lived lives of people through bureaucracy or bureaucratic measures. NRG has no physical power, yet is able to invade peoples daily lived lives at the most fundamental level.

Conclusion

The state gains control through consumption. African workers, to be able to consume have to go through a ritual of registration, work, palpitation and possibly puncture. That is the use of Bio-medical logic to domesticate and discipline African workers. Yet all of this, from registration to palpitation and consumption, takes place and is made possible by the establishment, recognition and implementation of an international boundary recognised within the confines of international law.

Jan-Bart Gewald

Neither peace nor war: cross-border trade in Banki-Amchidé on the Nigeria-Cameroon border

Vincent Hiribarren, University of Leeds

ABORNE conference 2010: Cross-border trade in Africa



Charles Taylor

http://news.bbcimg.co.uk/media/images/46049000/jpg/_46049540_-5.jpg

Banki-Amchidé on the Nigeria-Cameroon border





**FEDERAL
REPUBLIC OF
NIGERIA**
2nd TIER 97/98 COPP MEMBERS

REPUBLIQUE
DU
CAMEROUN

**GOODBYE TO FEDERAL
REPUBLIC OF NIGERIA.
NIGERIA CUSTOMS SERVICE
BANKI**



1. Banki-Amchide: an asymmetric relationship

- ▶ Pre-colonial trade corridor.
- ▶ Historical unbalanced trade relationship between Nigeria and Cameroon.
- ▶ Relative strong presence of the State on the Nigerian side of the border.
- ▶ From Cameroon: rice, soap and electricity.
- ▶ From Nigeria: petrol, cigarettes.
- ▶ Domination of Nigeria over its Cameroonese neighbour = Unequal relationship.



2. Neither peace nor war

- ▶ Very strong presence of the State: importance of the 2002 ICJ settlement for the Bakassi peninsula.
- ▶ Strong presence of the State = borderland.
- ▶ Cameroon: customs, gendarmerie, Brigade d'Intervention Regionale
- ▶ Nigeria: police, army, immigration, anti-smuggling special brigade and armed forces in charge of the fundamentalist Muslims (operation Flush II).
- ▶ State directly involved in legal and illegal cross-border trade.
- ▶ Asymmetric relationship reinforces the role of the boundary and maintains conditions dictated by the State.



Conclusion

- ▶ Specific case of an economic giant, Nigeria.
- ▶ Boundary recently negotiated at an international level.
- ▶ Situation varies even on the same segment of the border.
- ▶ Historical strong presence of the State.
- ▶ Political situation reinforced by cross-border trade.
- ▶ Historicity of a State border regime



Women Smuggling and the Men Who Help Them: Gender, Corruption and Illicit Networks in Senegal

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Abstract: This paper investigates the illicit networks that facilitate women’s cross-border smuggling in Senegal. The dynamics of these networks in structuring accumulation strategies and facilitating corruption in the customs apparatus are far more complicated than the literature on corruption and governance would imply. Illicit opportunities are distinctly gendered, for a variety of reasons, including segmentation of the labour market, gendered access to associational and political networks as well as gender norms that criticize women’s wealth and conflate accumulation with sexual impropriety. I find, for example, that while smuggling depends on contesting legal and social boundaries, some of the most successful traders (and transporters) find it important to fulfil ideal gender roles as closely as possible. Ironically, trading on poverty and feminine vulnerability is a strategy that only works for relatively affluent women. Despite a discourse of generosity and solidarity associated with these networks, I find that access to corrupt networks is mediated by class and gender in a way that favours social differentiation, especially insofar as it depends on geographic and socio-economic affinity with customs officers, state representatives and well-connected transporters.

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“The making of rules and social and symbolic order is a human industry matched only by the manipulation, circumvention, remaking, replacing, and unmaking of rules and symbols in which people seem almost equally engaged.” (Moore, 2000: 1)

INTRODUCTION

This article will discuss the strategies of successful traders and transporters to analyze the way illicit networks are developed in order to create a space for successful law-avoidance. The role of customs officers in defining that space is mediated through a complex web of legal incentives, local institutions and personal relationships. This requires a delicate strategy of fulfilling occupational obligations, ideal moral and gendered boundaries, as well as representing specific class identities. Women who are successful in cross-border smuggling depend on support from a variety of people. The strategic navigation of gender and class identities is a crucial factor in obtaining help, particularly from powerful or well-connected people. Of course, the least risky method of evading law enforcement is to achieve the complicity of enforcement officers, a practice that falls within most definitions of corruption.

The practical dynamics of rural law enforcement and public administration embody public authority and traders’ conception of the state. As Lund put it, the “idea of the state is formed as a combination of people’s everyday encounters with representatives” (Lund, 2006: 689). Conflicting but symbiotic relationships between traders, transporters and officers mean that individual relationships are in a constant state of flux between contestation, competition, negotiation, and cooperation. The way these roles are navigated defines opportunities for accumulation and the institutional framework of the sector. The murky boundary between state and society in Senegal presents a particular challenge for political scientists seeking to theorize the exercise of public authority as well as donors seeking to develop effective strategies to combat corruption.

Patterns of negotiation and corruption in this study contrast with popular assumptions about governance and the rule of law. The first section, then, will discuss debates in the literature on corruption, with particular reference to competing norms, state capacity and gender. Section two analyzes the discourse I encountered during fieldwork regarding popular norms, gender and moral obligation in an effort to illustrate the way competing norms are negotiated to structure and facilitate access to illicit networks. Section three will consider the role of civilian intermediaries in the exercise of public authority as it impacts traders and gendered access to clientelist networks that facilitate corruption. These observations are complemented by the few ethnographic studies of corruption, but are far removed from donors’ conceptions of “governance.”

DEBATES ON CORRUPTION, GOVERNANCE AND GENDER:

The customs officers in the current study routinely extract illegal commissions from customs seizures, hire civilian intermediaries who are paid through illegal appropriation of funds and use discretion to permit the illegal importation of goods. All of these activities qualify as violations of the customs code and fit many definitions of corruption and rent-seeking. Because the boundary between legality and illegality is often blurred in practice, the term “corruption” will be used broadly in this paper following Olivier de Sardan (1999) to encompass various illegal and semi-legal activities within “the ‘corruption complex’, in other words beyond corruption in the strict sense of the word, to include nepotism, abuse of power, embezzlement and various

forms of misappropriation, influence-peddling, prevarication, insider trading and abuse of the public purse” (27)². The illicit networks associated with cross-border trade in Senegal depend on the market distortions that make smuggling profitable for all of the actors involved (rent-seeking) as well as gaps in regulation and the exercise of public authority, which do not necessarily originate in the regulation of economic activity³.

Dominant among international donors is a perspective of public authority based on governance. According to this approach, economic development depends on ‘good governance,’ which requires economic liberalization, democracy and the rule of law to reduce market distortions and limit corruption through accountability⁴. Debates in corruption that are relevant to this chapter centre around questions of state capacity, criticisms regarding the ahistorical approach and supposed universality of governance and limitations in the literature regarding corruption and the actual dynamics of public administration. Debates dealing with gendered aspects of corruption tend to be separate and largely limited to the hypothesis that women are less corrupt than men. Meanwhile, the gendered dynamics of opportunities and networks for corruption remain poorly understood.

Governance, corruption and the rule of law

The argument that democracy and economic liberalization promote the rule of law and inhibit corruption is based on a perspective of ‘good governance’, whereby a classic Weberian bureaucracy permits sound management of resources and is a pre-requisite for economic development⁵. States that do not fulfil these functions are characterized as ‘weak’ or ‘fragile’, limiting their capacity to implement policies aimed at poverty reduction (Torres and Anderson, 2004). Good governance, then, is both normative in that it reflects the ideal state and instrumental in that it promotes development. Paradoxically, the state appears simultaneously as “both the problem and the solution to the crisis in the African states” (Blundo, 2006: 800). This perspective inhibits an accurate understanding of the dynamics of corrupt networks in Sub-Saharan Africa because it is limited to identifying the ‘failure’ of the state rather than analyzing the function of public authority. Furthermore, Di John (2008) argues that the assumed pre-requisites for economic development are actually characteristics rather than *inputs* to development. “The institutionalization of order (stable property rights, entrenched democracy, low corruption, accountability of leaders) requires a significant level of development in order to be effectively implemented” (26, citing Khan, 2006).

In the case of Senegal, democratic institutions (in the form of competitive elections and a free enough press to write extensively about corruption scandals) allowed for the mobilization of

² For an in-depth discussion of associated terms and definitional problems, see Gardiner (2002).

³ Here, rent-seeking falls within the ‘corruption complex’. See Krueger (1974) for the seminal theory of competitive rent-seeking. Rent-seeking is sometimes distinguished by definition from market transactions that involve the production of added wealth as in Boone (1990 and 1994), in the case of Senegal. In the case of smuggling, however, this does not apply.

⁴ See World Bank (1992 and 1994) for the analytical approach. See Kauffman et. al., (2009) for the most recent cross-national evaluation. Governance indicators are categorized into six dimensions (page 2): ‘Voice and Accountability’ (political liberalization); ‘Political Stability and the Absence of Violence/Terrorism’; ‘Government Effectiveness’; ‘Regulatory Quality’ (effectiveness and regulation are both evaluated on the basis of neoliberal economic policies); ‘Rule of Law’; and ‘Control of Corruption.’

⁵ The term “pre-requisite view” to describe the dominant approach to governance is aptly coined by Di John (2008) in a review of the literature on ‘failed states.’

public opinion in an anti-corruption discourse, but this does not seem to have been linked to an actual reduction in corrupt practices, either in the literature or in public opinion. Arifari (2006) finds that, contrary to Benin and Niger, common patterns of corruption in customs and transport sectors demonstrate “no obvious links to any crisis of the state, and [were] observable as early as the 1960s” (221). Indeed, most informants I spoke with perceived corruption to be pervasive. When asked if there had been any changes in enforcement capacity or corruption in the customs bureau since 1991 (when he began), an *indicateur* in Kaolack city responded: “No! Customs never changes! ... As for the text, rules and regulations, I have no idea.” (March 23, 2008) Meanwhile, many present practices of negotiation, bribes and tolerance as not only distinct from corruption, but indicative of people who are not corrupt because these behaviours do not permit the theft of seized merchandise. This fundamental difference between donors’ understanding of corruption and its popular representation in Senegal is an important factor in the unwillingness and inability of citizens to hold leaders accountable for specific corrupt behaviours, reflecting the analytical limitation of ‘good governance’ as an approach to anti-corruption strategies.

The claim to universality inherent in concepts of governance and the rule of law is problematic in terms of policy ownership. More importantly, a universal ideal of the state and its monopoly on public authority is both ahistorical and misleading. If competing institutional norms limiting the relevance and predictability of statutory law are simply seen as evidence of a policy or a state’s success or failure, there is little space for understanding the actual dynamics of state management. Monolithic assumptions about the relevance of statutory law and classical Weberian structures have been widely discredited in African contexts. Ironically, the pre-requisite view of governance and development focuses on this image of the ideal state, precisely because of its irrelevance in many developing countries. Meanwhile, as will be shown in this chapter, studies that consider the actual dynamics of corruption consistently cite the importance of competing norms in promoting corrupt behaviour

Efforts to describe regulation in African contexts are associated with references to “institutional multiplicity” (Di John, 2008; Hesselbein et. al., 2006), “legal pluralism” (Anders, 2004; Moore, 2001); “institutional *bricolage*” (Clever, 2002); and “twilight institutions,” which “effectively exercise public authority” outside the confines of the state (Lund, 2006: 685). Indeed, the relationships between customs officers and their civilian intermediaries, traders and transporters can be described as networks of illicit earnings, but do not reflect a clean dichotomy between legality and illegality. One may argue that this is simply evidence of ‘bad governance’, but it seems difficult to argue that a strategy of anti-corruption does not need to consider the practical dynamics of competing norms. For example, Lund argues that legitimacy can be claimed by non-state institutional authorities and that there may be “a fine line between a fee and a bribe for issuing a deed or certificate, and between collecting a market-place tax and running a protection racket” (2006: 696). In the context of corruption in Senegal, Olivier de Sardan refers to a logic of negotiation that operates not only “within the limits of a set of stable rules, accepted on all sides, but is extended to a negotiation of the rules themselves” (1999: 36). In Malawi, Anders argues that reforms associated with ‘good governance’ and the ‘combat against corruption’ did little more than add “an extra layer to legal pluralism within the civil service in Malawi” (2004).

The assumption that corruption and smuggling reflect illegality in a way that is neatly defined is reflected in the tendency to place both in a discourse of criminalization. Thus, in a document for the World Bank, Ferreira et. al. (2007) write that

“customs must endeavour to prevent the importation of illegal goods. Smuggling of drugs and weapons, plus large-scale smuggling of alcohol and cigarettes, places customs directly into the vortex of organized crime – with criminals using any means, from extensive bribery to intimidation and violence, to promote their illegal transactions” (2007: 369).

The fact that alcohol and cigarettes qualify as illegal goods in this assessment is further evidence that the authors make no effort to distinguish between different sources and techniques of corruption. Because illegal cross-border trade in West Africa tends toward trade in legal goods, the failure to distinguish different forms of smuggling in this context, though consistent with the notion of rule of law, is limited in its capacity to understand not only patterns of illegal behaviour, but patterns of economic activity as well. “Indeed, the entire criminalization thesis rest on a refusal to raise relevant analytical questions about the distinction between indigenous trading networks and organised crime” (Meagher, 2003).

Techniques of corruption are determined by specific mechanisms of state control. Issues of organizational culture, occupational identity and interpersonal negotiations of power require an understanding of the actual dynamics of public administration and sources for corruption, topics about which Blundo (2006) suggests the “Africanist literature in social sciences posts a weird silence” (799). The topic has, however, begun to receive the attention of anthropologists⁶, particularly with extensive studies presented by Smith (2007) in Nigeria, Anders (2005) in Malawi, and Blundo and Olivier de Sardan (2002 and 2006) in Benin, Niger and Senegal. Ethnographic approaches provide the opportunity to interrogate patterns of accumulation between different groups and classes of people, including issues like religion, ethnicity, class, education and gender. Surprisingly, there is limited discussion by Blundo and Olivier de Sardan about the crucial question of explaining variation between countries, despite the fact that they report some significant differences in the exercise of public authority through corruption in the three countries. Moreover, none of these studies mentions the role of gender, despite the fact that men and women tend to be subject to different social norms and may have access to different occupations and networks for illicit enrichment.

Gender and corruption

The way in which corruption may be inherently gendered, which is to say the possibility that corruption impacts men and women differently and that gender mediates access to opportunities and networks for corrupt accumulation strategies does not appear in the literature that posits a link between gender and corruption⁷. Instead, the literature on gender and corruption relates to findings regarding the tendency of women to be more averse to corrupt practice than men⁸, which is used to promote instrumentalist arguments supporting policies that would include more women in public office. As Goetz (2007) points out, to the extent that women are less likely than men to participate in corrupt activity, it is crucial to consider how much this is determined by women’s limited opportunities, particularly because the effect may be diminished as women gain access to public resources. If women presented with opportunities to engage in corruption are actually less inclined to do so, a greater understanding of patterns of corruption would require

⁶ While not extensive, there has been some ethnographic research on corruption since the 1980’s. See Blundo and Olivier de Sardan (2006) for an extensive review of this literature. See Feldstad et. al. (2003) for an interdisciplinary approach in Tanzania and Uganda for an application of Olivier de Sardan’s theoretical approach.

⁷ A similar point is made by Goetz (2007).

⁸ Two cross-national statistical studies (Swamy et. al., 2001 and Dollar et. al., 1999) are widely cited. See chapter 3 for further discussion of this literature, its contributions and its limitations.

considering why women behave differently than men in response to specific political contexts, as opposed to simply theoretical claims about gender roles and norms. The problem with assuming either that women are necessarily less corrupt than men (as in World Bank, 2001), or that they *necessarily* respond to opportunities for corruption in ways that are identical to men (as in Sung, 2003; Alhassan-Alolo, 2007; and Vijayalakshmi, 2008), is that there is very little space for understanding the gendered patterns of corruption. A more nuanced approach would attempt to disentangle the dynamics of gender norms and their intersection with norms associated with the exercise of public authority, thereby elucidating women's actual access and responses to illicit networks.

A possible factor in women's limited involvement in corrupt activities is their exclusion from or more limited access to corrupt networks, a point made originally by Swamy et. al. (2001). Goetz (2007) argues that access to corrupt networks may be the key determinant of differences in behaviour, although she is careful to note "the lack of research on how gender mediates access to networks for illicit earning, let alone the lack of explicit documentation about how such networks function" (96). In her work on micro-finance programmed in Bangladesh, she found that the types of illicit behaviours available to men were very different from those available to women. Women fieldworkers might be considered 'local heroes' for helping borrowers profit from illegal cross-border trade or the misrepresentation of products. Male fieldworkers might be able to make deals with elite men, getting them access to loans that were ostensibly only available to the poor or supporting a loan for a particular political constituency in exchange for a commission from the politician. The kinds of deals that involve establishing contacts between different spheres of power (political, business, industrial or rural elite) appear to be a particular cite of women's exclusion from potentially illicit networks. Thus, in Senegalese *loumas*, women traders are thought to "wait for customers to come, while men hustle and make 'arrangements' (deals, often based on bribery) to sell their crops or livestock, or to solicit political perks" (Perry, 2005: 216).

Gendered access to illicit networks is distinctly reflected in the way female traders in Senegal depend on collaboration with men, and state actors in particular, throughout the process of supply acquisition, transit and sales. Men facilitate female traders' access to transport networks in the collaboration with customs officers, other transport networks in the evasion of customs officers, and negotiation in the event of seizure, thereby exercising control over women's involvement in illicit networks. These relationships intersect with those in which male suppliers provide credit and male kin provide moral support, giving women permission to trade. Women's access to opportunities for illicit accumulation thus depends on men's support in a way that conditions women's margin of manoeuvrability in pushing the boundaries of gender norms. As will be discussed in section two, men's support appears to be distinctly contingent on their perception of women's reputations, a factor that impacts directly on the gendered dynamics of these particular illicit networks. Importantly, gendered access to illicit networks is also mediated by class. Most traders I spoke with (60%) are never able to receive tolerance or even successfully bribe customs officers. This is true of 87.5% of the women in the poorest quintile (all but two women) and 37.5% of the wealthiest quintile. Within the bottom two wealth quintiles, four women have successfully kept some portion of their products through a bribe, without necessarily benefiting from help (bribes ranged from 18-45% of the value of their products). In this group, two additional women benefited from the kind of illicit network wherein a personal contact has protected them from seizure. One has the help of a regular driver, so that her risk and payment obligations are consistently controlled. The second woman benefited from such a network on only one occasion. Her son was the friend of a customs officer and although she

claims the officer wanted to seize her goods anyway, he eventually relented, allowing her to pay a 5% bribe. Meanwhile, it is among traders representing the wealthiest quintile that diverse strategies of law-avoidance begin to appear, three who travel to Banjul and successfully hide their products or negotiate tariff reductions, several who had or have established relationships involving the complicity of customs officers, and those who benefit from the help of well-connected transporters.

MORALITY, PUBLIC AUTHORITY AND GENDERED EXPECTATIONS

The dynamics of illicit networks are structured by competing institutions, so that gendered access to opportunities for corruption are reflected in moral discourse, as are respondents' perceptions of the law. The concept of corruption is almost universally stigmatized in Senegal as in many parts of Africa⁹. "At the everyday level, there is scarcely a conversation without hostile or disgusted references to corruption, either of the petty type of which one claims to have been a victim, or the upper crust type about which one has rumours to spread" (Olivier de Sardan, 1999: 29). The contrast between people's outrage in the face of abstract notions of corruption and the mechanisms that facilitate it in practice become clear through in-depth fieldwork discussions of gendered social norms, moral obligations and people's everyday engagement with the state. Importantly, corrupt behaviour, even when it involves misappropriation of tremendous sums of money is very rarely subject to professional sanction, let alone judicial investigation or imprisonment (Blundo, 2006; Selboe, 2008). When a former head of a customs bureau continuously appropriated seized goods for months, the office was investigated because the revenue targets had not been achieved, to the dismay of the officers working there, who informally testified against him. After intervention on his behalf¹⁰, the officer not only escaped judicial prosecution, but was not even dismissed from his post. Instead, he was relocated to a less profitable bureau further from a border (customs officer and *chef de poste*, March 18, 2008). Meanwhile, 'petty corruption' by public agents or civilian intermediaries appears openly tolerated in practice if not in conversation, by public agencies and private citizens.

Moral obligations based on solidarity and reciprocity extend to one's entire social network in Senegal and in much of Sub-Saharan Africa. This may include the provision of material support, labour and favours or administrative resources to which one might have access. The obligation to provide financial support is particularly acute for men, and especially difficult to reject for men who are perceived as wealthy because they have political influence, have lived abroad or earn a salary. These obligations apply to women as well, but seem to be much less severe. Wealthy women that I spoke with provided help for family members by taking in relatives or paying for school fees, but none mentioned direct requests to provide financial resources outside of their household budgetary obligations. For civil servants, who are known to benefit from a regular salary as well as hefty 'commissions' and administrative resources, these obligations are extensive and failure to meet them carries the threat of serious sanction. Olivier de Sardan notes that social obligation is not only a function of solidarity, but is also connected to shame, a distinctly social morality. A civil servant who refused to engage in any form of corruption would be subject to "the shame that would inevitably befall his relatives, and which could be interpreted

⁹ For extensive discussions, see Anders (2005), Jordan Smith (2007), Olivier de Sardan and Blundo (2002).

¹⁰ The manager or "*chef de poste*" in Keur Ayib indicated that this type of intervention is common, but did not know who, in particular, had protected the officer in this situation. When asked he answered in English: "Who knows? Other customs officers, marabouts, family" (March 18, 2008)

as his pride, his scorn for others, his lack of compassion, his rejection of family or friends, his hostility toward social norms” (1999: 47). The use of the masculine subject in this observation does not solely reflect the traditional universality of the masculine pronoun or the predominance of men in the civil service. Rather, this precise representation of shame among civil servants is *distinctly* if not uniquely, masculine.

A representative in the customs ministry in Dakar who has a PhD in Customs Law from France explained the moral quandary that faces officers. He left his position at the Port of Dakar, although it is known to be extremely lucrative, because the pressure to engage in extensive corruption was oppressive. He described the professional experience: “You seize someone and then you get a call from an old teacher you haven’t seen in fifteen years who says, “come on now, you used to be a good student!” For him, any application of the law can be associated with intense pressure from family, politicians or marabouts. Meanwhile, his departure was met with dismay and was difficult for people to accept (customs, April 10, 2008). The pressure to juggle obligations when professional and social duties interact in this way does not necessarily provide a clear choice in a given circumstance. Pressure from within the organizational structure to be as corrupt as one’s colleagues but not more so aggravates what this officer referred to the “unhealthy” professional environment of the bureau. He lamented his own inability to propose what he saw as the crucial research question: Is the system rotten? When faced with the obligation to navigate the pressures of contradictory norms, the “border between the legal and the illicit becomes fuzzy. It can be moved according to circumstances, by the users of the administration as well as by the government officials, pulled between the duties inherent in their positions and the pressure of social, identity, and political networks” (Blundo, 2006: 808).

The qualities that define a trader, officer or driver as admirable or deviant illustrate ideal gender and occupation-based identities in Senegal. None of these depends on the legality of a practice. For traders, the key determinants of acceptable behaviour are wealth and sexuality. For officers, choosing the right time and place for strict or flexible law enforcement is a moral obligation based on gender, class and the responsible exercise of public authority. The drivers who help traders and befriend officers have some freedom in choosing who to befriend and how involved they want to be in smuggling. However, the moral ground when investing simultaneously in relationships with law enforcement and smugglers can be tricky and drivers have to negotiate so that everyone receives a sustainable portion of the pie.

The most commonly cited criticism of women’s involvement in illegal cross-border trade is the risk of adultery or prostitution. It is common knowledge that some women have relationships with customs officers, thereby receiving tolerance and other forms of support. Interestingly, this topic was only mentioned by relatively wealthy, urban informants. Although the topic itself is taboo, it is also likely that class and geography play important roles in determining officers’ relationships, so that poorer traders and village-based traders are in fact less likely to establish social ties to officers. The manager of the Wak louma told me that officers who are based near the border often rent a flat in the better equipped, “semi-urban” town of Wak in order to be less conspicuous and more comfortable (March 4, 2007). Meanwhile, the fourteen traders who are able to successfully evade seizure are over one quintile wealthier than the average trader and all fall within the most successful quintile in terms of trading capital. Seven of the fourteen are from the urban town of Niore.

One driver, Dembe¹¹, explained that illegal trade was morally risky. When asked what morals were at risk, he described young, seductive women who risked becoming promiscuous, explaining that there is a “veiled competition between neighbours, between rich and poor”. This is reminiscent of Perry’s finding that men in Loumas “link economic liberalization and market activity to sexual liberty and immorality. Men deride petty trade by conflating it with female sexuality” (2005: 216). Here, competitiveness is a trait not conforming to the feminine ideal, particularly as it relates to class antagonism. “Getting rich” as a motive for women’s smuggling was cited by several informants as an inherent moral pejorative and as a dangerous precedent. Women who become wealthy in trade may “just want their freedom” rather than simply seeking “household maintenance”. Wanting one’s freedom in this context refers to financial independence from one’s husband and is related to the concern that cross-border trade will increase divorce rates. Women’s skill and involvement in revenue-generating activities is linked to sexuality. As one man noted in a study of Loumas, “[w]omen are better sellers than men since women have more charm (*bayre*)” (Perry, 2005: 216). Women’s power is thus discursively linked to their sexual allure. As a moral issue, whenever sexuality was mentioned, the discourse was pejorative (including words like “inappropriate”, “risky”, “dangerous” or “adultery”) only as it related to women or their husbands (who are responsible for allowing them to trade). Sexuality for officers, however, seems to be morally neutral territory as it was only referred to as a fact.

Masculinity and generosity among transporters and customs officers

The moral neutrality of officers’ sexuality is evidence of sexuality as part of an ideal masculine. It is not evidence of officers’ relative immunity to moral sanction in border communities. On the contrary, customs officers operate in murky moral territory as the line between corruption/theft and tolerance/reciprocity can be difficult to define. Although corruption in general is seen pejoratively, village-based respondents, including traders, their families and other informants, were more critical of officers’ refusal to accept bribes than their willingness to negotiate. Refusal to accept bribes is seen by some as evidence of theft (that the officer intends to sell the seized merchandise for his own benefit), but even where there is not an accusation of theft, many traders felt that officers who refused bribes were inflexible or insensitive. When officers accord ‘tolerance’ to friends and family, it is not seen as corruption and is a moral obligation. It is unthinkable to most of my respondents that an officer would require full payment of dues or seize the prohibited products of a family member. Tolerance justified by sympathy is seen as both a moral good and a masculine ideal. It is understood that officers will judge their leniency on a case by case basis considering the need of the trader and the degree of separation between officer and trader (whether they have a friend in common, for example). Furthermore, as an indicateur explained, if an officer refuses ever to show flexibility by showing tolerance, he “will not end well,” but will suffer mystically as a consequence of his actions (March 23, 2008).

Because male cross-border traders and horse-cart drivers smuggle in higher volume than women, officers’ perceive them to be more important targets for seizure. Because women’s role in trade is small, some officers referred to them as non-threatening and distinguished between criminal smugglers or “*la fraude noire*” (primarily men) and subsistence smugglers (primarily women). While accumulation to “get rich” was discursively linked to women’s sexuality, accumulation as evidence of criminality was discursively linked to masculinity. None of the women in the current sample would qualify as criminal smugglers, whose imports are quantified

¹¹ All names have been changed to preserve respondents’ anonymity.

by the truckload or at least what can be held by a horse cart (10-50kg sacs of sugar, for example). This is very likely a result of exclusion not only based on women's more limited access to investment capital, but also women's more limited access to illicit networks because of the negative connotations associated with women's independent wealth. High volume traders in the study tended to specialize in fabric, negotiating their payments directly with officers at the border. They indicated that once they had enough money to cross the border officially (and still profit from trade as a result of high volume), the safety of seizure avoidance was highly desirable. Officers felt that it was necessary, both morally and to safeguard the goodwill of the community, to show occasional flexibility to those subsistence traders who traffic in low volumes. An example of flexibility would be the seizure of half of the products found rather than the entire amount. Ironically, compassionate applications of flexibility and tolerance are mediated by class, so that the traders who benefit from generosity in this way tend to be among the least vulnerable.

Descriptions of the type of women who deserve support are also indicative of the ideal masculine roles informants defined for themselves. The ideal masculine role is represented by strength, generosity, moral authority, discipline and the ability to provide. One driver, Dembe, in Nioro, exemplifies these characteristics in his presentation of himself, as he tells the story of his decision to help traders. Having been in the army, Dembe has learned discipline and respect for the law. He considers customs officers his "brothers in arms" and initially felt that illegal cross-border trade was a crime. Even now, he would not consider allowing his own wife to smuggle, explaining that illegal trade is risky and bad for marriage. This is partly because he conflates smuggling with sexual impropriety as mentioned above, and partly because he sees women's accumulation as fodder for divorce. Further, he explains that there are better employment opportunities for young, attractive women (being a maid, for example). After having spent some time in Nioro, however, he came to know some of the local cross-border traders who requested his help. He sympathized with their predicaments, explaining that these are poor women, pushed by "social reasons" to engage in illegal trade and are only trying to survive. When they asked for his help, he was unable to refuse. Because he had been adamant earlier in the interview about the moral risk associated with the activity, I asked how many women fell into each category (subsistence versus accumulation and moral turpitude). Of his clients, he claims 4 out of 5 are "on the right path".

Dembe sees himself as unable to refuse women he knows because they are vulnerable, forced into illegal trade because they are forced into poverty. Further, he is unusually able to help because of his car and his connections to customs officers. He also benefits from this exchange by strengthening his own reputation and social network. Dembe's ideal masculine is to be strong, able and generous, which allows him to protect his friends' ideal feminine vulnerability. Of course, the women Dembe has chosen to help are not among the most vulnerable traders. Class plays an important role in determining which poor women a driver might help in that the most vulnerable traders do not have the opportunity to befriend Dembe. His education, relative wealth and connection to customs officers place him in a socioeconomic position that is not accessible to those traders who are most in need of help.

Transporters typically have the luxury of choosing whether and how much to help traders. Some horse-cart drivers provided free transport for female traders in their families, while others charge their own wives full price (500 cfa per sac of sugar, for example). The same diversity applies to motorized transporters, implying that generosity is a moral good but the lack of

generosity does not appear to be sanctioned. This reflects an important popular distinction driving norms based on solidarity. A transporter may choose to charge his family members as paying customers because the fee represents his own personal income. Meanwhile, a customs officer does not appear to have the same luxury (of requiring family members to pay tariffs) because, as Olivier de Sardan described in the case the village infrastructure, the funds “belong to the state, that is to the outside world, and therefore to nobody” (1999: 31). Reciprocity is a moral obligation in Senegal, but drivers are able to choose their level of investment in particular relationships, which gives them the freedom necessary to negotiate whom to help and what they can expect from officers. The inability of horse-cart drivers to make the same choices is a reflection of the limitations of class and geography in their social access to officers.

Manipulating femininity

Investing in an effective support network for illicit accumulation requires cultivating the kind of reputation that makes one seem worthy of help. Some of the more effective traders emphasized their femininity in particular relationships, further illustrating ideal feminine roles. In most cases, this involved proactively showing deference to one’s husband or describing the ways in which one’s husband is a good provider and is supportive of her activities. Several successful women are heavily involved in volunteer activities or those associated with health or education and describe their activities in terms of solidarity. In spite of the extensive literature on women’s significant involvement in associational life in Africa, and in Senegal, specifically (Guerin, 2006; Venema et. al., 2004), this is in distinct contrast with the majority of traders, who did not particularly mention their husbands except in response to questions about them and are not involved in associations beyond tontines. Most traders appeared to be pre-occupied with matters of practical necessity.

One trader from Niuro, Amie, explained that she began trading when her husband lost a high paying job with an NGO in 1986. Because he had always been an excellent provider and had never denied her the things she needed, it was important for her to do everything she could to keep the family afloat when he was laid off. For start-up capital, he gave her the 250,000 cfa severance package from the NGO. This tone incorporates several facets of the ideal gender roles in Senegal. Not only does she show deference to her husband, but she protects the image of his masculinity by portraying him as the consummate provider. In order to provide for her family, she began gardening, baking cakes to sell as well as cross-border trading. It is worth noting that, while 23 traders received gifts or loans from family members, only two others received help from their husbands to begin trading. One received 15,000 from a husband and the other sold a necklace her husband had given her for 225,000, although this occurred after his death. This is the only example of such a substantial portion of a husband’s own capital and was a much larger gift than other women received from anybody. Only one trader in the sample began with more, at 265,000 CFA, and her brother was a customs officer in Farafenni.

When she began cross-border trading, she went first to the customs bureau at Farafenni to explain her predicament. Because her husband was laid off, she was forced to earn as much as possible (implying she had to provide more than would typically be expected of a wife). Officers were sensitive to her problem and allowed her to buy a particular sum. As a strategy, this was especially effective because her tolerance was negotiated before she purchased her supplies, protecting her from seizure. When discussing time away from home, she is unusually careful to point out the importance of being available for her children. She is humble and charismatic,

neither seeming to complain nor to martyr herself. She appears thus, a consummate wife and mother, made vulnerable by a circumstance beyond her control, having no choice but engage in illegal trade. This presentation of herself was so effective that she was almost never categorically denied tolerance (although the amount she is allowed to buy has varied).

What is telling about this trader's experience is that she established relationships with customs officers ostensibly on the basis of a financial crisis beyond her control, exaggerating her vulnerability and skilfully displaying her femininity, to such an extent that this explanation (her husband having been laid off) continued to be effective for the rest of her career, the 21 years she had been trading before the current survey. Meanwhile, in reality she is an innovative and intelligent business woman, with significant financial and social resources available to her and is very independent from her husband. Her husband was present at every occasion I visited her (which was nearly every time I came to Nioro). They appear to have an extremely affectionate relationship, but her husband did not exert his authority overtly. Moreover, she is one of the very few women who travel to the Gambia in evening, a particular measure of independence because others may associate it with an opportunity to engage in romantic liaisons with officers. It is also, of course, an opportunity to sell and garden more actively and be with her children during the day, but the fact that her husband is not critical of this behaviour is indicative of their non-traditional roles. She is, by any standard, one of the least vulnerable women in the sample.

The same strategy was employed by one other trader in the sample, a friend of Amie's. Fatou, a wealthy and well-educated trader, has been the main contributor to her household since her father died in 1996. Her husband (a metalworker turned 'politician') lives elsewhere, but visits and contributes financially¹². In addition to cross-border trade, she sells snacks and teaches adult literacy. Her multiple income sources allowed her to begin trading with 180,000 CFA, a sum surpassed by only five traders in the sample, of whom only two earned the sum independently. She is able to obtain formal credit (where interest rates are lower) and trade with significant mobility in Mauritania, Dakar and Banjul. She credits expansion in her trade to business skills she acquired in a management course. Her ability to engender compassion on the part of customs officers is based on a physical disability. When she was four years old, she fell from a significant height and has grown up with a noticeable limp. She walks slowly but does not otherwise suffer from limited mobility. Because she has a disability, she explains that customs officers pity her and are willing to give her tolerance, which she negotiates prior to purchasing her supplies (April 18, 2008).

These women have been able to curry favour with local customs officers ostensibly as a result of a vulnerability beyond their control. However, the resources on which they draw to obtain this support (start-up capital, management skills, convenient transport, credit) were available precisely because they were not comparatively vulnerable at all. Meanwhile, this strategy is not necessary for all successful traders. Mariam benefits from a wide margin of manoeuvrability because her husband used to be a customs officer. Because he transports her products for her, she never has to worry about seizure. Moreover, she is less obligated than most traders to invest in solidarity with customers. While nearly all traders provide products on credit,

¹² Given the very small community of educated and wealthy traders and transporters in Nioro, it is extremely likely (though impossible to confirm) that this is the couple the driver, Dembe, spoke of when he said that a woman married to a metalworker became successful in cross-border trade, leading to divorce. Divorce is reasonably acceptable in this community, but remaining unmarried is more problematic for women's reputations. The absence of her husband appears to suit Fatou quite well, although she spoke highly of him and his role as a provider.

most emphasized the need to respond with diplomacy or understanding for those who are unable to pay. This reflects a similar strategy for success to the findings described by Ntseane (2004) in Botswana, whereby traders were obligated to invest in business relations by exhibiting characteristically feminine traits, promoting solidarity and cooperation, without appearing competitive. Mariam, on the other hand, uses her contacts within the police force to intimidate customers into paying back their loans, an approach that would be neither effective nor appropriate even for those who are familiar with gendarmes.

Adama reflects an atypical level of success for a woman, almost single-handedly providing the household income that puts her within the wealthiest quintile. She has been engaged in cross-border trade for twenty years, having established a wide network of contacts and a significant store of capital. Her husband does not appear to contribute to the household income as they have no land and he has limited vision. He describes her contribution as “exemplary.” Because she is friendly with several customs officers in the region, and provides them with loans when they lack resources in the field, she often has the opportunity to purchase seized goods. She also claims to benefit from the regulations limiting direct seizure by *indicateurs*. During our interview, whenever her husband spoke, or my research assistant spoke to me in French, she slept. When a visitor came to see her, she told her husband to lie and say she was not at home. Although my research assistant typically refrained from commenting on the responses and behaviour of respondents, in this case, he felt compelled to evaluate the marriage, reflecting many of the gendered moral norms described above. He explained that in some marriages, when a wife is more financially secure than her husband, she is able to “torture” her husband. He is obliged to compliment her (describing her as an exemplary wife) and lie for her (a particularly egregious sin in Senegal) because she controls the household income.

Whether traders’ exaggerate their femininity in order to curry favour or push the boundaries of gender norms, the social resources that lead to success for a trader involve fulfilling the right identities at the right time, and investing in the right relationships with the most well-connected people. None of the illicit networks encountered during fieldwork operates without the cooperation of the state, in the form of law enforcement officials, other civil servants or civilian intermediaries like *indicateurs*, who carry out state functions without necessarily being officially recognized.

CIVILIAN INTERMEDIARIES IN CLIENTELIST AND ILLICIT NETWORKS

The institutional mechanisms that facilitate corrupt behaviour in Senegal are related to those that allow the state to function, including the provision of basic public services. The use of civilian informants by customs officers is just one of many ways in which the use of intermediaries to perform state functions or to facilitate political networks appears to be distinctly important in Senegal. Such employees aid, for example, in municipal tax collection, transport of government staff and mail, and various administrative tasks in the judiciary, revenue, transport and health care sectors. The reduction of state resources associated with structural adjustment makes some auxiliary bureaucrats necessary for the functioning of the state. In other cases, officials use affective or economic networks as part of a strategy of electoral clientelism. Access to these networks is distinctly gendered, partly because of gendered patterns in the labour market and partly because of gendered access to associational and political networks.

The lack of familiarity associated with the short appointments of customs officers is mediated by help from the long-term community members, who are recruited as trackers,

informants, and intelligence agents (*indicateurs*). These civilian informants are needed for their skills in navigating local terrain, both human and physical. Technically, it is against the customs code to hire them (although this was a relatively recent change), for several reasons: 1) civilians do not have the right to seize goods from fellow citizens so the legal grounds for their engagement may be murky; 2) their status as local experts is related to their status as non civil servants, so their salaries can only come from illegal appropriation of funds, when non-state sources of bureau financing are already a sensitive issue in Dakar; and 3) they may not be safe in the event of armed dispute or dangerous driving and are not officially trained to do either.

Blundo (2006) studies the role of administrative brokers whose official roles may be intermittent, informal or voluntary to provide public services. Intermediary personnel “mitigate the difficulties of access to bureaucratic institutions, while at the same time being used as a conduit for corrupt transactions” (799). In some cases, these employees constitute illegal hires (as in the customs service), or they serve illegal functions like providing medical prescriptions or legal services when they are not qualified to do so. Meanwhile, many are legally recognized or tolerated informal assistants. The complexity of regulations may necessitate the assistance of knowledgeable people, particularly for citizens who are illiterate in French. For example, one male family member of a trader described his main occupation as “administrator”, a private contractor who helps people fill out forms or seek administrative services from the state.

Agents may also use their “monopoly of technico-bureaucratic knowledge” (Blundo, 2006) and considerable discretionary powers to manipulate users or extort bribes. Meanwhile, traders who lack specific information regarding their rights and obligations are very much aware of civil servants’ margin for flexibility, opening official fees to negotiation. Shopkeepers in Kaolack central market thus negotiate the cost of trading licenses in the same way they negotiate prices. “So, they begin to say 50,000 FCFA so ... you give them at least 25,000...” (ibid.: 808, citing a shopkeeper). On the other hand, when people know that they have broken or are trying to break a law, they have limited bargaining power in such negotiations. In this case, investment in social networks that have the potential to personalize the political may be the only way to avoid sanction or receive public services. Even if the user has not broken the law, fears of corruption and the belief in the importance of wealth and acquaintances “throws the users into a ceaseless search for personal angles in the relationship” (Blundo, 2006: 809). Fatou (mentioned above) described her husband’s occupation as “politician,” not because he actually serves a public office but because, after leaving metalwork to become a candidate, he came to earn money through contacts by facilitating political networks (April 18, 2007).

Networks involving the coordination of various actors are particularly important in the case of large shipments or sums of money. Traders from the holy city of Touba or Sandaga market in Dakar who benefit from the complicity of Mouride and customs networks may use fiscal privileges granted to the General Khalif to import goods illegally (Arifari, 2006: 204). For Arifari, this supports his more general conclusion that “the actors involved in the corruption in the transport and customs sector of Benin, Niger and Senegal are among the most affluent and politically influential in those societies” (ibid.). What is more likely is that the most influential people in corrupt networks are among the most influential people in Senegal. But the majority of *people* involved in corrupt networks, particularly those in the transport sector, are neither wealthy nor particularly influential. Rather, they are drivers or transport representatives. In the customs service, they are primarily officers, holders of an elite position compared to average incomes in Senegal, but hardly among the extremely influential.

As an example, an officer described his own experience of a typical network between the customs and transport sectors, illustrating forms of cooperation and elements of the organizational culture of the workplace. He explained that one *gendarme*¹³ is assigned to a customs bureau in order to supervise the officers as an anti-corruption strategy. This cooperation has advantages, he argues, but is a “total failure” as an anti-corruption strategy because of course, the officers cooperate. They are all friends with Abdou and Modou, two active drivers/smugglers from the nearby city of Kaffrine and a worker at the gas station who provides petrol on credit. They cooperate with other informants. When officers from the Fatick customs bureau come, hoping to work because their own region is unprofitable, they are allowed to operate outside their official jurisdiction as long as they refrain from storing seized merchandise with village heads or taking official credit for their seizures (March 18, 2008). This is an example of the kind of illicit network that is likely to operate throughout the country.

Restrictions on recruitment and voluntary retirements from civil service in the early 1990s led to a significant reduction in the size of the state. Combined with normal retirements, this amounted to over 9,600 losses out of 68,000 total employees (Blundo, 2006: 804). Only 138 agents represent the entire regional customs office of Kaolack-Fatick (ibid.), a massive geographical terrain receiving nearly all of the illegal imports arriving from the Gambia by land. The woefully insufficient transport infrastructure in the region is exacerbated by a shortage of public vehicles and funds for petrol. Meanwhile, customs officers are bound by revenue quotas and other productivity targets that are designed to incentivize productivity, but also motivate officers to elicit help from among transporters and traders. This may include loans of vehicles, money, or petrol as well as storage of seized goods and information about smugglers. One such employee explained that there are intermediaries at every level of the customs organization, including working in the bureau, in charge of all movement of a seizure from confiscation to storage, inventory, organization and transit (March 23, 2008). Such services are paid through funds from seized goods or fines. One officer explained the need for resources in the field, noting that customs vehicles are of low quality and lack of money and petrol necessitate help. They need to sell seized goods in order to eat in the field and to pay for water, electricity and the wages of the *indicateurs* (March 18, 2008).

The discretionary powers of law enforcement officers are facilitated by widespread non-compliance with the law, which in some cases results from laws that are nearly impossible to follow. Thus, the vast majority of public transport vehicles in Senegal fail to comply with extremely strict and complicated licensing and emissions regulations. For example, it is illegal to import a vehicle that is more than five years old, a transport policy that limits congestion and pollution, except that no one in the public transport sector can afford to comply with it. The market for illegally imported second-hand cars and spare parts is extremely profitable in many parts of West Africa as a result of similar regulations. One method is to dismantle a car or motorcycle and import the parts separately in order to reassemble it upon arrival in Senegal (field notes). In Kaolack city, Arifari (2006) cites a police officer who estimates that only 20% of taxis are compliant with regulation (which does not necessarily imply that even those particular vehicles arrived in the country legally, only that they have been regularized). Despite the officer's position as a representative of law enforcement, his assessment reflects a discourse that treats the

¹³A *gendarme* serves the same mission as the police (law enforcement and public safety), but the *gendarmerie* is a military corps, so they are often responsible for borders, ports, embassies or anywhere that the jurisdiction of the police might be in question (as in the case of customs).

law as not only irrelevant, but immoral. Of non-compliant taxis, he writes: “if you take them off the road, you do wrong to an entire family. If you act legally, you put the lives of an entire family at risk” (210 citing ‘Police officer, Kaolack’).

Of course, not all legal negotiation or corruption results from one’s sense of social obligation. There are also “secret contracts” between representatives of the transport sector and civil servants. In exchange for weekly payments, officers agree to lax enforcement (Arifari, 2006). Similarly, several informants were quick to point out that customs officers may use the lack of administrative resources as an excuse to legitimize their extortion of goods and services from civilians or as a front for their own appropriation of seized goods. Whether relationships are forged through purely illegal economic exchange or through a practical exchange of services, the individuals involved strengthen their relationships with one another. In this way, vertical relationships characterized by dependency or even exploitation and extortion may also be considered patron-client relationships where affective ties and reciprocal obligation play a role. Moreover, administrative exchange may be a direct means to strengthen affective ties, as in the case of officers and transporters who emphasize that their relationships are characterized by friendship.

Customs officers in rural areas are particularly affected by the conflicted nature of their relationships. Much of their contact with local people involves an unequal exercise of power. Negotiating between affective ties and authoritative roles must be accomplished carefully if officers are to safeguard their already tenuous reputations in the community. Because officers remain in a particular local no more than 2-3 years, traders and their allies must continue to re-invest in these relationships and renegotiate rules and agreements as new officers are assigned to the area. New arrivals and especially young recruits are notorious for applying the law too strictly or demanding exorbitant bribes. As they gain experience, say informants¹⁴, they learn to “calm down”. Because new arrivals are unfamiliar with local institutions, everyone must be more careful when they are involved. For example, seizures rarely happen within the confines of the louma. Were it to occur, according to the manager of Nioro louma, private negotiation quickly follows between the trader (or a person asked to help her) and the officer in question. If the officer is a new arrival, he will be informed of the local ways and, typically, seized goods will be returned with a small bribe. This is a good example of the multitude of ways in which public authority may be exercised by a variety of people. The politically appointed but largely powerless manager of the louma, the commanding presence of the person chosen to lay down the law on behalf of the trader, the police officer and the customs officer all play a role in regulation and the customs officer, the one person who is legally empowered to act in the situation, becomes the enforced.

Reciprocity is particularly important between motorized transporters and customs officers. Because they own cars and cross the same border frequently they are likely to cross each others’ paths frequently. One officer indicated that drivers and officers tend to be close and that drivers receive significant tolerance. Transporters also described good relationships with officers. Those who benefit from affective ties with officers and receive tolerance for their own illicit imports are likely to be among those who may be hired as drivers or who provide officers with information about other smugglers. An *indicateur* explained that drivers working with smugglers

¹⁴ This observation was made independently by horse-cart and motorized vehicle drivers, the daily manager of Nioro louma, an officer in Nganda.

are often ex-traders and sometimes *indicateurs* as well, so that they may accept products from a trader and then call a customs officer with the tip (March 23, 2008). When asked if the close relationship applied only to drivers of motorized vehicles, the officer nodded explaining that the horse-cart drivers' "path is suspicious", referring to their tendency to lead officers in dangerous chases (customs officer, March 18, 2008). Meanwhile, motorized transporters are more likely than the general population to share experiences and to be closer in socio-economic status to officers. This is partly because owning a car is an indication of relative privilege and being a customs officer is an indication of significant privilege. It is also because these activities are associated with similar degrees of mobility, contact with large numbers of people, flexible work hours and leisure time spent away from home. Moreover, as one driver told me, transport can be an attractive sector for people who have served in the military but are unable to become civil servants, making them 'brothers in arms' (driver, February 29, 2008).

Sometimes, understandings between state representatives and civilians serve to strengthen political constituencies. In a study of political networks in local governance in a Dakar neighbourhood, Selboe writes that "it seems local state-society relations mainly take place through personal relations or intermediaries in a political network system" (2008: 132). Despite a professed desire to curb corruption and clientelist politics, she finds that people continue to perpetuate the system they wish to eliminate. Moreover, like the exchanges between transporters, law enforcement officials, civilian auxiliaries and public agents, clientelist ties may be initiated by any party (*ibid.*). Arifari concludes that, unlike related networks in Niger and Benin, "[i]n Senegal, the corruption in the transport sector is strongly characterized by the phenomenon of electoral clientelism, which results in the official authorization of the 'violation' of the legislation in force..." (2006: 224). Thus, a PDS campaign slogan publicly authorized tolerance of several thousand unlicensed bikes in Kaolack city, thereby appropriating a former PS constituency (*ibid.*: 183). Meanwhile, Blundo notes that the unofficial tolerance of non-compliant urban taxis reflects the state's incapacity to provide a better solution to a crisis (2006: 808). Indeed, as noted in chapter 2, the limitations associated with mobility and transport service provision have far-reaching consequences for the labour market. In this way, the importance of transport associations as a political constituency complements the needs of the entire urban population.

Most of the occupations that are relevant to illicit networks and the use of state-appointed civilians are dominated by men. Even among those I spoke with who command extremely little power, such as louma managers who are virtually unpaid, all were men. Although municipal tax collectors are able to appropriate significant resources in urban areas by underestimating what they expect to collect and pocketing the difference¹⁵ (Blundo and Olivier de Sardan, 2002), they do not have access to such opportunities in village loulmas. Still, they too, are all men. One area where women's significant participation may give them access to political and clientelist networks (from whence illicit networks may appear) is in associational life. Women may participate in a variety of social or religious organizations even if they are dominated by men. Meanwhile women's associations can represent desirable constituencies for local politicians and association leaders may be recruited into party politics, especially if their existing networks are well-established. Links between state representatives and civil society organizations are cited for

¹⁵ The Bank of Kaolack estimated in 1988-1989 that the revenue lost as a result of volunteer municipal tax collectors was 30 million CFA per year. In 2000, the police commissioner of Kaolack estimated that losses in markets and parking alone were 400,000 per day. (Blundo and Olivier de Sardan, 2002: 213).

the civilian exercise of public authority, not only because organizations use their power as constituencies to attain resources, but also because these civilian contacts are often chosen for the kinds of legal or semi-legal opportunities described above. Gendered access to the labour market intersects with gendered ideals to significantly limit women's access to these networks.

CONCLUSION

This chapter has investigated the role of illicit networks in facilitating corruption and successful law-avoidance among cross-border traders. The study contributes to an important dearth of scholarship regarding gendered aspects of corruption, arguing that understanding this relationship requires an analysis of the practical dynamics of corrupt behaviour and the role of gendered social norms in structuring access to illicit networks. By examining the way in which men and women invest in, and compete for access to these networks, I have shown some of the ways in which corruption impacts men and women differently and particularly, ways in which gender mediates access to opportunities and networks for corrupt accumulation strategies in Senegal. Access to these networks is distinctly gendered, for a variety of reasons, including gendered patterns in the labour market, gendered access to associational and political networks as well as social norms that criticize women's wealth and conflate accumulation with sexual impropriety. Meanwhile, such networks are developed through affective ties that depend on geographic and socio-economic affinity with customs officers and well-connected transporters. Despite a discourse of generosity and solidarity associated with these networks, I find that access to corrupt networks is mediated by class and gender in a way that favors social differentiation.

Illicit networks are structured by competing institutions, so that gendered access to opportunities for corruption are reflected in moral discourse, as are respondents' perceptions of the law. Issues of organizational culture, occupational identity and interpersonal negotiations of power represent important sources of corruption that require an understanding of the actual dynamics of public administration. While limitations in the resources of the state necessitate the use of some auxiliary bureaucrats, officials also use affective or economic networks as part of strategies for personal accumulation or electoral clientelism. The dynamics of these networks in structuring accumulation strategies and facilitating corruption in the customs apparatus are far more complicated than the literature on corruption and governance would imply. Indeed, the fundamental difference between donors' understanding of corruption and its popular representation in Senegal is an important factor in the unwillingness and inability of citizens to hold leaders accountable for specific corrupt behaviours, reflecting the analytical limitation of 'good governance' as an approach to anti-corruption strategies.

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Women smuggling and the men who help them:



Gender, corruption and illicit networks in Senegal

Research Questions and Key Findings



- **How do illicit networks facilitate smuggling and corruption in the customs apparatus?**
 - Competing norms
 - Practical dynamics of rural law enforcement
- **What are the norms governing illicit networks and how are competing norms negotiated?**
 - Informal norms are more highly valued than legal norms
 - Gender is the primary explicit category of normative judgment, but class, geography and reciprocity also mediate access.
- **How do the practical dynamics of rural law enforcement interact with illicit networks?**
 - State capacity, norms of cooperative behavior and occupational identity

Data



- 101 cross border traders (4 life histories)
- 695 household members (asset index)
- 12 village heads (4 Gambia, 8 Senegal), 10 local authorities
- 7 ministry officials
 - (customs, international trade, women's enterprise, national statistics)
- 3 customs officers, 1 civilian informant
- 10 transporters (pro-smugglers)
- 3 bank representatives, 2 NGO representatives

Methods and Literature



- **Universality of good governance, rule of law**
 - World Bank (1992, 1994); Kauffman et. al. (2009)
 - A “strong” state (classical Weberian bureaucracy) means political/economic liberalization, political stability, rule of law, control of corruption. Otherwise, it is “weak”.
 - Both normative (the ideal state) and instrumental (a prerequisite for development).
 - **Criminalization**
 - ✦ Ferreira et. al. (2007) equate illegal trade and organized crime
 - ✦ Meagher (2003) distinguishes indigenous trade, organized crime

Methods and Literature



- Africanist views of regulation: non-universality of “good governance”
 - “institutional multiplicity” (Di John, 2008; Hesselbein et. al., 2006)
 - “legal pluralism” (Anders, 2004; Moore, 2001)
 - “institutional bricolage” (Cleaver, 2002)
 - “twilight institutions,” which “effectively exercise public authority” outside the confines of the state (Lund, 2006)
- Even if this is just “bad governance,” anti-corruption campaigns might require a practical basis.

Methods and Literature



- **Corruption and the actual dynamics of public administration**
 - Africanist social sciences “posit a weird silence” (Blundo, 2006)
 - Anders (2004, 2005); Blundo et. al. (2006); Olivier de Sardan (1999); Smith (2007)
 - Necessity of ethnographic and combined research methods
 - Missing: variation between countries; gender

Methods and Literature



- **Gender and corruption**
 - Missing: gendered impacts; gendered access
 - Women are more averse to corrupt practice than men
 - ✦ World Bank (2001) from Swamy et. al. (2001); Dollar et. al. (1999)
 - Women must respond to corrupt opportunity in ways that are identical to men
 - ✦ Goetz (2007); Sung (2003); Vijayalakshmi (2008); Alhassan-Alolo (2007)
 - Some evidence of access: Goetz (2007); Selboe (2008)

Men facilitate women's access



- **Illicit networks require men's support**
 - Transport networks collaborating with customs
 - Male suppliers provide credit
 - Male kin provide moral support, permission
- **Constrains margin for negotiation of gendered norms**

Masculinity and Generosity: Officers



- **The Rule - seize illicit goods, register form, send to the warehouse of the state treasury**
 - Practice - seize illicit goods, give 10% to each of: informant, 2 'arresting' officers, and bureau chief. Send remainder to treasury: "It's not normal, but it has to be that way"
 - Two kinds of smuggling: black fraud and subsistence fraud
 - Corruption not formally sanctioned: bureau chief "decided not to send the form to the treasury" for more than 6 months

Masculinity and Generosity: Officers



- **Officers, motorized drivers share affinity, “tolerance”**
 - Car drivers get tolerance; horse cart drivers “path is suspicious.”
- **Refusal to accept bribes is universally criticized**
 - Norms of reciprocity and cooperation
 - Good men are reasonable, flexible and generous, especially if they are powerful
 - “You seize someone and then you get a call from an old teacher you haven’t seen in fifteen years who says, “come on now, you used to be a good student!”

Traders and Officers: Affective Ties



- **Kinship and customs**
 - asked about seizure avoidance, one responded “lucky.”
 - when pressed: brother in law and grandchild’s father are officers
 - another said, “my step-father is an officer so we don’t have to pay”
- **Class and geography**
 - Most (60%) were never able to bribe or receive tolerance
 - 87.5% of poorest (all but 2); 37.5% of wealthiest

Masculinity and Generosity: Transporters



- **President of the transporter's union**
 - Effective strategies, good contacts, symbiotic relationships
 - Male transporters choose “poor” women through social networks.
- **Ex-military driver: Smuggling is a crime; morally risky**
 - Conflating wealth with sexuality; using trade to “get rich” or commit adultery
 - Wealthy women may “just want their freedom”
 - When poor women ask for help, how can you refuse?
 - 4/5 women are “on the right path,” working for the survival of their families

Manipulating Femininity



- **Exaggerating vulnerability**
 - Adama's husband was laid off. Her friend has a limp.
 - They go to the border, explain the situation, make friends
 - Ask for tolerance, and buy products accordingly.
- **Presentation of husband**
- **Social action; community solidarity**

Conclusions



- **Gendered impacts; gendered access**
- **Affective ties:**
 - class, geography, identity
 - social differentiation despite “generosity” and “solidarity”
- **Sources of corruption:**
 - organizational culture
 - occupational identity
 - interpersonal negotiations of power

Policy Implications and Further Research



- **Donors' versus popular representations of corruption**
 - Lack of accountability for corruption
 - Limitations of “good governance” paradigm
- **Further investigation of the actual dynamics of public authority**
- **Much more evidence of how illicit networks function**

Thank you.



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COMMENTS WELCOME!

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From empirical case to comparative considerations: Somali money transfer infrastructure



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African Borderlands Research Network Conference,
Cross-border trade in Africa: the local politics of a global economy, 8 September 2010, Basel

A short history of the Somali money transfer sector

- *Franco valuta* system underpinning pre-war Somali economy
- Progressively more sophisticated forms of value transfer emerging in context of war
- Rise of specialist money transfer enterprises with large agent networks



BARAKAAT GROUP OF COMPANIES

Photo: Martin Adler, PANOS Pictures

By shutting these networks down, we disrupt the murderers' work. Today's action interrupts al Qaeda's communications; it blocks an important source of funds. It provides us with valuable information and sends a clear message to global financial institutions: you are with us or you are with the terrorists... We fight an enemy who hides in caves in Afghanistan, and in the shadows within in our own society. It's an enemy who can only survive in darkness. Today, we've taken another important action to expose the enemy to the light and to disrupt its ability to threaten America and innocent life. (Bush 2001)

Dirty money...?

- 'Financial war on terror' targets Al-Barakaat
- Somali money transmitters adapt to growing regulation of 'alternative remittance systems'
- Strategic consolidation and development

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Photo: Joseph Winter, BBC

Dirty money...?

- 'Financial war on terror' targets Al-Barakaat
- Somali money transmitters adapt to growing regulation of 'alternative remittance systems'
- Strategic consolidation and development

Or development capital?

- Humanitarian defence of the remittance lifeline, UN efforts to support the industry
- Growing celebration of Somali diaspora and their remittances
- Private sector seen as potential partner in peacebuilding and development

Relationships to processes of social change and violence

- Elusive and politicised boundaries of formality
- Internal use of traditional socio-political mechanisms
- External accommodations with political landscapes
- Turning crisis into opportunity, but interests vis-à-vis on-going conflict ambivalent
- Migration and informal economy as problems development will solve, or actually existing development?

**“It is Brazilian products clients like the most”:
Rabidantes and the commercial route between Brazil and Cape Verde¹**

Andréa Lobo
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Abstract

Although not a new topic for Anthropology, commercial exchanges at the global level have been in the limelight for many contemporary Anthropologists. More specifically, mercantile spaces which do not fit the logic of formality and dominant practices in contemporary economy have occupied many researchers who make reflections regarding informal flows which become concrete in markets, piracy centers and street vendor markets worldwide. This study aims to approach the configuration of the modern commercial route between Cape Verde and Brazil, created and maintained by the so-called *Rabidantes*, street vendors from Cape Verde who animate the borders between the two countries by means of intensive circulation of commodities – produced by informal entrepreneurs in Brazil and consumed in Cape Verde markets. By discussing the importance and amplitude of this commercial route in local contexts, the goal is to analyze the paths taken by flows of people and goods, as well as the meanings these people and goods take on in this context.

Introduction

Researchers, under different perspectives and with distinct approaches, have spent time analyzing economic practices which do not fit legal frameworks². Discussions about the dichotomy between informality and formality, as well as making it relative and consequently dissolving it, reveal the complexity of these practices, especially when analyzed according to transnational flows and movement of commodities in modern times.

In this working paper, it is my goal to discuss some of these studies which deal with commodities and people in flows, according to an investigation I am performing

¹ Study to be presented at the African Borderlands Research Network Conference: “Cross-Border trade in Africa: The local politics of a global economy”, between September 8 and 11, in Basel, Switzerland. I thank FINATEC and PPGAS for the financial support which made possible my participation in this conference.

² Some of these approaches can be found at: Geertz (1963), Machado da Silva (1971), Oliveira (2004), Machado (2005), Hart (1997), Rabossi (2004).

regarding the recent commercial route between Cape Verde and Brazil, created and maintained by the so-called *Rabidantes*, street vendors from Cape Verde who animate the borders between the two countries by means of intensive circulation of commodities – produced by informal entrepreneurs in Brazil and consumed in Cape Verde markets. By discussing the importance and amplitude of this commercial route in local contexts, my goal is to analyze the paths taken by flows of people and goods, as well as the meanings these people and goods take on in this context

In the past years, anthropological debates regarding productive activities carried out by the masses is inserted in the broader discussion about the globalization phenomenon. In this context, Brazilian anthropologist Gustavo Lins Ribeiro (2007) has reflected on what he calls “popular globalization” or “non-hegemonic world system”. His argument consists in looking at popular groups as agents actively inserted in the process, be it because they provide consumption of global goods for several social tiers, or because they cause circulation of products which symbolize cosmopolitan modernity. By bringing dualities such as legal/illegal and licit/illicit into debate, Ribeiro opts for the “(il)licit” category to illustrate activities which are socially licit, yet formally illegal.

This non-hegemonic system maintains relations with the hegemonic system and is sustained by thousands of poor people who make a living as street vendors, sellers, smugglers, among other activities. Popular globalization, which is part of this system along with “illegal global economy” (organized crime), has some characteristics, according to Ribeiro: products (global gadgets and copies of super logos), people involved in distribution and marketing (commercial diasporas, street vendors, smugglers) and markets which are the hubs in the system (markets, fairs and some megacenters such as Caruaru, Ciudad del Este).

The case of the *rabidantes* has some of the characteristics of what Ribeiro calls popular globalization. By mediating commercialization contexts which could be considered “hubs” in the system, the flow of *rabidantes* is socially legitimate, formally illegal, popular and global. However, analyzing it brings forth some elements which are not included in Ribeiro’s definition: products in the flow are locally manufactured and are not imitations of famous brands, and neither can they be characterized as “global gadgets.” Thinking about these new elements in the context of popular globalization, as defined by Ribeiro, is one of the challenges faced in this study. I believe that upon focusing on the flow rather than on the places of product purchases and sales, the

current analysis may bring about new perspectives for the phenomena highlighted by the author.

We resume this theoretical discussion at the end of the article, after a discussion of the ethnographic case which gave rise to this reflection. However, a before proceeding, a caveat should be noted. The reflections and data presented herein originate from an initial study which is eligible for expansion and more profound investigation with ethnographic insertion. The material so far collected has³ the initial objective of raising relevant questions to provide guidance for continuity of the research. Therefore, it is an argument which is under construction and awaits contributions and comments from those who have access to it.

Cape Verde and the routes

The Cape Verde archipelago is made up of 10 islands with differentiated topography, soil and climate, and it was originally inhabited by Portuguese people and a large number of Africans from the adjacent coast brought there as servants. With time, a Creole society arose, a product of the complex arrangement of mixtures of people of different ethnic, religious and linguistic origins. The role of the country as middleman in a system of inter-societal exchanges was the basis for its social reproduction; as agents in Atlantic and African coast trade. The lack of a local productive system which could meet the needs for subsistence in the isles caused Cape Verde to be harshly affected by the hunger brought about by the droughts which the islands face on a regular basis.

Discovered in 1460 by the Portuguese, the Cape Verde archipelago was uninhabited. At first, the geographical position of the islands, i.e. the distance separating them from the kingdom, was considered a negative factor, a bottleneck for colonization attempts. Its geographical position was not strategic due to the fact that they are located too far south of the world known by Portuguese people. Another point is its location in a warm and dry zone, which makes impossible cultivation of Mediterranean products such as wheat, rye, olives etc.

The island of Santiago (main island in the archipelago), as the others, was scarcely inhabited until 1466. However, it was in that year that changes began to take

³ My thanks go to the Institute of Applied Economic Research (*Instituto de Pesquisa Econômica Aplicada* – IPEA) for the financial support which made possible the first data collection work performed in Fortaleza in April, 2010.

place after circulation of a document which permitted those who were stationary in Santiago to trade with riparian societies of the African continent and Europe. This commerce was considered illicit unless under express royal authorization. This document was thus a victory for Santiago settlers. Being in Santiago meant acquisition of the right to practice trade between Europe and Africa. This juridical prerogative made the island attractive, becoming an immigration pole and re-classifying its strategic value.

Assembly of infrastructure in Santiago turned the island into an important supplier of drinking water, food supplies and fruit, salted meat, turtles etc. This made it possible for ships to avoid long and morose voyages to southern Africa. It should be noted that for several years there was no other safe point for ship re-supply. Creation of these facilities and fixation of Europeans, based on slave labor, enabled entry of world trade currents in the archipelago in late 15th Century.

In this same period, economy became more diversified and in addition to slave traffic to Southern Spain, Algarve, Madeira Island, Antilles and Americas, as well as *Rocella tinctoria* to France, Italy and England; sugarcane cultivation was also started for African coast commercialization of rum, in addition to some brown sugar for local consumption and exports. At the start of the 16th Century, *lançados* (Christians, Jews and New-Christians – as well as mestizos who became installed in African ports to trade without royal license and considered lost to Christianity and European Civilization) arose and dominated coastal trade between the Senegal river and the region currently known as northern Sierra Leoa.

The difference between these agents and preceding ones who traded there was the reduced freedom for trading caused by Portuguese government regarding Santiago inhabitants, with establishment of a group of measures which resulted in severe losses for them. In order to survive, there was no alternative other than disregard for royal determinations regarding all trade-related laws.

Following their discovery and apparent lack of interest by Portugal, the Cape Verde islands grew in importance thanks to their location, acquiring the status of commercial route. This condition made possible population and relations with other contexts – which influenced the history of outmigration which currently characterize so precisely this society. Cape Verde was thus born and strengthened as a commercial route (largely informal, from the start), being animated by traders and the flow of commodities. This advent has been worthy of little attention from island pundits, who

have focused their attention on the flows of people in the context of outmigration. Nevertheless, I ask myself if beyond this origin connected to intercontinental trade would have something more to tell? Not wanting to establish a direct relation between the two events, I believe that by recovering the historical dimension, it is easier to understand the configurations of the event analyzed here. Analyzing the contemporary flow of commodities in the daily lives of the *rabidantes*, inserting it into a broader historical context may bring forth new questions, as well as rescue the social place of circulation of objects (Appadurai, 2008) in formation of a nation which is strongly influenced by its relations with “others”.

***Rabidantes* and their flows**

The Creole term *rabidante* means to “sidestep”, to “free one’s self of trouble”, being used to indicate someone who is skilled at convincing others. The term is used for those who negotiate in Cape Verde markets, mostly in the Sucupira⁴ market, located in Praia City, the country’s capital. This type of trade is mostly performed by women, the *rabidantes*. These street vendors were the object of a study by Grassi (2003), whose objective was trying to understand the entrepreneurial function of these women, as well as questioning their place in ongoing processes of change at the level of relations among social stakeholders and institutions. It was also the goal of the author to realize how this function influences the path of Cape Verdean development and its insertion in the global economy (2003:29).

By making the transition between economy and anthropology, Grassi brings a wealth of data about the market known as informal and its importance in economic and political constitution of the archipelago. In a context in which “everyone negotiates deals”, the author goes deep into the Sucupira market in an attempt to understand the dynamics of deals made there. Data analyzed by Grassi coincide with those presented in many ethnographies about popular fairs and markets, which reinforces my argument that the universe of *rabidantes* fits in the broader context of “popular globalization”.

Rabidantes are regarded as agents who are actively inserted in a process of global circulation of commodities, resulting in circulation of products among many frontiers (they travel among countries such as United States, Portugal, France and Brazil to purchase goods; and, in addition to selling on the archipelago’s islands, “export” to

⁴ Name originating from the Brazilian soap opera “*O Bem Amado*”, which takes place in the fictitious town of Sucupira.

nearby African countries, such as São Tomé and Príncipe, Senegal, Guinea-Bissau) and securing a place for popular tiers of the countries' populations in the global economy, either as producers or consumers.

The products which they negotiate are generally men's, women's and children's clothes, cosmetics, shoes, accessories, bed linen, tablecloths, towels and domestic utensils. These products are basically purchased in one of two forms, in sporadic trips which they make to some of these countries; or packages sent on ships by relatives living abroad in large centers of the United States or Europe. Distribution of the commodities also takes place in two forms wholesale (to other Cape Verdean vendors or those from other countries) and retail – usually at the Sucupira market, but also in small stores which operate in their own households.

Brazil has been a shopping destination for approximately 30 years, and São Paulo was the center of attention for the *rabidantes*, more specifically the 25 de Março Street, famous for being one of the global popular trade hubs. The trip was expensive and long – women had to leave Cape Verde, proceed to Portugal and then to São Paulo. If, on the one hand, they could shop in two countries in a single trip, on the other, they took fewer products with them and trips were few and far between, taking place only once or twice a year. Another point which is worthy of note is that since Brazil is not a destination country for Cape Verdean migrants, its privileged standing as a shopping destination for *rabidantes* is due to the quality of the products.⁵ I often heard that “It is Brazilian products clients like the most.”

It was in 2001 that the relations between the two countries changed, both in intensity and shopping destination of these women. It was in that year that the Cape Verdean airways company (*Transportes Aéreos de Cabo Verde – TACV*), in partnership with a Brazilian company (VARIG), started a weekly flight which connects the two countries directly, with a flight which lasts only 3 and a half hours. Originally, the flight connected Sal Island to Fortaleza, in the Brazilian state of Ceará. Nowadays, it is between Praia City and Fortaleza. With the proximity of the two countries, travel costs went down (a round trip ticket costs US\$ 500, on average) and the shopping destination changed to Fortaleza, previously unknown to *rabidantes*, and currently the great center for “good” Brazilian products!

⁵ I understand that *rabidante* entry in Brazil is connected to the flow of Cape Verdean students who come to study in Brazilian universities thanks to an agreement between Brazil and Portuguese-speaking African countries, but this connection between flows needs to be verified by the research study.

The impacts of trade between both countries are reflected in these figures: in 2003 it is estimated that *rabidantes* bought 400 tons of commodities produced in Brazil and spent US\$ 5 million. Also according to these statistics, approximately 150 *rabidantes* disembarked at the Fortaleza airport and each of these women returned to Cape Verde with an approximate number of 15 suitcases, having spent approximately US\$ 10,000 in cash.⁶

One of the articles which I found in newspapers and magazines in Ceará reflects the importance of *rabidantes* in the state's economy, under the title "Their Paraguay⁷", comparing arrival of the *rabidantes* in Fortaleza to the important flow of Brazilians ("bag people" – *sacoleiros*) who shop in the neighboring country to resell in fairs in many Brazilian cities:

"Every Friday, approximately 150 women gather in the departure area, creating a frightening scene. Surrounded by luggage of all sizes, they create jams never before seen in the Fortaleza international airport. This confusion is a reflection of a recent phenomenon in which *bag ladies* from Cape Verde are the protagonists. After a direct flight from Sal Island to the capital of Ceará state was opened, they began crossing the Atlantic to buy everything: underpants, bikinis, jewelry, sandals, dresses and even household appliances of questionable quality to sell in the largest street fair of the African archipelago, named Sucupira after the soap opera *O Bem Amado*, already broadcast there (...) The travel schedule is very tight. They face a marathon of up to twelve hours worth of shopping visiting at least ten stores in one day. (...) most purchases are made at small backyard clothes-making companies on the outskirts of Fortaleza. The bag ladies are known as *rabidantes* (translated as „saleswomen“). *Rabidantes* usually buy from seamstresses and craftsmen who are not registered in Ceará. It is cheaper that way. In an improvised lingerie factory in the backyard of a local house, the average number of pieces sold in a week is 10,000. There are no receipts, and payments are cash-only, on the spot and in dollars. In order to avoid the IRS, small stores get receipts from larger companies. No bag lady travels without some kind of document with the amount paid, for fear of having the commodities apprehended at airport customs areas." (Veja magazine, December 15, 2004. Link: http://veja.abril.com.br/151204/p_086.html)

The impact of trade at the border as carried out by *rabidantes* on local production in Fortaleza is the main focus of this and other magazine articles I found in the first data collection effort. It is hard to estimate the number of backyard clothes-making businesses which were born due to this transnational trade route, but during a

⁶ Data from the SEBRAE/Ceará website.

⁷ Paraguay is considered by Brazilians as an important center for sales of falsified electronic products, and the country is "invaded" on a daily basis by Brazilian vendors, known as "bag people" (*sacoleiros*, the Brazilian version of *rabidantes*) who cross the border between the two countries to buy these products and sell them in fairs all across Brazil. The border between Brazil and Paraguay is the object of many studies. See: Rabossi (2004), Machado (2005).

visit to Fortaleza, I had the opportunity to visit the outskirts of the city and see a considerable number of small family-based businesses, constructed in the backyards of houses, to make lingerie, bikinis and clothes in general. In conversations with these producers, it was common to refer to the start of negotiations with Cape Verdean women as the origin of their businesses. Corroborating this information, it is observed that most clothes-making businesses which I contacted were started in 2002, 2003 and 2004.

These were the golden years of trade between the countries, which also had impacts on so-called formal trade. According to data collected from sources at Sebrae-Ceará, the Cape Verde-Fortaleza connection was responsible, in 2005, for transfers of 5 million dollars, considering that in 2002 data for exports from Ceará to the archipelago add up to 140 thousand dollars. It is worthy of note that these are official data, i.e. they certainly do not reflect the total volume of *rabidante* trade, although they do reveal another interesting aspect, which is the fact that, given the Cape Verdean buying potential, formal trade took advantage of informal trade and intensified commercial relations with the archipelago.

The long quote from the magazine article contains other points of interest for an analysis. One of them is the translation of the term *rabidante* into *sacoleira* (“bag lady”), which reflects both the manner in which these women are regarded by Brazilians and the importance of their commercial movement for the city of Fortaleza, which becomes “their Paraguay.” This perception is not accidental, by classifying them as *sacoleiras*, they are painted with a series of perceptions Brazilians have of these people, originating from lower tiers of Brazilian society who perform informal trade of products smuggled across the border between Brazil and Paraguay, and sold, also informally, in street fairs in Brazil.⁸

I had the opportunity of grasping in further detail the perceptions Brazilian vendors have of these women during an exploratory visit in April, 2010. According to descriptions I ran across, *rabidantes* are characterized as women from some place in Africa or any other poor and small country (some even confused Cape Verde with Haiti when trying to explain where they come from); they are all Black or mulattoes; they speak a different Portuguese than „Brazilian“ Portuguese and, when speaking amongst

⁸ Rabossi (2008) claims that, although the *sacoleiro* category is generally associated with buyers who shop in Paraguay, it includes all those who shop in a different city to sell the products in their hometowns or other cities. The *sacoleiro* category refers to commercial practices which presuppose travel and profit expectations derived from differences in prices or availability of products found in other places (:163).

themselves, speak a „weird“ language which is unintelligible; they are considered inconvenient and even rude when negotiating prices, i.e. they are professional hagglers (locally, it is said they „whine too much“ to bring prices down); the upside is that they pay cash, often in dollars.

These data show the ambiguity of images which Brazilian producers and salespersons have of Cape Verdean women. If, on the one hand, they personify stereotypical perceptions Brazilians have of Africa and Africans, a place of extreme poverty and, to a certain extent, savagery (when conducting research in Cape Verde I was at times asked if the house I lived in was on top of a tree!); on the other, they have buying power never before seen in Ceará, except for European tourists who are truly rich and well-educated and spend time in the good hotels of the sea coast in the capital.

Therefore, despite their origin, according to Brazilians, *rabidantes* stand for opportunities for good business and are thus clients worthy of good treatment and priority in filling orders, considering the volume, frequency and form of payment (cash) which characterize their purchases. However, they are hard to bargain with. Because they know the Brazilian market and the heavy competition among suppliers, they use strategies of disqualifying products to get lower prices.

Furthermore, knowing the tensions and opportunities which are part of this relation, Cape Verdean women, during the haggling process, take advantage of the conceptions Brazilians have of them. The fact that they come from a small and poor African country often justifies the demand for a lower price. Competition from other Cape Verdean women is another bargaining chip. The alleged low quality of products is a point of tension in price negotiations. The fact that they are sold in fairs, originating from clandestine factories factories, and therefore bearing risks for Cape Verdeans who carry these products across borders would justify lower prices.

And everything seems to indicate that it is a good deal! Among Cape Verdeans I met in Fortaleza, Mrs. Margarida has an interesting trajectory which seems to illustrate well the context of this transnational trade. She has been holding commercial relations with Brazil for over ten years. At first, she came to São Paulo via Lisbon, at the time travelling once or twice a year. In 2001, when the direct flight was started, she began coming to Fortaleza and buying in factories by means of fashion brokers.⁹ Over time,

⁹ Professionals who appeared in the context of *rabidante* trade, originally taxi drivers who pick up Cape Verdeans at the airport, transporting them to the hotel and assisting with their shopping. They remain at their beck and call during the entire week taking them to factories and mediating negotiations and orders.

she began to know the best shopping locations, the best factories and the Brazilian way of doing business, which meant she changed places of negotiation from factories to fairs, consequently depending less on fashion brokers. According to her account, Brazilians are “smart alecks” and, for this reason, *rabidantes* have lost much money from purchases in Brazil, from orders paid upfront and never delivered, to exchanges of higher quality products for lower quality ones, to commodities apprehended by corrupt customs officials.

Furthermore, there are currently two major difficulties: lower dollar-Real exchange rates, which considerably lowered profit margins and hordes of Chinese coming to Cape Verde to sell products. Chinese stores have extremely low-priced products and are in direct competition with *rabidantes*. These factors had a significant impact on informal trade between the two countries and, since 2008, news are of lower volume of commodities crossing borders, as well as closing of many backyard factories in Fortaleza. Nevertheless, Mrs. Aparecida and other peers from Cape Verde continued to come to Brazil. What could be the reasons, considering all these difficulties?

Client demand is a decisive factor. The sentence which makes up the title of this article represents this demand well – clients like products from Brazil. They find them attractive, original and high-quality. As good negotiators, when playing the role of saleswomen, *rabidantes* emphasize these aspects, with the opposite arguments from those used when buying. As mediators between the two universes, they manipulate the different values attributed to commodity in their favor to maximize profits. The same products which are renowned for their low quality in Brazil – because they are produced in textile factories which have no “name”, marked by the symbol of informality and for-the-masses, sold in fairs – they reach Cape Verde in the hands of *rabidantes* as “Brazilian products”, which are filled with positive symbols which Cape Verdeans associate with this “brother country” – the country of soap operas, creativity and “quality”.

Their arguments are that the Chinese have not “put an end to them” yet because of the quality of Brazilian products. “People in Cape Verde like products from Brazil, they know that things there are high-quality, unlike Chinese products, in addition to looking good! There is also one more point – doors have not been closed for good because the Chinese cannot copy everything we take, Brazilians are very creative, there

Rabidantes do not pay the brokers, their services are a courtesy offered by factories to Cape Verdean clients. Brokers get a 10% service charge for each sale.

is something new each time we come, and, since clients like novelties, we can sell before the Chinese can copy.” In order to survive competition from the Chinese, Mrs. Aparecida uses the strategy of buying in smaller amounts and coming more frequently to Brazil, up to twice a month, spending 7,000 dollars on each trip.

This information seems to contradict the belief that this is a decadent trade. It is an interesting point which drives me to investigate further. One possible answer given by Mrs. Aparecida and TACV data is that the number of *rabidantes* who continue to make the trip has reduced significantly. In the case of Mrs. Aparecida’s trip, which I accompanied, only approximately 30 *rabidantes* were on the flight. Wholesale deals seem to be the alternative for these vendors, which leads us to other dimensions of this flow and to other frontiers.

In addition to Mrs. Aparecida, I accompanied six other Cape Verdean women during my visit to Fortaleza. All of them fit the same pattern of frequency of trips and products purchased. The star products were bikinis, bought in very large quantities. It was the month of April, near summer in Cape Verde and Brazilian bikinis were the most sought after by clients. As I could see, orders had already been placed, and, upon reaching Cape Verde, they distributed to their clients in Santiago and other islands. Additionally, they sold retail in stalls in the Sucupira fair. But their clients are not only Cape Verdeans, since they also sell to other African women, in countries such as Senegal, São Tomé and Príncipe and Guinea-Bissau.

Discovery of different routes for destination of commodities, outside the archipelago, makes the case even more interesting. In addition to mediating frontiers between Brazil and Cape Verde, *rabidantes* share relations with other frontiers, no longer as consumers, but rather Brazilian products saleswomen in other African destinations. Considering this, I ask myself about the implications of these mediations and these flows both for the people involved and circulating objects. Could *rabidantes* be part of the flow of commodities capable of complementing landscapes illustrated by authors (Curtin, 1984; Wolf, 1982) who discussed commercial diasporas?

Perspectives

The universes in which *rabidantes* move around seem to share interesting similarities. In Brazil, they negotiate with producers from the masses, who have no formal registration of their businesses. Furthermore, their preferred shopping locations are fairs and markets, places which are also informal in nature. Likewise, when in Cape

Verde, they sell Brazilian products in fairs or to other women who will sell them out of their houses or in other fairs. However, differences are also significant and transport us to the fluid nature of formal/informal, legal/illegal categories – for example, when circulating commodities with no taxes paid, *rabidantes* are at risk of having their commodities apprehended, a risk which is lower once the border has been crossed and they step on Cape Verdean soil, where values given to formality are quite different from those in Brazil.

However, beyond the discussion about the relativity of these categories, extensively debated by contemporary researchers, it is in my interest to reflect upon circulation of these products made in Brazil and put into a flow by *rabidantes*, which circulate them in different frameworks of values, using Appadurai's (2008) term. I am interested in the discussion of how objects produced locally in backyards of the Fortaleza outskirts become "Brazilian products", circulating in different cultural contexts, as well as analyzing the paths in which their values acquire and reacquire meaning in sets of wishes, demands and powers at stake. My interest thus falls upon the trajectories, both of the women and the products which they negotiate, more specifically, in the strategies they use to negotiate values.

Although we are faced with transactions across cultural boundaries, in which there seems to be an agreement about price and a minimum set of conventions in the context of the transaction itself; these transactions involve a whole other set of intercultural exchanges which emerge from this process and which are based on perceptions which are profoundly different from the values of people and objects which are being traded or negotiated. In order to grasp these dimensions, inspired by Kopytoff (2008), I believe it is necessary to look at the flow of *rabidantes* and objects they put into circulation from a process-oriented perspective – what I mean is observing, in the process of circulation, the different perceptions about objects. The initial analysis of the bargaining process and mutual classifications, which Brazilians and Cape Verdeans use at the time of negotiation, seems to point to interesting paths. At the very least, it raises some questions.

When considering the universe of the *rabidantes* as a "case in between" and these women as mediators among several frontiers, would it be possible to learn a little more about the implications of circulation of objects among the masses in societies with different market systems? Are the desires and demands for these commodities limited to the masses in the different contexts in which they circulate? What does it mean to

acquire a *status* of “Brazilian product” when entering Cape Verde? And when leaving Cape Verde, what *status* is acquired? Further yet, what *status* do these products give to those selling and buying them?

As I made clear from the start, I am faced with questions which only the ethnography can help to answer. However, these questions have inspiration at their foundation – *rabidantes* who move between borders do not put only commodities into circulation, what the case analyzed in this study shows is an elaborate process of information exchange between cultures. In buying and selling, *rabidantes* mediate products and their consumers, playing the double role of buying and selling (consumer and traders) themselves. In this game, they remove and add value to what they buy and sell, interpreting and capitalizing on cultural values and desires of two different worlds.

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**Activities on Ngueli Bridge: A Specific Case of a
Cross-Border Trade Between Cameroon and Chad**

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The Ngueli bridge links the Cameroonian city of Kousseri and N'Djamena, the capital city of the Chad Republic. It was built in 1985 in an effort to improve the communication between the two cities. It is a “B” plan bridge, removable and conceived for emergency situations (Mondji, 2006: 29). In 1984, a serious drought caused the death of 2 000 persons between July and September. It also caused the internal displacement of 150 000 persons. The United Nations Organisation, through its specialized organ, the UNDP, and the World Bank sent material help destined to the victims. Two main itineraries were used: Douala-Kousseri via Ngaoundéré in Cameroon and Lagos-Kousseri via Maiduguri. While in Kousseri, the aid was conveyed to N'Djamena either by canoes or by boats. That made the transportation very slow and demanding. Following that, Chadian government decided to call for an international help in order to build a bridge on the Logone river, a natural border between Cameroon and Chad. Technical and financial help came from the World Bank, Germany, Switzerland, Sweden and The Netherlands (Mondji: 2006).

The Nguéli bridge represents an interesting case of sub regional mobility that involves not only Cameroon and Chad citizens. Nigeria is also part of the system for it contributes too much in the exportation activities. The trans border activities raise the theme of the “end of national territories” or the “failing territoriality” (Badie & Smouths: 1996). Moreover, the trans national interactions disclose an important and exceptional ethnic solidarities between peoples who had been separated by the colonial rule (Igué:1995). Based on intensive observation and interviews carried out in 2008 and 2009, the paper intends to show the human mobility, the cross border trade on the bridge. More specifically, the paper aims at examining the scope and the importance of the bridge, and its impact after 25 years of existence. The geographical location of Kousseri and N'Djamena are key to understand the local representation of the border. An analysis of the commodities that circulate on the bridge and the key actors involved in the traffic are likely to have a better idea on this specific case of cross border trade.

An Overview on Kousseri and N'Djamena

The two cities are separated by the Ngueli bridge. Ngueli is an enclosure on the road side, a few hundred metres from the Cameroon border, which physically is a bridge on the Logone river. It is located in the south western outskirts of N'Djamena on the road (Arvis, 2004). Before the advent of the bridge, the exchange of products between the two cities were insured by canoes; this kind of transportation was said to have many risks for the local people because of the danger that represent the hippopotamus and crocodiles living in the Logone river, especially during the rainy season.

Kousseri

Kousseri is an old city built in the 14th century by the Kotoko people. Their main activity was fishing. The Arab Choa people, mostly herders, came and joined them at the beginning of 16th century. The two people agreed to be ruled by a single Kotoko chief, who built a big wall around the city. Kotoko and Arab Choa interacted each other until the advent of Rabah Fadl Allah, a Sudanese warrior who sacked the main kingdoms of the lake Chad basin in 1893 (Oumarou Amadou, 2005: 37). Between 1900 and 1910, Nigerian traders migrated and established themselves in Kousseri purposely to make business.

Economic activities became more important after the civil war that occurred in Chad from 1979 to 1982. Following that, 4 big traders over 5 based in Kousseri are Chadian refugees (Saibou Issa, 1999: 128). After the civil war, some Chadians decided to establish themselves in Kousseri and some of them got double nationality. They hold a Cameroon National Identity Card and a Chad National Identity Card. Due of the growing activities, the first market was abandoned in 1967. Another big one was then built to fit with the volume of the commercial activities. Since 1985, Kousseri insures 90 % of the Chadian importations from Nigeria. Between 1960 and 1985, these importations represented 60 % when the linking means between the two cities were canoes. Kousseri is the terminal of the tarred road that links Ngaoundéré N'Djamena. The advent of the bridge gave the town an important role in the sub region. It became a pull city for many rural populations living in the surroundings

migrated to stay there. Commercial activities involve about 33, 42 % of the active population of the town.¹

N'Djamena

Originally, the capital city of Chad was called Djambal Ngato. When the French colonial militaries fought against Rabah in Kousseri on the 22nd April 1900, the town got the name Fort Lamy, in remembrance of the French soldier Joseph François Lamy, who died on the field. In 1973, the city got the name N'Djamena, which comes from “Am Djamena”, an Arab Choa village. “Am Djamena” is said to mean “the place to rest” according to local traditions. During the civil war in Chad, the capital city experienced material destructions and human casualties. One of the immediate consequences of the war was the migration of populations fearing insecurity and attacks.

N'Djamena is located in the Chari Baguirmi Division in the western part of the territory. It is the administrative and political centre of a landlocked country which depends too much on its neighbourhood with Cameroon. The Douala port, which is 1500 km far from N'Djamena, is the door entrance for products coming from Europe. Many people, coming even from the remote areas, live there and mix themselves in a melting pot cohabitation. The main ethnic groups are Arabs, Ngambaye, Hadjeray, Daza, Boulala, Kanembou, Maba, Kanouri, Gor, Barma, Kotoko, Zagawa, Gorane, Toubou. Like Kousseri, it is an attractive city. Importations, products consumption and the circulation of goods and persons became more important from 1985. In 2009, the estimation of the population was 993 492 inhabitants.² N'Djamena concentrates about 40 % of the entire population of Chad.

Exchange of Products and Trafficking Activities

Many products are exchanged in the traffic on Ngueli bridge. The circulation of commodities involves 3 countries: Cameroon, Chad and Nigeria. The implication of Nigeria in the trafficking activities encourages local populations and State representatives of Cameroon and Chad to get involved in the transactions.

Products from Nigeria-Cameroon to Chad

¹ Fonds européen de développement, « Etudes du plan de zonage et de lotissement de la zone de recasement de Kousseri II, », Rapport justificatif, Février 1998, ARCAUPLAN, p. 10

² According to the General Census of Population and Housing (Recensement Général de la Population et de l'Habitat), 2009.

As stated before, Chad is compelled to depend on the Cameroon neighbourhood through the Douala port. Every day, about 50 to 60 lorries cross the Cameroonian city to reach N'Djamena. (Amadou Oumarou, 2005: 44). From Douala to N'Djamena, the journey is a long and demanding journey. The lorry drivers have to face the Cameroon police controls and the worries the *gendarmes* are able to cause alongside the long road and finally the custom services in Kousseri. Some other difficulties come from specialized government services (veterinary and agriculture).

The Cameroon administration has sought to ease the control procedure by limiting checkpoints and setting up one-stop checkpoint. There is now only one official checkpoint, manned by the BGFT (*Bureau de Gestion du Fret Terrestre*). It is located in Figuil, the mid point between Ngaoundéré and Kousseri-N'Djamena. There are also several tollgates stations to collect road fees. Using insights from interviews with lorry drivers, frauds alongside the road Ngaoundéré-Kousseri become more numerous. Illegal roadblocks are a pervasive problem in this area, most being carried out by police and *gendarmerie*, and by some specialized government services. Informal payments can amount 200.000 F CFA between Ngaoundéré and Kousseri. Normally, the journey is done about 10 days, but other times can take as little as two or as much as three weeks.

Cameroon provides the Chad inhabitants with cement. The absence of locally producing factories in Chad is one of the reasons that explain such a situation. CIMENCAM (*Cimenterie du Cameroun*), located in Figuil, produces not only material to local consumers. Chad people are part of the consumption. Cement coming from Nigeria holds the mark of Dangote³, the most known producer and provider in Cameroon and Chad. Dangote cement is even preferable in the both countries because it is cheaper than the Cameroonian one (Mondji, 2006: 81).

Sugar is one of the products most in need in N'Djamena. The presence of SOSUCAM (*Société Sucrière du Cameroun*), located in Mbandjock, gives Cameroon the status of the main sugar provider. According to the Chadian authorities, sugar seems to be a prohibited product when it is exported “illegally”. Indeed, most of the dealers bring from Kousseri small quantities of sugar in order to sale them in N'Djamena. In doing so, they escape and avoid custom services. These practices make them being illegal activities. However, those who pass through custom service controls are encouraged to proceed because they pay charges.

³ Owner of the factory in Nigeria.

In the week ends, inhabitants of N'Djamena go to Kousseri to get stuffs. The commodities they get include legal and illegal products. Pharmaceutical drugs are said to be illegal because the Chadian government prohibits their importation. In Chad, people give preference to Kousseri pharmaceutical drugs for at least two reasons: they are cheaper than those in N'Djamena pharmacies and they are more available even alongside the streets. Moreover, there is no formal prescriptions from Doctors before people get to buy them. All these advantages encourage populations to prefer street drugs. In fact, the pharmaceutical drugs are produced in Nigeria, and they are exported to Chad via Kousseri, the transit point.

Some of the prohibited drugs, named D10 and MPC, are preferred by motorbike drivers. They are said to provide them with force. Taking D10 and MPC becomes a normal practice. The motorbike drivers can make from 10 to 15 rounds per day between Kousseri and N'Djamena. Motorbike drivers continue their job after the closing time in the evening in their respective countries. Traders who cope with day to day life by carrying their luggage on the backs or on the heads recognize the “value” of these drugs. They say D10 and MPC are helpful for them. They are supportive of the idea that such drugs fight efficiently against tiredness since they carry the products from Kousseri to N'Djamena by trekking.

Clothes are also part of the exchanges on the bridge. They are chiefly produced in Kano (Northern Nigeria). Cameroonian traders get them either directly or through intermediaries from Kano. They then bring and sale them to their counterparts of Chad. Poultry, cosmetic products, flour, house building materials, cars are brought from Nigeria-Cameroon to Chad through Fotokol, the Cameroon border town with Nigeria. As the products go along the itinerary Nigeria-Cameroon-Chad, their value goes increasingly (Djanabou Bakary, 2005 : 34).

During the civil war that occurred in Chad (1979-1982), illegal arms circulated between N'Djamena and Kousseri. The most important detail to underline here is that both Chad and Cameroon governments lose control over the arm owning. Cameroon civilians happened to acquire arms in order to provide security for themselves (Djanabou Bakary, 2005: 23). The owning of arms by “invisible” individuals played a major role in the conflicts that opposed, in the years 1991, 1992, 1993, Kotoko and Arab tribes in Logone et Chari Division in Cameroon.

Products from Chad to Cameroon-Nigeria

There are many products coming from Chad to be used and consumed in Cameroon and Nigeria. Carpets and blankets are among the commodities most in use. They are originated

either from Libya, Emirates or Saudi Arabia, the main suppliers in that domain. While in Kousseri, these products can be delivered in other Cameroonian cities. The main destinations are Garoua and Ngaoundéré, headquarters of the North and the Adamaoua regions. Carpets and blankets are also delivered to other cities such as Yagoua, Mokolo, Kaélé.

Chad is one of the biggest cattle producers in the sub region and in Africa. It stands first in Central Africa, second in Africa after Mali (Mondji, 2006:86). The areas of cattle production are chiefly the Chari Bagirmi, the Batha, the Kanem and the Borkou, Ennedi and Tibesti (BET). The BET is mostly specialised in camel production. Generally, Chad exports its cattle towards big urban centres of Nigeria, Libya, Cameroon, Sudan, and Central African Republic. Many itineraries are used for the exportation. Libyan destination concerns above all camels and the small animals like goats. Exportation towards Central African Republic is slowing down this time because of the insecurity that occurs in the Northern part of the country. Importation of cattle from Chad is less important in Cameroon. Traditionally, Adamaoua region is a strong cattle producer.

The most developed networks refer to those which convey animals to the Nigerian markets (Duteurtre & Koussou: 2002). The type of cattle most in need in the trade with Cameroon- Nigeria are cows. Exportation dealers use 4 main routes:

- The first one passes by the Lake (Chad) region before reaching Maiduguri, headquarter of the Borno State in the eastern part of the country (Lake Gate)
- The second route concerns the Nguéli bridge. From Kousseri, the dealers pass Fotokol, then Gambaru before reaching Maiduguri in Nigeria (Nguéli Gate)
- The third network passes Bongor (Chad), the headquarter of Mayo Kebbi Division, by crossing the Logone river. The destination is Banki (Nigeria) (Centre Gate)
- The last one connects Pala (Chad) to the market of Mubi (Nigeria) (South Gate)

Maiduguri, Banki and Mubi are the main dissemination areas of cows coming from Chad. The second conveying network is the most important one. The directorate of livestock and animal resources of Chad gave the number 63 177 of cows exported to Cameroon-Nigeria for the year 1999. In 2000, the number was 92 957. The Nguéli exit gate registered about 250 000 cows for the year 2000; 145 000 for the centre gate and 125 000 for the south gate. From this number, only 185 000 cows, meaning 35 % were declared to the custom services (Duteurtre & Koussou, 2002). Officially, the conveyers are compelled to pay 1 500 C CFA per cow, which represent huge amounts of money for them. For the year 2000, the numbers given by the different structures seem contradictory. That explains the importance of the informal transaction between conveyers, specialized services and control officers.

It is therefore important to underline the fact that the numbers given by the official authorities represent only the formal transactions on the bridge. Field work observation gives an other reality of the transactions and the informal negotiations carried out by middle people involved in the traffic. Arabs and Kreda are the prominent people involved in the commerce of cattle. Strategies are used to avoid paying formal taxes or formal government charges. Traders of Batha are most known in the use of *bakchichs*⁴. The term *tchoukou tchoukou* is illustrative of that practice. It means an arrangement between traders and the customs service authorities. Generally, that leads to the reduction the value of the herds by paying less than the normal tax or by managing to cross fraudulently.

Generally, Chadian traders do not convey the animals themselves. They employ young breeders to do the job from the hinterlands of Chad to Nguéli. The importance of cattle production and consumption in the sub region led to the creation, in 1987, of the CEBEVIRHA⁵, two years after the building of Nguéli bridge. This institution aims at running better the livestock policy and the exchanges related to animal production. (Duteurtre & Koussou, 2002). Its headquarter is located in N'Djamena. The CEBEVIRHA favoured the adoption of documents which are likely to ensure free traffic within the CEMAC⁶ zone. It was agreed, since 1991, that the “cattle passport” must be put in place as well as the “international certificate of transhumance”. These documents are destined to make the circulation of cattle more fluid in the sub region. Moreover, this specialised organ of the CEMAC holds regular seminars, round tables, meetings with economic investors and forums promotion in an effort to foster activities in that domain. But the CEMAC conventions do not seem to work. Herders, breeders and other traders complain and usually bring out the issue of belonging to the sub region when they face lots of worries at Nguéli.

Here the crossing obeys to certain regulations. It is obvious that conveying cattle on a bridge is challenging and risky. It is equally difficult to handle the circulation on the bridge when human being and animals have to cross at the same time. As a consequence, the Chadian authorities, in accordance with their Cameroonian counterparts, decided to choose two days in the week for the crossing of the cows. Every Tuesday and Friday at noon, no other circulation is allowed until the cows are in the Cameroonian side. Explanations given by officials and traders (Cameroonians, Chadians, Nigerians) on this specific times put a

⁴ Gift which is purposely destined to bypass the legal procedures. The local name is *tchoukou tchoukou*

⁵ *Communauté Economique du Bétail, de la Viande et des Ressources Halieutiques* (Economic Community of Cattle, Meat and Halieutic Resources). At the ministers meeting, held in Yaoundé in 2001, the CEBEVIRHA became an organ of the CEMAC.

⁶ *Communauté Economique et Monétaire de l'Afrique Centrale* (Economic and Monetary Central African Community)

premium on the desire to avoid traffic jam. On Friday, mobility slows down for people prepare to go to the mosque at 1 pm for the common prayer.

After crossing the bridge and reaching Kousseri, the next destination is Fotokol, the Cameroon border town with Nigeria. The conveyers have to trek and reach Gambaru, the Nigraria border town that faces Fotokol. The animals are put in lorries and disseminated to other Nigerian zones. In terms of cattle consumption, Nigeria stands among the biggest in Africa.

Types of Persons Involved in the Traffic

To be able to have a better picture of the activities on the bridge, it is important to have an idea on the profile of persons involved in the trafficking system. Many types of people are involved in the traffic. Chadian ladies are more present as well as handicapped persons, pupils, former soldiers, and other middle individuals. Most of them seem to fight to meet the basic needs.

Ladies coping with life

While at Nguéli, it is easy to observe the movements of women wearing black veils and rushing to reach the Chadian side of the bridge. They are mostly involved in the traffic of sugar, soap, cooking oil and other light products. They claim to be poor, and the only activity they can carry on to cope with life is the traffic at Nguéli. Some of them are advanced in age. Others have strong political networks that enable them to avoid administrative and police worries. The testimonies below give an overview on how female dealers struggle every day to fight against poverty and to live a better live.

Nguéli is a big opportunity for me. My husband was an auxiliary of the customs service at Nguéli. In 2003, he was involved in a “dirty” business with a customs officer. An inquiry was put in place and he was dismissed from Nguéli. He managed to link me up to the chief officer of the customs so that I can get small stuffs from Kousseri and sale them in N’Djamena. That is how I struggle to run the house since my husband does no longer work. I have to feed the whole family and pay the school fees of the children, while my husband is looking for a new job. (Zuhera, November 2008, N’Djamena).

Other ladies, whose husbands passed away, got involved in the traffic. They claim to be the family chiefs and therefore hold the responsibility of doing all men can do, including fraudulent trafficking activities. The case of Fatoumé is just one example among so many widows.

My husband passed away 3 years ago. He was a dealer between Cameroon and Chad. He was a famous trader. I decided to continue the trading activities since I got used to the trafficking system. In his lifetime, we used to go to Maroua and Kousseri and buy commodities. I decided not to get married again and stay with my children. At Nguéli, I often use the name of my husband to cross in case of any obstacles. He was very friendly to people. In case worries become serious, I call commissioner Haroun to intervene (Fatoumé, December 2008, Nguéli).

Contrary to the above cases, Zaina seems to have strong connexion at the summit of the State. She is a Zagawa lady whose brother belongs to the MPS⁷ political committee. Zagawa is the ethnic group of the ruling president. Being Zagawa and/or being militant of the ruling MPS is likely to give advantages to dealers involved in business. Using this double status, Zaina employs other female traders belonging to other ethnic groups to increase the volume of her network. She pays taxes neither at the customs service nor to the police check points. When the *Karan karan*⁸ get to stop the middle persons used by Zaina, the simple reply is “they (stuffs) belong to Zaina or I come from Zaina”.

This sentence works like a sesame and opens the doors to anyone connected to her. Other ladies managed to get connected to high personalities in Chad to have facilities on the bridge. A Gorane trader, facing difficulties to cross his cars, called Zaina on her mobile phone. She called a customs officer who came and solved the problem. This is to say that ethnic group affiliation, MPS connection and networking support are key to understand the meaning of the “underground market”. MPS members interested in business at Nguéli are able to put customs service officers and policemen in trouble, and they avoid quarrelling with them.

Handicapped people

The other interesting type of ladies involved in the trafficking activities refers to the disable women. Observation of the trading activities offers the images of blind women, accompanied by children and carrying stuffs on the backs and on the heads. Their disability offers them

⁷ *Mouvement Patriotique du Salut* (Patriotic Salvation Movement), the ruling party created in 1990 by Idriss Déby Itno. He chased away Hissène Habré, the former president of the republic of Chad.

⁸ Local name given to mobile customs service in Chad.

advantages in front of the officials of the bridge. Customs officers and policemen seem to be more sensitive vis-à-vis these persons.

I don't want to behave like a beggar. It is not because I am blind that I have to stay somewhere and ask for help. This is not fair. Even though I can't see, I am able to reason, to count, to make calculation. I just need a trustful person as a guide and my son is doing the job for me. All I wish from the government is to ask the Nguéli officers to be friendly vis-à-vis us (Faiza, November 2009, N'Djamena).

Ancient soldiers who got injured or wounded have special treatment when they specialize themselves in trading. The Chadian government released a decision which states that the customs officers have to pay special attention to the handicapped people, and especially the soldiers. Despite this decision, handicapped soldiers usually quarrel with the Nguéli officers. They claim that they risked their life to fight against Libyan invaders. They often bring out the issue of the Auzu trip dispute when Libya wanted to annex it. They stress on the fights against rebellions in the East. Moreover, they put the premium on the combats against Hissène Habré regime in helping Idriss Déby to take over from him. They use their tricycles for transportation.

Their answers stand as follows when quarrelling with the control services: “get away; do you know how we fought for this country?”; “I am sergeant Abakar, holder of a bravery medal, can I pass?”; “let people proceed, we are in hurry; you can't get something from us”. It chances that these soldiers are not only exempted from the payment of taxes; other traders, who do not have strong networks, use them to make affairs. Some of them don't really have the intention to make many rounds between Kousseri and N'Djamena. They do so because they serve as intermediaries in the trafficking system in order to earn money.

It is known that in Chad, ancient soldiers don't regularly get their war pension. The government decision, calling for Nguéli officers to exempt them the payment of taxes, is a kind of social and economic compensation aiming at maintaining peace and social stability.

Pupils in the trafficking system

Pupils who attend schools are also involved in the traffic. Some of them stay in Kousseri and go to school every day at Nguéli by crossing the bridge. They have to cross early in the morning at 7h 30, the opening time at the both sides. The closing time is 18h 30. Sometimes, police officers allow them to cross before the opening time in order to get on

time at school. In doing so, pupils usually get light stuffs such as soap, sugar, crockery, drugs (MPC, D10, Tramol) in their school bags, on their bicycles, on their motorbikes. Like the handicapped people, other traders use pupils to bypass legal tax payments. To be able to cross without suspicion, pupils sometimes claim to be late, or they deliberately choose to be late so that while in Nguéli they are exempted from checking.

Impact of the Bridge and Meaning of the Border

The Nguéli bridge was meant to help the Chadian victims following the 1984 drought. It is now a focal point for commercial exchanges. It is concerned with sub regional flows of goods and people of Cameroon, Chad and Nigeria. That triggered to the growth of Nguéli over the 25 years. From fishery and agriculture area, Nguéli became a place where people of multiple backgrounds can make business. Income generating activities and social networking become more considerable. It is a transfer site between the three countries. This resulted to the expansion of the quarter (Nakar & de Bruijn, 2009: 261). Snacks, small hostels and restaurants came out: Mekap, Mororo, Ma Carrière, La Forêt. There are also schools built over the last 10 years: Lycée Sans Frontières, Collège Fausta Avenir, Collège Houphouet Boigny, Collège Bayam. (Mondji, 2006: 62). A car crosses the bridge after every 1 minute; about 660 vehicles cross it every day (Fombasso, 2006: 3). Chadian civil servants go to Kousseri every week end to distract themselves, to buy goods or to pay visits to friends and families. They are numerous to spend their week ends in Maroua from Friday in the afternoon to Sunday in the evening. This is because the bridge made the circulation more faster than before 1985.

The advent of the bridge offers livelihood opportunity for illegal business. The examination of the practices in this cross-border area gives the feeling that States are absent. As Roitman says, it is the reign of “unlicensed” activities, of “unregulated” commercial trade that bring together dealers whose general tendency is the refusal to pay tax (Roitman, 2007). Informal business seems to have more importance than the one controlled by the State authorities. About 50 % of the exchanges go through “black markets”.

The flows of goods and persons are favoured by the ethnic solidarity between people who have been separated by colonial frontiers. Inhabitants of Kousseri and N’Djamena do not see themselves as foreigners, to belong to different countries. An eager observation shows that they behave as if they live in the same country. The language here is Arab. It is extremely difficult for someone who does not understand that language and who wants to

do business. Arab is the “passport”. Flows of goods and persons at Nguéli support the theories of the “protosted frontiers” and the “end of frontiers” (Bennafla, 1999). Inhabitants of Kousseri and N’Djamena are able to listen and follow up the ongoing news in both sides through television, radio, newspapers, etc. Ndjidda, a resident of Kousseri, works in Fokou⁹ firm in N’Djamena. He goes there every day without worry.

For me, there is no difference between Kousseri and N’Djamena. I am from Kousseri, I was born there. But I know every remote quarter of N’Djamena. I feel like I grew up in the two cities. Even my parents are not aware of what I know in the other side (N’Djamena). When I was in my teens, my friends and I used to go to N’Djamena by using canoes. I know the majority of customs officers and policemen. We have friendly relations. Sometimes, the Chadian policemen and civil servants ask me to buy them stuffs from Kousseri. During electoral campaigns, I go and assist my friends in N’Djamena in the MPS meetings. (Ndjidda, November 2009, Kousseri)

Since 1975¹⁰, Chad is an instable country. Civil wars and political disorder usually provoke displacement of people. During the civil war 1979-1982, some of the inhabitants of Chad fled to Cameroon by using canoes. In 1990, when Colonel Idriss Déby Itno chased away Hissène Habré, many inhabitants of N’Djamena reached Kousseri by using the bridge. In 2006, rebel attacks of Idriss Déby regime led to the displacement of people to Cameroon. The bridge was put in contribution by the refugees. Recently in 2008, rebels attacked Idriss Déby in his palace, causing considerable human and material casualties. Many civilians used Nguéli to cross and get asylums in Kousseri. This is to underline the importance of the bridge in the interactions between Cameroonians and Chadians when it comes to support themselves in crucial situations.

Worries come when people cross with goods that may raise suspicion. That is why the authorities in charge of the entrance and the exit are expected to pay attention to the flows. Control identity seems not to be interesting on the bridge. Officers behave like only the same people cross the bridge every day. They don’t care to ask for national identity card. Even though they do, the reply in Arab is sufficient for the passenger to proceed.

⁹ Name of the Cameroonian owner of the firm. It has a filial in N’Djamena.

¹⁰ The first Chadian president François Tombalbaye was victim of a coup d’Etat. He was assassinated during a military scheme. General Malloum Félix, elite of the South like Tombalbaye, took over from him. The replacement of an elite of the South by an other one triggered to the frustration of the elites of the Northern part of the country. Chad then went trough civil war, rebellions and State scheme attempts.

Conclusion

Exchanges on Nguéli bridge disclose the commonalities related to “end of national territories” and the local variations of trading activities as well. The traffic put together inhabitants of Maroua, Maltam, Fotokol, (Cameroon), Dourbali, Mao, Atti, Koundoul (Chad), Gambaru, Maiduguri, Kano (Nigeria). The importance of the study can be seen at the level of sub regional implications. As a matter of fact, Nigeria and Cameroon provide most of the commodities needed in Chad. Cars, for ones, are tangible examples. They are also clients when it comes to cattle consumption.

The 1984 drought resulted to the building of the bridge. Relations between Cameroon and Chad people become stronger because of the flows of goods, persons and mentalities. National identities dilute themselves in a kind of sharing sub territory. The advent of Nguéli bridge provides to local populations lots opportunities: trading, social networks, gardening, transportation. It equally gives place to informal business, theft and delinquency.

Persons involved in the traffic are composed of aged individuals, blind people, widows, disable soldiers, recommended ladies. Many of them really struggle to cope in the day to day life to meet their basic needs. Such situations are caused by poverty, lack of employment, poor professional qualification, etc. Some other individuals at Nguéli play the role of intermediaries or middle persons. They visibly run activities but the owners of the funding are elsewhere.

Given the volume of the traffic, it is necessary to conceive and build an other bridge. The Nguéli bridge is 200 metres long, 4 metres large and 10 metres height (Mondji, 2006:30). It has a loading capacity of 550 tons. The conception of a new one can be made in such a way that pedestrians, cattle, bicycles, motorcycles, cars, lorries cross at the same time to avoid traffic jam.

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Conflicts and Cattle Commerce on the Ethiopia–Kenya–Somalia borderlands

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Abstract

This paper explores the impacts of conflicts on cross-border cattle trade on the Ethiopia–Kenya–Somalia borderlands. Conflicts on the border areas, in all forms, are devastating constraints to cross-border livestock traders and other market actors. The examination of the relations between policies governing Kenya’s remote pastoral areas and border political volatility on the one hand and livestock trading sector’s vulnerability to risks on the other is critical in gaining insights into these links. These dynamics are strongly connected to wider regional political and economic processes. While causes of conflicts and resolution mechanisms have been the focus of numerous studies in the Horn of Africa, a systematic exploration of the effects of conflicts on livestock trading and traders and its broad implications in the region has been lacking.

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Introduction

Livestock marketing risks and uncertainties are widespread in pastoral areas of Africa (Kerven 1992; Little 1992; Quarles van Ufford 1999; Sandford 1983). While most constraints are similar across the continent, some are fundamentally unique to specific areas and specific market actors. Cross-border livestock thefts and other security-related issues especially hamper marketing in certain parts of Africa; for example on the Kenya/Tanzania border (Fleisher 2000); Algeria/Tunisia border (Homewood 1993); Lesotho/South Africa border (Kynoch and Ulicki 2000); Kenya/Somalia border (Little 2003); Kenya/Ethiopia border (Mahmoud 2003, 2008); Kenya/Somalia and Kenya/Ethiopia border (Little and Mahmoud 2005); and Ghana/Burkina Faso border (Tonah 2000). Certain border zones frequently incur ethnic conflicts, human and livestock movement controls, and border closures, which all can constrain marketing activities.

In East Africa, the Ethiopia/Kenya and Somalia/Kenya borderlands are crucial because they connect prime livestock producing areas of southern Ethiopia and central and southern Somalia areas, respectively, to the region's largest market, Nairobi. Trans-border livestock marketing constraints may have slowed down the pace of the commerce in the area, but not as a permanent deterrent. Nevertheless, the severity of certain trading constraints, particularly insecurity, during certain periods has forced several Ethiopian, Kenyan, and Somali traders to abandon trans-border livestock commerce. The process of colonization, contemporary biased policies toward pastoral populations, ethnic politics in Kenya on the one hand and political instabilities in Ethiopia and Somalia on the other have contributed to the escalation of community conflicts and the undeterred amassing of weapons in the area. The analysis presented in this paper and the examples drawn from similar studies in the area indicate that insecurity is indeed the leading threat to pastoral livelihoods in general and pastoral livestock marketing in particular in Kenya's northern and northeastern pastoral borderlands. From policy point of view successful resolution of pastoral conflicts have an important implication not only on the pastoral economic progress and livelihood enhancement, but also on regional political stability.

The concern of this paper is to address the effects of conflict on pastoral livestock trading activities along Kenya's two border corridors: 1) the Ethiopia–Kenya border, particularly focusing on the Moyale–Isiolo–Nairobi trading corridor and 2) the Kenya–Somalia border, focusing on Wajir District. These borderlands are among Kenya's most unstable and risk-prone areas within which livestock production and marketing forms the basis of pastoral livelihood system. The close connection and the enormous threat of insecurity on pastoral livestock marketing and, by extension, livelihoods have not fully been understood or appreciated by Kenyan policy makers. The government blueprint on what it considers as major obstacles to pastoral livestock development is enormously divergent from what livestock traders perceive to be the main constraints to the marketing sector.

Conflict and livestock trading in northern Kenya

Ethnic conflicts in Kenya's northern and northeastern borderlands are regular occurrences and resultant insecurity is not a new phenomenon in livestock production and trade in Kenya and the Horn of Africa generally. The problem of insecurity and raids have been the basis of interesting scholarly discussions in the literature on African pastoralism and particularly on pastoral livestock marketing (e.g. Fleisher 2000; Little 2003; Mahmoud 2003, 2006, 2008; Nunow 2000; Quarles van Ufford 1999; Quarles van Ufford and Zaal 2004). According to Little (2003), insecurity in cattle marketing along the Kenya/Somalia borderland is widespread, but traders assert that the problem is more acute on the Kenyan side of the border than on the Somalia side. Clan negotiations and pacts on the Somalia side minimize the rate of attacks on livestock traders. Little (2003) further asserts that the establishment of a sound relationship or pact with clans on trade routes is a fundamental consideration in trekking livestock over long distances in Somalia. In Benin, West Africa risks increase not in the small rural markets but as traders approach the major markets. Common forms of insecurity in West Africa include cattle theft on treks and in urban areas, theft by herders, and cattle loss because of unfamiliarity with urban areas. Major livestock markets in West African cities of Abidjan, Ibadan, and Lagos are notorious for armed robberies against cattle traders. Ambushing of cash-laden cattle traders returning to the north is also common in parts of Nigeria (Quarles van Ufford 1999).

Conflict is the single most important risk to livestock trade in Kenya's northern borderlands. Ethnic conflict in northern and northeastern Kenya is widespread and a devastating constraint to traders, the business community, government employees, visitors, Non-Governmental Organizations, and to the public. It affects all facets of social and economic life of residents and every sector of the local economy. Insecurity is a product of protracted conflict and political instability in northern and northeastern Kenya. Insecurity in these areas is disguised in numerous ways and manifests itself in several forms including highway robbery, particularly on the Moyale–Isiolo stretch, livestock theft in Moyale, and tensions associated with business rivalry. Coping with insecurity is a matter of absolute necessity for herders and livestock traders in northern and northeastern Kenya.

Pastoral migrations, the consequences of British colonial and Ethiopian imperialist expansionism, post colonial Kenyan ethnic politics, and post-derg Ethiopia's politics of regionalism are among the factors that have played key roles in ethnic conflicts and integration in northern and northeastern Kenya and much of the borderland areas. The outcomes of these processes continue to dominate and determine group relations in the Ethiopia–Kenya–Somalia borderlands.

Several major ethnic conflicts in northern Kenya have occurred in the past decade. For example, the Boran clashed with the Garre and the latter were also engaged in conflicts with the Gabra in Moyale town and other parts of the district in 2001-02. Moyale town and its suburbs became the main battlefields for these

confrontations thus its impacts on the smooth functioning of the market and movement of livestock to the local market and to Nairobi were obvious. Although the Moyale livestock market was not closed during these conflicts, herders and traders were afraid that they could lose their livestock and money through robbery and loss of business. The significance of examining ethnic conflicts in the Kenya–Ethiopia borderlands helps explain the marked relationship between pastoral livestock marketing and insecurity. First, ethnic conflicts in the borderlands particularly affect the trade and movements of livestock from the source areas in southern Ethiopia to the main market in Nairobi. The Boran, Gabra, Garre, and Guji ethnic groups in southern Ethiopia constitute the main livestock producers, traders, and trekkers. Therefore, conflicts between two or more of these groups negatively impacts on livestock commerce in the source areas.

Likewise, several ethnic groups are involved in livestock commerce in northern Kenya, engaging in diverse sectors of trading, trekking, trucking, brokering, branding, and offering a host of other auxiliary services. Their livelihoods are disrupted when ethnic conflicts erupt. Second, the identification and understanding of conflict and the circumstances of their occurrence in the area will help policy formulation to avoid conflict incidences or recommend appropriate intervention mechanisms. Third, ethnic conflicts on the Kenya–Ethiopia borderlands apparently are not restrained by sovereignty of states or international borders. This is true because several groups have double and in some cases triple citizenship, which makes it easier for conflicts in one area to spill over into neighboring countries. For instance, during the Gabra-Garre conflict of 2001 in the Moyale area, Ethiopian authorities closed their borders to restrain Ethiopian Garre from crossing into Kenyan territories to assist their kinsmen in the conflict. Conflicts in one area can easily spread to the entire region, thus negatively affecting livestock commerce over a large area.

Ethnic conflicts in northern Kenya can hinder the operations of livestock markets, but may not necessarily stop livestock from moving to Nairobi. Only a tiny fraction of traders in northern Kenya cited a low flow of livestock to markets as a constraint. It was observed that livestock supplies to Moyale dwindle a little during conflicts but this usually is only for a few days. Moreover, after ethnic conflicts have subsided, herders and livestock traders usually return to their trading routines because market actors recognize the centrality of livestock trading in their livelihood systems. Burji livestock traders, who form about half of the total number of traders, regularly maintain extra stock of livestock so that conflicts do not seriously hamper the movement of livestock to Nairobi. However, eruption of serious conflicts in the area can halt or seriously paralyze all forms of businesses.

Some outcomes of conflict

Highway robbery

“I have been a victim of banditry thrice. I have been robbed of a watch, money, and other valuables. I travel on the road with a lot of fear and at my own risk.” – Trader DW

Livestock trader accounts of this type are not uncommon on the Moyale–Isiolo–Nairobi route. Safety on the Moyale–Isiolo stretch of this road is a major concern for every traveler on the route. The entire stretch of the road is bandit-prone, hence, not safe for any motorist at any time. Indeed, bandit attacks are imminent at specific spots and specific times. These are notorious spots where many attacks have occurred in the past and the areas are well known and equally dreaded by transporters, traders, regular travelers, and local residents. These spots are notorious for armed robbery where several merchants, livestock traders, and motorists have been attacked over the years, some fatally. Personal and business merchandise and cash worth millions of Kenya Shillings have been lost in these areas, in addition to several truckloads of livestock. The most notorious robbery sites on this road include:

- The Wamba junction area in Samburu District
- Milima Tatu (The Three Hills) – located about 10km south of Merile trading center
- Gof Choba/KBC area – located about 15km from Marsabit town on the Marsabit–Moyale road and the area stretching all the way to Bubisa trading center, located about 50km further on the same road
- Turbi area – a trading center located almost mid-point between Moyale and Marsabit towns and an important stop-over for a well deserved refreshment especially after making it through the expansive and grueling Did Galgalu desert
- Funan Nyata area – located about 20km south of Moyale town on the road to Marsabit

A worth mentioning part about these spots is that they can provide a clue to the identity, locations of residence, operations, and motivations of these bandits. The attack spots are located at a close proximity to urban areas or centers with significant populations. This suggests that these bandits are not an isolated bunch of disgruntled rural thugs disconnected from the urban and social life. While their main objective is to loot cash and other valuables from travelers and cash and livestock from traders, they seldom kill their victims. They live among the rest of the population in urban centers, probably raise families, and take part in social events. Some people speculate that these bandits are in fact home guards – civilians that the government arms to protect neighborhoods against external invasions and raids – or their accomplices.

Because bandits often are urban-based folks living among the general residents, they monitor the movements of people and gather intelligence before

they lay an ambush on unsuspecting traders and motorists. However, not all bandit attacks are premeditated and indeed some occur at random. It could be argued that certain bandit black spots are “manned” by individuals from a particular ethnic group associated with the locality. For example, bandits operating around the Wamba junction and Serolipi areas past the Archer’s Post on the way to Marsabit have been reported to be Samburu men in uniform while bandits operating near Marsabit, Turbi, and Moyale towns are said to comprise mainly the Boran and Gabra. However, there could be an involvement of members of other ethnic groups as well in these or other banditry sites, but to significantly lower levels. Because of the horrifying security situation and the pathetic status of the Moyale–Isiolo road, motor traffic on this road is seldom busy. However, the road is normally traveled between 6am and 6pm each day while night travels are avoided as much as possible because of increased vulnerability to attacks. Police escorts accompany most motorists, but this does not eliminate attacks. The availability of police escorts can greatly reduce chances of banditry incidents. Motorists, who travel outside police convoy times or do not have their own security arrangements, are the most vulnerable.

Localized insecurity

Localized insecurity in this context is local in nature and small in magnitude and intensity though devastating to livestock trade and traders. It commonly affects traders in and near the town. It occurs because traders must graze the purchased livestock for one or more days while awaiting trucking to Nairobi. These animals are sometimes stolen from the outskirts of Moyale town. The period between purchasing and trucking livestock is a critical time for traders. Multiple worries are encountered at this time – ensuring local security against livestock thefts, uncertainty of truck availability and high costs of trucking, transit insecurity and road condition concerns, and uncertainty about market conditions in Nairobi. The provision of extra security for livestock while in Moyale increases trader transaction costs. The following excerpts from trader interviews underscore the seriousness of livestock thefts in Moyale town and its environs. (Emphasis mine).

“I am constantly stressed out thinking about the safety of my (*trading*) cattle whenever they go to graze around Moyale town.” – Trader O

“Traders’ cattle can not graze far from (*Moyale*) town because of fear of theft. If my cattle were stolen while grazing in Moyale, I would not dare go looking for them because of fear for my own life. Therefore, the security of my cattle must be tightened day and night; this, of course, increases my expenses.” – Trader S

“Ethnic tensions and lack of security around Moyale town force our cattle to graze on a poor pasture, consequently, losing weight

dramatically. I have to buy pasture for my cattle, and this increases the transaction costs.” – Trader NM

“Nowhere to herd (*traders*) cattle because of fear of theft. Good pasture and water is located far from (*Moyale*) town. Because we cannot take our cattle too far from town, we do zero grazing.” – Trader H

“It is very difficult to keep cattle in Moyale after purchasing them.” – Trader W

“There is a limited grazing area around Moyale. We, the Burji, have no grazing fields. Some of our purchased cattle escape and go back to their previous owners in southern Ethiopia. Since there is no return policy, we lose such cattle. All cattle escapees have to do is to cross the border and we can never see them again.” – Trader D

As a group of businessmen and ethnic minorities, the Burji especially feel threatened and targeted. This could be because of their comparative prosperity as a competent and successful business community. Second, dominant ethnic groups in the area – for example, the Boran – view them as “aliens.” Third, the fact that the Burji are a minority in the area exposes them to theft and victimization.¹ Most importantly, the Kenya/Ethiopia border dynamics and associated suspicions between the two governments and the OLF political activism in the border areas and its clashes with the Ethiopian government all add to the complexity of trading on the border.

Business rivalry

In the context of northern Kenya, communities who live in this area perceive of certain social spaces and economic occupations as their own “property.” Overall, they mimic property ownership systems previously established in the rangelands when constructing property rights in urban areas. It can be argued that ownership of social spaces and economic occupations in Moyale town are based on ethnic identity. In general, some forms of ethnic tensions and conflicts in northern Kenya are between urban groups, who are divided along ethnic lines, competing for geographical spaces and economic domination. The complexity of conflicts in northern Kenya creates deeply rooted problems of prediction, resolution, and more importantly, reconciliation. Certain conflicts do not have “fronts,” thus they pose problems of predictability and containment. For example, major businesses in Moyale District are located in Moyale town, the administrative center. In the event that business-related

¹ See Mahmoud, Hussein A., 2009 “Breaking barriers: the construction of a new Burji identity through livestock trade in northern Kenya,” Max Planck Institute for Social Anthropology Working Paper No. 113 for a detailed analysis of the early history of Burji migration to northern Kenya and their shifting identities through business, livestock trade and transportation successes

conflicts erupt in the town, usually based on ethnic group rivalries, its control poses serious problems. A series of mini conflicts can erupt throughout the town making containment difficult. There have been instances in Moyale town where the Garri have broken into and looted Gabra-owned shops and vice versa. Hence, periodicity, intensity, and frontage of such conflicts cannot be determined with absolute certainty, a process that makes containment and resolution a difficult process and often unattainable. It also increases risks for livestock traders and businesses generally. The significance of this is that some livestock traders have diversified businesses in which the proceeds from livestock trade is invested in other forms of businesses, such as grocery shops and wholesale trade, hardware dealership, and general transportation (see Mahmoud 2009).

Sources of conflicts in northern Kenya and southern Ethiopia are diverse. While competition for resources, such as water and grazing lands, are known to cause conflicts between rival ethnic groups in northern Kenya, little is known about business rivalry as a source of conflict in the area. Business rivalry as a source of conflict explains why, for example, members of Boran and Burji, or Burji and Garre ethnic groups might have differences in Moyale town. Since the Burji are (1) a farming community, (2) immigrants from southern Ethiopia, and (3) have no ancestral rights to the rangelands of northern Kenya, they pose little threat to the Boran or Garri ethnic groups regarding the latter's water and pasture resources. Yet, the Burji dominate livestock business, the transport sector, retail and wholesale, and other commercial activities in northern Kenya. Consequently, this has brought the Burji on a collision course with their "hosts" – the Boran who produce most of the cattle traded in Moyale. The Garri and the Gabra, in turn, have critical stakes in achieving business supremacy as well. Businessmen and women and politicians manipulate ethnic relations to create conflicts. Members of these different groups are not normally hostile to each other but are pitted against each other in an environment of ethnic politics and instability.

A Case History of Trader NM

In northern Kenya, livestock traders rarely travel with colossal amounts of cash to avoid risks of robberies. The following is a case history of a Moyale livestock trader and his experiences on the Moyale–Isiolo road. The likelihood of any one becoming a victim of attacks are relatively high, however, livestock traders and prominent business people are more vulnerable to such attacks than others. To reiterate, traders are targeted because of their seemingly lucrative livestock business and high liquidity. Trader NM is a 36-year-old veteran businessman based in Moyale. He is a Gabra Muslim and has been involved in livestock business for the past 16 years. He is fluent in four languages – Boran, English, Somali, and Swahili and has a trading partner just like many northern Kenya livestock traders. One of the reasons for creating trading partnerships among northern Kenya livestock traders is to reduce risks associated with the trade, including insecurity (Mahmoud 2008).

Trader NM became involved in the livestock business in his early 20s by starting as a herder/trekker for northern traders. He was a part of a team regularly hired to trek livestock from Moyale to Isiolo. He saved part of his

earnings from this work until he had accumulated KSh7,000 (US\$ 90).² In 1986, he sold two cattle drawn from his herd in southern Ethiopia for KSh2,500 (US\$ 32) each and added the proceeds to his savings. He then decided to venture into livestock business when his total savings had accumulated to KSh12,000 (US\$154). Trader NM states that insecurity is one of the major obstacles to livestock trade in northern Kenya. As discussed earlier, a close comparison of insecurity in northern Kenya and southern Ethiopia shows distinct dissimilarities. While general banditry and stock thefts are some of the major concerns of livestock traders in northern Kenya, local politics and associated contestations for range resources, especially water and pasture, are the major source of conflicts in southern Ethiopia.

Trader NM is in the Kenya Police Reserve (KPR) and, therefore, has been given a government gun. At the height of the Gabra-Garre conflicts in Moyale District in April of 2001, he walked into the Moyale veterinary office to seek a movement permit to move his trade livestock to Nairobi while armed with a gun and in a combat gear. The District Veterinary Officer (DVO), a Kikuyu from Central Kenya, was stunned and terribly scared. For his actions, NM was denied the permit because the veterinary office and its premises were arms-free-zones, according to the DVO. The trader argued that the ethnic conflicts in Moyale and the general insecurity that it had created necessitated that he be armed at all times, even when conducting private business in a government office, to be able to protect himself, his kinsmen when called upon, and his livestock trading interests.

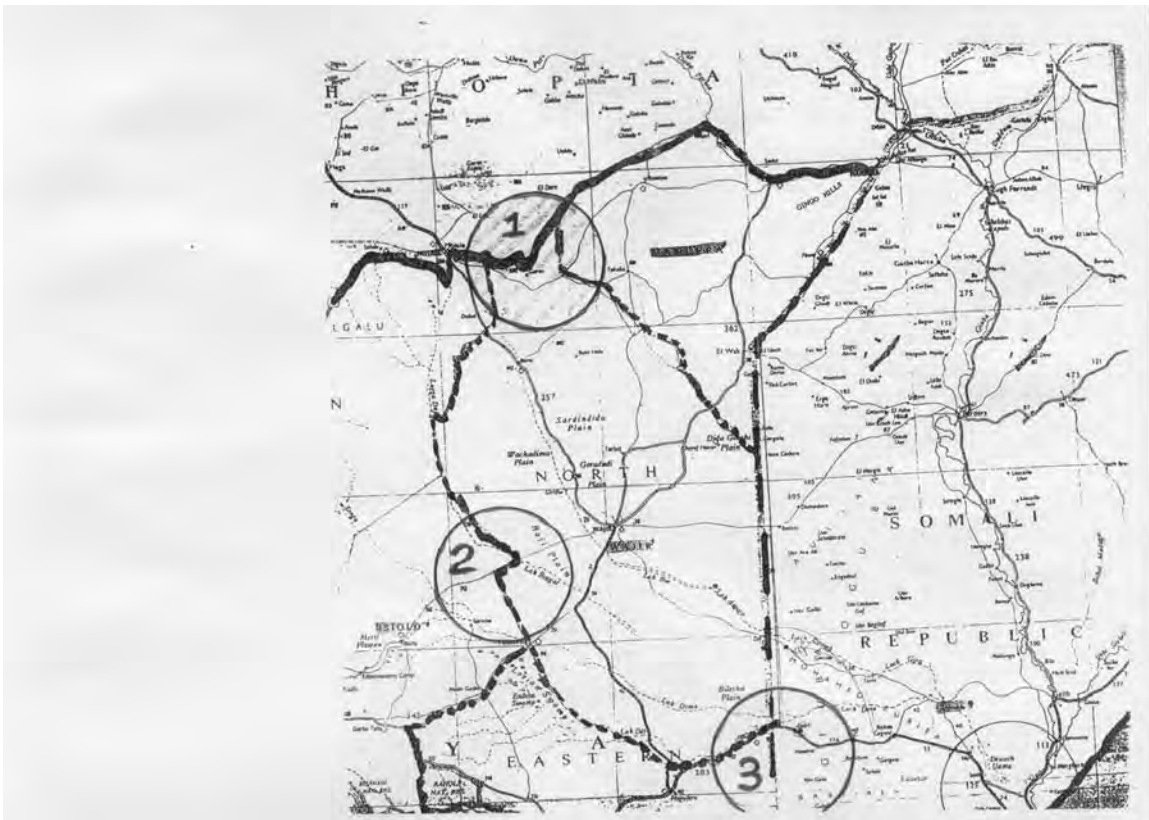
Regarding trekking livestock to Isiolo, which is trader NM's area of expertise as he acquired entry into the livestock commerce through trekking other people's livestock, he argues that it would certainly increase his profit margin, but this could not be done because of insecurity and lack of water and pasture on the lengthy trekking routes. Trekking and trucking livestock from northern Kenya to Isiolo have both advantages and inconveniences. While both trekking and trucking can cause animal weight loss, trucked animals emaciate faster because of dehydration and stress while on transit and the pathetic conditions in which animals are trucked in northern Kenya. As mentioned earlier, livestock thefts is one of the major problems facing livestock trekking in northern Kenya, particularly when trekking through unfamiliar territories or territories that rival ethnic groups inhabit. Trekking can cause weight loss of larger magnitude if it is done during the dry season and on routes that face chronic shortages of water supplies. If on the other hand, trekking is done strategically bearing in mind the pasture and water needs of animals, they can arrive in Isiolo in good body condition. To avoid stock theft while trekking, traders hire armed guards while striving to avoid risky routes. For Trader NM, escalation of ethnic conflicts in northern Kenya coupled with rising insecurity inhibit access to sources of water and pasture along trekking routes, rendering trekking undesirable.

² In 2001-02, the exchange rate was approximately US\$1 = KSh78.

Conflict and livestock trading in northeastern Kenya

Wajir South Development Association (WASDA), an NGO working in southern part of Wajir District and some portions of Somalia adjacent to the border area identifies three conflict hotspot areas in northeastern Kenya: 1) northern portion of Wajir District that borders Ethiopia; 2) the western region of Wajir District that borders Isiolo District, and 3) the Kenya-Somalia border area around Liboy/Dobley area (see Figure 1).

Figure 1: Conflict hotspots in northeastern Kenya



Circle 1 in Figure 1 is a hotspot area around the Ethiopia–Kenya border in the Wajir District segment. The conflict in this area principally involves the Garre, Ajuran, and Boran groups. Heavy military arsenal are occasionally used in this conflict and it often takes the state politics dimension when Ethiopian armed forces are alleged to be involved in these conflicts. The area can be described as one of the heavily militarized zones in the region. Cross-border skirmishes are not uncommon. The complexity that this front presents is the cross-border dimension that the conflict often takes. Perpetrators easily slip into foreign territories making it difficult to arrest and charge them.

Circle 2 represents the Boran–Somali interface. Unlike Circle 1, which is an international cross-border conflict, Circle 2 is a provincial and district cross-border conflict involving Somali groups (in Wajir and Garissa Districts in

Northeastern Province) on the one hand and the Boran (in Isiolo District in Eastern Province) on the other. Circle 3 has a component of cross-border conflict along the Kenya-Somalia borderland. The conflict is mainly between sub-clans of the Ogaden clan of the Somali. Water and grazing resources may be at the center of most of the feuds between communities in this area. However, the Kenya–Somalia border conflict dynamics present emerging challenges depending on the political atmosphere and clan relations in Somalia. Traders in the area have been at loggerheads over trade goods and routes (WASDA 2005).

A chronology of conflicts in Wajir District

As mentioned earlier, Wajir District has been part of much of the conflict that has occurred in the northern and northeastern Kenya and what used to be known as the NFD. While smaller skirmishes continue to exist in the area, Table 1 presents the major massacres that have occurred in the district or affected the inhabitants in one way or another in the past two decades.

Table 1: Major conflicts in Wajir in the past 20 years

Conflict name	Time occurred	Parties involved	Causes of conflict/contributing factors
Wagalla massacre	1983/84	Ajuran and Degodia	<ul style="list-style-type: none"> Natural resources, land, and politics; the Ajuran assumed that the contested land was theirs, however, they are fewer in number than the Degodia. The populous Degodia often win political elective positions, hence precipitating inter-clan tensions. The Ogaden war between Somalia and Ethiopia contributed a lot of arms to these conflicts
Kom conflict	1997-98	Boran of Isiolo and Somali of Wajir	Competition for natural resources and land
Bagalla massacre	1998	Boran of Isiolo and Somali of Wajir	Competition for natural resources. The Boran of Isiolo perceived Somalis as exploiters of Boran resources.
Isiolo conflicts	2000-2001	Boran and Somalis in Isiolo District	Natural resource rivalry and politics (the Boran charged Somalis for influencing the outcome of elective politics to Boran disadvantage)
Wajir North conflict	2001-2002	Ajuran and Garre	Land/resource conflicts. The Garre are agro-pastoralists and businessmen whereas the Ajuran are pastoralists. The two groups clashed over farming and grazing resources. The conflict also had political dimensions

Source: adapted from Pkalya et al. 2003: 58

It can be seen from Table 1 that causes of conflicts in Wajir District cannot be attributed to single factors, such as resources, but rather to an array of triggers, often involving external players, such as politicians and regional politics. Whatever the causes of conflicts and their underlying factors in northeastern Kenya and along the borderlands, the outcome is loss of lives and livelihoods. Conflicts have definite impact on the way people access livelihoods.

Garrisa by far handles larger volume of the Kenya–Somalia trans-border livestock trade as Little (2000: 36) notes in his work that livestock that pass through Mandera, for Kenyan markets “accounts for less than 10 percent of the volume of cattle that the Garissa trade does.” He further states that conflicts in the Mandera–Bula Hawa area have tremendous effects on prices of food products than on livestock. Since the Garissa–Juba trade route to the south handles the bulk of the Kenya–Somalia cross-border livestock trade, traders on the route face increasing trading risks.

Restoration of peace in northeastern Kenya in the past few years, which not only assured a peaceful co-existence between groups in the area, but has also helped maintain a safe passage of vehicles and goods on the main roads in the area. In northeastern Kenya insecurity remains one of the leading risks in pastoral livelihoods in general and pastoral livestock trading in particular (Little 2000; 2003; Menkhaus 2005; Omosa 2005; WASDA 2005). The effects of insecurity on livestock marketing in northeastern Kenya occur in several ways, which include: 1) thefts of livestock destined for the market; 2) obstruction of trade routes; 3) payment of trespass fees to pass through areas that ethnic militias control; 4) inflated transport costs because of the necessity to hire armed personnel to provide safe passage through unfriendly territories; and 5) deliberate chaos and confusion in the market place.

Thefts of livestock destined for the market

Livestock theft in general is a recurrent problem in most pastoral areas of the Horn of Africa. Stealing livestock destined for the market is not uncommon in northeastern Kenya and livestock being trucked to the market have been reported lost in Wajir District. In one incident, a Sudanese livestock trader lost all his livestock purchased for sale in Wajir during an outbreak of ethnic conflicts (ALDEF Board member, personal communication). During such incidents, market activities plunge leading to considerable decline in livestock sales because of fear of purchasing stolen livestock. Although the Sudanese trader’s case was an isolated incident, often retaliatory actions are the driving force behind targeting livestock traders on most northeastern routes because certain communities easily fall prey to this menace. In the 1960s and 1970s, livestock trade routes existed and were accessible to traders and herders in northeastern Kenya. These routes were well-watered to facilitate long treks to markets. With increasing difficulties in maintaining such facilities and mounting threats of ethnic conflicts and insecurity in Wajir and surrounding districts, trucking livestock became the preferred option as a means to circumvent these problems.

Blocking livestock trade routes

Warring communities block livestock trade routes during conflict for at least three important reasons; first, to protect their own livestock from straying into enemy territories. Second, such measures are deemed feasible to punish rival ethnic groups by discouraging them from transporting livestock to the market, especially if the punishing ethnic groups are located on the route leading towards the Garissa and Nairobi markets. The third reason is purely in retaliation for previous attacks. During the deadly conflicts between the Garre and Murulle communities in Mandera District in 2005, which culminated in the deaths of several people and raiding of livestock, livestock herding, trading, and trucking, were seriously hampered in both Mandera and Wajir Districts because trade routes had become battle fields.

Trespass payments

While this problem is common on the Somali side of the border and non-existent on the Kenyan side, it does affect some Kenyan livestock traders who travel into southern Somalia to purchase livestock. Moreover, the excessive and multiple trespass fees paid in southern Somalia for livestock heading to Kenyan markets have significant effects on trader transaction costs, which in turn, raise livestock prices in Kenyan markets. Because of the on-going political crisis in most of Somalia, particularly the southern segment of the country, the passage of trade goods and livestock through territories that a rival clan or ethnic group inhabits is generally regarded as trespass. A livestock trader in this case is liable to pay a trespass fee in order to gain access and smooth passage. Virtually every conceivable clan and sub-clan in Somalia has erected a road block to levy fees on the use of their territories. The imposition of trespass fee has become a common practice in Somalia, while in Kenya county council officials impose a levy on trade livestock upon entry into districts.

The major differences between such charges in Kenya and Somalia are that in the former fees are paid only upon entry into the district while in the latter case fees might have to be paid severally within an administrative area. Second, Kenyan authorities charge a fixed amount of fees on livestock passing through a district, while charges in Somalia are widely variable and negotiable. For example, southern Somalia livestock traders trek a large number of livestock to Kenyan markets, notably the Garissa market, and in order to do this they must traverse through several clan-controlled territories. According to one trader, who was transporting about 2,100 head of cattle from southern Somalia to Garissa market in Kenya, his trekkers/agents paid the equivalent of KSh20,000-30,000 (US\$250-375) to pass every clan-erected roadblock in Somalia until they crossed to the Kenyan side (Mahmoud 2006).

Security fees

Armed guards are hired to accompany livestock from purchasing markets to intermediary or terminal markets, particularly when trekking.¹ While hiring of armed guards to protect livestock on the route is a common practice in Somalia and northeastern Kenya, this is usually unnecessary beyond the Garissa market on the way to Nairobi and Mombasa. In most cases, livestock from Somalia are trekked to Wajir and Garissa markets, while trucks are often used from these markets to Nairobi and Mombasa. The need for security escort for trade livestock is contingent upon several factors. First, the level of insecurity in a locality is an important consideration. For example, a heightened level of insecurity will necessitate livestock traders to hire armed personnel to accompany their livestock or traders themselves may carry arms. Second, the volume of livestock being transported determines the need for, the size of armed guards, and the amount of money to be paid for security.

Third, the mode of livestock transportation determines whether or not security is needed for the safe arrival of livestock in the market. Trucking livestock is relatively safer than trekking in terms of vulnerability to attacks. Security costs are non-existent in most trucking cases, but are an important consideration in case of trekking. Fourth, the security situation of the territories trekked through, to a large extent, determines the extent of security arrangement and costs involved. If, for instance, the transit areas belong to friendly or related groups, less or no fee may be demanded. On the other hand, higher security fees and even confiscation of livestock cannot be ruled out when passing through hostile territories.

Chaos and confusion in the market place

Livestock trading in the Gedo-Mandera-Suifu area is a thriving economic activity, which provides incomes to several pastoral and urban households (DAI n.d.; Danish Immigration Service 1999; Little 2000; Menkhaus 2005; Teka, et al. 1999). Livestock sold in the Mandera market originate from the Gedo region in southwestern Somalia and southeastern parts of Ethiopia, such as Dolo Ado area. Livestock are then transported directly to Nairobi through Wajir, Garissa, and Isiolo (Little 2000) or some may be sold in these markets.

Armed gangs operating in Mandera town deliberately cause chaos and confusion in the livestock market by firing bullets in the air to scare traders and everybody away. The confusion is created to coincide with a time when Somali or Ethiopian livestock traders and herders have sold their livestock to Kenya traders, but have not yet received their cash. When several bullets are fired in the air and everybody scampers for safety, the gang comes in swiftly to drive away the abandoned livestock in the commotion. Firing of bullets are synchronized with exchange of livestock, but before payments have been made. Ethiopian and Somali livestock traders are the most vulnerable groups in the Mandera market, because of their general unfamiliarity with the Kenyan livestock markets (DAI n.d.). These gangs capitalize on the geographical advantage of multiple borders

and exploit herder and trader unfamiliarity with the area. These actions have led to building up of hostility and enmity between groups across the borders, which are often precursors for violent ethnic conflicts. The market place chaos and livestock thefts in the Mandera market are a rare kind of risks to herders and livestock traders, in which organized urban criminal gangs are involved. These type of attacks have not been reported in other Kenyan livestock markets, particularly in the northern and northeastern pastoral areas.

Managing conflicts in northern and northeastern Kenya - policy considerations

Although the government of Kenya (GoK) has a big stake in peace in Kenya's pastoral areas in general and in the country's northern and northeastern frontiers in particular, little has been done to enable the creation of an enabling environment to deal with conflict and insecurity in the region. The government's stated commitment for peace in these areas is undeniable, but its promises seem to be far from the realities on the ground. In its draft national policy for the sustainable development of arid and semi arid lands of Kenya paper, the government acknowledges that problems of insecurity exist in Kenya's pastoral areas by stating that "...violent conflicts, raiding and clashes over land use continually undermine ASAL [arid and semi arid lands] livelihoods and wealth creation" (GoK 2004: 9). To recommend ways to improving the deteriorating security situation in Kenya's pastoral areas, the same document (2004: 10) states that:

The Government, together with other stakeholders, will formulate coherent approaches to contain and manage violent conflict as well as promote ways of tackling violent conflicts. Priority areas of intervention will include:

- improved coordination and information sharing between the different actors on conflict;
- improved police/civil authority capacity to responds to violent conflict;
- strengthened role for elders in justice and peacekeeping efforts with communities; grazing management and negotiation of grazing rights with other communities;
- encourage the formation of village peace committees to mediation of violent conflict;
- promotion of coordinated trans-boundary action on weapons, raiding and natural resource management;
- engender improved understanding of grazing strategies and mobile herding and other coping mechanisms; e.g.) increased voice for women community members as peace ambassadors: challenging the culture of violence among youths; and,
- provide animal health, access to market services and other much-needed services such as water as "peace dividends"

Unfortunately, because of lack of political will nothing much has been done and conflicts in northern and northeastern Kenya continue unabated with its climax reached in the Turbi and Mandera massacres of 2005 in which hundreds of people were killed and several thousand displaced with additional losses in livestock and disruption in livestock trading activities.

Livestock traders play a significant role in pastoral livelihoods, for example, by connecting pastoral producers in remote southern Somalia, northern and northeastern Kenya and southern Ethiopia rangelands to meat consumers in Nairobi and Mombasa. Although traders have been blamed for exploitative behaviors in their trading with herders their crucial roles are often overlooked. They continue to take huge risks in traversing bandit-ridden, clan-controlled risky routes in northern and northeastern Kenya and dealing with the effects of hostile policies. Policies geared toward pastoral populations in general and livestock traders in pastoral areas in particular seldom base their guidelines on what traders perceive as overarching constraints in trading. Governmental guidelines on pastoral livestock marketing appear to be detached from the realities on the ground or are indifferent to the needs of traders.

In one instance a local non-governmental organization organized a meeting in Moyale to brief livestock traders about some programs for which the organization had acquired external funding. The organizers enumerated the problems that the sector faced before announcing an outline of projects to be supported. A couple of projects were announced for launching and the first concerned the revival of livestock trekking routes from Moyale to Isiolo. The meeting was told that funds were acquired for construction of water facilities on the route. However, the feasibility and practicality of trekking livestock was not discussed in the meeting. It appeared that the meeting was a forum to disclose the plans without inputs from the people who are concerned with trekking of livestock. Second, the commencement of a milk processing and marketing plan was disclosed at the meeting with a sizeable budgetary allocation from the USAID. In this case too, no tangible discussions were invited. In both cases it appeared to be a case of a top-down development approach, which has since failed to register positive results. Trader views and proper feasibility studies on such projects are fundamental in achieving the desired goals. The attendance of only one trader from the Burji³ livestock trading community was not inadvertent. Such meetings are often forums for policy makers to outline policy guidelines that traders perceive as unattainable or not on their priority lists.

The improvement of pastoral livestock marketing and, by extension, pastoral livelihoods in northern and northeastern Kenya is largely contingent upon serious pro-pastoralists policy considerations. These include drastic transformation of Kenya government's policies toward the area, its people, and pastoralism generally. It is imperative and urgent that the state addresses the thorny question of conflict and insecurity in the region because it is a leading and critical pastoral livestock marketing and livelihood concern.

³ The Burji comprise about 50 percent of livestock traders in northern Kenya

Conclusions

This paper has attempted to show that the Ethiopia–Kenya–Somalia borderlands are complex sites in which multifaceted conflicts occur frequently with tremendous effects on livestock trade. It has also shown that conflicts and pastoral livestock trade are inextricably connected. While disagreements over access to and utilization of natural resources, such as pasture and water are among the causes of conflicts between pastoral communities in the study area, regional politics and undesirable business behaviors have led to enmity between groups. Livestock routes and markets have been used as weapons to wage war against other groups. The difficulty with which livestock trading is conducted in northern and northeastern Kenya has contributed immensely to the deterioration of pastoral livelihoods in the area and along the vast borderlands.

The vastness of Kenya's northern and northeastern territories and its distinct geographical location makes it vulnerable to a myriad of conflicts. In addition, the conglomeration of ethnic groups and clans with socio-political affiliations to groups in neighboring countries makes the area a hot spot for conflicts. The various conflicts fought in the area have not been without heavy human casualties and disruption and loss of livelihoods. While empirical data on losses in livestock trade are lacking, disruption to livestock trade and trade routes is one of the major negative outcomes of conflicts in the area and along the borderlands.

Despite concerted efforts from the civil society and communities to create a peaceful environment within which people can live peacefully and conduct day to day chores, the condition on the ground has not always been untroubled. This is partly because the Kenyan government lacks appropriate policies geared towards addressing pastoral conflicts in the area. Related to this is that the government lacks political will to tackle problems of insecurity in the area. While the problem of arms lingers between the demand-supply argument among northern and northeastern border communities, its long term solutions also need to be explored from all sides of the borders.

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ABORNE CONFERENCE

Cross-border trade in Africa: The local politics of a global economy

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Sub Theme: Trade and Regional Co-operation

Title: Examining the impact of trade agreements on the local trade dynamics of the cross border trade in Zambia (Do Trade Treaties Really Help?)

Abstract

Zambia, a landlocked country has experienced cross border trade at varying intensities from time immemorial. Having eight neighbours presents Zambia with enormous opportunities for cross border trade, whilst being a peaceful state is an added advantage. The geo-political landscape however at times presents barriers where no physical barrier exists. In the recent past regional groupings such as COMESA (Common Market for East and Southern Africa) have been formed and are trying to remove or reduce some of the barriers. Although regional agreements have been signed one finds that at a local level there is limited support for such trade. Traders continue to face problems related to transport, exchange rates, banking, stiff competition and trading space despite these agreements having been signed. This is an indication that this sector which provides employment and livelihoods in a nation where about 70 percent are in the informal sector faces many hurdles on the ground. Although transactions at borders have been simplified this does not mean everything is plain sailing for the traders thereafter. This paper considers the main aims of the COMESA free trade area agreement and examines whether these have changed the way traders carry out their business at a local level.

Key words: *regional agreements, cross border traders, local conditions*

Title: Examining the impact of trade agreements on the local trade dynamics of the cross border trade in Zambia (Do Trade Treaties Really Help?)

The cross border trade in Zambia has been in existence since independence in 1964. The increase in unemployment has led many to join the informal sector as a means of survival. Cross border trading is part of the larger informal sector and it can be defined as business activities which are undertaken across borders and can be either registered or unregistered. Most traders involved in informal cross border trade do not pay income tax and therefore apart from import duty they do not directly contribute to the national treasury. This makes their contribution to the economy “invisible” and hard to track. Traders continue to face a number of problems in their travels either due to the inadequacies or inefficiencies. Transporters may change schedules abruptly without warning and in some instances routes are abandoned (the Zambia (Lusaka), Botswana (Gaberone) route was abandoned at some point due to misunderstandings between border officials. It is incidents like this which makes the success of the COMESA treaty questionable and this paper seeks to point out some aspects of the treaty which do not affect the day to day functioning of cross border traders as well as the examine the conditions within Zambia and how these make life easier for those who have to cross borders for a living.

Cross border trade is in most cases carried out by ‘small-scale quasi professional traders. Due to their limited finances they use a variety of means to move goods across national borders. Mwaniki (2007:3) states that informal cross border traders move “small amounts of goods” where as some traders have been known to transport container loads. It is clear that there is a wide range of traders and the treaties signed should take this into consideration. Cross border traders supply the wholesale and the retail trade and have an intricate system of linkages and activity spaces which need to be documented. In some instances traders will agree before hand on the goods to be supplied and the rate of payment. In other cases they rely on information of the goods which are in demand at any given time. This information is sourced informally from fellow traders or from those who work within the formal retail sector. When goods are cleared at the border traders sometimes deliver them directly to the buyer. In some cases storage space and security may be required and these also have to be arranged informally. Traders are rarely if ever given money for the purchase of goods in advance and they often do not receive payments immediately. Payments can sometimes take up to two months and traders rely on the honesty and goodwill of shop owners which places them in a disadvantageous position in terms of bargaining for their money. Traders sometimes find themselves stuck with goods which no one will purchase due to wrong information.

In terms of gender there seems to be a balance although women tend to be more visible. Nchito and Hansen (2010) found that 53.1 percent were male. In the past most men were able to find formal employment in parastatals have been forced to enter the informal sector. Currently out of a total population of approximately 12 million only 498,943 people are employed in the formal sector, a mere 4.7 percent (GRZ, Central Statistical Office, 2006). It becomes apparent that when both men and women can not find formal employment it is the men who found it easier to enter the informal sector and the cross border trade. Female traders face more barriers than their male counterparts. Women often have less access to capital and tend to face more

harassment at borders. Despite these negative trends women still manage to enter the cross border trade. The perception is that women are able to share informal information more than men and are also more prepared to take risks making it easier for them to enter the cross border trade.

“I sat with her for a day and she taught me how to plan my business and how to calculate profits and how to price goods, she also told me the frequency of trips I needed to make in order to make a profit. She took me with her on my first few trips until I could eventually go on my own” (*Trudy, Cross border trader, 2010).

The caption is an example of how cross border traders may help each other enter trade at no fee. The information exchanged is invaluable to those who are new to the trade and there is no institution which can or does deal with such functions as effectively as it is being done informally. Friends and acquaintances are assisted through processes of applying for and attaining a passport, getting CBTA membership, visa applications, negotiating at borders and sometimes even customers for goods bought. Crossing into a foreign country can be intimidating for those not accustomed to travelling. This is where some of the treaties signed by regional bodies are appearing to be moving in the right direction in terms of trying to encourage cross border trade. These positive trends however need to be replicated in the actual activity spheres of the traders. One finds that within their local sphere of activity traders still face problems and yet regional treaties have been signed which aim at reducing problems.

The Common Market for East and Southern Africa (COMESA) a regional body created in 1994 replaced the then Preferential Trade Area (PTA). The member countries are; Burundi, Comoros, DR Congo, Djibouti, Egypt, Eritrea, Ethiopia, Kenya, Libya, Madagascar, Malawi, Mauritius, Rwanda, Seychelles, Sudan, Swaziland, Uganda, Zambia and Zimbabwe. The COMESA region has a total population of over 400 million people and a total GDP of US\$ 360 billion. This provides a wide source of goods and markets for goods produced. A Free Trade Area (FTA) was created in 2000 and by 2004 eleven countries had joined the FTA. COMESA lists eight main benefits of the union.

- 1) Produce will get a wider market and they can then produce more goods.
- 2) Prices will lower in the region due to mass production (created by the first benefit).
- 3) Manufacturers will be protected.
- 4) Customs union will level the economic environment promoting fair competition by reducing production costs for manufacturers.
- 5) By offering a large market with harmonized trade policy, a customs union has the potential to attract foreign investment seeking to exploit a large market.
- 6) Traders get a wider choice of goods from the countries in the union.
- 7) Traders should experience lower transaction costs and fewer delays at borders due to harmonized customs and other procedures.

8) Countries will have a stronger union.

Upon analyzing these intended benefits one finds that most of them target producers and manufacturers and not small scale cross border traders. For instance, if a cross border trader does not have adequate funds then the fact that there is a variety of goods on the market will not enhance their trade as an individual. Even though procedure may be harmonized individual customs officer may still be corrupt and deliberately delay traders in an effort to obtain a bribe. In such situations traders find alternative ways of bringing in goods and sometimes these methods are not legal.

Why cross borders?

Cross border trade has gone through different phases and has increased tremendously in the last fifteen years. The closure of many industries and companies apart from increasing the number of unemployed also caused a reduction in the local production of essential commodities. For example in Zambia the closure and subsequent sale of Refined Oil Products (ROP) the main manufacturer of cooking oil and margarine brought about a shortage of these products. Some countries in the region were experiencing similar problems whilst others were faced with civil strife. A mass movement of goods and services at a small scale level was required during this period. The economics behind this movement of goods was that surplus areas supplied deficit areas. Borders have to be crossed as the surplus is usually outside the trader's home country. The surplus areas supplied the deficient areas through the informal small scale traders who supplied urban areas where consumption of such goods was high. Sometimes rural areas were also targeted though these were often supplied by secondary traders or middle men who buy the goods from CBTs. Over time predictable linkages have developed as it is obvious where the surplus is and where the deficit is. Initially when information was limited traders sometimes made bad business decisions and lost a lot of money. With time the trading arena has changed and traders have become more knowledgeable and sophisticated as will be shown later in this paper.

The increase in the movement of goods across regional borders has also given governments an opportunity to earn revenue through border taxes. Governments had lost considerable amounts of revenue through the closure of many companies and turned their attention to taxing goods passing through their borders. Increased tariffs did not promote intra-regional trade but instead became an obstacle to traders as they were made to pay more and more taxes. CBTs were faced with different and sometimes unclear requirements at each border. This reduced their profits and increased the time they spent at borders as they tried to negotiate lower tariffs or even try to bribe border officials. Traders were also in most cases unaware of which goods were allowed in certain countries leading to goods being confiscated. In other cases traders sometimes smuggled in goods which did not even attract any tariffs (Shimukonka, 2006).

Realities of the cross border trade

Problems faced by cross border traders include those linked to infrastructure such as poor road and rail networks, the quality of goods, access to finance (for individual traders), visa

restrictions, harassment (especially of female traders) and bureaucratic customs control. In response to the numerous hurdles they constantly faced the traders formed the Cross Border Traders Association - CBTA (Nchito and Hansen, 2010). Countries like Angola have proven difficult to penetrate due to their stringent laws and requirements for visitors and yet the country has a large potential for Zambian traders. Language also presents a barrier that no trade treaty can overcome. On a daily basis traders face numerous hurdles ranging from delays in obtaining passports or travel documents to harassment at borders and confiscation of goods. This paper mainly considers constraints faced due to transport, border crossings and trading environments. It also presents a case study which is part of a joint publication by Nchito and Hansen (2010)

Barriers faced can also be tariff or non tariff in nature and above all traders felt they had no representation from government. The formation of the CBTA has brought about a number of improvements within the sector. This is probably why more people opt to join this trade. CBTs present a number of advantages to the local economy but they are not appreciated. In terms of goods brought in the main borders used are the Chirundu-Zimbabwe and Livingstone - Zimbabwe borders in the south, the Nakonde-Tanzania border in the north, Kasumbalesa- DR Congo and the Mwami- Malawi border in the east. Unlike Nakonde and Mwami, Chirundu and Livingstone do not really show signs of much border activity at the actual border post. Goods imported are taken into Livingstone or Lusaka and there is very little trade at the border on either side. The Mwami and Nakonde posts have caused increased activity in the centres or at the actual border post with traders bringing goods across the border for sale, the border post being a trading post for goods. Increase economic activity of such nature has caused unprecedented increases in populations at both borders. This is both elicited and genuine activities. The increased activity has been realized by the Zambian government and a modern border post is being constructed at Nakonde in an attempt to capture more traders who pass through. This may however also be the source of more delays due to increased paper work. The Kasumbalesa-DR Congo border has increased volumes of formal trade passing (large trucks) as well as informal traders. The border post also has a high level of localized trading activity.

Transport

Transport problems are mainly the inconveniences faced by traders at bus terminals both at origins and destinations. Being landlocked and accessible to all of her neighbours apart from Angola by road, road transport is the natural and most affordable choice for cross border traders. In Zambia some traders use private buses owned by private transporters while the more adventurous or desperate hitch hike and get lifts from truckers to ferry them to and from their destinations. Traders are often not insured and if goods or even a life is lost there is little or no compensation. Long distance buses usually travel at night on roads which are not safe and this is often the cause of many accidents. Traders are at the mercy of drivers who often decide when to start off. This may cause delays to traders who time their arrival to enable them carry out certain activities in order to finish their business in the shortest time and head back home. This reduces their upkeep expenses. A delayed departure may also cause a late arrival at a border and a border may be closed. In such instances traders are forced to spend the night on the bus. This is common scenario and yet COMESA is aiming at reducing the time taken at borders. There is no talk of co-operation when it comes to improving road and terminal

infrastructure. In Lusaka the main terminal called “Inter-City Bus Terminus” caters for international buses and is an overcrowded unorganized space. It is mostly run by informal or politically inclined groups who collect ‘fees’ from buses as do the touts who look for passengers for the buses.

In November 2009 24 people died in two separate accidents involving long distance buses within a space of two days (Chansa, 2009), while in April 2010, 9 people on a South African bound bus died near Chinhoya along the Harare-Chirundu highway. These may be extreme examples but they highlight how hazardous traveling can be for cross border traders who rely on road transport. Regional co-operation in the road sector should go hand in hand with economic co-operation. Time taken on travel increases the cost of supplying goods which in turn affect the consumers in countries like Zambia which are already poor. The situation mentioned earlier concerns the route to Botswana where a misunderstanding between the two countries had caused a temporary disruption of the bus service on the route. The route was suspended and buses from Zambia were not allowed to cross into Botswana and *vice versa*. Traders using the route would have to swap buses and walk across the border to board another bus in order to continue their journey. Many reported losing their goods as touts scrambled to “help” them across the border. The issue was eventually sorted out in January 2010 after the two ministries of communication and transport sat and resolved the issue. The impasse had lasted eight months (Mulowa, 2010). Despite these challenges the private sector is managing the international bus routes quite ably in the absence of public sector operators.

Border crossings

Border crossings are points of revenue collection for the Zambia Revenue Authority (ZRA). Border posts are therefore run by the ZRA who have in the recent past begun investing in what are being called “one stop” border posts which are intended to speed up the processes of clearing goods going in and out of the country. Chirundu border post has been completed while Nakonde is under construction. This action as well as the introduction of the Simplified Trade Regime (STR) under COMESA are aimed at making it easier for traders to import or export goods. The STR is a programme under COMESA involving Zimbabwe, Zambia and Malawi only. Under this regime CBTs benefit from duty and quota free entry of their goods when they utilise a Simplified Customs Document (SCD) and Simplified Certificate of Origin (SCO). With these two documents a trader is able to import goods duty free as long as they are valued US\$ 500 or below and which appear on the Common List of Eligible Products. This list of eligible products is agreed upon by the member countries. The CBTA has been very useful in educating its members on the required documents and how to obtain them. The organization facilitates the acquisition of the SCD and advised on the lists of eligible products for each border. The Association is now trying to set up information desks at each border where traders can seek advice and get assistance to fill in forms (at a fee). Traders are happy with the STR although they seem to be abusing the system to some extent. Traders have devised a strategy where they bring in goods but only clear goods worth US\$500 on a given day so that they do not pay excess duty. The traders will leave the uncleared goods at Chirundu border and travel to Lusaka which is 140 kilometres away and return the next day to clear the remaining goods. Though this is not illegal they end up avoiding paying excess taxes and the government loses revenue.

There is also the practice of understating the value of goods using false receipts at borders. In some instance traders complain of corruption at border posts where officials are bribed to allow them pay less than they should for their goods. In some cases traders complain that they have to bribe customs officials in order to be attended to quickly. All these transactions may cause delay to traders. In some cases the taxes are inflated if the trader is unwilling to pay a bribe. This in turn will be reflected in the final cost of the goods on the markets and it is the consumer who will end up paying more.

More porous border posts like Kasumbalesa-DR Congo are areas where goods are still smuggled into and out of the country. These are harder to manage and traders opt to use “informal and illegal trade channels to conduct their trade” (Taruvunga, 2008). Taruvunga goes on to state that unauthorized payments to officials, high taxes and complicated documentation procedures are seen as barriers for Cross border traders. Chirundu and Livingstone border posts are less porous due to the Zambezi River which stops traders from using ‘informal’ routes. The presence of the river has also hindered the development of a border market where goods can be bought without crossing the border or where goods can be bought immediately after crossing the border. Traders also sometimes are confronted by hostile officials from the country they are about to leave or enter.

“We arrived just a few minutes before the border closed but the official refused to clear us claiming that the border was closed and we were late, meanwhile the Zambian border was still open. Imagine we had to spend the night on the bus and if only he had allowed us to cross we would have arrived home the same day. Those people can be bad” (*Banda, Cross border trader, 2010).

The caption indicates the experiences faced and how one “bad” official can disrupt the plans of a busload of traders. This may disrupt deliveries and a trader runs the risk of a potential buyer finding another source since agreements are not legal and are just by word of mouth. Borders have increased opening hours and many close at 6 pm as opposed to 5pm. This is a positive move but customs officials can still choose to close slightly earlier if they wish as they are not monitored on a daily basis. There are plans to have borders in the region open for 24 hours but these plans are still on the table and have yet to become a reality. In the meantime traders are put at risk as drivers try to reduce travel time by driving above speed limits in an attempt to reach border posts before they close.

Border crossings are further complicated by the multiplicity of government agents found at Zambian borders. There are currently at least ten government organs represented at each border and eleven where there are weigh bridges or pontoons, these are; ZRA Customs and Excise, Immigration Department, Road Traffic Commission, Zambia Bureau of Standard, Ministry of Agriculture, Environmental Council of Zambia, Ministry of Health, Zambia Police Service, Zambia Intelligence Security Services, Drug Enforcement Commission and Ministry of Works and Supply (where there are weigh bridges or pontoons). Each organ has a separate mandate and a powers to confiscate goods if any criteria is not followed (Chanda, 2007). These agencies add to the delays and possibility of harassment of traders. Chanda (2007: 4) notes that traders have to deal with “different attitudes and motivation of different officers who work for

different agencies with totally different remunerations and conditions of service". This arrangement definitely increases the potential of being asked for a bribe, not to mention the informal agents who hang around border posts offering to facilitate quick passage. Introduction of computerized systems also has its own problems. If there is no electricity or if there is no internet connectivity the systems will not work and transactions can not be done manually. In this case improved technology is the source of delays. The ZRA also does not have adequate equipment as well as human resource (Nkoma, 2007).

Trading environments

Cross border traders can be placed in two groups, those traveling and buying goods only when they have an "order" that is when they have been specifically asked to supply goods and those who travel and buy goods to sell individually at a stall or from office to office. Those who buy goods on demand may not own a permanent trading place and deal directly with shop owners. They supply most of the goods found in both retail and wholesale shops in the country. Shop owners are often not willing to take the risk and endure the problems of importing goods because this requires them to take time from their shop, something they are not prepared to do. Using cross border traders also means that the shop owner does not have money tied up in goods while they are in transit, instead it is the cross border trader who incurs this risk. Sometimes shop owners will only take a few goods for 'trial' to assess how fast they sell before paying for the whole consignment. Without assured formal credit traders are forced to wait for payment on goods delivered before they can buy more goods even if they have another order. This delays their travel and sometimes causes them to lose an order.

"Sometimes we are not paid for the goods for weeks. We just have to keep on waiting. What can we do? They already have our goods, we cannot go and get them from the shop. We cannot even push them otherwise they will cut you out and not take orders from you in future and tell their friends that you are a difficult supplier. You have to maintain a good relationship with them (shop owners)"
(*Bibi, Cross border trader, 2010).

Traders are sometimes forced to sell their goods at a very low price only to find that the shop owner has highly inflated the price and is making a huge profit. There is virtually no protection for the cross border traders in terms of ensuring their payments from shop owners. They are at the mercy of the shop owners who may tell them that business has been slow or some such excuse.

Those who sell the goods individually sometimes also supply shop owners with some of the goods but also have a stall. The CBTA acquired a plot in the city where they set up the COMESA Flea Market in 1998 (Nchito and Hansen, 2010). The market is not able to adequately accommodate all of the cross border traders but it provides space for over 1,000 traders in small makeshift shacks. The market space is not suitable and the maze of shacks are a fire hazard. The traders moved to the current location in 1997. After renting the space the association managed to purchase the piece of land from the owner at a cost of 600 million kwacha (US \$150,000). Drainage trenches had to be dug in order to keep the area from flooding during the rainy

season and individual trader put up stalls haphazardly. Some stalls are owned by the CBTA and are rented out to traders while others are owned by individual traders (Taruvunga, 2007).

A survey of the COMESA flea market in 2007 revealed that most traders were involved in a number of different activities. At the time the association had on record 1,094 registered members and all of those interviewed were members of the association. This was to be expected since traders who were not paid up members were not allowed to trade within the market. Although the CBTA plans to build a modern market they do not have adequate funds. The market is not exclusive and hosts traders from countries throughout the region who deal in a wide range of goods from foodstuff to apparel. The Lusaka City Council sometimes threatens to remove liquor traders from the COMESA Flea Market claiming that liquor should not be sold in markets. Cross border traders consider such actions as harassment from the local authority. The COMESA flea market is located within the central business district of Lusaka.

A sample of thirty two traders was selected according to the goods sold in order to be able to account for the sources of each good found within the market. The sample consisted of fifteen Zambians and seventeen non Zambians. The non-Zambian traders were from Zimbabwe, Tanzania, Democratic Republic of Congo (DRC), Burundi, Kenya. Tanzania had the highest representation of eight traders followed by DRC (four), Burundi (three), Zimbabwe and Kenya (one each). Men made up the majority (53.1 per cent). Most of the traders were married (nineteen were married, five were single, three widowed and four divorced) and were heads of households. The dominant age ranges from 26 to 45 (94 per cent), only one was above forty six (3 per cent) and one was below the age of 25 (3 per cent). The survey found that education levels were high with 72 per cent having attained senior secondary education while 12 per cent had tertiary education. This indicates that some level of literacy is needed for one to understand the various processes involved in cross border trading.

In terms of residence 88 per cent of the non-Zambians stayed in unplanned settlements found predominantly on the western side of the city where the market is also located. They rent rooms from Zambian families as individuals or as groups. The Zambian traders tended to live further away and in comparison 60 per cent lived in unplanned settlements. There was no identifiable pattern relating to country of origin and settlement traders preferred to stay in. The traders come from households which have at least one other person earning within the informal sector. Only one came from a house hold with earners not in the informal sector. The twelve households with other earners in the formal sector also had earners in the informal sector. This is a clear indication of the importance of informal sector incomes to households. The average number of persons per household was found to be 7 (two respondents did not state the number of people in their household).

None of the traders had been trading in the market less than a year. This indicates that the market is saturated and cannot take any more traders. According to the secretary general, although at the time (2007) there had been a recent influx of Zimbabwean traders their presence was not noticeable in the market due space constraints. There was no room to accommodate the Zimbabwean traders who in turn were forced to ply their wares in residential areas having been chased off the streets. The longest a trader had traded in the flea market was nine years, 50 per cent had traded in the market for less than

four years while the other 50 per cent had traded between 5 and 9 years. Two traders (6 per cent) started cross border activities as far back as in 1994 and 34 per cent of started the trade before the year 2000. The rest, 66 per cent started in 2000 and after. CBTs can also be employers and 59 per cent employed at least two people, 25 per cent employed between 3 to 6 people. Those who did not employ any one made up 13 per cent (one trader did not indicate whether they employed someone or not).

Unemployment is the reason given by 63 per cent for starting their business, while 6 per cent ventured into the activity as a way of expanding their business. Other reasons were divorce, death of spouse, civil strife in country of origin were other reasons given. Sources of funding for their business vary, 19 per cent reported having obtained loans from friends or family members. Money was also obtained from relatives (25 per cent) and by engaging in short term work to raise funds (13 per cent). In some cases women used money from divorce settlements from deceased spouse estates (13 per cent). Only one respondent (3 per cent) was given money by her husband. Selling of property left by deceased parents was reported by 9 per cent, while 3 per cent used money received for daughter's dowry. Only 22 per cent had obtained loans from bank and most complained that the process was too long. The rest used informal borrowing or did not borrow at all. High interest rates and the long process were given as reasons for not borrowing from banks.

Goods traded in the COMESA flea market range from beddings to dry food. The goods were arranged in seven groups for the survey. It was found that 25 per cent had totally changed the type of goods they had dealt with when they started and 69 per cent currently traded in more than one item. Traders traveled to seven countries within the region (Tanzania, Zimbabwe, South Africa, Kenya, Burundi, Namibia and Democratic Republic of Congo) and to Dubai and Hong Kong. On average traders made five trips a year, the majority preferring to travel with companions (69 per cent). Among the countries traveled to the widest assortment of goods was sourced from Tanzania with 26 traders buying goods from there. Zimbabwe was second with thirteen and South Africa had twelve.

The results of the survey indicate the importance of cross border trading at individual level. The trade provides income for those who are unemployed and also provides an affordable source of goods for the community. Of late however Lusaka residents have complained that goods at COMESA are just as expensive as though found in formal shops. This could indicate that traders are not able to make profits despite not having large overhead costs or that the traders want to make large profits. If one asks the traders they say they barely break even. The economics of cross border trade need further enquiry.

Conclusion

The importance of the cross border trading to a landlocked country like Zambia cannot and should not be ignored. It is clear that the trade provides employment to many in the region. It is also a source of a variety of goods for many. The formation of the CBTA in Zambia is a positive move which led to the organization of a formally a fragmented sector. The CBTA has since its formation strengthened its ties with COMESA and now plays an active role in formulating trade agreements in the region. However the CBTA is unable to sort out all of the problems faced on a day to day basis as shown in this paper. To a large extent transport, border crossing and trading environments are still problematic for traders. These

barriers cause stress and delays and directly or indirectly impact the final cost of goods. The replication of goods bought individual traders may sometimes cause a depreciation in the price when the market is flooded but generally traders will sell their goods at similar prices.

Transport infrastructure within the region needs to be improved to reduce time taken in traveling. Facilities at terminus also need to be upgraded. The Lusaka Intercity Bus stop does not have a cheap hotel in close proximity and traders are forced to sleep out side whether it is cold or raining. Although the situation at most border posts seems to be improving slightly there is more that can be done. Border areas also do not have cheap hotels where traders can sleep if they have to spend the night at a border due to delays. The clearance of goods still takes time although the delays are sometimes caused by the failure of the electronic system. Finally the CBTA on its own is unable to improve the trading environment within the country. There are too many border areas for them to deal with. It is therefore necessary for the national government or provincial authorities to take interest in the trade and help provide conducive trading spaces. The retail sector also needs to be approached so that those using the services of CBTs are enlightened on the hardships they face so that they pay them promptly.

COMESA has to some extent resulted in some positive changes in the past few years. The introduction of the STR ensures that the small trader does not pay as much as their bigger counterparts. This also encourages traders to make more trips and bring in more goods. It is hoped that the result will be cheaper goods but it is too early to tell since the STR has just recently been introduced and only covers three countries. It is clear that institutions like COMESA have good intentions but there are numerous problems which need their attention.

***Names of all traders spoken to have been changed on request for anonymity.**

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Abstract: The commodities of laissez-faire integration: cross-border trade in the Senegambian basin

The weekly market of Diaobé is a place of convergence for sellers and buyers from the 12 provinces of Senegal, attracting nationals from neighbouring countries, The Gambia, Guinea Bissau, Guinea, Sierra Leon, Mali and Mauritania. The district of Diaobé itself, located in the southern province of Kolda in Senegal, 60km from the border with Guinea Bissau, is the largest international market-town in West Africa. At the same time that they trade, negotiate and exchange agricultural products and manufactured commodities, people renegotiate the terms of regional integration in creative albeit informal ways. In the absence of formal channels of regulation of local centres of exchange, markets such as Diaobé constitute a form of popular regional integration. The example of Diaobé in fact points to a form of *de facto* freedom of movement of people and goods that operates outside the institutional and legal frameworks of existing treaties and conventions. This paper examines the role of cross-border markets in West Africa in the ways they complete and sometimes challenge the institutional modes of integration. The example of Diaobé will allow exploring the socio-cultural dynamics, unstructured trading patterns, and related issues of smuggling and trafficking widespread in the region.

Introduction:

The importance of Diaobé has generated the development of intricate socio-economic dynamics that point to non-orthodox forms of regional integration in West Africa. What one may be tempted to call an informal, grassroots or popular form of integration reflects creative ways traders and buyers, and more generally local populations, have found to circumventing the bureaucracy and opaqueness of national economic policies and regulations and the lack of formal channels of commercial exchange between neighbouring countries with complementary ecologies, environmental and human. The crucial questions become: how does the example of Diaobé and similar spaces of exchange inform how integration is potentially articulated at the grassroots level?

The expansion of Diaobe in the 1970 was buttressed by Guinea-Bissau's independence; trade flows with south Senegal were important to the economic reconstruction of the country. At the same time, aggressive liberalisation in Guinea following the death of Sékou Touré in 1984 increased the flows of products and commercial exchange between Senegalese and Guineans. Diaobé taps into the trade and networking opportunities provided by satellite neighbouring rural markets with lesser regional importance/reach to attract a diverse range of supply and demand of commodities. It also constitutes an important roadside transit town for large numbers of travellers. In parallel to the decrease in direct trade relations between Senegal and the two Guinea, virtually all exchange between north and south are made via the market of Diaobe

One of the characteristics of cross-border trade in the western basin is its changing nature. Cross-border trade does not have pre-defined and permanent (recognisable) geographical limits; its geography is defined by the volatile economic and political situation of the countries concerned, the changing policies of territorial/local administrations that dispose with tremendous power—in the inability of national governments to project actual authority beyond major cities—, the conjectural interests of big economic operators with rather limited commitment to development and the improvement of the social conditions of the basin's populations, the dynamics of intervening economic and social networks, the consumption habits of local populations, seasons, natural disasters, and a host of other factors. Such shifting spatial mobility is a challenge to existing models of integrations as laid out by the Africa Union (AU), the Economic Community of West African States (ECOWAS), and the West African Economic and Monetary Union (WAEMU) on the one hand, the

disparate economic policies and the regulation of flows by national governments on the other. An immense gap exists between political rhetoric at the regional level and national regulations that hinder the operationalisation of the customs and tariffs rules and more generally trade reforms and regional integration as set out by the ECOWAS and the WAEMU.

The argument of this paper is that the contribution of local populations in furthering regional integration points to a form of 'integrated approach' toward integration and borders, economic, monetary, social and cultural, at the grassroots level. This form of popular regional integration constitutes an advantage as much as it is a challenge to current models of integration.

I. The Regional Context:

Lower Casamance was thrust into the monetary economy in the 1960s with the establishment of the Oncad,¹ then in the 1970s of the Sodefitex² for the production, promotion and commercialisation of respectively groundnuts and cotton. Until then, the region's economic production was one of subsistence. A second economic trend emerged on the 1990s following national states' withdrawal policy from local agricultural production and industry. The proliferation of weekly rural markets was a response to this institutional apathy as it revitalised and diversified the centuries-old Jula trade that had constituted so far the main model of cross-border commercial exchange. At the same time, the space left vacant by the state was taken over by regional trading networks which reorganised distribution chains for basic commodities. Upper Casamance was historically more exposed to the movement of people and goods from neighbouring countries because of its unique geographical location.³ In fact, the geographical and social continuity that characterises this area encourages exchange between similar groups (wolofs, peuls, diolas, toucouleurs, balantes, mandinkas, mandjack, mancagnes, etc) and facilitates their mobility.⁴ At the interface of *loumo* (rural weekly markets), assembly markets and urban trading areas, these mobile buyers and sellers embody the very fluidity of different forms of exchange within and across 'natural' regions.

Depending on the modes of exchange, three types of market have been identified in the region. Diaobé is categorised either as *loumo* or assembly market depending on the aspect focused upon. The other type of market is the urban consumer market.⁵ The *loumo* constitutes in this configuration a middle type between the assembly and the urban consumer market in the sense that it is the place of exchange of unprocessed agricultural goods and manufactured goods which (transited) through the capital (coast). In fact, the *loumo* is the most frequent type of market found in rural areas, with major towns holding them in coordination so as to avoid conflicting schedules. Assembly markets operate as the interface between *loumo* (unprocessed commodities, grains, cash-crops) and the port (imported manufactured goods from the international market), as well as urban consumer markets. It is the place where buyers (wholesalers or dispatchers) and sellers (producers or collectors) carry transactions; some markets can play the role of both assembly and urban consumer markets. Assembly markets tend to be specialised in one specific commodity.

¹ Office National de Coopération et d'Assistance au Développement

² Société de Développement des Fibres et Textiles

³ Van-Chi Bonnardel, 1978 : 643

⁴ Le Soleil. 2006. "Échos des frontières" August 12, 2006; CREA, ROCAPE / WECAPREN. 2006. Le Marche comme Facteur d'Intégration Sous- régionale: Le Cas du Marche de Diaobé au Sénégal. Dakar: UCAD, p. 3. the presence of Nigerian and Ghanaian traders have also been noted

⁵ CILSS et al., "Cross-border Trade", 2010: 12

For instance, the market of Touba is specialised in groundnuts, that of Dahra in cattle, Richard Toll in local rice. The particularity of Diaobé is its border location which makes it a subregional trading hub. Other markets similar to Diaobé in their regional reach are Rosso (Trarza) in Mauritania, Basse Santa Su (Upper River) and Nzérékoré (Guinea).

The emergence of assembly markets and *loumo* in the 1970s was the result of the combined effects of severe drought and subsequent chronic food shortage, inadequate government policies, the dismantling of trading flows organised around the commercialisation of peanuts (promoted by colonial authorities) and the chronic food shortage due to prevailing political instability in Guinea and Bissau-Guinea as well as the increasing participation of Guineans in cross-border commercial exchanges. The establishment of these rural markets disrupted and eventually reoriented traditional trading circuits such as that of the mobile *Jula* traders.⁶ The dismantling of state agencies, for a long time responsible for the marketing and the distribution of cereals, left peasants dependent on credits provided by private entrepreneurs; in exchange, they pawned their groundnut and cotton harvest.

The proliferation of rural markets also fostered private enterprise amongst producers and traders in a context of state neglect following drastic structural adjustment policies (SAP) and the absence of infrastructures or functioning industries in a region subjected to frequent food-shortage. In addition, the Senegalese government had limited territorial control beyond the main urban areas; this situation was exacerbated by the *de facto* separation of the north from the south by The Gambia. The dismantling of marketing agencies for groundnuts and cereals coincided with, and resulted from accelerated economic liberalisation under SAP. All this combined to free small entrepreneurs from many constraints whilst opening up avenues for increased sub-regional trade, whether legal or not.

The volatile socio-political context of the Basin and fluctuating economic conditions, increasing smuggling and illegal trafficking as a result of the absence of proper regulation, and the (unregulated) influence of commercial networks challenge the potential contribution of *loumo* and other rural markets to establishing a viable regional economy. Local populations benefit -in one form or another- from the legal and illegal forms of trade. However the important actors are wholesalers who control import, the distribution as well commercialisation of commodities, thus the organisation of the cross-border trade. However, Hibou and Diouf argued that these big operators, partly because they are foreign to Upper and Lower Casamance where most of the cross-border exchanges takes place, and partly because they have little commitment to devising and implementing long-term and locally beneficial strategies, contribute very little to structuring regional economy.⁷ On the other hand, A. Lambert and J. Egg noted that “the retreat of the (welfare) state from the commercial sector has made the leaders of the biggest networks the main market regulators; but until now, it has not allowed less important businessmen or producer cooperatives to contribute [in market regulation] other than in a marginal role.”⁸

⁶ The *Jula* are generally Muslims and have been active for centuries in West Africa, trading commodities between savannah and forest; see Fanchette, ‘Desengagement’, 2001: 92

⁷ B. Hibou. 1999. ‘L’État en voie de privatisation’, *Politique africaine*, 73, mars : 6-15; M. DIOUF. 1999, ‘Privatisation des économies et des États africains’, *Politique africaine*, 73, mars: 16-23

⁸ J. Egg and A. Lambert. 1994. “L’approvisionnement en riz dans les pays de l’espace sénégalais”, *Cahiers des Sciences Humaines*, Orstom, 30 (1-2) : 229-253

The increasing importance of urban operators in cross-border commercial activities points to a privatisation of state intervention in a crucial area whereby the joint efforts of neighbouring countries had repeatedly attempted and obtained consensus around the possibility of a common market area. However, dissimilar national strategies of agricultural development, different economic and monetary policies as well as customs control mean that operators benefit differently from these policies. Gambian development strategy based on re-exportation contrasts with the Senegalese strategy to protect its agriculture and industries by imposing high tariffs on imported commodities.⁹ Recently, non-governmental organisations have been attempting to accompany producers' initiatives in their effort to share information and techniques. In the apicultural sector for instance, formal and informal networks have joined forces to encourage cooperation and the exchange of techniques and practices amongst beekeeping professionals.¹⁰

II. The Market: a sub-regional hub,

Diaobé is situated in the so-called Western Basin, a markets system comprising the geographical area that extends from Mauritania and includes Senegal, the Gambia, Mali, Guinea-Bissau, Guinea, Liberia and Sierra Leone. Diaobé is a roadside town located in South Senegal, at about 100km from Kolda, close to the Guinea and the Guinea Bissau border. Because of its unique geographical location, Diaobé benefits from an extraordinary source of supply from three neighbouring countries with different ecologies and agricultural production;¹¹ this makes it a very dynamic hub that connects savannah (Senegal, Mali) and forest (The Gambia, Bissau-Guinea, Guinea) trading routes. Trade networks between the main cities of the Basin are vital for local provision in foodstuffs and other commodities, the preservation of local modes of consumption and the survival mechanisms of vulnerable households, hence for food security. Cross-border trading networks respond to the strong demand for foodstuffs generated by the intensely urbanised areas following a Dakar-Touba route.

The weekly market is a bustling centre of exchange with a huge turnover; it attracts thousands of traders and sellers from the region, with people flocking from every corner of Senegal and neighbouring countries. If during the week, the town is generally quiet, the market injects life, vigour and tremendous clamour every week. The mixed scents of *nééré* from the forest, onion, black pepper, substantial quantities of palm-oil from Guinea Bissau, dried fish from Casamance, and Guinean coffee pervade the air whilst buckets of peanuts and cashew nuts, bags of dry cereals (millet, corn, rice), and salt are displayed alongside mounds of watermelon and other seasonal fruits. People haggle in over half a dozen different languages whilst the bleating of sheep and goats, the braying of donkeys and the mooing of cows are a

⁹ Guinean and Guinea-Bissau have adopted in the past policies similar to the Gambian, especially during periods of food-shortage; see A. Lambert (1994). in M.C. Diop, M. Diouf (ed.) *Le Sénégal et ses voisins*, Dakar, Sociétés-Espaces-Temps: 81-94, p. 91 in Fanchette, Desengagement, 2001: 99

¹⁰ In 2006, the SWAC/OECD, Enda-Diapol and GTZ PROCAS/PERACOD4 have brought actors of all the production line of honey and beeswax to work together to carry out an analysis of the apicultural sector and in order to develop a cross-border action plan. The objective was to equip producers with the means for increased control of the sector, the capacity to regulate and harmonise prices and to devise financing strategies in order to attract investment, national and external, into the sector; see Socio-economic Development Programme for Peace in Casamance and Programme of Support of Rural Electrification and Sustainable Supply of Domestic Fuels; "An Integrated Development Strategy for the Apiculture Industry Between Senegal, The Gambia and Guinea Bissau," West African Borders and Integration, OECD/WABI/FI/33/07, April 2007

¹¹ S. Fanchette. 2001. Désengagement de l'État et recomposition d'un espace d'échange transfrontalier : la Haute-Casamance et ses voisins. *Autrepart*,9: 91-113

reminder that Diaobé is not only a cereals (agricultural) market, but also a centre of exchange of livestock and manufactured commodities. Neighbouring villages and areas along the Senegal river valley provide cattle and vegetables to the hundreds of food stalls

It has been estimated that each week, over 5,000 people exchange over 1,000 tons of products worth about 250 million FCFA (\$450,000). From a weekly market in the 1970s and 1980s (held on Wednesdays), the important economic activities generated have made Diaobé a semi-permanent market that open stores 4 days a week. To take the example of palm-oil, an average of 80 000 litres/week in 2003 contrasts with the 15 000 litres on average in 1997.¹² According to the Senegalese Water and Forestry Department, in 2005 alone, Diaobé handled some 5 million litres of palm oil, and this excludes small consignments which are not systematically recorded. In aggregate terms, this might not sound much but it represents a tremendous volume of exchange for a market whose structures of management operate on an ad-hoc basis. As the informal sector sustains about 2/3 of households in the Basin that depend on informal system either as operators, serve providers or families of these categories, it seems that current discourses and projects on regional integration are inadequate in that they do not always take into account the importance of the informal sector which, taken into account, raise the proportion of intra-regional trade to 10% in West Africa.¹³

Diaobé is the place of transit for palm oil produced in Senegal, in the Gambia, in Guinea-Bissau and in Guinea (Macenta, Nzérékoré and Yomou) which is the largest producer in the region. Recently, the sale of palm oil from Sierra Leon has also been noted.¹⁴ The production of and trade in palm oil is crucial to sustaining exchange and households in the Basin. It allows the long-distance transfer of surpluses from forest to savannah by supplying the high demand which emanates from the Touba market in Senegal.¹⁵ In addition to Touba, Diaobé also supplies oil to markets in the Gambia and the Casamance. The volatile political situation in the two Guinea have created opportunities for Malian traders who are likely to establish a rival route using Touba as a transit for palm oil from Ivory Coast.

The production of groundnuts is central to the economies of the region, especially the Gambia and Senegal. According to Diop, Behgin and Sewali (2004), the groundnut sector accounts for 60% of rural income and up to 70% of rural employment in Gambia and Senegal.¹⁶ The centrality of groundnut is illustrated by the importance of the marketing season which is the highlight of economic life for rural communities. However, the chronic crisis that plagues the sector has compromised its potential; Senegal's share in world production fell from 10% thirty years ago to 4%.¹⁷ Frequent delays in payment to producers form oil companies¹⁸ since 2001 have encouraged the development of parallel informal channels in the trading of unshelled groundnuts bought directly from producers at low price. The performance of the marketing season for groundnuts has repercussions beyond the groundnut basin, especially as

¹² Enda-Diaopol. 2004. 'Southern Senegambia: Dynamics of a Three-State Space of Integration (The Gambia, Guinea-Bissau and Senegal)', WABI/DT/16/04, April 2004, p. 25; Abdoul et al. 2007

¹³ CREA et al. *Le Marche comme Facteur d'Intégration*, 2006: 2

¹⁴ WFP. 2009. *Sierra Leone Market Analysis Bulletin*. Major Food and Cash Crops.. 3rd Quarter 2009

¹⁵ CILSS et al., 2010: 24

¹⁶ According to the 1998/1999 agricultural census, some 3 to 4 million Senegalese farmers are involved in groundnut production

¹⁷ M. Guèye. 2007. *Réformes Agricoles et Pauvreté Rurale: Cas de la Filière Arachide Au Sénégal dans From Poverty to Power: How Active Citizens and Effective States Can Change the World*. Oxfam.

¹⁸ Such as Sonacos (Société nationale de commercialisation des oléagineux du Sénégal)

it affects food security in the entire region. The marketing season determines for a large part the flow of cereals and coarse grains within the region. Recently, poor performance was linked to limited supplies of grains to the river valley and its markets both in Senegal and Mauritania; an area suffering from constant food-deficit and food-insecurity.¹⁹

During the 1970s, national governments promoted the creation of *loumo* as trading centres around cash-crop producing areas, in the Senegalese case around the groundnut-belt and in the south in the Casamance. In South Senegal, the partial opening-up of the region through the creation of the Transgambian road linking the north to the south and that of the Ziguinchor- Kolda-Tambacounda axis linking east to west was a major impetus in the development of cross-border trade. The productive hubs concentrate supply and demand for unprocessed commodities and imported goods. The creation of the *loumo* was also a way to contain the free flow of local products made possible by porous borders; it was also a way to enable the newly constituted municipalities to rely upon a source of tax revenues.²⁰ In fact, the configuration of *loumo* in the Gambia and Senegal, along roadstop-areas and border towns suggest that their organization followed the same pattern of exchange points established by the French colonial authority as the latter attempted to stem the re-export of groundnuts to neighbouring British colonies. Over 14 *loumo* were identified in 1998 in Upper Casamance along the border with the Gambia and in Lower Casamance along the borders with the two Guinea.²¹

Oligopolistic tendencies: monopoles vs. proximity trading

Producer and consumer alike are potentially constrained by the oligopolistic nature of traders' networks -as micro-sociability- prevalent in the western basin and which influence the structure and functioning of its markets. To take the example of two important items, rice and cashew nuts, their flow is controlled and regulated by a small number of operators who are able to exert great influence on the market. They are able to determine the availability and price of rice which is a strategic commodity for food-security in the Basin. These actors operate in networks that tend to create rigid rules of entry for newcomers.²² The lack of credit for local importers and difficulty of access to international finance are exacerbated by the requirements of the international market; the use of the services of third parties in paying international trading companies adds additional margins that translate into higher retail prices on rice. An opposite trend of market concentration exists with regards to cashew. Cashew nut exporters are exclusively Indian dealers who exert great influence in determining the price of nuts in US dollars which creates a disadvantage for producers as they depend on the fluctuations of the US dollar. Thus the nuts export from Guinea-Bissau (up to 60%) and the Gambia is controlled by an oligopoly made of a handful of Indian traders who benefit from considerable bargaining power vis-à-vis producers and are thus able to influence market conduct.²³ As with groundnut, rural market exchanges in cashew are largely asymmetrical as producers

¹⁹ FEWS NET. 2001. Rapport Mensuel du Mois de Septembre 2001 (Mauritanie); FEWS NET. 2003. Rapport Mensuel pour le Mois de Janvier 2003 (Mauritanie)

²⁰ S. Fanchette. 2001. Désengagement de l'État et recomposition d'un espace d'échange transfrontalier : la Haute-Casamance et ses voisins. Autrepart 19: 91-113. income for local municipalities is generated by stall and store rentals, tax levied on merchandise and payments for trading licences

²¹ Cazeneuve, 1999: 14 in Fanchette, Desengagement, 2001: 93

²² Concentration ratios (total market share for 5 top importers) for rice import vary from 81% for Senegal to 95% for Mauritania and Guinea-Bissau; see 2010: 32

²³ MADR, FAO, PAM (2007) Commerce du Cajou et du Riz : Implications pour la sécurité alimentaire. Guinée-Bissau

and small sellers, pressed for cash to support basic household needs, are forced to agree with unfavourable terms of trade. On the other hand, the close relationship that is generally achieved between retailer and consumer is an important element in protecting access to foodstuff for local populations, with the possibility of on-credit purchases.

The West-Basin experienced economic and political crises in 2007 with a sharp increase in prices, a reduction in trading volumes and margins, this in turn contributed to crystallising oligopolistic networks. The relative absence of formal cross-border trading channels, both state-sponsored and private, has encouraged the emergence of networks that monopolise the trade in cash crops. More specifically, the food crisis in Niger of 2005, and the political crisis in Guinea in 2007 intensely disorganised trade flows towards the north, and the more recent global economic crisis contributed to its weakening access to cash crops from the forest, hence to an increasing dysfunctioning of the commercial system in the Basin.

III. Forest-Savannah dynamics

Trade dynamics in the Senegambian Basin reveal a crucial, yet under-researched, synergic bond between forest and savannah which constitute the lifeblood of the social and economic safety net that supports local communities outside public and formal channels. Diaobé is the *plaque-tournante* whereby cereals, livestock, onions, from the north converge with palm-oil, *nééré*, kola and wild fruits (*maad*) from the forest.²⁴ The Dakar-Diaobé-Touba axis constitutes the backbone of the agricultural commodity trade in the western basin. Whilst rapid urbanisation of the coastal cities has created a strong demand in foodstuffs in places like Dakar and Touba, commodity flows converge towards the North-West as well as the central region of Senegal, and create in turn structural trends that fit into the global market through permanent connections with seaport cities. Trade flows in Senegal and neighbouring countries are largely influenced by this strong north-west demand, “the concentration of solvent consumer demand in north-western Senegal explains the areas influence on regional trade flows.”²⁵

As direct access to north-west markets and urban areas, in particular Dakar and Touba, is restricted for foreign traders, the Diaobé market is used as a gateway for Guinean, Gambian and Bissau-Guinean traders to channel their commodities. Senegalese traders assume the relay/ownership of goods at Diaobé and distribute commodities in urban areas. Guinean and Bissau Guinean wholesalers trade with a tight network of Peul women who negotiate credit and better terms with wholesalers, at the same time that they constitute a close network with stringent admission requirements.²⁶ As women make up the majority of cross-border traders, their increased economic role rests upon the relatively low resources, capital and infrastructure needed to start a business. Fulani women enjoy a form of social capital which allows them to negotiate shifts in import levels during periods of political instability in Guinea; they reduced risks of trading in Guinea by getting re-stocks and commercial information from their personal networks operating in Guinea. Those of Guinean origin use the advantage of having kin in Guinea in order to shorten the

²⁴ See K. M. Gomis. 1998. *Le Loumo de Diaobe : Etude de géographie régionale*, Mémoire de Maîtrise, Université Cheikh Anta Diop, Faculté des Sciences Humaines, Département de Géographie, Programme Sénégal Oriental

²⁵ CILSS et al. “Cross-border Trade and Food Security” 2001: reproduire tableau page 16

²⁶ G. A. Morris and M. Saul. 2000. “Women’s Business Links: A Preliminary Assessment of Women Cross-Border Traders in West Africa,” A Women in Development Technical Assistance Project Report, Washington

market chain and adjust trading strategies as they are privy of information to which other traders do not always have access.

Researchers have found that there was “a direct link in West Africa between cross-border trade, trade openness, and regional economic growth.”²⁷ As women, retailers and wholesalers alike actively engage in cross-border trade, in volumes and value far higher than their counterparts -who fit more the stereotype of occasional small fruits and vegetable seller-, their potential for economic growth and financial independence was enhanced. The latter are associated with women’s access to and control over resources.²⁸

Commodities of Integration: the example of rice

The western Basin is very much dependent on cereals, particularly rice which is mostly imported. Low local grain production explains the limited volumes of local rice in cross-border trade. Apart from the River valley of Senegal and the mangrove, the lowland and upland basin of Casamance and the Gambia, Guinea and Guinea-Bissau, local rice production is limited and falls far short of an ever increasing demand. Besides, it is mainly auto-consumed by household producers whilst some of the parboiled rice produced in Guinea and in the Senegal River valley is supplied to local markets for national consumption. Only very small quantities of local rice (mainly from Mauritania) are thus traded in border markets such as Diaobé whilst huge quantities of imported rice from mainly from Asia and South America are supplied.²⁹ According to estimates, the western basin represents up to 4% of the international rice market, this means an estimated amount of 30.4 million tons in 2009.³⁰ Countries of the Basin, particularly Senegal, Gambia and Guinea-Bissau depend on rice for 30 to 46% of their needs in cereals.³¹ As the main entry point (see map) of imported rice in the Basin, the port of Dakar supplies markets in Senegal, Guinea-Bissau, Mali and other places. The example of rice shows the ways in which the international market affects supplies, trade flows, commercial and social dynamics in the Basin. Guinea-Bissau is for instance –as an isolated small market- very vulnerable to disruptions both in the international market and in the supply chain from Senegal.

Cross-border trade in rice tends to follow favourable trends in currency change or price differentials between countries. Some of the large quantities of rice imported by the Gambia find their way to Senegal whilst minor flows are sometimes exchanged between Mauritania and Senegal, all this despite tight regulations which the respective states (particularly Senegal) have attempted to put in place since the liberalisation of the rice market in the 1990s. However, the Gambian re-export model has been proved to be unsustainable in view of the macro-economic imbalances it has created. Abdoul et al. contend that the recent decline in cross-border trade in rice between the Gambia and Senegal can be explained by the imbalances mentioned above but also the recent appreciation of the dalasi, Gambian currency.³² The latter

²⁷ Morris and Saul, 2000: vi

²⁸ Morris and Saul, 2000: vi

²⁹ N. Gergely and P. Baris. 2009. Etude sur la Compétitivité du Riz de la Vallée du Fleuve Sénégal sur les Marchés Nationaux et régionaux’. AFD, GIG Consultants; DYNAFIV (2005). La Filière Locale du Riz en Guinée

³⁰ CIRAD. (2009) InfoArroz. Décembre 2009.

³¹ CILSS et al., Cross-border Trade, 2010

³² M. Abdoul, K. Dahou, C. Guèye, E. Hazard. 2007. Le cas de la Ségambie Méridionale dans ‘Les dynamiques transfrontalières en Afrique de l’Ouest’, ENDA DIAPOL Karthala

also affects trade in all commodities in which Gambian producers and traders are involved.

Another product traded in the Basin and subject to re-export is cashew which is widely produced in the Basin. Because of its competitive costs, the port of Banjul receives most of the cashew produced in Senegal and some of the national production of Guinea-Bissau and Guinea destined for export to India. Smuggling of small volumes of cashew from Guinea-Bissau via Senegal has been on the increase as the Bissau port suffers from low investment and constant operational problems.³³ The boom of cashew in Guinea-Bissau has created increased dependence on imported rice as local production dwindles. The *loumo* is a place of smuggling as Senegalese traders can circumvent customs by getting supplies from Gambian traders that visit the market whilst wealthy traders can afford to bribe customs and directly get supplies from the warehouses of the Gambia.³⁴ These big international smugglers rely on tight networks made of members of the same muslim brotherhood, ethnic group or place of origin. Thus in Diaobé, the smuggling business is controlled by Toucouleurs, Peuls, Moors from Fouta and Mauritania as well as Mouride traders.

Imported commodities (mostly cloth, clothes, medicines, hi-fi equipment, sugar, condiments but also soap, matches, tea, cooking oil) are always problematic as they are subject to customs in Senegal but much less in Gambia, but because the free trade area that ECOWAS members constitute, intra-community products can and do circulate freely between Senegal and the Gambia. The department of Trade in Velingara frequently resorts to the burning of counterfeit products and foodstuff (cigarettes, medicine, milk powder, tin food, flour, sweets, etc) deemed 'unfit for consumption'.³⁵ This points to a crucial problem facing local populations that get supplies from the *loumo*, namely the problem of health and safety the consumption of expired or defective products might incur.

As with other products, demand for livestock in the Basin is concentrated in coastal areas of Banjul, Dakar, Bissau, Conakry, and Nouakchott, hence its importance as a cross-border product. This demand is satisfied by cattle export from Mali, sheep and goats from Mauritania.³⁶ The western cities of Senegal, Dakar, Petite-Cote, Touba, Thies and Kaolack in particular are the areas of strongest demand for livestock which transit through the border market of Dahra in the north and Diaobé in the south before being dispatched to various destinations. This demand is seasonal for small ruminants and it corresponds with period of celebrations such as the Eid al-Kebir

IV. Settling a trading community without borders

Local municipalities and administrations have proved to be been unequipped to cope with the implications of the intense economic activities the locality has been experiencing. Diaobé has become a centrifugal hub that points to a two-way movement. On the one hand, a number of traders and buyers from neighbouring countries have, over years, established a pied-a-terre in town whilst still travelling to their place of origin for re-stocking and to reconnect with kin, social and business connections.

³³ CILSS et al., Cross-border, 2010: 23-4

³⁴ Fanchette, Disengagement, 2001: 98

³⁵ Le Quotidien notes that in 2009 alone, the Department of Trade in Velingara had seized over 10 tons of counterfeit products and merchandise of 'fraudulent origin'; see Le Quotidien. 2010. "Velingara: 10 tonnes de marchandises contrefaites ou périmées détruites" 2010/03/17

³⁶ The OECD (2008) estimates that the livestock sector represents 44% of agricultural GDP in Mali and 80% of agricultural GDP in Mauritania; see OCDE/CEDEAO. 2008. Livestock and regional market in the Sahel and West Africa: Potentials and Challenges. Sahel and West Africa Club/OECD

The mosaic of languages and cultures, the exchange of huge numbers of varied foodstuffs from neighbouring countries crucial to local supply may lead many to see in Diaobé the model of grassroots integration far more advanced than the actual dispositions of regional treaties would envisage. However, economic expansion comes at a high price. In a region that is still experiencing sporadic rebellion fighting in Senegal and in Guinea Bissau, as well as occasional security alerts in the Gambia, the concentration of money and merchandise is a magnet to crimes, theft and prostitution. Drove of young girls from neighbouring villages, towns and countries make a living through prostitution whilst many others leave school midway.³⁷ As most big operators originate from the north of Senegal and Guinea, their profits are not reinvested in the region that is experiencing environmental degradation whilst local populations, especially young people, are abandoning agriculture in favour of petty trade and market servicing. If local populations benefit from the spin-offs of trade and smuggling, the lack of adequate infrastructures in the first place places an even greater burden on communities ill-prepared to deal with the large numbers of temporary settlers and the long-term dwellers with families to integrate and children to educate. Over the years, cross-border traders have settled in Diaobe and surroundings with their families and have intermarried with locals or nationals of other countries.

The lack of state attention in the possibilities/potential of a place like Diaobé –beyond the collection of taxes- is aptly demonstrated by the absence of city planning, of basic services such as electricity and running water, underequipped markets with insufficient storage facilities. Moreover, access is made difficult during the rainy season as floods and puddles cut towns off from main roads. In addition, the geographical space of cross-border trade is a moving space subjected to the changing conditions of national politics, consumption trends, the commercial interests of economic operators, the changing policies of territorial administrators, and a host of other factors. Its only constant anchorage is the steady demand for and the dependence of local populations on foodstuffs offered in local markets.

V. Laissez-faire integration and institutional ambiguities: the limits of formal models

Regional integration has been a major concern for regional organisations on the continent. It is a founding principle of the AU Charter; the modalities of its political, economic and institutional implementation were laid out in the Lagos Plan of Action and the Abuja Treaty.³⁸ The NEPAD on the other hand links regional integration to its development plan as one of its most important aspects. However, heavy emphasis on the possibilities of the formal economy overlooks the potential contribution of the informal economy to commercial and social integration. Equally, plans and programmes thus far deployed in carrying out regional integration neglect relatively unstructured commercial channels, hence failing to tap into the potential of local populations' resourcefulness in further advancing integration.

In theory, regulations of the WAEMU and ECOWAS allow unhindered circulation of goods and people, in reality, custom barriers remain important in areas where the prevailing regulations are not properly or sufficiently enforced. Lower-level customs

³⁷ Le Soleil. 2008. "Le Phénomène Inquiète La Commune de Diaobé: Chaque Année, Beaucoup d'Adolescentes Deviennent Mères" Octobre 14, 2008

³⁸ CREA, ROCAPE / WECAPREN, 'Le Marche comme Facteur' 2006: 2; N'Guettia Kouassi. 2007. The Itinerary of the African Integration Process: An Overview of the Historical Landmark. African Integration Review, 1(2): 1-23

officials at border posts yield tremendous power when it comes to implementing national and regional rules pertaining to customs and tariffs. The lack of standardisation of rules amongst neighbouring countries creates so many 'unofficial' customs rules determined at the discretion of border post officials. The lack of transparency is a source of innumerable roadblocks imposed upon traders with additional costs that distort market prices.

Some of the problems facing the market have to do with the poor quality of commercial infrastructure in Diaobé, transportation infrastructure within its sphere of influence, the lack of facilities in palm-oil processing and conditioning technology. The industrial oil mill in Ziguinchor only processes peanuts. The nature of the structural and more conjectural problems is such that these need to be dealt with at the local and regional levels.³⁹ If Diaobe benefits from the activities of neighbouring satellite rural markets with less international appeal, the markets system in the region itself is relatively fragile and markets are unequally structured across countries and border areas.

Upper Casamance has been for a long time deprived from public attention and investment. The Senegalese government's development efforts have mostly been concentrated on the region of Dakar and the groundnut basin. As a result, it has not been able to capitalise on the resources, economic, ecologic and otherwise which make Casamance a particularly valuable region for the country. Loose security control in Upper Casamance relatively to Ziguinchor and Kolda, has also encouraged extensive drug and small arms trafficking around Diaobé and neighbouring villages.⁴⁰ Many reports have suggested that the MFDC –Mouvement des forces démocratiques de Casamance in rebellion against the Senegalese government for the independence of Casamance since 1982-, promotes the production of cannabis in Lower Casamance, and levies taxes on its sale which is then used to buy weapons in Liberia and Sierra Leone. On many occasions, government services have seized important quantities of drugs and weapons in Diaobé where these commodities are traded.⁴¹ In fact, drug and small arms trafficking has become so extensive and important a source of income in the region that national authorities fear it might further exacerbate the fragile sub-regional stability.⁴² It would then seem that informal integration also means that porous borders will connect criminal networks and expand their activities beyond national borders.⁴³ More recently, the illegal trade in subsidised seeds, imported pesticides and fertilisers, has been a concern for the Senegalese government as it attempts to curb the retailing of subsidised seeds.⁴⁴

³⁹Cross-border Initiatives Programme 2006-2008 Ecowas, august 2005, p. 34 [lire en entier]

⁴⁰ Le Soleil. 2007. "Trafic de Drogue Dure: 20 kilos de cocaïne abandonnés dans un bus à Gouloumbou" Novembre 26, 2007

⁴¹ Drug money was also believed to have financed movements that intended to overturn Yaya Jammeh's regime; see S. Fanchette and Th. Le Renard. 1997. Relations transfrontalières et Intégration par le bas : la Haute-Casamance et ses voisins, Orstom Bel-Air; A. Labrousse. 1998. 'Quelles sont les interactions entre le trafic de drogues et les conflits armés en Afrique subsaharienne ?', in Observatoire géopolitique des drogues', Les Drogues en Afrique subsaharienne, Karthala : 159-166

⁴² Le Soleil. 2008. "Zones d'entrée de la Drogue au Senegal: Gouloumbou et Koumpentoum surveillés de très près" September 9, 2008; recent reports mention the increasing involvement of Guinean women in drug trafficking, see Le Soleil. 2008. "Poste de Douanes de Gouloumbou: 5,6 kilos de cocaïne saisis sur deux Guinéennes" July 28, 2008; "Avril Faste pour la Douane: des tissus, des médicaments, de la cocaïne, etc., saisis" April 6, 2008

⁴³ Le Soleil. 2007. "Association de Malfaiteurs et Vol a Mains Armées : Le gang qui écumait les boutiques de Tamba démantelé" Novembre 3, 2007

⁴⁴ Le Quotidien. "Trafic d'Intrants Agricoles : Le service du commerce saisit 15 tonnes de semences d'arachide à Diaobé" June 30, 2010; Le Quotidien. 'Lutte Contre Le Trafic de Produits Prohibés' 27 April, 2010

On the other hand, if the 1980s ethnic and kin networks provided credit and opportunities to their members, the economic and political measures adopted by Senegal in the aftermath of the break up of the Senegambian confederation and the Senegalese-Mauritanian conflicts of 1989 hugely disrupted and dismantled these networks whilst the 1994 devaluation of the CFA Franc decreased the popularity of relatively cheaper commodities such as rice and sugar re-imported from the Gambia. If trade flows remain, in general, unquantifiable,⁴⁵ the scale and intensity of exchange, and most importantly the impact of commercial exchange on the lives of the Basin's populations require new tools in apprehending the meaning of regional integration away from relatively limited formal models. The cross-border trading models prevalent in Diaobé and similar markets, point to modes of exchange which are more attuned to the sociology of exchange amongst populations concerned. The permanent networks of exchange between Upper Casamance and its neighbours respond to state neglect, both in the Gambia and in Senegal, of agricultural economies that experience periodic food shortage. The double disadvantage of relative geographical isolation and policy-disconnect have reinforced the role of cross-border trade as a source of supply of vital goods. On the other hand, the development of cross-border exchange has partly encouraged the diversification of agricultural production in the Casamance which stands as a better competitor to the two Guineas.

Conclusion:

Diaobé offers a good illustration of the dynamic trends of grassroots economic integration through cross-border trade in West Africa. As a place of exchange between entrepreneurs, business men and women, producers, traders and buyers from neighbouring countries that share, it plays a crucial role in the integration process through the promotion of commercial exchange as a tool of integration that works for the benefit of local populations and their struggle to emerge out of poverty. However, despite its geographical and economic importance, the government of Senegal has not been too proactive in promoting the region or in better regulating the flow of goods and trading structures.

If regional organisations such the ECOWAS and WAEMU have made strides in promoting the potential for economic and monetary integration in West Africa, the current institutional framework does not seem to value the contribution of informal trade networks in furthering economic integration. More importantly, the participation of local populations in the integration efforts does not benefit from the same commitments invested in the elaboration of formal models. The contribution of local populations in furthering regional integration thus constitutes an advantage as much as a challenge to current models of integration.

The intense economic activity and increasing exchanges since the 1970s, re-boosted in the 1990s did not however translate in better infrastructures, better production or better quality of life for the populations of the Basin. If anything, traditional production and exchange systems have been tremendously disrupted whilst current alternatives are proving to be unsustainable over the long run. Despite the complementary ecological, human, social as well as production systems of the countries of the basin, and despite the key importance of cross-border trade in food security in the region, national economies are insufficiently articulated and the potential for economic integration too little explored.

⁴⁵ CILSS, et al., Mission, 2009: 5

Upper Casamae itself is faced with a number of constraints which range from the changing nature of the international commodity market, variations in exchange rates, political instability, environmental disasters, and other problems that undermine the huge agricultural potential of the Basin. Loose security control is responsible for the extensive culture of smuggling and drug trafficking that play an important part of the exchanges.

The foreseen benefits of regional integration in West Africa, namely the creation of a regional market for locally manufactured products, the diversification of products, the expansion of existing markets, the further integration of the populations of the region and more importantly the stabilising of food security, as the Diaobe case demonstrate, are largely compromised by a highly unstructured system of exchange from which big operators benefit from without committing or willing to invest in local infrastructure.

In Diaobe, currency is not always the main mode of exchange, modern barter and exchange are also largely used in the trade of traditional staples (salt, kola nut, grains, herbs) and modern commodities such as laptops and satellite dishes). In many ways, markets like Diaobé are also areas where avatars of modernity compete with more traditional ways of doing trade; a combination of security awareness and risk-aversion enable traditional methods to thrive and help people realize safe investment relatively to capital growth.

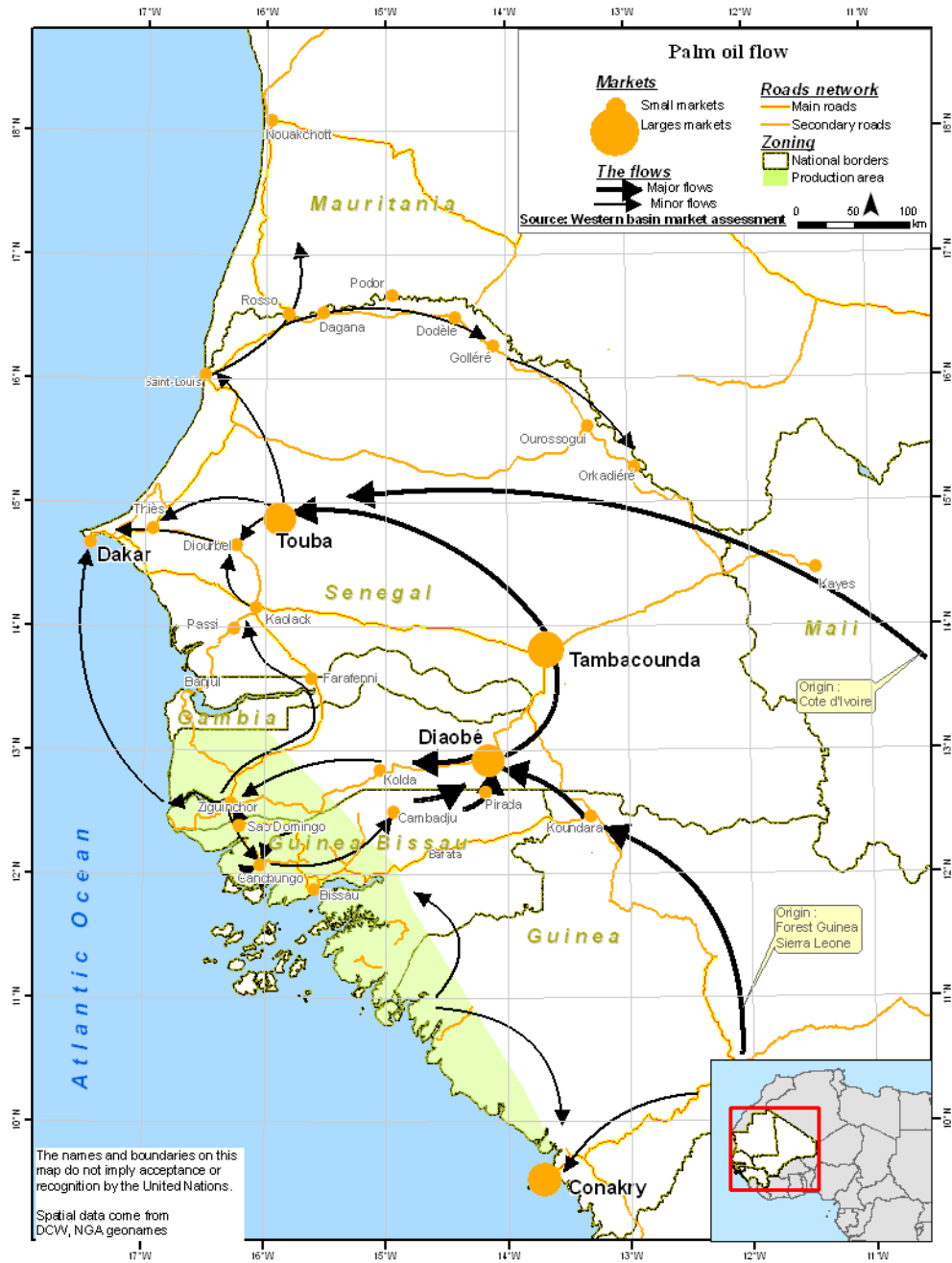
If evidence suggests that traders generally comply with regional trade strategies in the Senegambian region, local circumstances of market-towns, geographical or otherwise, the role of religious networks in the organisation of trade and production, etc, are many elements that determine the nature of cross-border trade rather, more effectively than the dispositions of regional and national institutions.

Figure 1: Palm oil production:

Country	Production (average 2004-8, tons)
Gambia	2.510
Guinea	50.000
Guinea-Bissau	6.347
Senegal	6.040

Source: FAOSAT

Map 1: Palm-oil and tropical product flow



Source: CILSS, FAO, FEWS-NET, WFP, 2010

Figure 2: Rice imports and their contribution to cereal needs

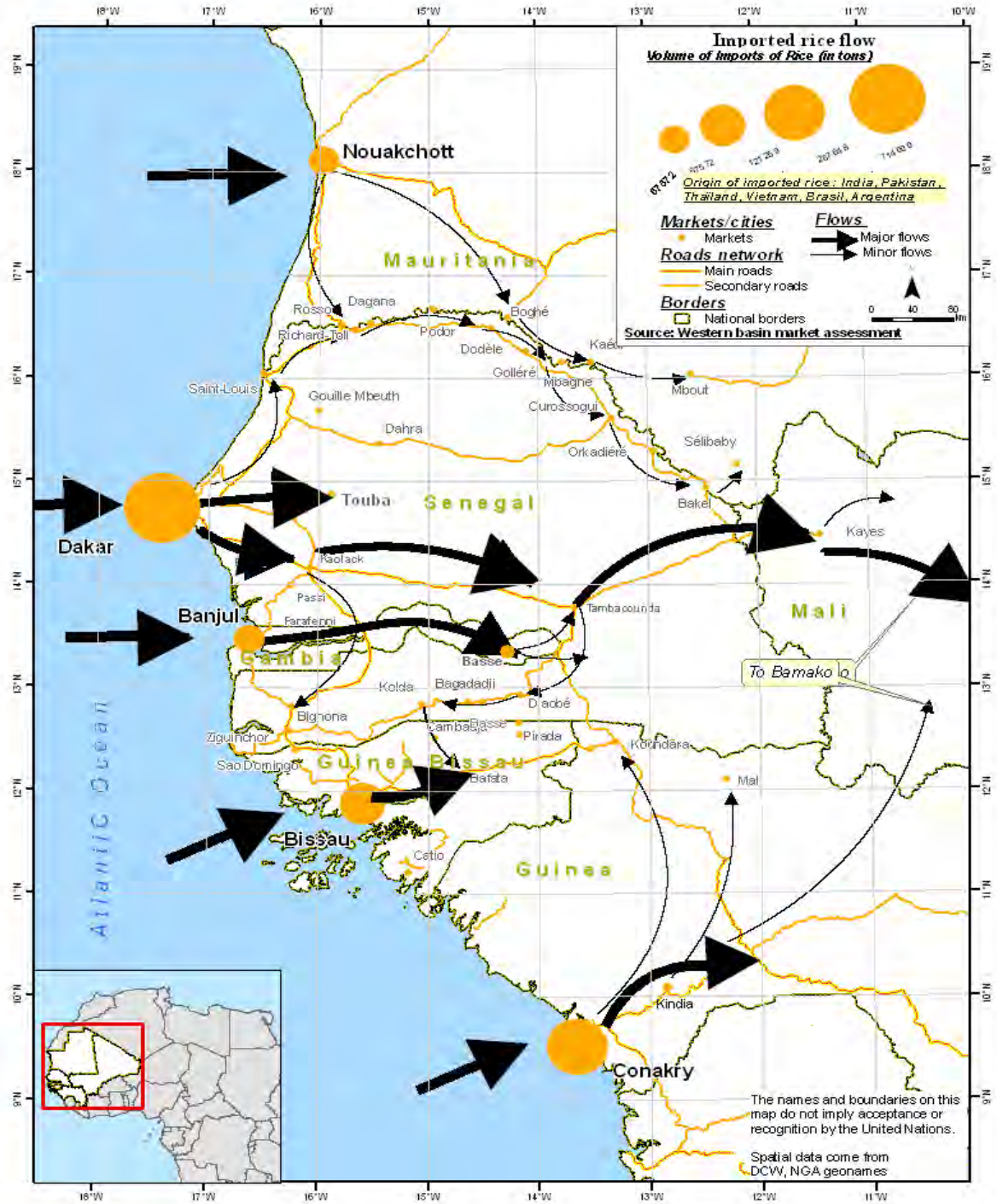
Rice imports and their contribution to cereal needs	Cereal consumption needs (average 2003-2007, tons)	Rice imports (average 2003-2007, tons)	Contribution of rice imports to total cereal needs (average 2003-2007)

Country

Gambia	278,000	83,584	30%
Guinea	Appx. 2,000,000	218,143	Appx 10%
Guinea-Bissau	188,000	57,254	30%
Mali	2,658,000	177,202	7%
Mauritania	465,000	46,525	10%
Senegal	1,889,000	869,421	46%

Source : FAO STAT, CILSS (2009)

Map 2: Imported rice trade flow



Source: CILSS, FAO, FEWS-NET, WFP (March 2010)

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“Business as Commonsense: Reflections on the Dynamics of the ‘Professionalization’ of Informal Cross-Border Business along the Lagos–Cotonou Route”

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Abstract: This paper dwells on the activities of members of the ‘Cross-border Vehicle Dealers’ Association’ who operate along the Lagos- Cotonou border route. The association, the paper shows, is first and foremost, an embodiment of social relations based on solidarity, which functions simultaneously as an economic association, a pressure group and a social good. Its every day life gives a glimpse of common sense strategies of informal cross-border business operators in post-colonial Africa. Economic survival struggles, quasi-political actions and local social engagements are expressions of strategies emerging around the interests of these informal workers. The association is an important meeting point for smugglers, and a platform to professionalize, politick and plan ahead. To a certain extent, the association assumes the function of a “rite of passage”, where a “consciousness of belonging to a trade union” is constructed. Through the association, cross-border vehicle smugglers negotiate their position in society, modulate their relationships with authorities, and take influence in the public sphere. Yet, the history of the association shows the ambivalent position between informality and formality, and the members’ readiness for violent acts in self/group defence, as well as a sense of civic duty. Finally and interestingly, members of the association see themselves not on the margins of the economy/society, but at its centre, taking possession of symbols of power and success.

Introduction

Smuggling/engagement in contraband trade transaction is generally defined as the un-authorized, or illegal, transport of goods/persons from one country to another to avoid restrictive laws and evade customs taxation (import duties), thereby depriving the state of revenue, apart from other harmful implications. Viewed from this angle, smuggling, as a type of business, falls under Ogbuagu's reference to commercial engagement category "which does not necessarily have to follow legal procedures to qualify to run business activities".¹ But, as Hibou rightly notes,

"Custom evasion or smuggling cannot be considered in isolation as an activity which is simply illegal or criminal, but is better seen as one among a larger variety of techniques to exploit opportunities offered by the state and to gain access to the profits generated by operating between the local and international sector."²

Essentially, smuggling as a cross-border business transaction is a type of international trade. Yet, it is one of the terms relating to informal economic activities, notorious for their imprecision. The informal sector is generally speaking, "characterized by people and enterprises outside

the systems of formal wage labour, low productivity activities not in compliance with the formal norms, or non-waged private income derived from goods and services outside the terms of contractual employment”.³

Informal cross-border business transactions along the Lagos-Cotonou route, like other cross-border businesses in post-colonial Africa, must be seen as a continuation of the age-long long distance trade, which is usually held to be more important than local trade in the broad historical development of pre-colonial Africa.⁴ And, interestingly, post-colonial trans-border trade retain some of the well-known features of pre-colonial long distance trade. For instance, like modern trans-border trade, pre-colonial long distance trade linked up dispersed socio-economic units of high purchasing power. This encouraged occupational specialization, implying a move away from economic self-sufficiency towards inter-dependence. Inter-dependence had/has implications for peaceful coexistence that defied/defy ethnic and political boundaries. Also, like African pre-colonial long distance trade which was dominated by men, post-colonial trans-border trade is dominated by men in most parts of Nigeria. The nature of the cross-border business, plus the tradition which has continued to confine women to domestic chores, make it difficult for majority of them to undertake long-range journeys which would keep them away from home.

Finally, like traditional long distance trade, modern cross-border trade

involves multi-lateral transactions that defy geographical, political, ethnic and linguistic frontiers. The concomitant trade routes then, as they are now in trans-border trade, form something of a grid, webbing distant communities and markets into a commercial network.⁵ In a very real sense, therefore, trans-border or cross-border trade in West Africa has a long history.

To round off here, this writer uses the central term “cross – border business” to refer to informal and often illegal business activities which move goods (mainly motor-vehicles, for our present purpose) across national borders, from Cotonou (in Benin Republic) to Lagos (in Nigeria).

Smuggling along the Lagos-Cotonou Route: the Background

Owing to some historical and socio-economic factors, cross-border business activity is particularly intense in the West African sub-region, with Nigeria being a key player in the very large proportion of cross-border business activities within the area. For most southern Nigerians, the commercial cities of Lagos (in Nigeria) and Cotonou (in Benin Republic) are the two major centres of cross-border business, a fact that is linked to their being (sea) port cities and border–towns , as well. As Hashim and Meagher note, “the intensity of unofficial trading activity emanating from Lagos is related principally to the position of the

city as the commercial (and until recently, political) capital of Nigeria, as well as to its proximity to the free ports of Cotonou and Lome .”⁶

And, of course, trans-border cooperation between Nigeria and Benin Republic is a desideratum, given, among other factors, that the Egun people (a partitioned Yoruba sub-group) live in the two border areas of Lagos and Cotonou. For West African businessmen and women of the Lagos-Cotonou axis, conditions in the parallel economy began to change toward the latter part of the 1970s. In fact by mid-1970s, the balance of cross-border business, which had favoured Nigeria throughout the colonial period, began to shift in favour of her Franc Zone neighbouring countries. The shift in the balance of cross-border business transaction was soon accompanied by a reversal of the relationship between the official and parallel values of the Naira (Nigerian currency) against the CFA Franc.

Such changes, accompanied by major policy measures in Nigeria, like protectionism in the context of the nation’s oil boom, encouraged the rapid growth of re-exports of goods into Nigeria during the 1970s and beyond. With these developments, Nigerian businessmen and officials began to import goods through the Cotonou and Lome ports in neighbouring Benin Republic. The business-men operating mainly in southern Nigeria would then bring the goods across the Cotonou border into Lagos, from where they would be pushed into the Nigerian market.⁷

To put the record straight, from the time of her independence in 1960 to the year 2000, the trend and direction of the Nigerian economy were

mediated by the fact of military rule, political corruption, affluence, and by the fact of military rule, political corruption, affluence and poverty, national indiscipline, squander mania, absence of the culture of fiscal discipline and accountability, to mention just these. The military's dominance of governance in Nigeria has been an experiment of the greatest tragedy. Frequency of military coup d'états and successions meant change and discontinuities of policies and programmes. For instance, the 1970s were characterized by the oil boom which led to rabid government squandermania and a decline in agriculture and food production in the country. Later, when the price for oil on the world market dropped, the military government of Nigeria under President Ibrahim Babangida instituted Structural Adjustment Programme (S.A.P) in 1986 to redress the economy.⁸ SAP measures brought austerity to the country. Piloted by the military without any clear direction and faced with structural adjustment justified by the pressures of mounting economic crisis and constraints on state spending, the Nigerian leadership introduced, among other things, a process of trade liberalization. This trend of events ushered in a range of economic reforms, followed by a proliferation of semi-official road-blocks and brigandage, with civilians and government officials alike resorting to informal means of income generation (like smuggling contraband items) under the pressures of increasing economic austerity.⁹

Case Study: Smuggling of Used Motor-Vehicles on the Lagos-Cotonou Border Route

For Nigerian business men who bring in motor-vehicles into the Nigerian market, the vagaries of Nigerian economic and monetary policy, development at the Nigerian border and in the international sphere, among others, all exert an influence on the trading behaviour of motor vehicles, a fact which produces a range of permutations in the existing dynamic of activities. As noted earlier, the imposition of Nigeria's SAP in 1986 constituted a major watershed in the development of Nigerian cross-border business activities. The Nigerian adjustment programme was characterized by repeated and significant official devaluation of the Naira, and a liberalization of currency and import regulation. Among other things, import and export bans were imposed by the Nigerian government on a range of goods. In the case of used automobiles, those which were more than ten years old were banned from importation. From the outset, these developments constituted a recipe for acceleration of cross-border trading activity. Owing to the rapidly declining value of the naira, and given the fact that Benin Republic did not impose similar import ban on used motor-vehicles, the balance of cross-border business dealings on used vehicles began to shift in favour of Nigeria. The result was the development of a system of large-scale business activity on used motor vehicles (popularly known in Nigeria as "Tokumbo") and spare parts, as well as used clothing-- with all three

known to be heavily dominated by Igbo trading networks at the level of import into Cotonou. In fact, according to estimates by commodity dealers, it is claimed that Igbo operators of this business constitute some 70 to 80 per cent of the direct importers of these commodities.¹⁰ A number of reasons can be given as to why motor-vehicle smuggling occurs especially at the Lagos-Cotonou (also known as the Seme) border. Smuggling of used motor-vehicles is carried out here in order for the operators to:

- a. Evade payment of duties and other taxes.
- b. Gain a commercial advantage over fellow importers of the same goods.
- c. Acquire a financial gain by making higher profit due to non-payment of duties and other taxes.
- d. Avoid local revenue controls.
- e. Avoid bureaucratic control and processing .
- f. Avoid import licenses or permit requirements.
- g. Avoid quotas.
- h. Avoid exchange control regulations.¹¹

Apart from these, it is public knowledge that

“the customs officers at the Seme or Idiroko border on the Nigerian side are more of pains in the neck of many travellers, especially traders. They harass and intimidate travellers even those with the right documents. Sometimes, they deliberately create unnecessary delay, causing long traffic congestion and forcing traders to pay through their nose before being allowed to leave the border post. The Nigerian Seme border is by far the most notorious for bribery. The extortion activities at the border post and at the various checkpoints from the border up to Mile 2, Lagos, qualifies for a Nollywood epic with the title ‘Corruption Incorporated’”.¹²

Accordingly, the cost of crossing a border in (West) Africa remains very high: roughly “equivalent to the cost of travelling more than 1000 miles in-land...”¹³ Thus, the protocol of the Economic Community of West African States (ECOWAS) which allows for free movement of citizens of member states and goods across borders remains, for now, only a paper work. In reality, available evidence shows that, ECOWAS citizens move daily across the borders, but not ‘freely’. Smuggling (going by the

evidence available from the Lagos-Cotonou border) is effected by the unscrupulous stakeholders involved in international trade—i.e., importers, exporters, clearing and forwarding agents and official conspirators. (Of course, it is a fact that “official corruption is an integral part of all smuggling operations”).¹⁴ Generally speaking, the illegal practices of smugglers include: under-invoicing, over-invoicing, wrong/false declaration of goods, prohibition, under-declaration of quantity, concealment, wrong classification, forging of customs documents and misrepresentation in size, quantity, weight and quality. Interestingly, the business of smuggling used motor-vehicles into Nigeria is secondarily affiliated to poor members of the informal sector. Thus, to officers and men of the Nigerian Customs Service at the well known Seme border, it is obvious that fighting the smuggling into Nigeria of used motor-vehicles is nothing short of waging a war indirectly against rich individuals (government and non-government workers, formal and informal sector operators) who are the sponsors.¹⁵ According to one customs officer, “smuggling of motor-vehicles across this border [i.e., the Lagos-Cotonou border] is championed by organized syndicates who have the blueprint of what it takes and have the ability to identify loopholes to effect smuggling”.¹⁶ Those who carry out the illicit motor-vehicle business on the Lagos–Cotonou border are known to be traders who, after studying the border and the various customs posts, identify weaknesses in terms of logistics, expertise and/or location. Although there are designated or approved routes at the customs border

areas, available evidence from officers and men of the Nigeria Customs Service shows that car smugglers avoid such routes in common-sense preference for unapproved and hazardous routes, usually not well-manned by government officials.¹⁷ The existence of a cordial relationship between a nation's customs service and the border communities is known to provide conducive environment for the officers to discharge their duties efficiently. But, in the case of the Lagos – Cotonou border area, it is a fact that the much desired cordial relationship between the Nigeria Customs Service and the Seme border community is hardly anything cordial. According to one retired comptroller of Nigeria Customs Service, “in some places the border communities present hostile attitude toward the customs authorities. Some of the border communities prefer to support the smugglers to the extent that they join forces with them to attack officers. Such communities see customs officers as intruders into their territories”.¹⁸

The Seme border presents an interesting case of a border where members of the border community have continued to be involved in aiding and abetting motor-vehicle smuggling. In the process, customs officers are told they are not welcome, rebuffed and antagonized. Some constitute themselves into double informants who assist and direct smugglers into the unapproved cross-border routes, while they proffer to officers information intended to divert their attention to different directions. Some members of the border community are also known to

go to the extent of collecting tolls from smugglers for passage through their land; or demanding “something” (as one informant put it) from customs officers for divulging vital information about smugglers, their routes and activities.¹⁹

Generally speaking, smuggling of motor-vehicles into Nigeria through the Seme border is almost a daily activity. The Nigerian smugglers, as we have noted earlier, operate through unapproved routes at night; some operate without turning on the head-lights of their vehicles because they are familiar with the physical features of their routes. This strategy makes their movement go unnoticed. Some of them pass through bridges, and rivers known to be flooded during the rainy season, carrying smuggled cars on their heads across such rivers, while customs officers would be under the illusion that such a place is impassable.²⁰ Some of the job hazards for officers and men of the Nigeria Customs Service in trying to contain/prevent smuggling include being shot at or stabbed by smugglers. Some officers are in fact known to have become victims of assassination plots and planned accidents organized by smugglers.²¹

Not surprisingly, therefore, there are many logistical difficulties in conducting research on smuggling activities at the Seme border. Even more than other activities in the informal sector, the activities of smugglers are officially unrecorded and unmeasured. In spite of the difficulties encountered in conducting a study among smugglers at this border, a major reason for the focus on informal trans-border trade

activities at the Lagos –Cotonou route is that despite the institutions of state control put in place here to check smuggling of goods, especially banned used motor-vehicles, this business seems to have become normalized in this area, especially since the 1990s. In fact, it seems to have moved away from being an issue of concern to a ‘profession’ of a kind—as a means of survival and for capital accumulation. Not only smugglers of motor-vehicles but other categories of people in society too seem to be benefiting from this activity, including state officials themselves. In the context of the Nigerian society, especially in Lagos which is an international border-land, it is clear that borders are nothing short of artificial creations.

This study has identified two categories of smugglers who participate in the Lagos-Cotonou cross-border trade. The first category includes those whose activities are largely invisible to the uninformed because the smugglers (as individuals) do not have social, political or economic identities to mark them out in the community where they do business. In short, members of this category are “on their own,” and some of them are known to have mastered the business of smuggling without belonging to any group or association. As one member of this group boasted “I deal directly with senior customs officers, and they tell me when to move and when not to move.”²² On the other hand, the second category refers to members of named groups or associations in which distinct identities, not as smugglers—but as motor-vehicle importers—are maintained in the eyes of the members of the public. Such separate

identities in this way become active forces in the historical evolution of smuggling activities in the areas being studied. It is extremely difficult to get detailed and accurate information on the activities of smugglers from their motor-vehicle dealers' associations and unions existing in some parts of the Lagos mainland. The associations exist in various locations in Lagos, like Agege, Ikeja, Ikorodu, etc. In other words, they exist as independent entities, even though their activities are very similar in nature. One well known case –study is that of Agege, Lagos . Members of the Motor-vehicles Dealers' Association of Agege, Lagos, bring in motor-vehicles of all kinds from Cotonou into Nigeria. Of course, some of the motor-vehicles traded on by members of this association are brought in without contravening any laws in the Republic of Benin and the Federal Republic of Nigeria. Yet, it is true that most of the vehicles they deal on (mostly cars) are smuggled in through the border in order to gain from a zero or lower rate of duty. Some members of this group have their trading outfits formally registered in Nigeria, with offices in Lagos and else where (say, Owerri) and formally employing staff, some of who are apprentices.

Investigations into the activities of the Agege association reveal that members meet on the last Sunday of every month. The day-to-day running of the association is left in the hands of the executive members led by the chairman and his secretary. Money for running the association is raised through members' dues and pre-registration fees, levies, fines and donations.²³ Evidence is glaring that the social, political and economic protection of the “business interest” of members is intrinsic to

the association's economic and social relations.

The major difference between individual smugglers who fall under the "one-man squad" category earlier mentioned and the associational members is the preference for individual solutions. For the association, solidarity among members especially in times of distress, cultivating links with influential people and using money, where necessary, to get members out of problematic situations are known features. Collusion with border-town traditional authorities and state officials were found to be other effective strategies used in protecting the interest of members.²⁴

Historically, the Agege Motor-vehicle Dealers' Association is known to have been formed as an interest group to ensure the security of members in the face of government crackdown. Because it was formed for the greater interest of members in collective forms of protection, the association displays a high degree of secrecy and, at its executive membership level, a resistance to any research into their activities. All that one is left to work on are pieces of evidence garnered from hardly cooperating members, who insisted on anonymity. In the first place, it is obvious that some of those who are part and parcel of this association are prominent Nigerian personalities. But, why not? Used motor-vehicles of eight years old and above remain banned in Nigeria, and bringing such vehicles into Nigeria is an increasingly lucrative business in the face of declining consumer purchasing power in a country teeming with populations. Therefore, the association formed by members in this line of business is intended to be used not only for the protection of members, but also as a means to control entry. There is

evidence to show that motor-vehicles brought in by non-members of the association who engage in the business are often seized as they sometimes get reported to the Nigerian security services by the association itself (acting as an informant).²⁵ This “dog eat dog” action illustrates the fact of complicity in relations among smugglers, and between smugglers and government officials. On a number of occasions, the executive members negotiate with officers of the Nigeria Customs Service, quite apart from paying courtesy calls on traditional authorities, and engaging in some infrastructural improvements in border communities. It is obvious, however, that the interest of this association is geared more towards the protection (than the legalization) of the activities of its members.

Yet, officers and men of the Nigeria Customs Service and other security officers know too well that “smugglers have no permanent friends and no permanent route of operation”.²⁶ They move their operation at times from high risk routes to low risk routes where they may not be easily identified. As one informant volunteered, “once we notice concentration and high handedness of officers in a location, we move to where we may not be suspected or disturbed. At times we fight them back when they confront us”.²⁷ Thus, the relationship between the motor-vehicle dealers’/smugglers’ association discussed above with Nigerian state officials is based on both collusion and on opposition.

Conclusion: on the Paradox of Smuggling

In 2004, a state university in the eastern part of Nigeria officially contracted a prominent member of the Agege Motor-vehicle Dealers Association to supply some eight fairly used cars to the institution. Obviously, the state university was applying a high sense of economic wisdom by trying to maximize resources in the face of declining purchasing power occasioned by poor state funding of education. The vehicles later used as official cars have since continued to serve the institution, in spite of frequent breakdowns and high maintenance costs^{.28}

At a glance, one can deduce from the above business transaction that smuggling, despite its negative connotations, helps to generate an interesting interplay between formal and informal business activities, thereby blurring the lines between formality and informality. But, then, is smuggling developmental? From a general state perspective, smuggling is not developmental: the state is deprived of essential revenue, of course. But, from an individual point of view, a good number of used motor-vehicle smugglers in Nigeria have accumulated large capital through smuggling, with some of them taking costly chieftaincy titles. Some have gone into politics and have become successful politicians.²⁹ Illegal importation of contraband goods, is, accordingly, held as a major technique “to exploit opportunities offered by the state and to gain access to the profits generated by operating between the local and international sector” (a la Hibou). This has to be so in the context of a

country where the post-colonial state has essentially been authoritarian, personalized and absolutist in the exercise of power. The ruling elites of Nigeria who patrimonialized state power in the post-independence epoch failed to sustain the “social contract” of development and national unity. Instead, in the past 40 years, Nigeria has witnessed more poverty, collapsing infrastructures, indebtedness, instability and underdevelopment. The imposition of structural adjustment programs by government in the 1980s has not solved the socioeconomic crises of the Nigerian state. Rather, economic reforms have only exacerbated unemployment. Further more, with a decline in the capacity and legitimacy of the post-colonial state to deliver social services to the populace, coupled with the rural and urban poverty unleashed through economic adjustment, illegal informal activities, like cross-border smuggling, mushroomed, becoming central in a state where “everybody is looking for his or her own share of the national cake.”³⁰ It is a fact that, the cost of crossing a border in Africa can be very high; yet, trans-border operators from the Nigerian informal sector seem ever-ready to weather the storm! Accustomed to, and toughened by, the harsh conditions imposed on them by the political-economy of Nigeria, especially in the years of military dictatorship, quick to react to local and international demand for trade goods (whatever these were), and undeterred by the insecurity of the time nor by the distance, many itinerant informal sector stakeholders were generally inclined to become cross-border smugglers. But, by the same token, they were also on the alert for other ways to exploit the border frontier—an important meeting

point of the domestic and international economy. The point being made here is that, despite the profound difficulties the majority of African informal sector workers face in piecing together livelihood on a daily basis, significant efforts—even through unconventional means—are made to engage the border as a resource for reaching and operating at the level of “the international economy.”

The search for an excellent economic performance and social stability led African leaders to seek integration and/or cooperation among their countries, thus leading to the formation of regional organizations, such as ECOWAS. While ECOWAS, for example, is a manifestation of the awareness of West African countries that they cannot reduce poverty and external dependency without coming together, Motor-Vehicle Dealers’ Associations are, at the level of civil society, a manifestation of the common-sense awareness of the Nigerian informal sector operators (in the business of bringing used motor-vehicles both lawfully and unlawfully into the country) that, to succeed, they also have to hold hands together.

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19 This informant insisted on anonymity, and this writer promised to oblige.

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22 Oral Interview with a prominent Agege-based (Lagos) Cross-border motor-vehicle dealer, who pleaded anonymity, July 12, 2010.

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Cross-Border Cooperation between Niger and Nigeria: Opportunities and Challenges for the Maradi Micro-Region in West Africa

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Abstract

Within Africa, renewed interest is being shown in sub-regional integration and West Africa is no exception. Micro-regions act as a microcosm and an entry point to the study of regionalism in Africa. This paper presents the case of a “micro-region” developing within the broader Benin-Niger-Nigeria border-zone. The study illustrates that cross-border cooperation is the driver and engine of regional integration, a kind of regional cooperation transcending the micro-region itself with a variety of integrative trends. The distinctive characteristic of the Maradi-Katsina-Kano micro-region is the promotion of regional trade beyond the borders of Niger and Nigeria. It contends that formal borders either essentially does not exist in the Westphalian sense, being ignored by actors such as local populations and traders, or strategically used by representatives of the state to extract resources and rents. The dynamism of this “micro-initiative” tends to cement peaceful relationships, develop social and economic interdependencies, and make up a base for “regional civil society”. Even though there is an increasing awareness by politicians and institutional leaders that micro-regional processes should be encouraged and included in the regional integration process, there is still a long way to go before the top-down and state-led macro-regional policies are synchronised with such micro-regional dynamics.

Introduction

The importance of micro-regionalisation phenomenon in Africa, a topic increasingly more relevant as globalisation intensifies and regional co-operation becomes crucial for countries to cope with competition for trade, investment and markets, has during the last decade been increasingly stressed. The study of micro-regionalism in Africa is anticipated to provide us with a clear understanding on how local communities regard regional initiatives “on the ground”- and how such actors create their own initiatives (Söderbaum and Taylor, 2007). Even though the African continent has not missed out on the number of such micro-regions which are currently reconfiguring the world (Breslin and Hook, 2002), and emerging from below, more than from above, the attention given to the study of micro-regionalism in Africa in general and West Africa in particular does not reflect the policy and scholarly importance of this emerging phenomenon, especially with the backdrop that, the state-led, formal regional integration efforts has yet to reposition Africa to be an active participant in the global environment. In contrast to a great deal of previous research on regionalism in Africa, this study is not interested in such rhetorical accounts, but rather favour an approach that looks at African regions *as they actually are*. In doing so, we follow Chabal and Daloz (1999) in their attempts to look at Africa as it really is, rather than how perhaps pre-conceived mores tell us how it should be. It is the neglect of this emerging dynamism, and form of regionalism, which fits well into the new wave of regionalism that motivates this study. As Söderbaum and Taylor (2007) notes, “the neglect of micro-regionalism in the study of Africa is unfortunate, since it is perhaps the form of regionalism most beholden to “real” “African” processes on the ground but also reflects in detail some of the processes occurring at higher levels or scales’.

This paper aims to use the case of Maradi micro-region in West Africa to spell out more clearly and to show how micro-regions are enhancing regional trade, and social cooperation beyond their borders, while at the same time problematising the phenomenon of micro-regionalism in West Africa. The analysis is based on qualitative interviews, with cross-border traders, civil society organisations, border security operatives, and key actors within the regions, as well as literature studies¹.

¹ Fieldwork in the Maradi-Micro Region was conducted in April-May, 2009, October-February 2010, and April-May 2010. Eighty qualitative interviews with cross-border traders and Niger/Nigerian officials were carried out, as well as 25 interviews with politicians, religious leaders, media representatives, and key other actors. The interview were open-ended and aimed to

Regionalism: Towards a Conceptual Clarification

Regionalism and Regionalisation

The concept of a 'region' has been given various theoretical interpretations as its scope permeates through various fields of human endeavour. There is therefore no single definition of this concept due to different use of the term depending on discipline and context. Even though the concept tends to refer to a variety of phenomena, there is a fundamental understanding of region that can be summarised as *interplay between actors and institutions within a given geographical area*. The literature on regionalism and regionalisation has identified four different conceptions of a region: territorial delimitation, scope or purpose of regional cooperation, regional governance, and territorial level.

However, in a broad perspective, regions can be differentiated in terms of social cohesiveness (ethnicity, race, language, religion, culture, history, consciousness of a common heritage), economic cohesiveness (trade patterns, economic complementarity), political cohesiveness (regime type, ideology) and organisational cohesiveness (existence of formal regional institutions) (Hurrell, 1995: 38). Such parsimonious attempts at definition seem have come to an end. Today, researchers acknowledge the fact that there are no 'natural' regions: definitions of a 'region' vary according to the particular problem or question under investigation. Moreover, it is widely accepted that it is how political actors perceive and interpret the idea of a region and notions of 'regionness' that is critical: all regions are socially constructed and hence politically contested.

It is however very important that a region should not be simplistically mixed up with a particular regional organisation. The organisation tries to shape what it defines as 'its' region by promoting cooperation among states and other actors, which is possible to the extent that a genuine experience of shared interests in a shared political community exists - that the region is 'real' and not only 'formal'. Regional integration belongs to an earlier discourse, primarily related to a spiralling translocal market integration (thus including the building of national markets as well). Regional integration as a translocal process, simply defined in terms of market factors, has occurred over a long period of time (Mattli, 1999). The concept of integration can also be made more or less complex. According to Joseph Nye, the concept of integration groups too many disparate phenomena to be helpful, and should therefore be broken down into economic integration (the formation of a transnational economy), social integration (the formation of a transnational society) and political integration (the formation of a transnational political system). Regional cooperation is somewhat less complex and normally refers to joint efforts by states to solve specific problems. Ernst B. Haas defined the concept as follows:

'regional cooperation is a vague term covering any interstate activity with less than universal participation designed to meet commonly experienced need' (1958:16). Andrew Axline asserted that *'regional cooperation can only be understood from the perspective of the national interests of the individual member states, and that the politics of regional negotiations will involve accommodating these interests for all partners'* (1994: 217).

Regional integration is, in contrast, normally taken to imply some change in terms of sovereignty. According to Haas (1970: 610), 'the study of regional integration is concerned with explaining how and why states cease to be wholly sovereign'. Regionalism and regionalisation are two more recent concepts relevant to our study, and much effort has been devoted to the distinction between them. Regionalism refers to a tendency and a political

bring out different descriptions and definitions of "micro-regionalism" in the Maradi-Micro Region, as well as encourage the interviewees to spell out their views of the role, impact, and problems of various actors in the micro-regional activities.

commitment to organise the world in terms of regions; more narrowly, the concept refers to a specific regional project. In some definitions the actors behind this political commitment are states; in other definitions the actors are not confined to states. According to Anthony Payne and Andrew Gamble, 'regionalism is a state-led or states-led project designed to reorganise a particular regional space along defined economic and political lines' (1996:2). They go on in their pioneering book to say that 'regionalism is seen as something that is being constructed, and constantly reconstructed, by collective human action², which sounds like a more comprehensive view as far as agency is concerned (Söderbaum and Shaw, 2003). Other authors find it difficult to confine the regionalism project to states. Helge Hveem also makes a firm distinction between regionalism and regionalisation, but talks about 'an identifiable group of actors' trying to realize the project (Hveem, 2003). Andrew Hurrell argues that the concept regionalism contains five varieties: regionalisation (informal integration), identity, interstate cooperation, state-led integration and cohesion. Sometimes, particularly in a neoliberal discourse, regionalism is identified with protectionism, normally with (worried) reference to the rise of economic nationalism in secluded regional markets in the interwar period (Hurrell, 1995).

On the other hand, regionalisation refers to the more complex processes of forming regions; whether these are consciously planned or caused by spontaneous processes is not agreed upon by all authors. It is of course right to argue that, they can emerge by either means. More recently, the concept of region-building (in analogy with nation-building) has been employed to signify 'the ideas, dynamics and means that contribute to changing a geographical area into a politically-constructed community' (du Rocher and Fort, 2005: xi). Neumann (2003) in particular has developed a region-building approach, which he himself terms 'poststructural' and which sees the region as born in discourse on 'inside and outside'. The enlargement of Europe, particularly the current debate on Turkey's inclusion or exclusion, provides a rich source for this kind of analysis.

Following from the above discussions, it will be important to distinguish between the two main waves of regionalism, and the context in which they emerged. The 'old' regionalism, also known as 'first wave' regionalism, emerged in the 1950s and stagnated in the 1970s (Hettne and Söderbaum, 2000:457), while the 'new' regionalism came on the stage around the 1980s. There are certainly salient differences between the old and new regionalisms which are relevant for the present study. Whereas the old regionalism was imposed 'from above', focused on economic and security imperatives, and was dominated by states as main actors, the new regionalism is not solely driven by the state but also involves many other institutions, organisations, and movements (Hettne, 1999: xvii). The new regionalism places a strong emphasis on a market-led strategy of regional integration, conceived as complementary to structural adjustment. This involves a shift in orientation from protection to liberalisation, and from centralised bureaucratic regionalist institutions to a more decentralised approach grounded in popular support and private sector initiative (Daddieh, 1993:2ff; Bach, 1997:81; Lavergne and Daddieh, 1997:107).

In the context of sub-Saharan Africa, this new approach to regional integration has taken particular inspiration from the widespread operation of informal cross-border trading activities, which have succeeded in affecting extensive market integration where state-led initiatives have failed (Hashim and Meagher, 1999). Moreover, some commentators have

² The first mentioned definition is called 'deliberately straightforward' in Anthony Payne, 'Rethinking development inside international political economy', in: Anthony Payne (ed.), *The New Regional Politics of Development* (Palgrave, 2004), p. 16.14]

noted that formal integration initiatives have been severely weakened by structural adjustment, owing to the pressures of mounting crisis, constraints on state spending, the liberalisation of trade policies, and a proliferation of semi-official road-blocks and brigand as civilians and officials alike resort to informal means of income generation under the pressures of increasing economic austerity (Daddieh, 1993:13; Herrera, 1995:148). By contrast, the same economic environment appears to have resulted in a flourishing of cross-border cooperation, even against the predictions of the architects of adjustments (Hashim and Meagher, 1999:5).

Micro-Regionalism

Micro-regions are political constructions under the state level of analysis that have a legal, political, economic or cultural singularity and which may or may not fall into the legal borders of a state (Tavares, 2004a:21; b) Söderbaum and Taylor (2003) agree that they are often constituted by “a network of transactions and collaboration across national boundaries, which may very well emerge as an alternative or in opposition to the challenged state, as well as to formal state regionalisms”. Micro-regions take different forms: distinct identity or ethnic regions, economic zones, growth triangles and polygons, development corridors, administrative regions, transfrontier growth areas, spatial development initiatives or fully - fledged regional governments (Keating and Loughlin, 1997; Breslin and Hook, 2002; Perkmann and Sum, 2002).

In Africa, the autonomisation of micro-regions is a market-driven process and carried out, with the tolerance of central governments, in an informal and little institutionalised way (Breslin and Hook, 2002; Mittelman, 2000; Kalam, 2001; Söderbaum and Taylor, 2003). These processes have been on the rise since the failure of the structural adjustments programmes to leapfrog Africa from its marginalised position. This study intends to present the case of a “micro-region” developing within the Kano-Katsina-Maradi region.

Theoretical Frame of Reference

Our theoretical framework is informed by the literature on the political economy of regional cross-border cooperation referred to as the ‘New Regionalisms Approach’ (NRA) (Grant and Söderbaum, 2003; Söderbaum and Shaw, 2003; Hettne and Söderbaum, 2000). The NRA takes the *region* to be an especially important level of analysis. Moreover, the NRA seeks to emphasise the importance of non-state actors and the informal sector in relation to state actors and formal structures as they relate to matters of political economy and governance. The works of Iheduru (2003), Bach (2003), and Bøås (2003) on the NRA in the African context are particularly helpful in drawing our attention to the dynamics between regionalism and regionalisation from ‘above’ (i.e., state-directed) on the one hand, and from ‘below’ (i.e., non-state forces) on the other. Although the Economic Community of West African States (ECOWAS) is known as state-directed initiatives to promote formal regionalisation and economic integration in West Africa, most economic transactions and trade conduits are autonomous from the state (Iheduru 2003: 58-59). Many of these cross-border commercial conduits and networks are based on ethnic ties from ‘below’. Since its inception in scholarly circles in the late-1990s (Bach 1999, Hettne et al., 1999, Hettne 1999, Bøås et al. 1999, Hettne and Söderbaum 1998), the NRA has tended to be a social scientific analytical tool.

The NRA is connected with a broader theoretical debate within the field of International Political Economy, and can be understood within the broader tradition of critical, reflectivist or “new” IPE and the effort to transcend and challenge “problem-solving” mainstream theories. The NRA is founded on the necessity to “unpack” the nature of the state, avoiding the Western conceptions of the state inherent in mainstream theorising in the field- be it neo-realism, institutionalism and/or economic integration theory. In doing so,

NRA critically assesses state-society complexes in the formation of regions and opens up for a broad and deep interdisciplinary, critical/reflectivist understanding of what characterises regionalism and regionalisation in various parts of the world. The NRA looks beyond state-centrism. This approach sees regionalism as a more comprehensive and dynamic process than inter-state action. States are not the only regionalising actors, and market, civil society- as well as external actors- are deeply involved in processes of regionalisation, including its political dimensions. Rather than separating actors into perceived “autonomous” groups of actors, the NRA suggests that actors will be grouped in- formal or informal—multi-actor collectivities (networks and modes of governance). The NRA will therefore serve as a useful guide in terms of understanding the theoretical aspects of Maradi micro region as a flexible and “people-centred” cross-border cooperation effort in West Africa, and the region-building strategies adopted by local communities.

The Maradi Micro Region: An Historical Perspective

It is currently fashionable to emphasise the pre-colonial origins of cross border cooperation, particularly, cross border trade. Studies of the origins of cross-border trading circuits have contributed greatly to our understanding of factors underlying the development of cross-border trading activities developed so rapidly in some areas of the continent such as West Africa, and not in others. The focus on origins, as Hashim and Meagher (1999:22) have informed us, has also served as a range of ideological purposes related to the promotion of market liberalisation. As a result, analysis of historical origins of cross border trade frequently suffer what they call ‘primordial romanticism’ which tends, on the one hand, to gloss over important changes and discontinuities that have emerged in the structure of interregional trade under the impact of colonialism and post-colonial economic change and on the other hand fails to adequately establish the link between pre-colonial trading structures and the increased cross-border cooperation in the 21st century.

Trémolières (2007:8) argued that West Africa is a patchwork of regional, sub-regional and micro-regional structures. Some of these are formal and dominated by states: the Economic Community of West African States (ECOWAS), West African Economic and Monetary Union (WAEMU), and the Permanent Inter-State Committee for Drought Control in the Sahel (CILSS). Others are evolving and changing continuously, depending on networks, urban centres, cross-border dynamics and economic activities. The Maradi-Katsina-Kano micro-region is one of these patchwork aimed at promoting regional trade beyond the borders of Niger and Nigeria. The micro-region is characterised by both formal and informal relations, motivated by economic purposes and created through local level dynamics “from below”. It can thus be classified as an ‘active cross border area’ (Igue and Sole, 1993). This typology refers to “traffic and passage corridors” with activities insufficiently developed to “structure” the area. Trémolières (2007:8) agrees that this is the most common type of micro-region in Africa, regrouping areas that share the same colonial and political traditions of economic development, for example Francophone Sahelian countries.

The Maradi–Katsina–Kano route is located within the *Kasar Hausa* (Hausa territory) zone. In her influential work on the Maradi micro-regional initiative, Trémolières (2007) argued, this area has been subject to a continuous process of deconstruction and (re-) construction, borne along by the social, economic and political changes it has undergone. She further notes that, Hausa territory was confined to the area under the direct control of the seven pre-colonial Hausa states. It later expanded with the extension of the Sokoto Caliphate and, thanks to the dynamism of the language, has even led to the incorporation of certain non-Hausa ethnic groups located along its northern, southern, eastern and western borders. The territory therefore extends from the Tillaberi-Dakoro-Nguigmi line in the north to the

northern foothills of the Jos plateau in the south, and from the frontiers of the ancient Bornu to the Niger valley to the east and west.

This area is located in a tropical zone with a low altitude of generally less than 300m. The micro-region is heavily influenced by the rainy season, on which its primary production depends. The latter is utterly central to the extensive trade that exists within the area and beyond. The average annual rainfall there varies between 500 and 800 mm, increasing from north to south; Kano receives 120–130 days of rain while Katsina and Sokoto have a dozen or so days or less. The region's weather cycle is governed by two seasons: the rainy season, between May and September, and a dry season for the rest of the year. Caught between the Sahel ecological zone and the Guinean savannah, the region combines a Sahelo-Sudanese and Sudanese climate and is an area that is conducive to high agricultural production, such as cereals, peanuts and cotton, when climatic conditions are favourable. It is also an area favoured by pastoral and nomadic communities.

The Maradi micro region is believed to have its roots in the historical development of the Hausa feudalistic states. The Hausa civilisation is believed to have developed between the seventh and eleventh centuries with the growing influx of continuously mobile populations in the central Sahel. Historians attest to the antiquity of the presence of Kanuri, Gobirawa, Alozinawa, Wangarawa, Larabawa, Kabawa and other peoples in this area. Since the twelfth century, Peul (Fulani) cattle-breeders have been migrating to summer (Abdoul and Trémolières, 2007:24-25) pastures, settling in Hausa territory as clerks, marabouts and advisers to Hausa sovereigns. These neighbourly relations have led to extensive social and cultural interpenetration. Moreover, the rise in population density due to these migrations has been an important factor for the development of economic activities. The history of the Hausa city-states is closely linked to trans-Saharan trade and the Islamisation of western and central Sudan. These cities were located at the southernmost point of the caravan routes linking North Africa and the Mediterranean region with the afforested African interior. Land routes across the Sahara have been used for many centuries to transport goods (millet, salt, gold, slaves, kola)³ and they have played a major role³ in the organisation of space, even influencing human settlement choices. Long-distance trade routes linking the coastal forest area with the Niger bend cities and with Hausa land developed at an early date, Mande Dyula dominating these trade routes. A number of villages in the Maradi valley, those in the Gabi valley, as well as several cities in northern Katsina were incorporated in the trans-Saharan economic system, as they were connected through the major trade routes.

Kano City was for many centuries an important terminal of trans-Saharan trade routes. It was also an industrial centre for cotton weaving and dyeing, tanning and leather work. The city was surrounded by an area of permanently cultivated fields of food crops and cotton. Its indigenous population has always been mainly Hausa with some Fulani settlement and intermixture. In the early nineteenth century, the ruling Hausa dynasty was overthrown by a flag-bearer of the Fulani *Shehu* Usman dan Fodio, who had launched a *jihad* against the Hausa states for their failure to follow Islamic law. This flag bearer became the Emir of Kano, with Kano as the biggest state within the Caliphate of Sokoto. After successful campaigns, other flag-bearers became emirs of other Hausa states, including Katsina and Daura, which border what are now Zinder and Maradi Departments of Niger. The former Hausa leaders took refuge in Zinder and Maradi, and fighting continued between them and the new Fulani emirs of Katsina and Kano up to the arrival of the British and French. Border areas in consequence became depopulated.

³ Trémolière (2007) study of the region agrees that these trade relations also promoted the spread of ideas, which is how Islam reached Western and Central Sudan. The impact of Islamisation was so strong that Kano and Katsina gained fame as cities that exerted a strong intellectual and cultural influence on the Islamic world.

In the eleventh century, Hausa city-states such as Kano, Katsina and Gobir were fortified towns within which the caravan trade developed, alongside extensive weaving, dyeing and leather manufacturing activities. They were also major trading centres for cereals (millet and sorghum), cotton and sugarcane, which were produced in the hinterland. Commercial activities were organised into corporations that were self-regulatory and collected taxes. Tax income was submitted to the *Sarki* (traditional chiefs from Niger) as a pledge of loyalty; in return, the latter guaranteed the freedom and safety of trade.

The *Kano Chronicle*, a collection of traditions about the early history of Kano provides information on the beginning of state-formation among the Hausa. During the 13th and 14th centuries, small city-states developed, each centred on a walled city or *birni*. States grew up around these cities which served as centres of administration, as places of refuge in times of danger, as main markets for local trade and as centres of long-distance trade. By the 15th century several of the small Hausa city-states had developed into strong kingdoms with trade links south and south-west across the Niger to the coastal state and north to link in with the trans-Saharan trade. During the late 14th and the 15th centuries, Islam reached the Hausa states from both Borno to the east and the Niger bend area to the West. With Islam came literacy and new ideas about justice, taxation and methods of government, all of which assisted the process of state formation (Thatcher, 1980:18).

Mohamane (1993) refers to the administrative grid of this region as based on a very elaborate system with distinct, specific functions. Thus, ‘the existence of the posts of *Tafarki* (security guard along trade routes), *Madugu* (head caravanner), *Sarunan Sana’*a (trade chiefs), *Kofa* (city gate guards), and different industrial and artisanal activities leaves no doubts about the contribution of trade to the state’s and administration’s revenues’. This body of officials oversaw the proper functioning of the administration and the safety of economic activities and trade.

The Maradi region, extending from Kano, Katsina to Maradi, therefore came to be known for its strong sense of “a yearning for community” and “a sense of belonging to a community or a society’s common project”. Even before the incursion of colonialism and imperialism on the African continent, the Hausa-Fulani, with its centralised political system had shown a cohesive and decisive leadership and followership. The leaders of this region were devout Muslims who placed great emphasis on spreading and improving Islam. The religion’s connection with the wealth of the trans-Saharan trade and with the civilization of North Africa must have obviously added to its appeal. Moreover, to the rulers of this empire support for Islam provided many benefits: it meant the support of the influential Muslim communities in the cities, some unity between members of different people and the backing of Islamic political theory which stressed the obligation of the obedience to a just ruler. This became the strongest unifying factor within the region.

Under the authority of the Songhai and the Borno empire, the Hausa city-states, despite their political instability, were able to retain their territorial integrity and a very strong cultural unity. The Moroccan invasion of Songhai in the 1590s and the resultant chaos in the Niger bend area greatly benefitted Hausaland. The Tripoli-Ghat-Air-Hausaland trans-Saharan trade route became more important than the routes areas and the Hausa cities, especially Katsina and Kano, replaced the Niger bend cities as the major centres of trade and Islam in the Western Sudan (Thatcher, 1980:19).

However, as Trémolières (2007) notes, their structural stability was, however, put to a severe test by a series of particularly harsh droughts in the seventeenth and the eighteenth

centuries. The length of the famines and the social crises that followed created a feeling of discontent among the people, who made the most of the Peul Muslim reformists under the guidance of Usman dan Fodio. The *Jihad* or holy war that he initiated from 1804-08 led to the submission of the Hausa States: Zamfara, Kebbi, Katsina, Kano, Zaria, Alkalawa and Birnin Gazarganu. This led to the emergence of a Sokoto Caliphate, in the form of a confederation of several Emirates, which agreed to place themselves under the suzerainty of the Caliph⁴.

The British signed a treaty with the Sultan in 1885, with the aim of persuading the Peul and Hausa chiefs to recognise the British protectorate of the Sokoto Caliphate's Emirates⁵. The caliphate already possessed a highly developed and efficient system of administration headed by the emirs, and the British believed, and they were right, that if they control the emirs, they will in turn control their subjects. However, it was not until 1903, after the capitulation of Borno, that the British planned the military conquest of Sokoto and Kano. The protectorate was established over Hausa territory and most executive and legislative powers were vested with its High Commissioner. Practically the entire traditional chain of command was 'assigned' to the level of low-ranking officers in the colonial order. The system of "indirect rule" that was set up nonetheless enabled the chiefdoms to retain a fair amount of autonomy and an ascendancy over people and goods that they still exert to this day. In fact, they enjoyed legal prerogatives in certain matters, such as divorces, disputes, debts, and the freeing of slaves, in the light of Islamic law (i.e. *Sharia*).

As far as possible, colonial policies avoided questioning the traditional and Islamic values followed in the former Sokoto Caliphate and its various Emirates. Trémolières (2007) is right in her remarks that, indirect rule played a role in strengthening the Hausa-Fulani domination and identity in northern Nigeria, with Hausa recognised as an official language. Additionally, under the British colonizers, the north underwent rapid economic development, in particular with the construction of the railways in 1912, which transported cash crops (peanuts and cotton) to ports along the Atlantic coast. Yet, the British were wrong in their belief that the African society was static and unchanging. This fact explains their policy to allow northern Nigeria to stagnate, and to deny western education to this region; a fact conditioning the low development of the region.

Today, the socio-cultural homogeneity of the *Hausa Kasar*, so reinforced by its population (although several peoples inhabit the territory, the Hausa are in the very large majority) and by Islam has a population of 50 million spread over an area of 1,500 km along the border between Niger and Nigeria makes the Maradi region an interesting case for micro-regionalisation. Hausa, which has very few dialectal variations, is the most commonly spoken language in black Africa. Here, more than in most other areas, the border is a flexible concept, or rather promotes a highly functioning cross-border dynamic. The complementarity of production systems between the north – most suited to livestock farming- and the arable south of the *Hausa Kasar* has long spurred considerable trade flows between the two regions.

⁴ The Caliph was the head of the Caliphate, and was regarded as the Commander of the Believers.

⁵ Trémolières (2007) argues that it was during this period that Hausa territory was divided between the French and the British. The former colonised Niger and the latter, Nigeria. In spite of this division, Peul-Hausa solidarity remained constant. In fact, it was to do away with the strong influence of the Hausa community in Zinder and to weaken the influence of the prosperous and highly populated northern Nigeria that the French administration chose to relocate the colony's headquarters from Zinder to Niamey in 1921. By doing so, it believed it would restore the balance of economic and, above all, local political power. For further discussion, see Trémolière (2007) and Abdoul and Trémolières (2007).

The Kano-Katsina-Maradi Cross-Border Framework

Border zones are the *front lines* of regional economic goal. There are numerous day-to-day obstacles and constraints which still hinder West African cooperation and integration despite existing community texts on free movement of goods and persons and the right to establishment. These zones also suffer the consequences of the disparities between national economic policies and are often marginalised in the implementation of sectoral policies concerning transportation, electricity, access to education and health services. They are subject to a purely national notion of how economic sectors should be managed. While these sectors have enormous potential, the development of this potential is hindered due to this cross-border situation. The discrepancies of national systems manifest themselves in border areas. Achieving local integration, based for example on community homogeneity and economic complementarities, constitutes the first step of regional integration (Cross-border Initiative in the area of Kano-Katsina-Maradi, 2007).

According to the Cross-border Initiative in the area of Kano-Katsina-Maradi (2007:7-8), border zones are particularly vulnerable in periods of instability. Conflicts are not initiated in these areas but their consequences often manifest there: refugee flows, circulation of armed groups, illicit trafficking of merchandise and resources. As trade zones, they are also havens where fleeing populations are protected and economies of war develop.

The role played by local initiatives (NGOs and civil society) in conflict prevention for stability and socio-economic development of cross-border areas is presently commonly accepted. Organised nationally and lacking human, financial and logistical resources, law enforcement agencies see their intervention capacity restricted by the limitation of their prerogatives within national boundaries. The initiatives taken within the framework of peace committees or other traditional or associative types of organisations are mostly favourably perceived by the authorities. Far from being in competition with the authorities, these initiatives in fact broaden and complement their intervention. In addition to their essential peace-keeping function in border areas, these initiatives are genuine drivers of regional integration from the “bottom up”. By bringing together citizens of neighbouring countries on security issues, the initiative provides a framework conducive to the development of economic, social, and cultural cooperation among communities.

The ECOWAS Heads of State Conference held in Accra on 15 June 2007 had a strategic objective “*to move from an ECOWAS of States to an ECOWAS of people by 2020*”. Similarly, the ECOWAS Commission’s 2007-2010 Strategic Plan highlights the following objective: *for borders to be secure and fluid, to implement numerous cross-border cooperation projects between border populations*. The ECOWAS Commission has started pursuing this goal through the Cross-border Initiatives Programme (C.I.P.). It should be emphasised that the development of cross-border cooperation is one of the major areas of concentration in the “Migration and Development Action Plan” defined within the framework of an ECOWAS common approach on migration adopted at the Ministerial meeting on 14 June 2007 in Abuja. This Action Plan was submitted to the ECOWAS Heads of State Summit at the end of 2007. It stresses that:

Free movement within the ECOWAS zone is an essential component of regional integration which in itself is one of the conditions for better integration of the West African economy into globalisation. Furthermore, there is a correlation between the fluidity of circular migration and migratory pressure. In effect, this fluidity helps reduce migratory pressure on external ECOWAS zone borders.

To this end, the Action Plan highlights the need “*to be attentive to borders and cross-border areas and to create a Regional Cross-border Cooperation Fund to: 1) facilitate free movement through concrete actions such as setting up joint border posts, border markets, shared health centres and schools, etc.; 2) support border populations through local development actions aimed at the poorest and most marginalised populations; 3) to develop good neighbour relations anchored in realities on the ground between ECOWAS member States and between the ECOWAS zone and its neighbours.*”

The Maradi Region is one of the most intense West African trade corridors, the cross-border corridor from Kano in Northern Nigeria to Maradi in Southern Niger passing through Katsina (Northern Nigeria). The K²M initiative - as it is called - falls within the macro-regional framework as requested by ECOWAS member States. It is also in line with a specific local framework. The region is at the heart of the “*Kasar Hausa*” which covers an area of over 83 000 Km² with more than 50 million inhabitants, between Nigeria and Niger. The three towns make up one of the oldest trade corridors, open for centuries to the Gulf of Guinea, North Africa and the Middle East. Linked by age-old social and cultural links, very densely populated and having a compact urban network organised around the urban area of Kano, this area illustrates Nigeria’s influence on Niger’s economy along the 1500 km common border.

History, geography and strong demographic growth have created an urban canvas at the heart of the Hausa lands with no equivalent in the hinterland of West Africa. Urbanisation in this region, centred around the town of Kano, is testament to the genuine and significant process of change in the West African economy. Because of its historic status as a trading town, Kano has long been a dynamic place. But its population, as in other cities in West Africa, expanded most rapidly after 1960 [at an annual average of 6%] (Border Chronicles, October, 2004: 9).

As Nigeria's third city after Lagos and Ibadan, Kano covered an area of just 17km², at the beginning of the 20th century but has now spilled beyond the walls of the old town to cover 60 km², of which 48 km² are built up. The state of Kano, ranking 20th in the Nigerian federation in terms of area, is the second most populated state with more than six million inhabitants in 1996, a density of 500 inhabitants per square kilometer. The development of a network of secondary towns along the border between Niger and Nigeria has been supported by the existence of this large metropolis, the only inland city that can be compared to cities like Accra, Abidjan, etc. Half-way between Maradi and Kano, Katsina today is a medium-sized town of around 400,000 inhabitants. It is the capital of a state of six million people which, when added to the population of Kano state, forms a populated area of almost 15 million souls.

A little further north, Maradi, in Niger, is smaller but rapidly growing. Located at the heart of a much less densely populated area (around 60 inhabitants per km²), it has become a satellite of Kano. This hierarchical arrangement of rapidly expanding towns creates new production networks, even around relatively small towns like Maradi. Self-sufficient agriculture was the main agropastoral activity (apart from cash-crop production, especially cashew) in the Sahelian part of Niger, until the new type of a regional exchange economy did develop. Agricultural land has gradually been bought up by traders or urban economic actors and a new class of agricultural workers has emerged, made up of rural dwellers who no longer had the means to develop their land. The peasant economy is being monetised and in spite of the lack of a dense network of banking and financial institutions, integration of the peasant environment is speeding up thanks to the dynamism of Hausa traders and their

networks of brokers and the intra- and extra-regional ramifications which embrace all the regions circuits of economic activity.

Maradi's economy is focused on trade; processing industries are hardly developed and the old agro-food industrial units have closed. Today, industry is concentrated in the larger towns of Nigeria, Katsina and above all Kano are veritable clusters with food processing businesses, tanneries, textile, metallurgical, plastics and packaging factories and sugar refineries. Maradi's position within Niger is similar to that of Katsina in Nigeria – part of an urban system and a local economy absorbed by the mighty city of Kano. Transactions which take place along the border, and the hierarchy of urban economies within this local economy, are testament to *de facto* regional integration based upon the exploitation of economic opportunities and specialisation within a community - the Hausa community being the case in point.

Commercial trade in the Kano-Katsina-Maradi region is very intense. While cattle are brought from Niger, Nigerian cereals and manufactured products or indeed re-exported products to Nigeria abound. The development of trade relations between southern Niger and northern Nigeria stems from two major activities: trade in local products and transit. The flow of goods from Niger to Nigeria includes a type of string beans (*niébé*), Zulu nuts (*chufu*), gum arabic, cattle, leather and skins, commodities and manufactured goods from Lomé and Cotonou. Goods flowing in the other direction include cereals, other food products (pasta, corn meal, sugar, salt, yams, fruits, etc.), hydrocarbons, building materials and plastic products, both from Nigerian as well as international sources.

In keeping with a very old tradition, livestock trade occupies a very important position in trade relations between Niger and Nigeria. Nigeria's several million head of cattle constitute one of its biggest assets. The livestock sold in Nigeria is highly taxed, with animals taxed at 40 per cent of their market value, which tends to encourage the parallel market. Statistics refer to exports of 115,000 head of cattle, a figure that appears to be far below the actual numbers which are, in fact, traded. About 70 per cent of the Nigerian herd can be found in the northern part of the country, mostly in the Sahelian areas. The statistics for 2001 state there were 24.3 million goats, 20.5 million sheep and 19.8 million cattle (Atlas of Nigeria, 2002). In the savannah areas, where the vast majority of animals graze, cereal cultivation is of equal importance.

Nigeria produces 8,000,000 and 6,000,000 tons of sorghum and millet respectively. Niger's structural deficits in millet and sorghum are overcome by the surplus produced in northern Nigeria, which further binds the micro-region together. Endowed with a large cereal market, Kano is the hub for redistribution to households or other industries within the country, as well as in Niger. As compared to other regions in West Africa, it constitutes one of the main cereal reserves, combining the local potential of Maradi and Nigeria's scale of production and taking advantage of existing complementarities and seasonal differences.

The Maradi–Katsina–Kano route is distinguished by the development of a network of relatively dense secondary cities. Their population growth rates are high enough to stimulate agricultural production in the surrounding rural areas, including the Nigerian coast. The urban–rural network operates under the guidance of perfectly coordinated networks of economic players, from producers to wholesalers, and this has enabled cross-border trade to develop economically well beyond its limits, placing the micro-region in a regional and even international framework based on ancient, well-organised trade networks.

The concentration of trade around a dense network of markets goes back to the era of trans-Saharan trade in certain trading hubs, such as Zinder and Konni in Niger and Madaou, Illéla and Kamba in Nigeria. These focal markets attracted merchants from considerable distances as well as from surrounding areas, thanks to their links with a host of periodic markets, each covering a vast radius of several hundred sq km and forming supply centres and import–export hubs. In fact the entire Hausa territory is crisscrossed by a road network linking the main market and warehousing cities with transshipment points or villages where weekly markets are held. A market typology has been established, based on the specific functions of each market in the system as a whole.

- a. Harvest or pick-up markets located in the northern Nigerian production zones, i.e.: Bakori, Dandume, Danja, Tsiga, Sheme in Katsina State; Giwa, and Makarfi in Kaduna State; Sundu and Dawanu in Kano State.
- b. Grouping or consolidation markets: Kano, Kaduna, Zaria, Funtua, Gusau and Maiduguri.
- c. Transit or border markets, such as Jibia, Illela, Kamba, Maiadua, Maigatari Mubi, Kerawa, Baga and Malanville, which are the main markets of this type.
- d. End consumer markets such as Lagos, Cotonou, Niamey, Maradi, Zinder and N'Djamena and those in northern Cameroon (Trémolières, 2007).

Trémolières (2007) argues that over a hundred border markets can be found along the entire 1,500 km long border between Niger and Nigeria. Moreover, the recognised functions of a market do not preclude it from playing other roles. Jibia, for instance, is a transit market, but also a grouping market. It shares this dual role with other cereal markets in Katsina state, namely Dandume, Dutsinma, Charanchi, Yarganshi and Batsari. Customers come from Niamey to stock up at the border markets, whilst Guribi, Matameye and Madaou are harvest markets and markets for transit to other large urban centres in Nigeria.

The market and warehousing cities are connected with transshipment points or villages where weekly markets are held through three main routes, from west to east, such as the Konni–Illéla–Sokoto–Gusau–Zaria road, which continues toward southern Nigeria via Jos; the Maradi–Jibiya–Katsina route, which stretches as far as Kano, Zaria, Kaduna, Abuja and Lagos; and the Zinder–Matameye–Daura–Kazaure–Kano road. These main roads are in turn interconnected by secondary roads and several link roads, leading to villages in northern Nigeria and the agricultural areas. Thus, the road infrastructure favours the supply of food to urban centres, whilst the return journeys are used to bring manufactured goods to the most remote corners of Nigeria and Niger.

Irregular and low levels of rainfall have been responsible for the food crises in the region, the 2005 lean season in Niger being an extreme case. As a result, a joint field mission was carried out in May 2006 and strategic thinking was undertaken by the CILSS, FEWS NET, OCHA, SWAC, UNDP, UNICEF, WAMIS-Net, and WFP and an enlarged study on Niger-Nigeria-Chad-Cameroon by CILSS, FEWS NET, WFP and the University of California Berkeley. The May 2006 Summary Report examines the potential and issues of a cross-border cooperation initiative supported by local actors. The zone's circumstances have geared the CIP towards initiatives likely to:

- i. Contribute to the regional integration process by strengthening solidarities and economic and social cross-border activities;
- ii. Set up systems and integrated, concerted cross-border tools for the free movement of people, goods and capital;

- iii. Establish systems and concerted, integrated cross-border tools to monitor and manage food crises. For this initiative to succeed, at the workshop it was decided to proceed in stages starting off with “Phase 1” which would include:
- iv. Conceiving and implementing, through coordination and consultation, a harmonised food crop market information collection and dissemination system;
- v. Establishing a mechanism to improve, through coordination, the cross-border movement of goods and capital

On the other hand, local actors meeting in Katsina in September 2007 asked the Workshop organisers to draft components of a proposal for the implementation of Phase 1. This reference document should:

- i. Situate the K²M initiative within the overall issue of West African cross-border cooperation;
- ii. Recall the initiative’s technical and organisational structure;
- iii. Supplement this structure with implementation proposals and identify outstanding issues;
- iv. Put forward components of a technical, organisational and financial feasibility study of the K²M initiative.

The Maradi Micro Region: A Neo-liberal Agenda?

The making of the Maradi Region as a formal project is closely linked to attempts by state-business elites in Nigeria and Niger to tie into what they perceive as economic globalisation. The Niger-Nigeria Joint Commission for Cooperation as well as the ECOWAS is convinced that the Kano-Katsina-Maradi regional project remains among others, key micro-regional initiatives aimed at ensuring the ‘strategic global repositioning (SGR)’ of this sub-region, a formula coined by Richard Bernal, Jamaican ambassador to the USA during most of the 1990s. He advanced this concept in a series of presentations from 1996 onwards, defining it as:

a process of repositioning a country in the global economy and world affairs by implementing a strategic medium to long term plan formulated from continuous dialogue of the public service, private sector, academic community and the social sector. It involves proactive structural and institutional transformation (not adjustment) focussed on improvement and diversification of exports and international economic and political relations. Achieving SGR requires changes in both internal and external relations. (Bernal, 2000: 311).

How the developing world “fits” with globalisation, and how or in what way the non-core can benefit from globalisation is an intense area of debate. Thus far, it has been regional elites, with their own particular understanding of what globalisation is, that have largely set the agenda in response to perceived pressures. In Africa, the debate has been advanced by specific African leaders who have sought to craft a relationship with the North and promote a developmental agenda which is based largely along neo-liberal lines. The leaders of Algeria, Egypt, Nigeria, Senegal and South Africa have been at the forefront of this and their agenda was crystallised in Abuja, Nigeria on October 23, 2001, when the New Partnership for Africa’s Development (NEPAD) was launched (NEPAD, 2001). The message communicated by the NEPAD fits within the orthodox neo-liberal discourse and avoids blaming particular policies or global trade structures on Africa’s marginalisation but rather, if pushed, simply passes off the blame on “globalisation”. But even here, the document sees globalisation as providing glowing opportunities, with a statement arguing that:

The world has entered a new millennium in the midst of an economic revolution. This revolution could provide the context and means for Africa’s rejuvenation. While globalisation

has increased the cost of Africa's ability to compete, we hold that the advantages of an effectively managed integration present the best prospects for future economic prosperity and poverty reduction. (ibid,8).

Indeed, the policy options currently being pursued, as crystallised in the NEPAD seeks to press for increased access to the global market in a very similar fashion as the ECOWAS in general and the Niger-Nigeria Joint Commission for Cooperation in particular. Far from critically engaging with globalisation or even remotely interrogating it, the African elites promoting the NEPAD and ECOWAS projects are actually pushing for greater integration into the global capitalist order, but on renegotiated terms that favour externally oriented West African elites. The actual neo-liberal underpinnings of the global market are presumed to be sacrosanct. As Trevor Manuel, South Africa's finance minister asserted, *'there is a new resilience and a new will to succeed in the African continent. We in South Africa have called it a renaissance, a new vision of political and economic renewal. It takes the global competitive marketplace as point of departure'* (Manuel, 1998).

The point being made in this paper is that the form of macro-regionalisation as well as micro-regionalisation being currently promoted in West Africa is premised on an unquestioning belief that integration of their territories into the global economy is absolutely crucial and inevitable. The structural limitations of this are never probed as, it is apparent, "there is no alternative". However, as Cerny remarks, *'globalisation is driven not primarily by some inexorable economic process, but rather by politics: by ideology, by the actions, interactions and decisions of state actors, their private sector interlocutors and wider publics'* (Cerny, 1999: 159). Regarding such perceptions, the functions of the national scale both as a discrete unit of socioeconomic relations and as an organisational interface mediating between sub- and supra-national scales, has been eroded in the eyes of the national units' own elites. The desire amongst regional elites to locate a regional connectivity and regional identity appears of profound significance in citing tactical responses to globalisation. But, regionalisation should not be seen as a counter-reaction in the direction of regional autarkies. Instead, it delineates a consolidation of politico-economic spaces contesting with one another within the capitalist global economy. It is clear that there are no "natural" regions, and that regions have to be constructed.

That existing regionalist projects reflect the impulses of a neo-liberal world order is of a consequence of the environment within which regional elites find themselves *and perceive themselves to be in*. Although the proponents of the transnational ideology of globalisation seek to cast the world as having to adjust to a totalising tendency from which no one can escape globalisation is obviously asymmetrical and variegated and its impact upon different spatial entities varies. As such it takes advantage of, indeed exacerbates differences as much as, if not more than, it produces a uniform new world. In doing so, counter-reactions to, and space opened up by, such contradictions are generated.

Broadening Participation in the Maradi Regional Project: Local versus State Actors

Cross-border cooperation between Niger and Nigeria in the Maradi Region is placed within the confines of three levels of geographic development and consequently three types of actors. The first refers to local actors— those who promote local initiatives – are at the same time local representatives of the State, locally-elected officials and civil society in general (private operators, associations, etc.). The local actors have the responsibility to initiate cross-border cooperation projects as well as promote and implement proposals.

The second level of actors are the national actors, i.e., Central Government, which have a cardinal role (this involves notably the Ministries in charge of the National Boundary

Commission of Nigeria, the *Commission Nationale des Frontières* of Niger as well as the services dealing with food security in both countries) in the Kano-Katsina-Maradi region. In addition to facilitating local initiatives, these actors are providing the essential legitimacy to cross-border cooperation so that local actors can dialogue and cooperate. It is important that the States involved give their approval: thus the State is at the centre of the mechanism as well as being the political driver. Local cross-border cooperation initiatives strengthen the State's legitimacy with regard to regional construction by bringing together the populations in the regional integration process spurred on by State actors. The last type of actor is the Regional, multilateral (such as ECOWAS and the CILSS) and bilateral (such as the Niger-Nigeria Joint Commission for Cooperation). These actors are given a mandate by the States to build cooperation and regional integration (Cross-Border Diaries, 2008).

The implementation of a cross-border cooperation project should involve all of these actors. Within the regional cooperation framework, the State should provide political leadership while local actors guide the initiative.

The Maradi Micro Region: Formidable Constraints

The development of the *Hausa Kasar* as a formal micro-region has been compromised today by extensive smuggling activities, which are strengthened by the differences between Nigeria and its neighbours with regard to economic policy. While Togo, Benin and Niger have liberal import systems, since their tax revenues depend on re-exports to Nigeria, the latter tries to protect the development of its own production infrastructure. It has been extremely difficult to enforce ECOWAS rules which clarify that the free movement of goods is an asset. In 2005 for example, this rule was not respected by Nigeria which would not allow its cereals to be exported, while at the same time importing cereals from Niger. Informer cross-border trade has also played a central role in weakening fiscal capacity and monetary control of the states of the sub-region. Informal regional trade flows have contributed significantly to undermining the legitimacy and probity of the states. By providing lucrative incentives for corruption and rent seeking activities on the part of state officials, cross-border trading activities have encouraged policy distortions and the arbitrary use of state power. Trade between the two countries is primarily in agro-pastoral products such as grains, legumes and livestock (Collins, 1976), but "unofficial traders" also bring petroleum and farm-chemical products into Niger (Charlick, 1991). These activities, as Lewis (1999) and Boone (1994) suggest have played a central role in weakening incentives for productive investment within the Kano-Katsina-Maradi region.

Another challenge relates to the non-convertibility or partial convertibility of the naira. There are several levels on which the Naira's partial convertibility affects the movement of capital. Generally non-convertibility of a currency implies that this currency has no value outside its home country and thereby considerably reduces trade incentives and this in turn reduces capital movements. In theory that means with restricted convertibility, as is the case in Nigeria, there are less cross-border currency movements. However, based on emerging indications, there is considerable cross-border trade in the area and there are many good reasons to facilitate this trade. Problems regarding the movement of capital are very constraining in this respect. The problems cited are most often security issues. It is considerably risky for traders to go back to their country carrying cash money made by selling livestock because there is no system that allows them to easily transfer this money. Another issue is the dependence on the parallel market, first, the rate they get will surely be below the official exchange rate and second, they will have few possibilities to hedge against exchange rate fluctuations. Based on the evidence on the ground, it is correct to argue following Hashim and Meagher (1999:111-112) that, a development approach would not seek to eliminate the parallel currency market but to integrate it with the formal market. As WAPA

has shown, in any integration the parallel currency markets will be bringing with them experience and knowledge of customer service, flexibility, speed, ease, convenience and a knowledge of financial needs of ordinary people. Related to these two, is the problem of counterfeit money on the markets and the confidence crises that is engenders. To another extent but equally important is the ease at which you can do your business.

The Kano-Katsina-Maradi region shows a high degree of social and economic interconnectedness, be it formal/informal, legal/illegal. There however exist a massive trade imbalance, reflecting the overall imbalance between Nigeria and Niger. As Swatuk and Vale remark, 'the fiction of the Westphalian state system in [West] Africa contrasts with the lived reality on the ground: goods, people, resources, animals, and so forth continue to ignore these borders and to get along in spite of them' (Swatuk and Vale, 1999: 366).

Tremoliers (2007:30) has also identified the dodging of customs duties as a hinderance to regional integration in Maradi regional project. This practice goes back to the time before when borders were drawn and in which several specialized professions are involved- sponsors, informers and other couriers. Many traders began transporting goods across the border on foot. From taking a few jerry cans of petrol from Jibia to Dan Issa, on the Cotonou-Kano crossing, there has been a continuum of more or less lawful activities. However, as Tremoliers argued, the reality of small-time smuggling and its repression by customs departments should not minimize the existence of institutionalised smuggling, which involves much larger volumes and in which state officials are complicit. This is even more complicated as the fluidity and porous borders in addition to lean custom officials and infrastructure frustrate efforts at plugging the holes at the border.

Another distinctive challenge of this region relates to its low level of industrialisation, an albatross hanging on this region's neck. While the population of the *Hausa Kasar* provides it with considerable potential, the question of its regional future depends on its capacity to consolidate its industrial development in the face of competition from the world market. Another key impediment of the region stems from the fact that it is far from being competitive and actively participating in the global economy. The Organisation for Economic Co-operation and Development (OECD) defines competitiveness as "the degree to which a country can, under free and fair market conditions, produce goods and services which meet the test of international markets, while simultaneously maintaining and expanding the real incomes of its people over the long term" (<http://www.oecd.org>). How can this large and populous region survive the onslaught of globalisation without industrial development, with competitive goods, remains a serious question?

There is also the problem of the diverse ways the State manifest itself in this region. The state is perceived differently depending on whether one talks of the central administration or local representatives. As Tremoliers (2007:31) notes, "the latter often express themselves as local actors and perceive problems in the same way as other border actors, including traders and smugglers. They are often involved in dialogue and *de facto* cooperation with their counterparts working on the other side of the border. However, it is evidence that the local actors must be actively involved for the cross border cooperation to reach all its potential.

The Maradi Micro Region: A Window of Hope

The key prospects of the Kano-Katsina-Maradi region relates to the involvement of local actors, which have begun to build regional civil groups. A key initiative here has been the activities of the Economic Interest Group (EIG). Since 2001, with the urging of livestock breeders in Dakoro (Maradi region), an economic interest group (EIG) was established to

market livestock in Nigeria. Aware of the value added of their production created in Nigeria, the livestock breeders decided to organise a grouped marketing campaign aimed at Nigeria. The potential of a grassroots movement such as the EIG has been incredible. Livestock breeders were able to bring together more than 400 heads of cattle for the first transaction. They faced several problems very much linked to the three platforms developed at the Katsina workshop. First, they were not as capable in negotiations as the Nigerian traders, notably due to inexperience and lack of information on prices and quality. Secondly, the border crossing, where taxes are paid and sanitary controls carried out, was long and harassing. Finally, the movement of capital and the fluctuation of the exchange rate between the CFA Franc and the Naira was a problem. Nevertheless, with their first experience on the Jibya market in Nigeria under their belt, the livestock breeders agreed on a sales technique by seeking advice from their Nigerian partners (farmer platform) and obtaining information on prices. Through their intermediary, they met with customs services and Maradi *Governorat* in order to cut border crossing time as well as reduce taxes. Finally they negotiated with Ecobank Maradi and Ecobank Jibya to facilitate the transaction from one country to the other so as to avoid travelling with cash.

The Kano-Katsina-Maradi initiative is already emerging as a platform to address the food security challenges that pervade this region. The 2005 food crisis in the Sahel, and more particularly in Niger, highlighted the existing link between food security and the cross-border trade of food crop products. While Sahel zone production systems and thus ways of life have remained very traditional for the most part, the environment in general has radically evolved over the last three decades:

- i. The climate in the Sahel has become drier and the average isohyets have moved 100-150 km further south.
- ii. The Sahel is no longer “isolated” from the rest of the West African region. Over the last decades, southern Sahelian countries and northern coastal countries have become highly populated where towns and road networks are rapidly developing.

Given the increasing connectedness with large urban areas, traditional Sahelian ways of life are now greatly affected by the market of which fluctuations can heighten the effects of natural hazards (desert locusts and insufficient rains). Henceforth, the regional market, with its obvious cross-border characteristics, must be taken into account by any strategy aiming to improve prevention and management of food crises.

Another positive nod for micro-regionalism in this area is the institutional policy and commitment of the ECOWAS to cross-border cooperation for accelerating the regional integration process. The ECOWAS Commission has officially added cross-border cooperation to its organisational chart. Cross-border cooperation is included in the mandate of its Free Movement of Persons Department which is under the responsibility of the Office of the Commissioner of Trade, Customs, Industry, Mines and Free Movement of Persons. The Department’s mandates involving cross-border cooperation are as follows:

- a. To implement a regional cross-border cooperation strategy in support of free movement, good neighbour relations, peace and development through the Cross-border Initiatives Programme;
- b. To set up and implement a regional fund for cross-border cooperation in order to provide financial resources needed for rapid development of cross-border cooperation projects within all of the community border and cross-border areas;
- c. Monitoring the ratification, implementation and follow-up of the cross-border cooperation convention.
- d. Integrating border cooperation into one of the ECOWAS Departments is a decisive step in the Community’s involvement. It sanctions a clear political approach that

officially links cross-border cooperation to the Community goal of building an economically integrated regional zone based on free movement. It also establishes cross-border cooperation as a medium- and long-term response to West African migratory issues. The Free Movement of Persons Department is indeed also responsible for migration. In particular, it encourages the development of member countries' common approach to migration.

The proposed Regional Cross-border Cooperation Fund of the member states of ECOWAS is intended to take care of numerous challenges of migration by (1) facilitating free movement through concrete actions such as the setting up of joint border posts, border markets, joint health centres, shared schools, etc., (2) supporting border populations through development activities geared towards the poorest, most marginalised populations; (3) developing good neighbourly relations rooted in realities on the ground among ECOWAS member countries and between the ECOWAS zone and its neighbours.”

Conclusion

West African state-led macro regional integration schemes have yet to benefit the citizens, and to integrate the sub-region. According to Kaplan (2006:81), the reason is not far fetched: pint-sized, expensive markets keep most states isolated from the dynamic changes globalisation is bringing elsewhere. The region's aggregate GDP is less than half that of Norway (UNDP, 2003: 278–281). Although infrastructure costs are among the highest in the world- electricity averages 4.5 times and international telephone calls four times the charges in countries of the Organization for Economic Cooperation and Development (World Bank, 2001:2) -the systems are woefully inadequate and unreliable. The regulatory burden forces all but the largest businesses underground. In Niger, for example, it takes 11 steps and costs four times the average income just to register a business (World Bank, 2001: 58–60; UNDP, 2003:278–281, 291–294). With the continuous marginalisation of Africa in the global system, exacerbated by the advent of globalisation, and structural adjustments, micro-regional initiatives, have taken the centre stage of regional integration in West Africa, and indeed, Africa. These initiatives are informed by the 'new regionalism' impulses which has reconceptualised cross-border cooperation to include the activities of the local actors, and the informal areas, often neglected in the literature on cross-border cooperation.

This paper has analysed the development of the Kano-Katsina-Maradi regional initiative, and the prospects and challenges of this micro-region. Most scholars and policy makers have argued that regional integration in Africa remains the most viable alternative to wade the negative consequences of globalisation. However, it is imperative to stress that such efforts must primarily be geared towards the good of the citizens. As the ECA Executive Secretary, K. Y. Amoako, argued:

I want to see intra-African integration not because we will garner some utopian share of world commerce, but first and foremost because it will improve our lives here. It will free up the time of African businesspeople to do business here. It will lower costs. It will make the African consumer's plight so much more hopeful. We must build for ourselves. If we do that, others will come (Harsch, 2002: 2-3).

The paper highlights the role of local actors in deepening the cross-border cooperation between Niger and Nigeria. While acknowledging their role, it also highlights the importance of two other actors: national and regional/multilateral and bilateral. Indeed, the winners of the ongoing processes within the micro-region appear to be restricted to a small fraction of the population. But, outside the parameters of the official are the informal trading networks that have been established along the Kano-Katsina-Maradi Corridor to take advantage of the

increase in the flow of traffic through the micro-region. This goes to the heart of issues surrounding gender equity and accessibility to any developmental spin-offs that may accrue from the initiative. There are however formidable obstacles such as smuggling, corruption, non-convertible of the naira, famine in the region, desertification, the partial implementation of the ECOWAS Protocol of Free Movement of people and the absence of competitive trade in the region.

On the other hand, this regional initiative has received a lot of support from both the 'state' and private sector. The Kano-Katsina-Maradi initiative is not only driven by state elites, who have their own agenda, but also communities and peoples who utilise the micro-region for a heterogeneous set of reasons and motives. These two sets of processes -the formal/top-down and the informal/bottom-up- frequently clash and are in confrontation at a multiple and quite complex set of levels. Such processes and outcomes of region-building and region destruction, in all their multiple activities and levels characterise the micro-region (Söderbaum and Taylor, 2007).

Interestingly, and this is a big plus for the Kano-Katsina-Maradi initiative, the regional project is strongly supported by the local populations and is showing visible signs of deepening. The role of ECOWAS and the Niger-Nigeria Joint Commission for Cooperation in actualising the potential of cross-border cooperation between the two countries need not be over emphasised. However, these organisations must ensure that the regional development initiative here adopts a 'bottom-up' approach. In the final analysis, the macro-regional perspectives, as reflected in the Cross-border Initiatives Programme (C.I.P.) must converge with micro-regional ones in order for the citizens to reap the benefits of this initiative and for the region to assert its competitiveness in the global economy.

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Gambella Border Trade, 1904-1935 and its Significance in the Relations between Ethiopia and the Sudan

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In the early twentieth century Gambella became the most important venue of Ethio-Sudanese trader. Gambella developed from an obscure village to the most important commercial emporium in western Ethiopia (Bahru Zewde, 2008, 149). The legal basis of the Gambella trading post emanated from Article IV of the treaty of that was signed by Menilek and the British mister, Harington, in May 1902 delimiting the boundary between Ethiopia and British Sudan (Leonard Woolf, 1920, 202-203; Birhanu Dibaba, 1973, 5; Bahru Zewde, 1976, 204).

Emperor Menilek consented to lease to the British to an enclave in the area of Itang for the establishment of commercial post. At the time, this concession aroused little interest being dwarfed by Article III, which guaranteed British interests in the western of the Nile, and the Article V, which provided for the right of railway connection across Ethiopia between the British colonies of Uganda and the Sudan. Indeed, the enclave was a potential station on the projected Sudan-Uganda railway than as a trading post that would thrive on its own (H.H. Austin, 1901, 20; Bahru Zewde, 1976, 234; Boniface Obichere, 1971, 266-267).

The Itang enclave itself was short lived. It was too far away from Ethiopian plateau. This was the main factor behind the transfer of the post from Itang to Gambella. The Ethiopian authorization for the transfer came on 8 October 1904 (Bahru Zewde, 2008, 152). By the beginning of the following month, a site had been chosen at the western angle of the junction of the Baro river and its tributary, the Jajjabe. This was to become the permanent site of

trading post; the eastern angle of the junction became the site for an Ethiopian village which grew in an uneasy counter position to what in effect became a foreign settlement. The transfer brought the post nearer the plateau (Birhanu Dibaba, 1973, 10-12; H.H. Austin, 1905, 30).

With respect to export trade items ivory had been the major attraction of the southern Sudan to northern traders from the days of Mohammed Ah. of Egypt (P.M. Holt, 1967, 62-63). The increasing demand of Ivory attracted local governors to establish a virtual monopoly over the trade. For instance, Jote of Qllem, *Ras* Tassama of Gore and *Ras* Wolde Giorgis of Kaffa had a complete control over ivory trade. (Informants: Birhanu Mamo, Abebaw Zelalem, Henery Darly, 193, 10-15).

In particular, *Ras* Tassama governor of Illubabor took advantage of the commercial importance of Gambella trade. He monopolized ivory trade and controlled its movement on his own account for his own benefits (Birhanu Dibaba, 7, 1973; Informants, Itana Agamso, Abdissa Futa). He employed spies and prohibited any one from engaging in selling and buying of Ivory. *Negadras* Birru was the agent of *Ras* Tassama to buy and store ivory and to sent to the Gambella (Yasin Mohammed, 2010 53; Informants, Chanyalew Kumsa, Abate Bula).

Rubber was also one of the exported trade items in the Gambella border trade. Nevertheless, it was again subjected to monopoly. Rubber grew wild in the border regions of Illubabor, Wallaga and Jimma (May Ydlibi, 2006, 76). Plenty of it was seen by Landor in 1906 around Baro river (A.H.S. Landor, 1920, 210). In 1908, Kelly reporting on the general economic value of the area, while traveling from Gore to Andaracha noted that the great value of the

districted he passed through was that it was immense quantities of rubber, which he said existed in the hardly penetrable forest (F.O 141/423 Kelly report 2.3.10). The native method of obtaining the sap was simple and crude. They made notches in the rubber tree and caught the resultant sap in gourds, without regard to the possibility of a future yield and the latex was collected and was brought for sale in a very dirty conditions, mixed with dust, pieces of wood and other impurities. The raw product was smoked and washed with hot water or heated to coagulate it. At the time, it thereafter appeared in European markets with all impurities (Birhanu Dibaba, 1973, 35-36; Informants: Abdisa Abdu, Gezahegne).

A provincial capital of Illubabor, Gore was a centre of rubber trade. The whole, export was to Europe through Gambella. In 1905 Emperor Menilek granted a concession for the purchase of rubber to Khartoum based Kordofan Trading Company in 1905. Nevertheless, the company failed to succeed. Later, the Imperial Rubber Company was founded by a Syrian Hasib Ydlibi. The concession was concerned with the rubber trees in the forests of southwest (Illubabor, Wallaga and Jimma) and was especially active in the Baro river area, with a payment of 20% of the produce to the royal treasury (May Ydlibi, 2006, 29-36).

Coffee was the most important trade item that was exported through Gambella to Sudan and then Europe. However, the coffee trade had its own troubles as well. The most chronic was the exactions of local rulers like *Dajjazmach* Ganame and *Dajjazmach* Kabada in the collection of the government royalty on coffee. (Bahru Zewde, 2008, 152-153. Informants, Abshiru Roba Adam Fedhessa). In 1914, *Dajjazmach* Ganame even instituted the odious practice of demanding tax on the fallen berries, which had traditionally been exempted. This was against the interests of the local peasants. The peasants then sent a ten member delegation headed by

Tufa Nagaw to Addis Ababa from Illubabor and protested against the new tax burdens. The delegates appealed to *Ras* Tafari the then heir to the throne and their demand was accepted favourably (Yasin Mohammed, 2010, p. 57; Birhanu Dibaba, 1973; Informants: Adam Guyo, Addisu Faja). *Dajjazmach* Ganame summoned to Addis Ababa was told to withdraw his new taxation policy on coffee. As a result *Dajjazmach* Ganame refrain from over taxing the peasants (Yasin Mohammed, 2010, p. 72). His successor Kabada made an equally injurious proclamation forbidding the sale of coffee before May, thereby leaving only a month for transport to Gambella before navigation seasons began in June. This had the effect of creating a hold up in the coffee trade. This result in hoarding, smuggling which led to corruption by the local rulers (Richard Punkhurst, 1962, 35; Informants: Bakala Tafara, Banti Utama).

The other exported item through Gambella was bees wax. It passed exclusively in transit to Europe (Richard Punkhurst, 1968, 152). Imported item were liquor, cotton goods, metal wear, empty sacks, soap and salt. The Sudanese government imposed restrictions on the liquor trade. Nevertheless the merchants arduously campaigned for relaxation of the restrictions on what they considered to be a lucrative trade. (Birhanu Dibaba, 1973, 42). Cotton goods constituted the part of imports. Italy and USA were the chief suppliers of cotton goods until later period they faced competition from Japan (Informants: Birhanu Mangasha, Bula Urgessa).

Salt was the only commodity that was directly imported from the Sudan. In view of value as currency in its bar form (*amole*), the idea was once even entertained of making the salt into bars and selling them profitably in western Ethiopia (H.H. Austin, 1938, 125; Admasu Etafa, 1982, 12-15).

In May 1930, the Ethiopian government granted a monopoly on the salt trade to a Franco-Ethiopian company in which the government quite held 40% of the shares. This had an adverse effect on salt imports from the Sudan in particular and on Gambella trade in general, as Sudan traders could no longer bring bags of salt to exchange for coffee (Richard Punkhurst, 1965, 126). The British objected the Franco-Ethiopian company and attempted the galvanize the European powers represented in Ethiopia into audited opposition to the monopoly. But the idea was not accepted by the French (Baharu Zewde, 1981, 25-26).

Gambella border trade was dominated by expatriate border trade was dominated by expatriate. The traders were primarily Greeks and Syrians. Two firms reveal the success of the Syrians and the Greeks. Gerolimato and Co. for the Greeks and John Nicholas and Co. for the Syrians. Timoleon was agent of the Greeks, while Majid Abud was for Syrians. (Birhanu Dibaba, 1973, 40; Bahru Zewede, 1976, 136).

Majid Abud was a Syrian, began his work as rubber trader in western Ethiopia and ended up as the most energetic agent of central government of Ethiopia in and around Gambella. Geolimato was British vice consul in Harar and enjoyed great respect in Sudan government circles. He was by then establish a firm which became rival of John Nicholas and co. (Bahru Zewde, 1981, 35-36).

Two firms that involved themselves in the Gambella border trade were Sectarian and co. who worked as agent in western Ethiopia for the Franco-Ethiopian company and Messrs. J. and S. Tabet. (C.F. Rey, 1927, 36). The Greek merchants in particular agreed among themselves to drive down the price of coffee and inflate that of imported items like salt and *abujedid* (cotton

sheeting). The Ethiopian seller was looking from one purchaser to another in vain for a fair price for his coffee. Expatriate traders had placed Ethiopians in helpless position to secure the best returns for their native products(Birhanu Dibaba, 1973, 68; Informant: Birhanu Mamo).

British officials and traders not only resented the Greeks and the Syrians in their business ethics but also in their capacity to win the hearts and minds of local Ethiopian officials. Timoleon was successful in ingratiating himself with Ethiopian officials in Gore (Bahru Zewde, 1976, 148). Although, the British could not match the Greeks in either integration or ingratiation, they were not to totally oblivious to the promotion of Gambella trade. They focused their attention on *Ras* Tasama of Illubabor and *Ras* Wolda Giorgis of Kafa, whose provinces were very near to Gambella. In particular *Ras* Tasama province Illubabor had direct jurisdiction ones Gambella (Informants: Bula Urgessa, Birhanu Mangash).

The development of Gambella border trade gave an impetus to the emergence of small interior markets of Bure, Gore, Matu, Supe, Nopa, and Hurumu in Illubabor. Gore by 1905 was described by Landor as, “the significance administrative town in Illubabor,“ economically it had began to draw the attention of foreign traders (Landor, 1905, 30; Yasin Mohammed, 2010, 165). G. Montandon reported in 1911, exported a large quantity of ivory and rubber to both Djibouti and Gambella. While most the coffee and wax were exported through Gambella, civet was exported through both routes (G. Montandon, 1911, 36-37).

Matu was next in importance to Bure and Gore. It was an important coffee collection center. It was connected by telephone with Addis Ababa and there were eleven foreign merchants who were active in soap and coffee trade. Bure was another commercial center between Gambella

and Gore. All products of Illubabor region found its way to Gambella through this town, and imported items before reaching Gore was also stored there (Bahru Zewde, 1976, 135; R. Pankhurst, 1965, 65-68).

In Bure, a considerable trade in ivory, civet, wax, honey, coffee, raw cotton, hides and skins, sorghum, maize and *teff* as well as imported beads of all kinds was conducted. The house of European traders, agents of Rubber Company, Angelo Capato, and Gerolimato brothers were grouped near market place of Bure. The town had increased in importance in the 1920s and 1930s. There were a number of commercial houses and foreign merchants. Before the motor transport company had constructed a road up to Baro Qalla river. Bure was connected with Gambella by gravel routes, which was used by porters and donkeys. The porters popularly known as *kurcourse* on their way between Gore, Bure and Gambella faced hardship because of the existence of tse - tse -fly porters tell victim to malaria (Birhanu Dibaba, 1973, 70-78; Yasin Mohammed, 2010, 162).

The use of donkey was then largely limited to the plateau stretch of the routes particularly between Gore and Bure. After some grading work was done on the Guma escarpment, mule transport was extended from Bure down to Baroqala. But the strain of descending the escarpment took a huge toll of animals. Those mules and donkeys that did venture to arrive at Gambella could rarely make the trip more than once. (Thomas, Lambe, 1943, 38-39).

There was communication problem between Gambella and the plateau. Geographically, a precipitous escarpment raising to about 1000 feet separated Gambella from Sayo in the northeast and Bure and Gore in the east (Informants: Birhanu Mamo, Chanyalew Kumsa). In

addition to escarpments that need grading and paths that needed clearing, there were rivers to bridge. The Sako on the Sayo route and the Berber Baro, Baroqala and Bonga on the Bure Gore one. The British undertook the task of building bridges that was during the governorship of *Ras* Tasama. He had an interest to improve communications in cooperation with the British. *Ras* Tasama agreed to provide labour and local material like wood for construction of a bridge ones Baroqala river (Birhanu Dibaba, 1973, 72).

The porters on their way between Gambella and Gore were made to put down their loads and were forced to do a few hours of manual work on the bridge before they resumed their journey. Baroqala bridge was completed in June 1913 (Bahru Zewde, 1976, 146).

Regarding the communication between Gore and Gambella, a remarkable venture was launched with the construction of a motor road linking Gambella with Bure. The concession to build the road was given by *Ras* Tafari to a Greek businessman, Donalis and his consul and business partner, Zervos in July 1927. The plan was for the construction of a motor road to link Matu and Gore with Gambella. A British firm, Gellately Hankey and Co. Ltd. started the actual construction of the road. At initial stage, the scheme was not carried effectively due to shortage of labour (Bahru Zewde, 1981, 165).

The road was completed up to Bonga in 1929. The second section reached Seriti in 1933. The third section which reached Baroqala river was completed in 1935. The final plan to join Bure-Gore with Matu, the center of coffee in Illubabor was not successful. The building of roads had greatly reduced the number of porters and pack animals dying from hardship and disease (Birhanu Dibaba, 1973, R. Pankhurst, 1965, 35; Yasin Mohammed, 2010, 172).

To conclude, between 1904 to 1935, Gambella was the main outlet of Ethiopia's export and import items. Gambella's historical importance was greater in its emergence as the most important medium of trade between Ethiopia and the Sudan replacing thereby the older routes of Matama and Kurmuk. Of the two Matama could not recover from the damages that the combined scourge of Ethio-Mahdist hostility and the famine that the closing decades of the nineteenth century had brought on it. (Bahru Zewde, 1976, 138; Birhanu Dibaba, 1973, 78; Atieb Ahmed Dafala, 1973, 163; Alessandro Triulzi, 1981, 10-15).

Thus one can indeed argue that Gambella boarder trade represented a new era in the development of Ethiopia's foreign trade involving local politics of global economy. The emergence of Gambella border trade was a period of established commercial firms in palce of traditional mule caravans. Gambella trade was the means in which Ethiopia was drawn into the then international global capitalist market. However, up to 1935, the trade was in the hands of expatriates none of the local people took part in it till after 1941 except serving as porters and employees.

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III. List of Informants

No.	Name	Age	Date of Interview	Place of Interview	Remarks
1.	Birhanu Mamo	65	14/4/2010	Gambella	He had served as a government employee in Gambella <i>warada</i> now resides in the town. He is a well known oral informant on Gambella trade.
2.	Abebaw Zelelew	68	15/5/2010	Gambella	He is currently trader in Gambella. A well known informant the Gambella-Gore trade.
3.	Chanyalew Kumsa	67	20/4/2010	Gore	He formerly lived in Gambella now resides in Matu. He well known oral informant on import and export trade in the area.
4.	Abdeta BUla	60	16/5/2010	Gambella	He is a well known oral informant on the foreign merchants in Gambella.
5.	Abdissa Dibaba	63	14/4/2010	Gambella	He is a well known oral historian on the trade of the area.
6.	Abdu Gezhagn	64	13/3/2010	Matu	He is a well known oral historian on the society of trade items.
7.	Abshira Roba	75	14/3/2010	Matu	Now reside in Matu, claimed that his great grandfather served as porter between Gore and Gambella. He is well informed about the general condition of Gambella trade.

8.	Adam Fedhesa	75	15/3/2010	Bure	He had lived in Gambella for many years. Now reside in Bure. He claims that his great grandfather was an employee of Greeek traders in Gambella. He is a good oral historian on the Gambella trade.
9.	Birhanu Mangasha	66	14/3/2010	Matu	He had served in the Gambella <i>warada</i> court. Now lives in Matu. He is a good oral historian on the Gambella trade.
10.	Bala Urgessa	78	15/5/2010	Gambella	His great grandfather had served as porter between Gore and Gambella. He is well informed oral historian on Greek merchants in Gambell, Gore and Bure.

Cross-Border trade and Cross-border Cooperation on the militarized borders of Western Senegambia: Comparing configurations on the Borderlands of Senegal, the Gambia and Guinea Bissau.

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Abstract

In the borderlands of Senegal, the Gambia and Guinea-Bissau, militarization has emerged out of the regional war complex formed by the Casamance conflict and political instability in Guinea-Bissau. A flourishing contraband economy has developed, mainly wartime smuggling, and seems to be a counter-dynamic which challenges politics of cross-border trade in the region. This has encouraged trans-local institutions and peoples to promote cross-border trade as a politics of cooperation and or for community peace as well as a means for individual, household, and community survival. In approaching those ambivalent dynamics of transboundary relations in western Senegambia, this study confronts case studies on individual border trade situations where cross-border trade is promoted as a governance tool to reinforce and further peaceful cross-border cooperation while at the same time being challenged by a militarized and (post)conflict environment. Its main finding is that even though cross-border cooperation relatively gains from borderland trade relations and consolidates them, it has yet to face the challenges of criminalization and war economy that derive from the militarization of borders. Accordingly cross-border trade remains a relieving enterprise that cannot function yet as a lever for cross-border cooperation, peace and integration.

Keywords: Cross-border Trade – Peace – War – Militarization – Cross-border cooperation.

Introduction

Intergovernmental efforts to build regional markets and economies in West Africa have proven to be rather principled and much contrasted with national egoisms and procrastinations (Sall 1992, Sall / Sallah 1994, Hughes 1994, Lambert 1998, Diop 2002). At the same time, the attitudes and practices on the ground strongly contrast with normative pretensions of regional economic and commercial integration that are still long time coming (Igué 1995, Meagher 1996, Bach 1998). As a result, overall practices from seemingly more inspired populations generate local dynamics of cross-border cooperation and integration from below through migratory, economic and productive flows (Weiss 1997, Bach 1998, Enda Diapol 2007, Tandia 2010a). As a prototype of “parallel” or “second economies” (MacGaffey 1991), cross-border trade is also related to insecurity factors stemming from low intensity conflicts, intrastate political instability and transboundary criminality (Little 2007). However, while a tendency has been to blame cross-border trade as being inconvenient for state order or state making, it can be argued that despite its subsequent neglect and obstruction it can claim potentials of order-making to the extent of inducing or being associated to governance dynamics such as cross-border cooperation.

According to that this paper deals with the logics and processes of accumulation, regulation and cohabitation on borderlands: concern is the extent to which configurations of cross-border trade are affected

by patterns of (dis)order or militarized territories. Since as cross-border trade has proven to be an alternative instrument of neighbourhood and peace that relativises the divisive functions of boundaries (Tandia 2007, ENDA DIAPOL 2007), the central question is whether governance of cross-border trade through cross-border cooperation can function at the same time as a governance of neighbourhood and peace. To what extent can cross-border cooperation and or through trade address challenges of frontier militarization and instability? In this respect I straightly argue that because of militarization of borders, in a context of the regionalized insecurity, cross-border trade tends to be a survival strategy for the great many of borderlanders, including agents of insecurity; war economy stands a tedious challenge that concomitantly relativises cross-border cooperation as a governance instrument for peace and integration against the endeavours of frontier peoples and local institutions of western Senegambia.

Comparative issues concern the role of national border and trade policies, inter-state relations, the context specificities of militarization and cross-border trade as well as the nature of cross-border community relations. I will try to contribute to the debates over regional integration and security by throwing some light on the still topical question of whether or not the dynamics of cross-border trade in relation to (dis)order corroborate hypotheses of regional insecurity, predatory or subversive accumulation, or nuanced dialectics of wariness and peacemaking in neighbourhood, irrespective of the lethargic configurations of officialdom.

I open this paper with a short background of the overall issue, before assessing the dynamics and potentials of cross-border trade in borderlands of Western Senegambia. In a second section I will show how the militarization of borders and borderland zones add obstacles to trade while preventing opportunities of cross-border trade to be converted into instruments of neighbourliness. In the third and last part of this paper I will discuss the relevance of cross-border cooperation as response of borderland communities to the dialectics of militarization and accumulation through trade.

Background

Studies on the theme of cross-border trade have revealed that traders implement sub-regional commercial strategies in southern Senegambia (Abdoul *et al.* 2007) while consumers inscribe theirs in the constraining environment of borderlands. Fanchette (2001, 2002) has described the characteristics of cross-border trade in the case of Upper Casamance, outlining advantages that cross-border weekly markets can reap from their border location, no matter how weak and dependent they may be on border politics and regional governance. Evans (2003a, 2003b, 2004) probably helps introduce the issue of the dialectics of cross-

border trade, or economy in general, conflict, and deriving militarization. Through the analysis of a war economy in Casamance Evans make it clear how cross-border trade as a safety valve for livelihoods and local institutions (Evans 2004, 2008) was getting criminalized¹. Other studies highlighted the vitality of cross-border commerce for food security and low level agricultural development (Kallungia 2001, CEDEAO 2005, Mijere 2009, Lesser / Moisé-Leeman 2009, USAID 2009), at a time when centrifugal insecurity and instability in Casamance and from neighbouring countries precisely tend to hinder commercial and accumulation dynamics as a whole.

At present, it seems useful to broaden the thematic, and perhaps geographical, scope of such analysis by an articulation of the theme with the very current sociopolitical dynamics of the borderlands of Western Senegambia; I mean local politics of neighborhood, peacemaking in the context of systemic trans-frontier instability, through the instrumentation of cross-border trade in plans of cross-border cooperation.

Dynamics and Potentials of Cross-border trade in Western Senegambia

The dynamics of cross-border trade owe much to governance within and between states closely related to the border policies poisoned by national political crises and the Casamance conflict. Potentials still exist and relate to the inherent importance of cross-border trade as well as to some contextual elements.

Cross-border trade and politics of governance, neighbourhood and production

The broader space of Western Senegambia is known to be one of the “exchange spaces” of West Africa formed since the circulation of merchant caravans, the trans-Saharan trade and the routes of the Gulf of Guinea (Lambert 1998:28). Without producing a social history and a political economy of the region, we can say that the dynamics of cross-border trade are characterized by the interplay of trade, neighbourhood and governance. In effect, political and economic conditions in the region strongly command the dynamics of cross-border trade, notably relations between neighbouring states on the one hand, and national economic policies on the other, mainly in domains of trade, agriculture and transportation.

On the account of political relations, several attitudes of neighbouring states, just as it used to be between pre-colonial states and colonial empires, have affected cross-border trade. This amounts to the trajectory of disordered governance and difficult neighbourhood dating back to conquest wars and raids amidst

¹ As noted by Mijere (2009:21) citing Little (2005) similarly the war in Southern Somalia in the 1990's has led to a significant increase in informal cross-border cattle trade with neighbouring countries.

Fouladou and Gabù kingdoms². In the colonial era liberation war, between 1963 and 1974, and following creation of new states – Guinea-Bissau, Gambia and Senegal, with three different administrative systems – and the inclusion of the Casamance in Senegal will influence cross-border trade and other dynamics until the Casamance separatism burst out in 1982. The postcolonial period is marked by this civil war and militarist neighbourhood in Guinea-Bissau, in 1998 and 2000. Authoritarian rule under the regime of Sékou Touré in Guinea Conakry, between 1958 and 1984, just as the fall of the Senegambian Federation in 1989, has also stirred the course of cross-border trade in western Senegambia (See Faye 2002:205-206, Sall and Sallah 2002:132-134, Diop 2002:216-219, Hugues 2002:33-58). Deriving from these processes are the flows of refugees and other fluxes of transboundary criminality and arms trafficking (Fanchette 2001:110-111, Evans 2003:37-52), which introduces criminalizing effects in cross-border trade. Even though actors of the sector from both traders and consumers oftentimes happened to resist them (Sall and Sallah 1994:132), thanks to long porous and indeed hardly controllable borders, diplomatic relations and border regulation measures have had bad effects on trade³.

Precisely, concerning economic conditions cross-border trade has been decisively affected by the devaluations of the Dalasi in 1986 and the Cfa franc in 1994. Also, several financial and monetary restrictions – in the framework of the Banque Centrale des Etats de l’Afrique de l’Ouest (BCEAO) – in the wake of Structural Adjustment Programs (SAP) have nearly sharpened the colonial and postcolonial governance discrepancies that marginalized rural areas and peoples of frontier lands (Faye 1994:191-198, Sall / Sallah 1994:127-134). Commercial transactions very often had fallen down as between 1989 and 1990 when trade from Senegal recessed from 14, 50% to 5,2% (Mendy 1993:19-20). Pushed on by SAP, full liberalization of foreign trade led to egoistic attitudes of neighbouring states towards transactions, for example unilateral tax increases leading to economic depression and subsequent internal turmoil and riots (Diop 2002:224-225). The accession of Guinea-Bissau to the West African Economic and Monetary Union (WAEMU) since 1997, in part due to strong Senegalese patronage, and the agreements signed by The Senegalese government and the MFDC between 1999 and 2004, raised hopes of period of warming up in

² Cross border trade is closely linked to violence through the induced displacement of people. As has noted Lambert, wars of conquest, raids, and looting have brought in considerable flows of peoples that encouraged commercial relations (Lambert 1998:33).

³ Causality is to be relativised between trade and regional governance or neighbourhood. Actually many of those political and economic choices from national governments have been made in response to contraband that many a times threatened internal social stability. They appear as tactics of “minimal states” in response to the destructive effects of undocumented commercial flows provoked by powerful networks of parallel trade (Diop 2002:227).

neighbourhood relations. On the contrary, insurgency, militarism and political crisis swelled up insecurity in Western Senegambia.

However, new agricultural and trade relations coupled with global environmental and financial shocks (deficient rainfall or floods, inflation, price increases) have raised new challenges to cross-border trade and integration (IMF 2008:21-31). The years 2000 witness the adoption of new agricultural measures, mainly on cash crops and in Senegal, while arcadia invasion, floods and insufficient rainfall interchangeably disrupted agricultural and trade equilibriums (ANSD 2006, CILSS *et al.* 2009, and USAID 2009). Arbitrating between global trends and cross-border movements has grown difficult while regional politics are still oriented by the Casamance protracted conflict from which flanks have emerged militarization and various overlapping insecurity factors. Consequently the question arises of the role of current official policy choices directed towards the Casamance conflict (Tandia 2010a, 2010b) and other internal crises in configuring the dynamics of cross-border trade and cooperation.

Cross-border trade as “borderland trade”

In explaining the dynamics, forms and functions of cross-border trade, strictly normative and economic perspectives distinguish formal and informal, legal and illegal cross-border trade (see Mwaniki 2004, Kallungia 2009, Lesser / Moisé-Leeman 2009, USAID 2009). According to geographical and socio-anthropological approaches of (see Lambert 1994, Fanchette / Le Renard 1997, Egg / Herrera 1998, Gomis 1998, ENDA DIAPOL 2007), cross-border trade in West Africa appears in three different forms (Fanchette 2001:99-102). A first type is the regional and intra-regional trade animated by merchants and traders of Upper Casamance and which is plagued by illicit exchanges and fraud. A second type of cross-border trade is the national and international trade monopolized by the big networks of business men, religious marabouts and local civil servants and politicians, based in capital cities and coastal areas. A third type is the small scale survival cross-border trade which seems to dominate between the Casamance and neighbouring border regions of Gambia and Guinea-Bissau. Another feature of this latter type is its close link to transboundary criminality and vulnerability to crises of governance and production. There is clearly a high dependence of borderland peoples and local institutions on this trade in governing their relationships in a context of wariness and enduring rural poverty (CILSS *et al.* 2009:7-8).

I will focus on this third low scale type of cross-border trade and consider as normative and superficial the distinction between ‘formal’ and ‘informal’ trade. For that reason, I will differentiate wider cross-border trade

(first and second types), implying longer range networks and broader spaces and institutional levels, from “borderland trade” (third type) as referring to narrower spaces, shorter range exchanges, and social and economic structures and interactions between borderlanders and various “strangers”. The fact remains that “borderland trade” is in one way or another related to economic and political centers (see Igué 1995, Bennafla 1999). This spatial approach of cross-border trade, also geographical and political at the same time, is justified by the overlapping of the space of conflict and subsequent militarization with commercial, religious, linguistic and monetary spaces of the borderlands we are dealing with. If anything, the question clearly arises of how cross-border trade can remain a valuable common good in borderlands in a context of criminalization and militaristic forms of governance that challenge relationships and politics of neighbourhood.

Potentials of cross-border trade: borderland markets, trade relations and regulative practices

Approached spatially and socially borderland trade is based on a more or less localized market infrastructure formed by trading posts adjacent to borders⁴ and connected to remote markets known as the commercial centers of the heartlands. The markets of Dakar, Touba and Kaolack (Senegal) and Basse Santa Su (Gambia) are ‘leading’ markets in the northern borderlands between Gambia and Senegal. They are related through weekly markets and regular north-south commercial flows to the southern borderland between Senegal and the two Guineas where markets of Gabù, Pirada (Guinea-Bissau) and Labe (Guinea⁵) concentrate the bulk of exchanges⁶.

Borderland markets are also typical in terms of supplies dominated in those border comptoirs by agricultural products and food or basic commodities of daily consumption. If Manda Douanes and Medina Yoro Fula have important agricultural markets between Senegal and Gambia, there are few and weak cereal comptoirs in the southern border regions between Senegal and the two Guineas because of enclavement, weak infrastructure and considerable local demands for direct consumption of cereals. Strong competition

⁴ Every local community was inserted in this primary nesting of the continental territories in basins of production, spaces of circulation and centers of consumption (Lambert, 1998:28).

⁵ The nationals of this country, generally established in Labe, appear as the biggest traders of the Diaobe market and control the wholesale trade of farming products and fisheries. They are the main purchasers of basic commodities from Senegal and manufactured goods from wholesalers of Dakar. Over the third quarter of those merchants would make total export sales reaching more than one million Cfa francs per month in 1997 (See Fanchette / Le Renard 1997).

⁶ This nesting of border comptoirs has been favoured in the 1970s by the construction of the Trans-Gambian, the road connecting Ziguinchor-Kolda-Tambacounda (the Nationale 6). This set off the opening of Upper Casamance to the rest of Senegal (Fanchette 2001:93). In the same period liberalization in Guinea after death of Sékou Touré, made Labe become the center of cross-border trade toward Senegal and Gambia.

from Gambian markets of Basse and Bansang⁷ up to Banjul is also a limiting effect to the vitality of southern markets (Fanchette 2001:93-95). These border comptoirs are the cash machines for the purchasing power of borderlanders in the sense that the latter sell their cereals and other agricultural products (fruit crops) in order to get the cash necessary for the purchasing of manufactured goods on Gambian markets for Senegalese, and in Senegal for Guineans of Bissau and Labe (Guinea Conakry). A bulk of the groundnut and cotton cultivated on the southern borders in Guinea-Bissau is sold in Senegalese and Gambian weekly markets or loumos. Borderland producers benefit in these markets from better prices, looser control systems and far better organized private networks of commercialization. These weekly markets commonly known as the loumos form the second pillar of the borderland market space (Fanchette 2001:100).

Let aside practical services and manufactured goods flowing in from Gambia and Senegal, products in these markets reflect a lot the specific physical and social environment and the type of local economy as well as the modes of accumulation and livelihoods. They are somehow localized and include Casamance and Guinean cash crops (cashew nuts, and peanuts), fruit crops (oil palm), cereals, vegetables and condiments, etc., and occupy the bulk of traders – wholesalers, retailers and farmers who have eventually become traders in order to bridge the gap. The loumos also produce the meat they need for their visitors from the flourishing and yet criminalized trade of cattle. They drain up livestock from neighbouring communautés rurales of Senegal and rural districts of Gabù and Pirada in Guinea-Bissau (See also Gomis 1998, Fanchette 2001:98) and generate the meat supplies for wider national markets in coastal towns.

Weekly⁸ markets are trading crossroads that gather as various actors as traders, transporters, consumers, herdsmen, farmers, etc., and are organized on a regular basis throughout and near international borders. They have been created⁹ in early post-independence in populated areas deemed to be more open to

⁷ These estates are held by Moor, Toucouleur and Fouta Fula wholesalers, integrated in very structured networks that get their supplies from Banjul. From those trade posts are organizing two types of traffics: that of big "international" merchants who, thanks to their connections, can take the risk of passing great amounts of goods through the customs; and that of retailers dedicated to Senegalese villagers and to small shopkeepers of frontier-lands (See Cazeneuve 1999:37, cited in Fanchette 2001:97-98)

⁸ The weekly character has to be interpreted otherwise: if they are organized every week, for instance every Saturday for the loumo of Cambaju in Guinea-Bissau neighbouring Salikegne in Senegal, these markets are indeed daily in the sense that borderlanders have one or two markets to go to everyday. This has translated into those markets being supplied as urban markets with all sorts of products and goods for food, sanitation, laundry, fashion and beauty, clothing, agriculture, trade, etc. There are even services such as cell phone cards and credit recharges, repairing jobs like mechanics for charts, vehicles, farming machines, etc. This shows how the function of loumos has roughly shifted from mere collecting spots of cash crops and cereals to trading and services centers needed every day.

⁹ Their function was to ensure a close control of flows of agricultural and herding products as well as fund raising for rural districts of states. These features have not essentially disappeared but have become crucial for livelihoods and for developing a household economy in borderlands.

national economies and favourable to agriculture and herding. Gambian loumos are still the collecting spots for cereals, groundnut and cotton to a lesser extent, on both sides of the border with Senegalese areas of Pata and Medina Yoro Fula and from southern parts of Kolda. These products coming from both countries, except cereals which are not produced in Gambia, are concentrated in the loumos of Birkama Ba and Sare Bodjo westward which competes with the loumo of Medina Yoro Fula in Senegal. But the majority of cereals traders belong to the class of influential entrepreneurs from Kolda (Fanchette Op.cit.:95). In southern borderlands loumos of Tonia Taba and Cambaju in Guinea-Bissau are the most crowded ones and concentrate the bulk of transactions. No less important, that of Sare Yoba in Senegal is visited by nationals of all three neighbouring countries. Virtually, agricultural products from local farming (rice from Senegal, cashew from Guinea-Bissau and groundnut from both countries) are the most important commodities. But one can find in these markets as many varied manufactured goods coming from Dakar via Gambia as demanded due to their growing utility for livelihoods.

In the Upper Casamance loumos¹⁰ have been created in areas potentially open to economic and monetary spaces of border regions, propitious to important flows of peoples and goods and providing more cash (Van-Chi Bonnardel 1978:643). After the penury of 1985, they were boosted again: they increased in both number and size while the top-ranking loumo of Diaobe forming a crossroad now between Senegal, Gambia and the two Guineas, has become a daily market. Loumos are usually located along road axes and borders between Gambia, Upper Casamance and Guinea-Bissau and Guinea Conakry (Fanchette / Le Renard 1997). We will refer to loumos as northern and southern markets depending on their location between Senegal and Gambia on the one hand, and Senegal and Guinea-Bissau on the other.

Northern¹¹ loumos we have visited and which functioning is linked to militarization and its manifold manifestations are those of Birkama Ba, Sare Bojo, Foula Bantang (Gambia), Pata, Ndougourou, Medina Yoro Fula and Manda Douanes (Senegal). The importance of these loumos appears in their constant connectedness with urban market centers through the representatives of big traders from Kolda for example. Even though borderland loumos are important concentrations of trade relations and products, with much of contraband and fraud of basic products and manufactured goods (sugar, tomato cans, fabrics, tea,

¹⁰ In 1998 the number of loumos in Upper Casamance was counted around (14), less in northern Guinea-Bissau, around five (5) because of liberation war and continuous instability and eight (3) in South Eastern Gambia.

¹¹ We can count 14 loumos that have been creating since the 1970's among which three have disappeared on the Senegalese side, notably those of Lamoye and Dinguirayo near the Pata forest and that of Badiou south of Velingara towards Kolda (See map).

milk, etc.) is linking them to urban centers like Velingara and Kolda¹² in Senegal. They also constitute economic outlets and labour opportunities for little traders of urban and rural towns. At last, the potential of weekly markets or loumos is exemplified in the fact that rural shops in borderlands suffer the harsh competition they oppose to rural shops (See also Fanchette 2001:99).

Southern markets of Kolda, Gabù and Farim between Senegal and Guinea-Bissau started proliferating in the 1970's also, even though with less enthusiasm and elaborateness, and in a rather limited perimeter, because of the liberation war raging in Guinea-Bissau at that moment and dictatorial rule in Guinea. A crowd of twin-markets are dispersed alongside the border (See Map) and, just as loumos in northern borderlands, they are reproducing the same configuration as the ancient stopovers of colonial cross-border trade which were dedicated to the ban of cash crops' trading. They are now about sixteen (16) and only seven (7) which are still attractive, since many have disappeared under the heavy weight of unstable state making through history. Cambaju, Tonia Taba (Guinea-Bissau), Sare Yoba, Diaobe, Sare Koube and Sare Ndiaye (Senegal) are the most attractive ones. They also resemble northern markets in terms of social and labour possibilities, lax regulation, and active fraud. However, due to physical, historical and structural specificities of the southern borderlands, notably enclavement, cyclical insecurity and low country planning, loumos have rather resulted from the initiatives of local communities facing severe supply shortages in basic commodities, food, and manufactured goods (See also Fanchette 2001, Egg / Herrera 1998, Lambert 1998).

Except the market of Diaobe in Senegal, which is located further from borders on the main road and has become a trading center, loumos are frequented by local populations and some traders who come to resell manufactured goods purchased from Senegal. They have no striking specificity in comparison to each other except their ephemeral duration and their recent tendency to harbour improvised supplies of practical services like telecommunications and repair jobs for example. Their main challenges in addition to the stronger prevalence of border militarization are trump and more corrupt local governments and security forces, and environmental problems (sharing and management of natural resources, community conflicts, and enclavement). Of importance are these differences in comparison to northern loumos when it comes to

¹² Actually we have noticed that all loumos of western Senegambia, or this part of Upper Casamance, southern Gambia and Northern Guinea-Bissau, are virtually monopolized by traders from Kolda. Wholesalers, retailers and intermediaries all come from Kolda in groups of dozens, with hired lorries and vehicles, and animate these loumos.

considering the link between cross-border trade and cross-border cooperation as responses to militarization.

Regulative practices are quite the same in northern and southern markets except for loupes of Diaobe and Manda Douanes which are further from borders and therefore witness tighter customs control and gendarmerie and police surveillance of food products. Border comptoirs are also less open to contraband and fraud except in Medina Bansang and Basse where the tight competition of Gambian markets is demanding in terms of regulation, which is exemplified in regular border closures and much more petty annoyance, and sometimes unexpected and unilateral tax increases, leading to frequent border closures as in the northern division neighbouring Kaolack in Senegal (Tandia 2007, 2010a). Basically, borderland markets evolve in a more or less lax regulative regime¹³, just as for cross-border trade. Customs and forestry services in northern borderlands are most of the time tolerant, mainly for goods leaving their country and for certain types of goods (timber, cereals, sugar, tea, etc.) for which they may need traders and consumers as well¹⁴. In Pata and Medina Yoro Fula customers tolerate fraud and contraband of some products used for daily consumption and necessary to sustain deprived livelihoods. This regulative practice is a structuring pattern close to what Goran Hyden called the “economy of affection” (Hyden 1980) and which is a domestication of state practices and rules. This is an important aspect of the spatializing of borderland trade: in fact it reflects an implicit moral economy of subsistence which accommodates formal provisions and structures of cross-border trade with local realities of the social space, redefining then relations between states and border communities (Roitman 2000:50). Quite different in nature but similar in meaning are the blockades and other spontaneous bans and blocks¹⁵ some fringes of actors (transporters, trade unions) and populations happen to impose on trade and border-crossing.

¹³ Nonetheless, the feeling is that there is not a “free movement of peoples and goods” as understood by borderlanders from “the law of ECOWAS” which they know more than the WAMU. Also identified somewhere else like East Africa (Azam 2006, Mijere 2009), bad quality of border post policing, significant transactions costs and compliance requirements, obstruction of free trade and mobility, high price disparities and tax rates – the highest ones being in West Africa (Lesser / Moisé-Leeman 2009:22) – low law enforcement and corruption are circumvented or accommodated by actors through the maintenance of trust-based networks and low intensity contraband. Non declaration and underinvoicing of goods, use of countless bush tracks unknown to customers by charts, bicycles, motorcycles are the strategies of consumers and small village shopkeepers who can afford such products as light oil, staple commodities, fish, meat, cash crops, soap, tea, sugar, matches, etc.

¹⁴ In other words it is calculation that customs do not tighten the enforcement of rules as they also act as consumers and traders sometimes, or more often as accomplices of influential traders or executioners of local patrons (politicians, senior civil servants, religious leaders).

¹⁵ A key event for the implications it had at the diplomatic level was in 2000, when youth in Dioulacolon blockaded the road from Sare Diamboulo to Kolda, preventing Bissau-Guineans to cross in. The latter driven by the MFDC factions which they were cultivating rice for had raided the livestock of Senegalese communities. They were revenging against the nonpayment of their cash for groundnut sold to Senegalese intermediary purchasers.

Militarization of borders and challenges to Cross-border trade and cooperation

The Casamance conflict and crises from neighbouring states induce a strong military presence and activity in the borderlands. The unsettlement of this instability has led aging military to divert from their object and get involved into a war economy that contaminates cross-border trade with its criminalizing effects.

The Casamance conflict, political instability and militarization of borders

The Senegalese government has resolvedly opted for a military treatment of toward the Casamance conflict (See Foucher 2003, Tandia 2010b). This militaristic culture is motivated by the perception of the Casamance conflict as a double threat to national security and unity¹⁶ and regional influence. This geopolitical dimension has lead to a strong militarization of borders between Senegal and its neighbours. Given the important assets it provides to these states, mainly the “entrepôt” and “comptoir” state which is Gambia (Igue / Soule 1992:14), cross-border trade per se has been the reason for high militarization of borders as it appears from the high number border posts, diverse military and paramilitary security and armed forces, and the ambiguous politics of neighbourhood.

The Senegalese military has more than one thousand soldiers stationed in Casamance and its borders since 1972 during liberation war in Guinea-Bissau. Reinforced in 1982 when insurgency burst out, this long presence is occasionally window-dressed with the closure of some stations here and the opening of others there (Tandia 2010b). At the same time Gambia is tight in controlling its borders while fighting some factions of the MFDC's armed wing *Attika* ('Warrior' in Jola) and at the same time supporting hardliners in order to keep up a diplomatic lever against Senegal. After more than two decades of acquaintances with the MFDC, the Bissau-Guinean military and political direction has now stricken alliance with Senegal against the MFDC as of 2000. All these tactics have but reinforced militarization as they reflect growing militarism among neighbouring states. Militarization also appears in the power excesses and self-regulated regimes by military and paramilitary forces like the customs, border and forest polices, mainly in Senegal and Guinea-Bissau. In effect, it refers in this sense to processes of state privatization (Hiboux 1999, Diouf 1999, Bayart *et ali.* 2000) inasmuch as customs, border police and military carve up their own free zones and enforce national and intergovernmental regulations according to their survival and predatory objectives.

¹⁶ The fact that the Casamance conflict has always been an obstacle to stable relations with neighbours reflects such a militaristic ideology which has been implicitly, and sometimes explicitly, designating neighbours as subversive accomplices or rear sanctuaries for the MFDC insurgency (Faye 2002, Tandia 2010b).

On behalf of the MFDC militarism still pervades as most factions keep on claiming independence and intensified violence use against civilians and army positions despite growing popular claims to peace. Its presence is measurable to the 2000 members in Guinea-Bissau and 1000 on both sides of Gambian borders, while another 750 to 1000 are active in Senegal (Evans 2004:6). Its legendarily resourceless troops have succeeded, with the interplay of other armed groups (i.e. smugglers, road-cutters, cattle rustlers) and thanks to other regional and extra-regional insecurity factors (i.e. arms, timber and drug trafficking), to develop and sustain a war economy that also gets fuelled by political authorities and private sector businessmen (See Evans 2003). Armed assaults of peoples, armed smuggling and violent predation of border and borderland resources which constitute the supplies for border comptoirs and weekly markets has become the main dilemma for cross-border trade. Cross-border trade has been absorbed in these intertwined processes of militarization and war economy as it helps resource fringes of trump militaries in Guinea-Bissau and Gambia, toughened Senegalese soldiers who aged in Casamance and security forces on border posts, not to mention “shadow powers” and clients formed by politicians and other big men and religious leaders at both local and national levels (Tandia 2010b, 2010c).

War economy and criminalization of borderland trade

The whole idea governing this section is that not only is militarization affecting cross-border trade, but above all aggravates the consequences of other processes of disempowerment influencing cross-border productivity and household livelihoods.

Criminalization refers in general to situations where productive or accumulation processes are in contexts of state weakness, absence or privatization governed by modes of governance based on violent (though legal) or armed forms of extraction, involving sometimes the demand of a tribute which functions as a rent taken from peoples, mainly civilians in times of war (Diouf 1999:18). As such the control of resources is systematic and drastic – on enriched borders or borderlands. So guised, criminalization is inherent to war economy as defined by Le Billon: the system of producing, mobilizing and allocating resources to sustain violence (Le Billon 2005). In the case of wars and related unstable or unsafe situations like protracted war, violence is however indirectly mobilized as a mode of accumulation to sustain itself through the predation of resources. This activity involves both civil and military, and among the latter both regular armed forces and irregular insurgents and armed groups or bandits. Of note is the fact that non armed forms of activities add to the informality and undocumented character of trade and accumulation.

It is difficult to present war economy as mixed with cross-border trade no matter how informal and criminalized the latter may be. More so that economic activity as a whole has built on and mingled with pre-existing production structures and trade routes in the borderlands of Casamance and through international borders of Western Senegambia (Evans 2004:10, see also Fanchette 2001, 2002). Its criminalizing effects are noticeable and rather transform it into a parallel system of accumulation that however tends to absorb cross-border trade from its flanks. The territorial manifestation and evolution of the conflict as well as the splitting of MFDC into factions, inducing lack of command and scattering of armed gangs and connections with transboundary banditry, determine a lot the tendency of war economy to poison cross-border trade from west to East and from South to North. As the conflict moves on northward and eastward along the unsecured and impracticable secondary roads and tracks connected to the main road circumventing the Gambia, products from the green South-West bordering Casamance and Guinea-Bissau are rare in markets, while border comptoirs and loumos have typically grown moribund or waned in some cases. The dynamism of markets has been affected in various ways by militarization and induced criminalization through war economy.

Presently, supplies have decreased¹⁷ as traders bring now one tenth of the total amount of goods they used to load in trucks and lorries and carry now in charts or small vehicles. Some loumos have disappeared as they became less frequented or lost important volumes in terms of transactions. Insecurity induced by road attacks and cattle-rustling from insurgent factions and banditry, all referred to as the “bandes armées”, have diverted traders and consumers from markets as well as impeded transport of people, cattle, farming, crop products, and manufactured goods to markets and border comptoirs. Not only are some roads abandoned by transporters but they have become impracticable after decades of conflict and trans-frontier banditry. For example, the loumos of Cambaju and Tonia Taba in Guinea-Bissau have recessed according to traders and local administrators, while the loumo of Sare Yoba in frontier Kolda is among the many others that have disappeared.

Neighbouring the Communauté rurale of Medina El Hadj the loumo of Sama is in Guinea-Bissau and has disappeared because of pervading insecurity. The same can be said of loumos of Bantama also located in Guinea-Bissau at eye level with the Communauté rurale of Niangha, and that of Wensaco in Senegal. The disappearance of these markets has brought in the impossibility for populations to find a socio-economic stability¹⁸.

¹⁷ A group of transporters interviewed in Kolda said to us that they now have problems to sell the ten or twenty bags of rice they bring in the markets of Cambaju, Sare Yoba and Tonia Taba compared to the tons of the rice they would fill their lorries with ten years ago.

¹⁸ Demba Baldé, Leader of MJPI. Interviewed by author May 21th 2010.

Basse and Medina Yoro Fula are comptoirs but have their loumos recessing in favour of that of Diaobe¹⁹. Cross-border trade is also obstructed by criminalization resulting from militarization through the decrease of trade exchanges and transactions. This has happened following a constant rarefaction of certain products and the decrease of the purchasing power of consumers and even intermediary traders from comptoirs and urban centers of heartland markets like Kolda and Tamba in Senegal.

Today markets have lost part of their dynamism of bygone days. It has become very difficult for us because there is no more cash capital. The standard of living has drastically decreased and people are exhausted. Means are lacking, mainly because of the commercialization of peanuts and cashew nuts! Now the trade of cash crops, which is the main income generating activity and procures capital to people, is not working at all. Peasants find it difficult to sell their peanut and cashew harvests. And now they constitute the bulk of dealers in the loumos!²⁰

The raids of MFDC factions in border villages between Kanilai and Medina Yoro Fula as well as between Tanaff and Faring, and in the far western Djibidjone sector also retrieves farming products like cereals from weekly markets border comptoirs of southern Gambia. Many price increases have been induced by the retrieval of some products which become rare while demands are higher. The trafficking of timber²¹ and other crops (cashew nuts, palm oil) by militaries and forest guards from southern borders (Sao-Domingo, Boutoupa Camaracounda, Faring-Tanaff) to northern markets (Basse, Madina Yoro Fula, Diaobe) also diverts such products and provokes price increases by simply decreasing their availability.

Many traders contend that their sales profits have decreased to the tenth in comparison to the 1990's. They say that there is no more money and cannot accept swaps from consumers and other fellow traders as they buy their goods on credit. On behalf of consumers they counted on cash crops, notably peanut and cashew, mostly in Gambia and Guinea-Bissau. But the seizure of their orchards by insurgents and the invasion of intermediaries who do not pay them back in due time have severely affected their purchasing power. The latter has decreased also due to lower productivity. In that respect, land exhaustion under the pressure of forced migration (of Saloum-Saloum peasants from the Peanut Basin of Senegal in the Upper Casamance,

¹⁹ The reason is that Diaobe is a secured market standing in the heart of Senegal and profudely supplied by Guinea Conakry through its converging road axes which are also secured by border police, gendarmerie in Senegal and army from Manda Douanes.

²⁰ Wolof trader from Kolda. Interviewed by author in Cambaju June 18, 2010.

²¹ All best varieties of timber are smuggled and diverted from normal circuits. They are taken to and sold fraudulently in Kolda to local joiners by even mandated exploiters who hold more than cutting permits than provided by the law. This practice leads unlicensed operators to use fraudulent circuits and some of them do not hesitate collaborating with armed groups including insurgent factions of MFDC near the Gambian Border from forest of Pata and Medina Yorofula. The Bambou from the forest of Coumbacara (Guinea-Bissau) is also retrieved to traders by border military.

and refugees from Guinea-Bissau and Casamance) induced high demography has coupled with insufficient rainfalls and global economic recession of the last years. Poverty is therefore aggravated by insecurity²² which is not however only limited to those processes that are directly affecting cross-border trade. There are other aspects of this insecurity related to militarization per se and criminalization of regularly armed protagonists and banditry groups.

The involvement of militaries, both armies and insurgents, in the traffic of illicit products and other basic goods for ordinary borderland trade develops a parallel economy that competes with and impedes cross-border trade. Arms, drugs, Cannabis and Cashew nuts or peanuts in some places are farmed or trafficked by MFDC factions and some military groups in Gambia and Guinea-Bissau (See also Marut 2008, Evans 2004). The MFDC diverts timber, cash crops, fruit crops and smuggled goods from normal routes and markets through its traffics. Civilian actors among local civilians and from neighbouring countries are also involved, illustrating the criminalization of cross-border trade in borderlands. Senegalese soldiers in Casamance are involved in the trafficking of timber and cash fruit crops which they divert from the market routes by using the port of Ziguinchor or the deviation road via Tambacounda in Senegal. Civilian operators also coalesce with forestry guards to sell timber in Gambia and in Kolda and even Dakar and Banjul. The traffic of small arms²³ mainly for the supply of the MFDC²⁴ comes from Guinea-Bissau and the Mano River Basin via Guinea and the National park of Niokolo Koba, before transiting in the trading crossroad of Diaobe²⁵.

Because they caused an increase in police and customs control in ordinary markets and commercial transactions, these dynamics of war economy deplete exchanges. Not to mention the poverty they have increased among borderlanders as many traffics and insurgent farming have involved raiding in villages,

²² Shops and groceries of the urban center of Kolda have become more attractive because of the insecurity that has been plaguing rural markets, notably in Guinea-Bissau and neighbouring Casamance. Now the latter are provided their supply by urban markets of Upper Casamance and wholesalers of Ziguinchor ; Which generates more dependence of borderland markets on hinterland trading. (Fanchette 2001:99)

²³ The loumo of Tonia Taba is a market for small arms also used for hunting by local peoples. These small arms include light weapons of traditional making and warfare weaponry such as antipersonnel mines and guns.

²⁴ The Front Nord of insurgency has specialized in the trafficking of Cannabis and timber-cutting in its strongholds to Gambia (See also Fanchette / Le Renard 1997). The Front Sud holds the trafficking (and in some areas, the farming) of cashew along the border with Guinea-Bissau and Casamance. It has also grabbed hold of the trafficking of hard drugs from Bijago Islands in western Guinea-Bissau and Karone Islands on the north bank of the Casamance River (Tandia 2010c).

²⁵ Many seizures have been done in Diaobe where was disclosed a buoyant traffic of arms originating from Liberia and Sierra-Leone as supplies for the MFDC or equipment for a plotted coup against the Gambian regime of Yaya Jammeh (See Fanchette / Le Renard 1997). The market of Diaobe is also reputed as a market for light weapons even though people refer to that as an underground activity connecting some retired soldiers, businessmen and demobilized combatants from the Mano River Basin. On the arms supplies of the MFDC see Marut (1996), Evans (2004), Tandia (2010c).

land and orchard seizure through mine bombing, looting by military, or else mere illegal taxation of some contraband flows as in Medina Yoro Fula and Medina El hadj bordering Guinea-Bissau (See also Evans 2004:10). Because also refugees and host communities have sometimes been dispossessed of their relief-food in both Guinea-Bissau and Gambia border villages, cross-border trade has lacked purchasers and some food for better trade. Poor purchasers from weak livelihoods are also those who left their orchards or farms because of landmines, factionalisation and resettlements of insurgents in new or reactivated confinements (See Tandia 2010c). The prospects of cross-border trade are more of a question especially as the army is constantly changing its positions in order to avoid ambushes from insurgents. More fundamentally, the impediments of cross-border trade and borderland economies as a whole seem to be giving the pretext for transboundary community responses fusing into cross-border cooperation.

Cross-border trade and Cross-border cooperation

As we have seen from the developments above potentials of cross-border trade are neutralized by impediments from militarization and induced criminalization. It is precisely this “aberration” that cross-border cooperation builds on in relation to what borders and trade mean for borderlanders and local governments from the grassroots perspective. Therefore identifying the very weaknesses and opportunities of cross-border trade on which is based the rationale of cross-border cooperation is an important stage in understanding the assumptions and implications for territorial governance, neighbourhood and productivity in a context of border instability.

Weaknesses and opportunities of cross-border trade

Due to militarization cross-border trade seems rather unable to build a sub-regional and wider regional market for both economic entrepreneurs and populations, not least for states. This, especially as borderland communities are at the same time facing structural imbalances and global-local socio-economic transformations which are not yet under their control.

Local and Global politics of socio-demographic, economic and governance challenges

If cross-border trade is an important dynamic in borderlands it is partly due to huge flows of peoples among whom many settle or reside temporarily in border regions. From these migratory processes has resulted large influxes of settlements from Guinea-Bissau, some parts of Low Casamance and Gambia or even beyond, and as far as the central places of Senegal and Guinea Conakry. At the same time local population has grown younger and less mobile. This has caused a huge pressure on land availability and subsequent

exhaustion of forestry and farming surfaces which are narrow trans-frontier wetlands. Grazing activities and dependence on cash crop growing are additional constraints that result in many community conflicts. Actually these conflictual relations are more established between frontier-lands of Casamance and Guinea-Bissau where the system of productivity is basically made of agriculture and cattle-breeding. Governance problems both from local and global politics do not lighten these heavy processes. Patrimonial management of land and forestry (i.e. tenure of land, pastry itineraries, and cutting permits for timber exploitation) by local senior civil servants most of time favours local notabilities and marabouts based in religious centers such as Porokhane and Madina Gonasse (see map). At the same time unemployment is swelling among the youth most of who are sometimes recruited in banditry and insurgent factions. This has been partly caused by a new deal in the local cotton industry and agricultural policies, notably the commercialization of cash crops such as peanut and groundnut. The Sodefitex²⁶ which used to buy the cotton production from farmers has stopped giving credits since as many could not pay back. As a result farmers who are the bulk of dealers in local markets batter their harvest in Gambia. The Sodefitex has then closed its local branches in Kolda and many employers turned into cash crop or remained unemployed, adding to the demographic pressure on land and natural resources. Moreover, the commercialization of cash crops is monopolized by intermediaries²⁷ who are favoured by an awkwardly liberalized agricultural system. This has aggravated poverty and induced conflicts in borderlands mostly between Guinea-Bissau and the Casamance where militarization is stressed. This situation is even more requiring responsive actions that it is marred by profound structural weaknesses.

Weaknesses of cross-border trade or the Achilles's Heel of borderland economies

According to Malcolm Anderson no economic, political and social activity is possible without borders (Anderson 1997:16). In Africa, the fact that borders preceded such activity has resulted in everything political, social, and economical being done or rather receiving institutional concern far from borders. This picture depicts quite adequately the situation of cross-border trade as a matter of governance and social-

²⁶ The Société de Développement des Fibres Textiles (SODEFITEX) has been established in 1974 as a firm of major public capital. On the 13 November 1973 it has been privatized and its capital increased and passed from 750 million to 3 billion Cfa francs. This privatization has particularly resulted in a disempowerment of local cotton farmers for the benefit of intermediary traders and purchasers who now can gamble with price increases and other organized shortages to impose their positions on the business.

²⁷ These intermediaries actually resell the crops to Indians whose front door is Senegal where the government has been favouring them since 2002 as main purchasers; in exchange they have been supporting the Government's policy of public transportation and benefitted from the diversification of fruit and cash crop farming through the introduction of new varieties such as banana, cassava, and strawberries. Knowing that no one else would buy the harvests, they reduce prices and pay back the money to farmers only eight to ten months after the collection of the products.

economic activity. The weaknesses of cross-border trade are therefore partly inherently linked to the “margin-doom” of border regions and manifested as problems of politico-institutional and administrative governance on the one hand, and of economic extraversion on the other.

While the principal object and policy expectation of cross-border trade is the trans-frontier and then regional integration of wider commercial networks, this has been very limited for one fundamental reason, which is the longstanding weakness of political and institutional structures. Local districts are very weak, mainly in Gambia and Guinea-Bissau and this leads to regulations being subject to much power abuses that tend to turn them into “unlawful zones” of which only big traders can take advantage. It is hardly possible to identify outstanding local actors that animate political and economic processes with much efficiency and incidence on trade for instance. Not only are local districts and bureaucracies deficient because of meager budgets and poor technical equipment, but they are also devoid of competent staff and have to struggle in institutional chains of uneven power shares. Political and administrative authorities are not skilled in country planning and financial management. Besides this absence of local technostructures, the local populations lack financial means, technical skills and powerful commercial networks that can compete with those of the regional trade. This is stressed in Gambia and Guinea-Bissau where national styles of decentralized governance has not been accompanied by a culture of command chains. This is much more costing for borderland trade inasmuch as the Casamance region has been marginalized in Senegal²⁸. Likewise the much diffused belief among Gambian local elites that borders are a symbol of their political security over Senegal is of much hindrance.

All in all, borderlands and cross-border trade and productivity have resembled much more to an enterprise of extraversion of border regions’ economy. The governance and political shortcomings underlined above has led a patrimonial style of management of local productivity. Like the bulk of migrants residing or frequenting borderlands, senior civil servants and some local traditional authorities and religious leaders have animated the vast and historical movement of extraversion of border trade and economy. This has happened through the hoarding of fiscal and natural resources (land, forestry, cattle) as well as cash crop commercialization. For the peculiar case of cross-border trade this appears through the monopoly of transports by Wolof lorry drivers and hauliers based in Kolda, Ziguinchor, in religious centers (Touba,

²⁸ The majority of senior civil servants and local elites come from the north and have been basing on the development of the islamo-wolof model to divert and circumvent laws and regulations and gain the passive devotion and / or corruption of local powers (Fanchette 2001:105, see also Darbon 1994).

Kaolack, Madina Gonasse) and in the two Guineas (Faring, Pirada, Labe). Most outstanding actors of this economy (transporters, wholesalers, semi-retailers, etc.) are from strangers. Their gains are reinvested²⁹ in their countries or towns of origin. Such reinvestment by religious leaders, local civil servants³⁰ and some political leaders is conveyed in cash in financial estates in the “chef-lieu de region” for the Casamance border regions and in capital cities and urban centers for Gambia³¹ and Guinea-Bissau. These migrant traders and entrepreneurs build new houses and develop new businesses in remote capital cities of regions and countries, just as in Central Africa (Bennafla 1999), where funds are deemed to be safer and opportunities greater for their profitability. In face of such a one can ask how cross-border cooperation is going to replace cross-border trade in the center of borderland economic and political dynamics.

Opportunities of cross-border trade: Fostering cross-border peaceful cooperation

Cross-border flows respond to strong demand emanating from the coastal urban areas, with the Dakar-Touba axis in Senegal, the Pirada-Gabù in Guinea-Bissau, and the long border area of Gambia from Basse to Serekunda and beyond. Elsewhere it has been noted that markets have demonstrated their ability to respond to additional demands, especially for imported commodities. (CILSS *et al.* 2009:7). But its import for borderland communities and institutions is more or less valuable. When trade flows occur freely, the palm oil, livestock, cashew nut and groundnut businesses constitute opportunities for households to ensure their food security³² and cope with food crises caused by arcadia invasions (as in 2004), floods (since three to four years) and market crashes (as in 2002, 2007 and 2008). The relative availability of some products means that borderlanders who are basically farmers have a purchasing power induced by increased income and stocks to bridge the gap. Also considerable are the incentives of cross-border trade to local farming of vegetables and paddy rice for Bissau-Guineans and peanut for Senegalese and Gambians even though trade still faces important volumes of unconsumed goods in markets.

²⁹ These reinvestment practices of the cash crop rent most of the time are oriented towards Gambia. The growing intensity of smuggling in Gambia-Casamance eastern borderlands by the Saloum-Saloum from Kaolack, who are in addition illegally established in local forests of Pata and Medina Yorofula, reveals the that integration in the borderlands is not an objective for them, which therefore disfavours cross-border trade and border regions.

³⁰ Whether they are agents from the Forestry services, local administrators (gouverneurs, préfets, sous préfets in Senegal, commandant in Guinea-Bissau or commissioner in Gambia), the customs, the border police, these civil servants have largely detained the law to their own benefit (Fanchette 2001:105).

³¹ Mainly among or linked to the Bathurst notabilities, many migrants in the Gambia-Casamance borderlands reinvest in real estate business, transportation, whole sale and import / re-export trade in the village of Bureng in Gambia, or in Banjul. This has transformed this formerly little village into a warehouse for border-crossers and smuggled goods that are mainly re-exported to Senegal via Kaolack and Tambacounda. See Fanchette (2001, 2002) for detailed developments on these dynamics.

³² The improvement in grain availability in the West African basin compared to 2007 – especially for local rice – bears witness to this dynamic aspect of the system, and to the existence of new opportunities for household food security (See also CILSS *et al.* 2009, Lesser-Moisé-Leeman 2009).

As well, rural peoples from remote villages of Gambia and Guinea-Bissau which is the most plagued by poverty and institutional voids are supplied in manufactured goods. Loumos are also good marketplaces for the bulk of women to alternate farming (i.e. rice cultivation) and weaving with trade. Most women whose husbands are seasonal migrant labourers are able through trade to increase household income by selling beverages, locally made soaps, vegetables, etc., mainly in the loumos of Tonia Taba and Cambaju (see map). Interestingly, newly built or reinforced strong social links between retailers and consumers favor food security just as trade relations between men and women of different countries favours commercial integration: retailer's widespread practice of sales on credit allows households to defend their food access in times of crisis.

Local councils and public services are also profiting from cross-border trade opportunities. Organizing and policing loumos, to secure goods and dealers, helps increase local financial assets in a context where decentralization is not really effective and struggles with patrimonial "village politics". At the financial level where no substantial funding is derived from national budgets and affected to local districts and councils. Hiring the place for loumos and shops and warehouse in border comptoirs also yields much public income that can be reinvested in social service delivery and infrastructure building (roads, schools, dispensaries, markets).

Indeed, it seems that opportunities have started creating convergences between governance or institutional dynamics and socio-economic processes of empowerment thanks to cross-border trade. Ancient trade relations based on itinerancy of Jula monopolies compartmentalized cross-border trade within uneven spaces segmenting neighbouring frontiers. Seemingly, those compartments Lambert referred to as "basins of production, spaces of circulation and consumption centers", (Lambert, 1998:28) start merging into a more or less regionalizing space because of new dynamics of sedentarization created by daily organized loumos and some bubbling border comptoirs (Basse, Sare Bodjo, Manda Douanes, Diaobe). More fundamentally, the overall opportunity deriving from cross-border trade is the enduring of borderlands as social spaces (see Fanchette 2001:101). Trade relations based on a better knowledge of trans-frontier regions is the basis for blossoming networks that paradoxically serve as a ground for smuggling and fraudulent and survival practices of small dealers mainly in southern markets between Senegal and Guinea-Bissau; as northern markets are more policed and Gambian customers less prone to tolerate them. It is precisely this social

space that militarization has been fragmenting and impoverishing by reinforcing the lax spaces of territorial states.

These ambivalent dynamics of weaknesses and opportunities, merging ancient and new processes, merge into strong interdependences – physical and socioeconomic differentials and complementarities – militarization has precisely accentuated and somehow taken away from sound initiatives in cross-border trade. As a consequence, cross-border cooperation, through and for trade, is rather oriented towards securing and promoting such interdependences.

Cross-border cooperation for peaceful neighbourhood and free trade

Like any form of collective action, cross-border cooperation is socially constructed and involves interactions and relationships dedicated to enforcing and reproducing a social order which is also derived from expectations and oriented to specific challenges. As such it implies discursive formulations and social representations which mould and guide its practical engineering. The practice of cross-border trade is therefore liable to some forms of legitimisation that inform its rationale, formal structure and functional efficiency. Question is basically whether through its discourse, forms and function of cross-border cooperation successfully fosters peace and neighbourliness as means of curbing militarization. In that respect, to what extent does cross-border trade process weaknesses and opportunities of cross-border trade?

Legitimising cross-border cooperation: A moral economy of borderland trade?

As a transnational sociopolitical phenomenon involving many actors which interests and identities often compete, cross-border cooperation is legitimised not only on the basis that militarization has to be superseded by stability, peace and security. But in relation to many registers, symbolic and material, from which cross-border trade is hindered or can be promoted, such as social ties, the local territoriality, and even the political and economic processes at state and inter-state level. But while it is an institution in southern markets, it is hardly identifiable in the northern markets of the Casamance and Upper Gambia borderlands.

“No trade without peace!”

Militarization is the main reason for cooperation given the insecure and uncertainty it nurtures against commercial and wider production activities and social order. It is also meant to address cyclical challenges

militarization has induced or increased. As such the discourse by which cross-border cooperation is given the function of creating the conditions for free and peaceful trade articulates some moral goods and values – peace, brotherhood, kinship, unity, neighbourliness, etc. – and turn them into a kind of “moral economy” of what borderland trade is really or should be considered to be. This appears in the following words of a woman holding her stale in the loumo of Cambaju (Guinea-Bissau).

Peace and trade go together. And just as governments are advocating it every time in their relations and agreements, peace and economic exchanges are useful to preserve unity and brotherhood among peoples. That is what we experience here in the loumo of Cambaju. Without peace the basement of trade relations cannot exist: how can you be trustful if there is no peace? I work with a woman named Khady Diallo in Kolda. She sends me goods and commodities in credit which I sell and pay her back her money. We just met here in this loumo and until now we are trustful to one another. This partnership is only based on confidence! And we intend to maintain it on the same basis.

Confidence is then a result of peace and neighbourliness. If this implies an implicit integration of the southern borderlands, it means at the same time that northern borderlands of Casamance and Upper Gambia are not that so integrated. As we will see later, if social and economic relations are based on solid partnerships they however seem to be defined by dependence and utilitarianism.

This is related to another factor which is important in the occurrence and development of collective action; that is the degree of social integration and effectiveness of social control or order. Social integration on the basis of rigid and elastic kinship and cultural affinities does not seem to be well distributed between northern and southern borderlands. Migration in the former ones is decisive factor in this respect.

“We are one and the same people”: localism, the regional identity of cross-border cooperation

Cross-border trade and wider productivity are transnational in character and depend strongly on elapsing peace and integration in the face of a transnational insecurity and instability. This entails the social construction of cooperation to take the form of the theory of comparative advantages. In legitimising cross-border cooperation for peaceful trade and socioeconomic integration, both differences and similarities are convoked. Even though the political history of the region have had to oppose peoples against one another at some points in time, and has accentuated differences and disparities in political cultures, institutional set-ups and policy orientations between neighbouring countries, it has not however interrupted the imbrications between peoples, cultures and social territories. It is this community substrate that largely sustains cross-border social and economic exchanges.

In Sare Koubé someone has built his hut astride the borderline. In this hut, he disposed his praying mattress in one side of the borderline and his bed on the other side. He considers that as such he can say his prayers in Guinea-Bissau and come back to spend the night in Senegal when sleeping in his bed³³.

³³ Demba Balde, Leader of the Mouvement des Jeunes pour le Paix (MJPI). Interviewed by author. Kolda, 21 May 2010.

This local life-story is a symbolic representation of how cross-border relations are constructed as the foundation of commercial, social and economic relations. Traditional authorities are the main actors of such a social construction of neighbourhood and pacifism among borderland communities, as argues the imam of Salikegne neighbouring Cambaju argues:

It is true that Guinea-Bissau is very unstable, but we have on the frontier very good neighbourhood relations (...) Bonco, Teninto, Karantaba, Sumbundu, Katafo, Diabi Kounda, and Pakoua are villages in Guinea-Bissau that have secular bonds with Salikegne our village. Our sons have always taken their wives from those villages and their sons have always taken wives from our village. The intermixing is such that it is difficult to know who is a Guinean or who is a Senegalese? Our role is to safeguard those ties and reinforce them through our prayers and counsels to political and administrative authorities as well as people.³⁴

Modern legitimacies such as local councilors and district chiefs also articulate the discourse of cross-border cooperation by invoking the local nature of cross-border cooperation and trade. Basing on decentralization and administrative deconcentration, their discourse provides for the institutional framework of cross-border cooperation and trade, and this even though a pluralistic regime of legal-rational and traditional-charismatic authorities prevails in borderlands.

“Cross-border trade is a local matter”

Look, the loumo is a local matter just as cross-border-trade is an affair of local government authority. It takes place in a local setting, a rural district or a village. So we have the President of the communauté rurale, the mayor, or the village chief. We also have préfet and the sous-préfet as well as the religious leader who gives blessings to the establishment and animation of the loumos. Traditional authorities are important but local councilors and administrators keep their authoritative grasp inasmuch as loumos are first of all supposed to be profitable to the community council's budget and to people's purchasing power³⁵.

This shows that borderlands are conceived as political territories that can draw from their autonomy and the local belonging, regional identities³⁶ and very specific issues and challenges such as institutional and financial problems, trade and militarization induced insecurity. However in other instances localism and autonomy of local districts can be of nuisance to cross-border cooperation, notably when it is used to justify arbitrary rule in the name of institutional decentralization.

³⁴ Interviewed by author. Salikegne (Kolda), 22 May 2010.

³⁵ Deputee Governor, Government house of Farim (Guinea-Bissau), May 19 2010.

³⁶ Identity being a relational material, cross-border cooperation, which is at the same time a product and an instrument of grassroots integration, articulates a rather inclusive 'local citizenship'. This is based first on the tradition of brotherhood sanctified in the imaginaries of neighbourliness erases foreignness in favour of a kind of 'borderland nationalism'. Second, ordinary discourses designate the stranger as a brother or sister, in line with the immemorial African maternity, to nullify difference, a nationally endowed otherness. Third, this implies a collective duty of solidarity constructed out of local syncretism that is open to Islamic revelation and results in an ethos of palaver and tolerance. In this vein, the legitimacy of cross-border governance is deemed to rest upon the common will of border peoples to live together.

Localism as an identity resource which cross-border dynamics and relations can be built is limited in northern borderlands between Gambia and Upper Casamance. The reason for that is the low level of social integration of the population which comprises Wolof migrants from Saloum and Touba, Guinea Conakry and Kayes in Mali and the subsequently absence of belonging to the areas for many dealers and consumers, leading to the extraversion of the economy. Therefore, there is little concern over building institutional linkages and cooperative actions between frontier-lands. Yet, cross-border cooperation seems to be necessary therein for economic exchanges given that official attempts at regional integration have been rather disappointing.

"We need effective economic integration at regional level"

Diplomatic relations and regional governance have been important dynamics of cross-border trade and neighbourhood, and they still are (see Bach 1998, Sall and Sallah 2002). Because border disputes, cyclical trade and economic decisions as well as political and military choices happened to spur tensions and ignite community conflicts, cross-border cooperation is conceived as an alternative mode of governance which draws from local, national and regional institutional frameworks.

We need a genuine economic integration as promised by the ECOWAS, so that Development Millenary Goals can be attained. We need to get reed of border barriers that set peoples against them within the ECOWAS!³⁷

The invocation of regional politics of integration is an implicit denunciation of the failure of inter-state diplomacy. Gambia and Senegal have hardly had stabilized encounters since the fall of their Confederation in 1989 (See Hugues 2002, Faye 2002). On the contrary, since 2002 Guinea-Bissau and Senegal are much more admitting their common interest to fight conflict and war economy around their borders (Tandia 2010b). In a utilitarian point of view which considers borders as spaces of political and economic stakes, cross-border cooperation and trade are defined according to political, social, cultural and economic realities in border regions. Inevitably, this ascribes peculiar forms and functions to cross-border cooperation that transcend the sole sector of trade to include peace and neighbourhood.

Forms and functions of cross-border cooperation: redynamising trade, integrating borderlands

Because it goes beyond cross-border trade and includes wider production activities, cross-border cooperation is not limited to thwarting militarization by the mere contemplation of peace and integration which constitute conditions for a viable economic environment. Indeed its function is not only to generate

³⁷ The Mayor of Salikegne. Interviewed by author. 22 May 2010.

peace and social integration in borderlands but also to create conditions of better and greater productivity for the mutual benefit of borderland communities and trade dealers. Therefore forms of cooperation transcend mere trade or commercial joint actions. They encompass other activities and the sharing of other resources in as various domains as can be relevant to peaceful neighbourhood propitious to free and profitable trade. Trade, it should be kept in mind, is strongly dependent on the overall primary and rural agricultural economy which provide the supplies and the cash that sustain markets and transactions; meaning that cross-border cooperation is actually supposed to create conditions for this rural merchant economy to prosper.

As perceivable, a sociological approach of cooperation would define it as an activity shared for mutual benefit. This implies looking at cooperation as a system of interactions or a collective action informed by a shared rationale and involving common interest and yet strategies that can sometimes clash or even compete as individualism remains a valid logic of collective action. This observation made, I will still give a primary concern to collective logics without losing sight of the strategic and individualistic aspects of the matter. In that respect, I will focus on an empirical approach wherein sectors and levels of cooperation can be identified out of notional or typical articulations. Cross-border cooperation includes social-cultural, political and economic sectors, and within each it functions at different levels involving particular actors. It however displays in such a way that all these levels and sectors of interaction produce a unique dynamic of collective action.

In the political domain, cooperation looks rather like a form of collaboration implying administrative, political, and technical levels of joint actions seeking the benefit of various actors. We find here administrative authorities, local elected councilors and civil servants of different civil and military and paramilitary services such as forestry agents, sanitation and schooling services, police, customs, and other security bodies. A plethora of challenging issues resulted from militarization and war economy, many of which specifically hinder cross-border economy and trade. The most important products that sustain markets, mainly lousos, are agricultural products and cattle, especially in the southern borderlands. But production in these sectors are challenged by conflicts that arise between farmers and cattle-breeders, cattle-rustling, smuggling, road-cutting, land availability and conflicts, pressure and exhaustion of natural resources. These challenges are even tougher that sharing the cultivable lands is not an easy matter to arrange. Different national regulative systems, hybrid norms, and discrepant needs and capacities are some obstacles among others.

Collaboration between political and administrative authorities is therefore important and has proven to be effective and efficient in many instances. For example, in the southern borderlands of Senegal and Guinea-Bissau administrative authorities, the *préfets*, *gouverneurs* and *sous-préfets* of Kolda, Farim Gabù and Sédhiou have institutionalized linkages and more or less routinized and formal meetings³⁸ from which many solutions have been brought to such issues. As an example, in order to overcome legislative barriers between countries, local conventions³⁹ have been agreed between local districts of frontier-lands on how to deal with cattle-rustling, bushfires, timber trafficking, land management and even country planning (ENDA DIAPOL 2006, CCIK 2004). These conventions provide that all animals entering the territory of neighbouring districts will be killed in the *loumos* – of Cambaju, Tonia Taba and Coumbacara in Guinea-Bissau, Sare Ndiaye and Sare Yoba in Senegal – so that they can be identified in case of theft. Likewise populations go through the forestry service of their district which will contact the counterpart in neighbouring country for the access to natural resources such as (log woods, cutting-permits, bamboo, etc.). As regards country planning, production and evacuation paths have been built on the frontier zone from Tanaff to Coumbacara, while dykes⁴⁰ for water management have been built Medina El hadj-Sanka, Tankanto Escale, and Salikegne-Cambaju allowing populations to cultivate rice in the valleys straddling borders. As far as militarization is concerned territorial authorities in Senegal and Guinea-Bissau took the pretext of inter-state commissions⁴¹ to claim greater oversight, control and even reduction of army troops on the ground. Joint coordination of intelligence and border policing has also helped dismantle some gangs of road-cutters and cattle-rustlers, which dissuaded many criminals even though drug and cannabis trafficking is a relatively new and enduring challenge.

This formal form of cooperation goes beyond collaboration to include another pattern of cooperation which also means politically showing some willingness to merge efforts and share resources, notably when power

³⁸ An example is the peace forum held in the village of Sanka in 26 November 2005 when a land dispute between a Bissau-Guinean cattle-breeder from neighbouring and a Senegalese farmer. This meeting was presided by the *préfets* of Farim and Kolda along with the local councilor of Medina El hadj. The meeting instituted a Commission for the attendance and settlement of conflicts. Minutes of the meeting, Kolda, 21 september 2005.

³⁹ These were signed with the help of civil society organizations such as the MJPI and Enda Diapol in 2002 on the border areas from Tanaff westward from Low Casamance to Dialadian close to the border of the Republic of Guinea, encompassing important places in Guinea Bissau such as Citato, Cuntima, Sinthian Metaniali, Tonia Taba, Sare Bakary, Sare Waly, and Coumbacara, and in Senegal Medina El hadj, Tankanto Escale, Salikegne.

⁴⁰ These infrastructures have been achieved with the sponsorship of the World Food Program and Enda Diapol in the framework of a program. Another valley called Leeba is to be valorized between Medina El hadj, Cuntima and Sitato.

⁴¹ These are the Commission Mixte Senegalo-Guineen and the Comite Inter-Etats regrouping the Gambia, Guinea-Bissau and Senegal. They are permanent consultative institutions in which local government councilors and territorial administrations are convened.

relations are very discrepant and that one side is more endowed by nature and fate. Northern districts of Guinea-Bissau neighbouring the Casamance are poor territories just as the Casamance is marginal in some instances. As a matter of fact, Senegalese districts sometimes turn to assistance by financing some loumos like that of Cambaju. They also allow access to sanitary districts and schools in Medina El hadj, Salikegne and Tankanto Escale. By securing loumos and relaxing customs and police controls in days of loumos, local formal authorities want to facilitate and promote trade and economic exchanges which are vital for borderland rural livelihoods. Interestingly, if local institutions are by the way relieved from deprivation, regulating the merchant order in borderlands brings states back in. The philanthropic register of cross-border cooperation is meant to cope with structural differentials and inequalities while redressing cyclical and periodical shocks we mentioned earlier. As such it invokes the duty of solidarity commanded by kinship and immemorial commonalities that define “natural resources as having no borders”.

Very strikingly these dynamics are seldom noted in northern borderlands between the Casamance and Gambia. A first explanation to that is the very feeling to do so. The cosmopolitan character of these areas does not result in a social integration while the extraverted nature of the local economy and transactions retards the emergence of converging interests and common goods. Nationalism is very strong among authorities and local elites of the Upper Gambia where common independence with Senegal and the Senegambian Confederation were strongly opposed as Bathurst trustees and local elites establish in the area are very influential in the inter-state relations (Sall 1992:21). Economically, the Gambian border comptoirs of Basse Santa Su and Serekunda give an important margin to Gambian nationals of cross-border trade, which does not encourage them to cooperation⁴². Moreover, the loumos of the border in Gambia are not yet able to survive the primacy of intra-regional trade over borderland survival trade. Challenges are there and include important trafficking of drugs, timber and cannabis which is profusely produced in Kanilaï and the roundabout. As a consequence, only some sectors are witnessing some forms of joint ventures, notably transportation.

⁴² The wholesale supplies transiting in the port of Banjul are subject to transactions in cross-border markets before being introduced in Senegal. Cross-border trade however owes much to “real” determinants. As Gambia produces no cereals, the country gets supplies via loumos located along the border in Senegal. It also imports horticultural and pastoral products from the same country. Manufactured goods produced in Dakar are exchanged, sometimes in batter trade, in loumos of Guinea-Bissau. The strategy that has lastingly benefited the Gambia has now lost momentum because of some congruent factors. Demands in Cfa currency has increased since Guinea-Bissau became member of the WAEMU and some macro-economic evolutions are threatening the perennality of re-export the Gambian trade: budgetary deficits and growing inability to re-export (Abdoul *et al.* 2007).

The economic sector is perhaps the only domain in which Gambian involvement is noticeable. Much more has been done again in southern borderlands of Senegal and Guinea-Bissau where markets profit from efforts to collectivize regional planning and agriculture and pastoral activities. Just as reflected in the very economic meaning of cooperation – the combination of persons for purposes of production, purchase, or distribution for their joint benefit – that is a slightly more corporate variant which favours partnerships that focus on “joint benefits” and not necessarily “mutual benefits”. While this may imply Gambian border regions to be unblamable in their little disposal to cooperation, the fact is that structural specificities justify poor merging.

The economic environment is such that the current changes that disfavour Gambian traders concern them less than the overall national economy given the high degree of informality of the transactions – up to 60 per cent according to many analysts (Abdoul *et al.* 2007). As a consequence, only transporters and intermediaries in the northern markets and loumos are seeking partnerships with their Senegalese counterparts. Organized in unions of hauliers and lorry drivers called “syndicats”, these corporate actors just arrange their relationships with customs and border police services so that their transactions can be less heavy, however illicit deals this implies (Abdoul *et al.* 2007). On the contrary, while tolerance plays in for illicit deals, cross-border trade actors in southern markets have much more been partnering. Sponsored and supervised by territorial authorities and local councilors, traders have agreed to economic partnerships⁴³ through the chambers of commerce of Kolda and Farim (CCIAK 2004). In order to cope with the difficulties populations and mainly traders and dealers face to access and circulate some products through borders, notably from south to north, some commitments to facilitate transactions have been made. Better management of military checkpoints in Guinea-Bissau and relaxed taxation and control are constant requests that are meant to facilitate hauliers of Kolda markets to circulate cashew nuts and other cash and tree crops. Inversely, newly built warehouses in Tonia Taba will be instituted as comptoirs for the collection and storage of cereals (both locally produced paddy rice and imported varieties from Gambia and Senegal) and cashew nuts. Senegalese smallholders of a poorer variety of cashew nuts have agreed to storage mechanisms and better organized commercialization so that expected high prices may be profitable to Bissau-Guineans. As regards the criminal side of the business, undocumented exploitation is targeted through joint intelligence and systematic seizures to reverse the current trend of low prices deliberately

⁴³ A meeting has been held in Kolda in May 6 2006 and monitored with the help of Enda Diapol (ENDA DIAPOL 2006). It gathered members of the chambers of commerce of the two regional districts and their forestry services as well as some smallholders and traders.

sustained by intermediaries and big traders (ENDA DIAPOL 2005). Partnerships also blossom in other sectors notably the retail trade of basic commodities and staple food as well as small and medium size businesses. This is the case of Women Advancement Associations that exploit the traditional soap and vegetables industries. These partnerships draw on confidence relations favoured by neighbourliness and owe much to social and cultural linkages.

An ecological conception of cooperation, which is thereof defined as mutually beneficial interactions among organisms living in a limited area can be relevant to a spatial and cultural approach to cross-border reticular cooperation. In effect, promoting cross-border community integration in such a perspective implies strategies of pacification and highlights the relative homogeneity of borderlands in terms of common representations and practices of borderland activities and territories. The same can be said about the tendency to quickly find common goods and interests that can help publicize regulative commercial norms and practices.

Cross-border cooperation for peaceful trade and neighbourhood is aimed at a free circulation of goods and peoples by means of socio-cultural arrangements and celebrations. The social integration function of cross-border cooperation corresponds to the promotion of neighbourliness and peaceful coexistence in borderlands. Given that it alleviates the differentials in play imposed by interdependences, cross-border cooperation permanently prevents any disruption of local peace and neighbourliness. The use of socio-cultural solidarities and geographical and economical complementarities aims at combating the negative effects of differentials and low intensity criminality sustained by militarization and criminalization. Concretely, as a “cultural diplomacy” of neighbourliness and a cooperative security system, cross-border cooperation operates as a “preventive diplomacy” that implicates either administrators or local customary and religious chiefs (Tandia 2010a). In 2002, after a road blockade in Diouloulou aimed at pushing Bissau-Guinean authorities to intervene in community conflicts that rose around unsorted cash vouchers, these are some pacifying dynamics created since then by with the involvement of the MJPI:

The solution to the conflictual climate induced by the difficult sharing of natural resources and commercial irregularities has also been cultural. We instituted twining activities between borderland communities: an twining between the schools of Sanka (Senegal) and Cuntima (Guinea-Bissau) so that students can get integrated through their interactions. This witnessed the participation of the préfets of Farim and Kolda. Another twining concerned the dispensaries of Medina El hadj and Cuntima to get people connected. Wrestling and football tournaments have also been created and are still taking place⁴⁴.

⁴⁴ Sabali, Former President of the Communauté rurale of Medina El hadj. Interviewed by author 23 May 2010.

In the domain of peace considered as indispensable to the prosperity of such integrative dynamics southern borderlands stand out again in terms of achievements:

To cope with insecurity and low intensity criminality we have set up peace forums where communities discuss problems, find solutions, settle disputes and condemn transgressors. A Conflict Prevention and Settlement Committee has also been created and is headed by the sous-préfet of Cuntima. There are also a Peace Consolidation Committees in all localities. To promote them for their ownership by borderland communities we have organized festivals, for example between Salikegne and Cambaju and in Coumbacara in 2002 and 2003. It is noteworthy that President Coumba Yala attended them as a sponsor and sign of brotherhood between our countries⁴⁵.

It follows that the combined effects of the different levels and forms of cross-border management and social integration result in the curbing of tensions and conflicts that can occasionally rise or get poisoned. With respect to cross-border as such loumos have been given pacifying functions throughout the frequent gathering of populations and traders, their securing and their promotion. Actually, some loumos have been created or revived⁴⁶, by means of financial support and deregulations just in order get people closer after defiance and conflict passed. This is the result according to a member of the MJPI in Sare Koubé:

We established the mirador of peace that has been sent in Sare Koubé by Bissau-Guineans. Given that Sare Koube was an important market which has been affected by growing insecurity and conflictuality through the years, this action was meant to restore social peace and boost up again economic activities. At the same time, we developed cross-border collective farms that enabled people to be aware of their interest to cooperate⁴⁷.

Authorities and many civil society organizations agree that these dynamics have been very decisive in reviving loumos and trade relations and transactions as a whole. Evidence to that are seemingly the resulting trade agreements and facilitations as well as prospects of creating new loumos. Nonetheless, if those arrangements are still working such prospects seem to be vain wishes when cross-border cooperation does not actually address some not least important issues especially as those related to the purchasing power of dealers including almost all populations in the context of borderland economies. Some other activities like festivals do not also take place on a regular basis because of frictions that sometimes strain cross-border relationships. Access to credit and capital availability are closely related while scarcity and poverty among borderlanders increase their dependence on these elements. These are the firsts of many challenges to cross-border cooperation including insecurity and anomic inter-state politics notably between Gambia and Senegal.

⁴⁵ Demba Balde, Leader of the MJPI. Interviewed by author. Kolda, 21 May 2010.

⁴⁶ The loumo of Yareng nearby Madina El hadj has been revived while in Salikegne the local council has agreed with Bissau-Guinean sous-préfet of Cambaju on the opening of a loumo in Salikegne. The objective is not to compete with that of Cambaju but to provide the newly erected rural commune of Salikegne – since 2008 – with resourcing infrastructures. The location of the loumo has already been identified and it will take place every Tuesday according to the mayor whose complains about soldiers in Guinea-Bissau suggest that the market is actually an alternative.

⁴⁷ Interviewed by author, Sare Koube, 18 May 2010.

Limitations, Challenges (and prospects):

As already said, this paper privileges a political and geographical approach to the core issue of cross-border trade and cooperation challenged by militarization and its economic and territorial manifestations. Therefore a political approach to cooperation implies looking at it as a governance practice which political dimensions cannot be lost of sight. Borderlands are political territories straddling boundaries where decentralized political and administrative authorities as legitimate decision centers in their respective districts are interacting in governance and politics. They are also social spaces where other forms of authorities and legitimacies, notably religious and traditional, cohabit with legal-rational legitimacies.

Consequently, the *actor dimension* of cross-border cooperation as a governance practice concerning the nature and character of relationships between those various actors (Hyden 1995:9) can indicate its degree of publicity and therefore its transnational and communitarian significance. As a governance practice cross-border cooperation involves a *structural dimension* relating to the nature of political structures, or else, the institutions created by shareholders to pursue social, economic and political ends (Hyden 1995:10). There is also the *regime dimension* of cross-border cooperation referring to the nature of regulations, or else, the rule and decision-making and enactment systems (Ibid).

If cooperation can politically refer to actors involved in collective action showing some willingness to collaborate, no doubt that the processes analyzed in the preceding section suggest the existence of genuine individual, political, institutional and even popular efforts and commitment to cross-border cooperative governance. Nevertheless, as reminds the striking imbalance between northern and southern borderlands in terms of cooperation, it is clear that much is to be done when it comes to such governance and political dynamics. While northern markets in Senegal-Gambia borderlands are particularly intriguing, cross-border cooperation faces various challenges in respect with the three dimensions identified above.

In this regard, the effectiveness of cross-border cooperation can be appreciated through an analysis of *relationships of authority* – authority meaning any form of “legitimate power”, that is the voluntary acceptance of asymmetrical relationship, and *relationships of reciprocity* in terms of the contribution of various actors on either side of borderlands to the welfare of one another according to mutual expectations (Hyden 1995:9). Question is also whether or not reciprocal relationships resulted in forms of “broader agreement and consensus on the basic norms of social action” (ibid.) as suggested by the discourse and ethics of dialogue that stand as a moral economy to cross-border trade.

Relationships of authority are clearly favouring cross-border cooperation, at least in its functioning as attempt to collectivize efforts of order-making. Traditional authorities are keen to join modern legitimacies in sponsoring, coordinating and implementing decisions pertaining to trade, security and social integration. At the same time they recognize the territorial and representational authority of administrators and local government councilors, as exemplified in the heading by the latter of meetings and institutions dedicated to cross-border matters. Traders also do so just as local populations. Yet, they claimed the involvement of some actors in illicit trade and corrupt deals, and the arbitrariness of some local government and administrative rules are strains to this dynamic. In the northern borderlands and markets the attitude of many migrant traders and smallholders in commercial, transportation and forestry sectors, which sustains the extraversion of local productivity, loosens relationships of authority and social reciprocities. By the same way, the connivance of some local authorities with religious leaders in accessing to natural resources and benefitting from illicit facilitations do not speak in favour of reciprocal and authoritative relationships, not least between leaders and ordinary populations.

Reciprocities are even more lacking as far as security is concerned, especially issues of border policing, armed smuggling, cattle-rustling and other criminal activities deriving from war economy and encompassing militarization,. In southern borderlands reciprocities are lacking from either side. Some actors vexingly expressed it:

They [Bissau-Guinean border police] do keep watch of their borders! But we don't in Senegal! When a shopkeeper was attacked by armed groups one week ago they came to our customs checkpoint, but they were refused intervention under the pretext that it is a foreign territory!⁴⁸

In other instances, militarization closely related to political instability in Guinea-Bissau is an obstacle to trade and security:

The prevailing of aggressions and petty annoyance from border police and deployed soldiers is due to political instability Guinea-Bissau. At any time there are military constrains! But normally local governors should be deciding. What I have understood in their ways of doing is that there is no central authority at every level of government who decides and is obeyed. Every civilian or military chief is an authority in his corner!

When it comes to trade, constrains to free flows of goods and peoples hinders access to resources like forestry materials and land (farms, orchards, etc.). Bissau-Guinean soldiers and forestry agents are always designated as transgressors against reciprocities for that they systematically ask for money, like for instance when Senegalese cross the border for bamboo which is a valued material for house building. This

⁴⁸ Mayor of Salikgne. Interviewed by author. 22 May 2010.

situation involves from another perspective the non compliance with the rules and norms deriving from deliberations and consensus that have been built in cross-border institutions such as Committees, informal and periodical meetings, peace forums and so on.

The structure dimension of cross-border trade is also quite ambivalent. Many institutions or structural frameworks for dialogue, consultation, consensus-building, decision-making and enactment have been successfully gathering actors within cross-border cooperation⁴⁹. However, not only are these structures most of the time informal but their functioning is relativised by lack of financial means, regularity and even coherence. This refers back to the whole problem of infrastructural and technostructural weaknesses of cross-border districts and local governments and services, not to mention patrimonialism and reticular participation (Blundo 1998). Even though the vitality of social ties induces subsequent effectiveness of social cultural reciprocities (celebrations, festivals, twining, resource sharing, etc.), which are also easier to sustain due to their popular and informal character, political and economic reciprocities are limited.

Gambians do not feel pressed to engage in regulative and organizational initiatives in northern borderlands while Bissau-Guineans driven by more extreme socioeconomic and political problems yield to temptation: border policemen and soldiers, like Senegalese soldiers in Casamance, and local administrators impose high taxes and circulation of products (cash crops, tree crops) from the port of Bissau (see CCIAK 2004). These practices by the way reflecting the absence of inter-state coordination give an idea of what rule making and implementation looks like in cross-border trade.

The regime dimension of cross-border governance faces a commonplace obstacle for localities like borderlands, which are hybrid spaces where governance processes bear both traditional and modern influences, more so that heterogeneity is stressed by political differences. Decentralization systems are drowned by three different cultures of centralization in borderlands of western Senegambia. As a consequence there is a clash between modern rules and traditional ways of settling litigious cases. As preeminent markers of governance and politics in (trans)local areas, patrimonialism and informalism influence rule and norms making and prevent regulations from effectively governing political, social and economic relations:

⁴⁹ I mentioned in the preceding section, trans-frontier conflict management committees and peace forums, committees of forestry management, periodical meetings of chambers of Commerce. In the borderlands of Senegal and Gambia we cited the "syndicats" of hauliers and lorry drivers and occasional meetings of local authorities.

The game is not honest. Instead of denouncing or taking the transgressors [cattle-rustlers] to the police, the owner most of the time just contents himself with the money he is given or recovers his livestock. They don't help us by not complying with the law or the rules of transparency we have agreed upon. At the same time Vigilante Committees notably face the indifference and duplicity of some owners and authorities we cannot identify⁵⁰.

At a more formal level, cross-border cooperation faces the ineffectiveness in borderlands of official state laws and regulations, whether at local or at the regional level. As such local authorities, trade unions and dealers from the population regret the poor implementation of regional rules relating to free border circulation of peoples and goods. In addition poverty and the long procedures of modern bureaucracy and the wheels of justice can discourage compliance with regulatory measures. It clearly appears that these limitations are closely related to the failure of decentralisation as a process of State repositionment that did not honor the many expectations it had crystallized. The diversity of legitimacies operating in this framework of multiple forms of authorities which actions and perceptions do not always match is at the same time the strength and weakness of borderland dynamics of cooperation.

Conclusion

Trans-frontier and peripheral spaces play an important role in the anti-crises strategies of populations (Weiss / Thomas 1995:1). But then such crises often originate from the interior of states or else are related to their (co)existence. In this paper we tried to consider the link between those crises and the cross-border sociopolitical and commercial dynamics. An important conclusion is that cross border trade remains a safety valve if not an anti-crisis strategy for many borderlanders, and therefore is still unable to yield a translocal and regional market economy. Moreover if militarization and subsequent criminalization and economy of war are challenging reasons to that, inherent limitations of cross-border trade and cooperation were also determining factors.

No matter how useful and structuring it tends to be for cross-border initiatives of collaboration, coordination and integration, the relatively weak structural and regime dimensions of cross-border cooperation seem to call in to the nature of states and their relationships. Militarization and instability that obstruct trade relations and politics of cooperative governance in fact result from unsuccessful regional integration, and therefore reflect bad inter-state economic and political cooperation. This is shown by the huge imbalances of such dynamics between less integrated Gambia-Senegal borderlands and less alienated borderlands of Senegal-Guinea-Bissau. The low level of reciprocities in terms of compliance with regulations and institutions

⁵⁰ Policeman. Border Police Post of Cambaju, 21 May 2010.

contrasts with the more or less high level of social exchanges. One could deduce from here that borders and border spaces are more politically than socially problematic, if politics is considered in its normative, bureaucratic and territorial dimensions.

It appears that borders per se are less of a problem, not least the states they materialize. Rather seemingly, it is the coexistence of states, and therefore the issue of cohabitation and common use of border spaces by local peoples, which is problematic. The attitude of states when dealing with transnationalised crises and phenomena is in contradiction with social and economic configurations of borderlands. While states are concerned with nationhood and sovereignty in coping with transnational processes, local communities in borderlands are concerned with containing them for survival. It is not much borders that do not have political and economic meanings for local communities and authorities, than attitudes and governmentalities from central and territorial authorities. Without boundaries and borderlines cross-border trade most of which is illicit and tolerated, would not be a gold mine for many borderland dealers. Neither would cross-border cooperation stand as a shield against the effects of insecurity and instability on economic and social exchanges. Militarization challenges the conditions for free cross-border trade and cross-border cooperation for the sake of peaceful neighbourhood and social integration. But without cross-border cooperation as a means of governing borderland trade relations, accumulation and neighbourhood, militarization would have been more destructive.

However it clearly appeared that there is a dearth need for state ownership of grassroots dynamics of cooperation and productivity. It appears that incomplete or incoherent decentralization and regionalism hinders cross-border dynamics of exchange and integration. As the modalities by which states can individually and collectively enhance trade and cooperation, the latter should be less aimed at controlling borders than affecting their control to borderlands which relative and yet real potential to do so is demonstrated through cross-border "linkage politics" (Rosenau 1990).

It is true that cross-border cooperation as being implemented by the ECOWAS aims at localizing regulative and organizational means for the attainment of common political, economic and social ends. However, it is debatable that states can remain what they look like presently. Especially as the (trans)formation of the state is a collective ordeal and should be addressed likewise. Within cross-border cooperation, decentralized cooperation and trans-local regionalism should be at the core of concerns and policies. No matter how dynamic are borderlands, their integrative and economic and developmental potential is still

relative. As noted by Bennafla on central Africa and Mijere on Southern Africa (Bennafla 1999:41, Mijere 2007:22-23), because they still owe their dynamism to one activity only, trade, they remain particularly vulnerable to unstable relationships and unexpected changes and unable to yield a regional market economy even though paradoxically regional and at somehow global economic dynamics influence its dynamics./.

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Cross-border trade and practical norms in north-western Uganda

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'People along the border have established their own regime of trade. They regulate themselves by establishing rules and regulations which are different from the ones the government tries to imply' (Interview official Ministry of Energy and Mineral Development, Kampala, 27-02-08)

> Practical norms (Olivier de Sardan 2008)

- Many state agencies, unclear regulation and high taxation

- Informal cross-border trade survey (BoU)

2006

2007

Sudan

91 million \$

457 million \$

DRC

92 million \$

175 million \$

- Not absence of regulation
- In describing this, emphasis often on criminal character (Hibou 1999; Roitman 2004; Reno 1998,2000; Bayart 2004).
- Practical norms to study the day to day 'real' governance in legally under-regulated settings

Practical norms: Official norms vs actual behavior

- Official norms
 - > ----- power
- practical norms
 - collective bricolage
 - > ----- power
- social norms
- In theory illegal, but not necessarily opposed to state

Case-study: West Nile / north-western Uganda

- Cross-border trade = strongly legitimate
 - Ethnic groups
 - Political context of marginalisation
 - 'Source of economic freedom and empowerment'
 - Political option

Informal cross-border trade = licit

- “By working for the URA, I put myself at risk! Sometimes I cannot go and drink in public, someone could come and hit me with a bottle! Someone could recognize me from a confiscation and want to take revenge! (...) The community, they help the smugglers. When they are being followed by us, they can make us lose direction.” Interview URA official, Arua, 27-01-10.

Informal cross-border trade = licit

- “The only possible way in which we can do our work here is to come to a mutual understanding with the population and the traders. (...) You can come here and try to implement the rules from Kampala, but it will not work: you will put yourself at risk, and the community will disorganize you and your customs point. We have to associate ourselves with the smugglers. If we would not be doing this, we would be seen too much as the enemy: we would not be able to move without security! ” (Interview Uganda customs officials, West Nile, 07-02-10).

Practical norms

- Mutual understanding on quantities and 'threshold days'
- Certain priorities in government regulation
 - 'more' and 'less' illegal
 - Legal/illegal

Why do government officials do this? = (relative) power

- Level of organisation and power smugglers
- History of rebel movements
- Alternative socio-economic system of employment: political significance

OPEC boys



Importance of key-events

- Practical norm: confiscation within town and use of violence
- Key-event: 2001 riots. Repeated during other events, eg 2009
- Practical norm: women carrying babies
- Key-event: 2007

Importance of personal relationships

- Between traders and government officials: two-way relationship
- Government official: instead of implementing legal framework enabling and structuring action outside of legal framework

Conclusion

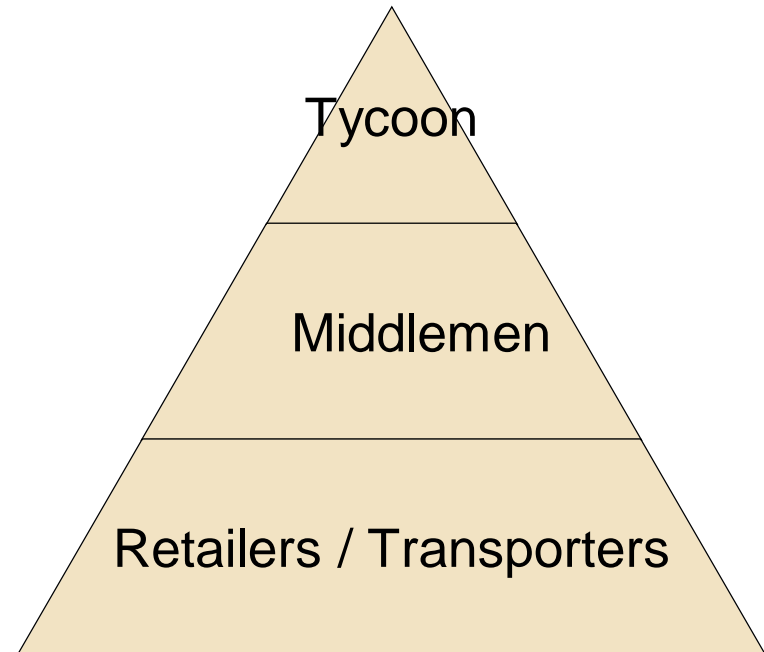
- “Processual aspects of formation of public authority” (Lund 2006: 276): ‘border games’ (Andreas 2000).
- Margins of the state?

Cross-border contraband trade: basics

- Three 'Tycoons': oligopoly
- Core business of contraband: fuel, cigarettes, batteries, gold, foreign currency.
- Formal front of their illegal businesses: the Hardware Tycoon, the Furniture Tycoon and the Bus Tycoon.
- Basis of their trade: evasion of taxes in import and export

Cross-border contraband trade: basics

- Organized as an economic enterprise, as an 'industry' which involves an "amazing deployment of unwritten rules" (de Villers, Jewsiewicki, and Monnier 2002).
- Elaborated trading network: pyramidal structure with Tycoon, middlemen, retailers / transporters.
- Trade facilitated through porous borders and complicity of government authorities.
- Regulation of information in pyramid: The higher, the more access to contacts and information.



Cross-border trade: the transaction

- Illegality of the trade: “illegal assets are vulnerable to lawful seizure as well as to theft; property rights cannot rely on written records and are generally poorly defined; liability is restricted to the physical person; individual mobility is greater; and agents are tougher, more prone to risk, and more secretive than their law-abiding counterpart.” (Gambetta 1993: 226). >> High distrust!
- Reputation and trust: Tycoon - middleman; middleman – customer. Importance of obligation and indebtedness as extra-legal normative framework.
- Integration of customer-middleman interaction in Tycoon’s trading network acts as an ‘insurance/guarantee’ for illegal activities
- The nature of the agreement between the network (middleman) and the customer is specific and particular: guarantee or ‘insurance’ for specific cross-border transactions. Also ‘extra-contractual’ protection for fixed customers = strategic decision of Tycoons to ‘internalize’ customers into the networks.

Enforcing the oligopoly

- Cross-border trade is often seen as a 'weapon of the weak' (Macgaffey 1987, 1991). However, here: 'Checked' rather than 'unchecked' politics: strong complicity of government authorities + support to the government to protect their trade. Example of large-scale confiscation in town.
- The contraband trade in Northwestern Uganda/Northeastern Congo/Southwestern Sudan is only in the hands of the Tycoons, who push new actors immediately out of the trade. In other words, the Tycoons form a cartel which has a clear oligopoly on contraband in the region.
- Enmeshment of different governmental authorities (Ugandan, Congolese, Sudanese) allows them to push out new players. Example of Eastern Ugandan trader.
- Customs official: **"best system to curb smuggling. It is better to work with those you know than with those you do not know"** (Interview customs official 04-02-08)
 - Protection against newcomers
 - Protection against each other: government authorities as third party or 'superagency'

>>a self-regulating system or 'equilibrium' in which certain limits have to be respected and in which no one has an interest to behave differently

Enforcing the oligopoly

- Not all state actors are *a priori* involved: small-scale traders suffer most
- Tycoons actively discourage buying outside of their trading networks through confiscation (push) and offering 'insurance' (pull)
- Large-scale confiscation only takes place if a new player enters the business or if existing players have not bribed enough.
- Small-scale confiscation is much more common, but can be recuperated if traded within Tycoons' trading networks.
- Confiscation as a 'pretense'. Customs official: "It is like a thief going after a thief. Our work is to stop smuggling; so to the outside world, we have to show that we do our job." (interview customs official 09-02-08)
- Second economy; not a 'weapon of the weak' (MacGaffey 1987, 1991), but **'weapon of the strong'!** Engagement rather than disengagement from the state (Azarya and Chazan).

Cross-border trade and the alliance with Congolese rebel-groups

UN Group of Experts on the Democratic Republic of Congo:

“Within Ituri and the Kivus, local politicians and warlords maintain their troops, security apparatus and constituencies outside the control of the Transitional Government through **the steady income generated by transnational mercantile networks and border revenue** as well as by controlling trade routes, markets, commodities and natural resources inside the Democratic Republic of the Congo. Integral to these networks are the political and economic interests of officials and businessmen from neighbouring States, the latter aiding and abetting violations of the embargo. (...) The group has found that more than a lack of State capacity, it is the intertwining of shared interests and objectives on both sides of the eastern border of the Democratic Republic of the Congo that render the arms embargo subject to abuse.” (UN 2005: 11-12)

Cross-border trade and the alliance with Congolese rebel groups

- Rebels tap into longstanding transnational networks, which allows the Tycoons to 'scale up' their activities
- Rebels have control over borders > Tycoons: trading monopoly on both sides of the border
- War as a "space of opportunity, of vibrant, desperate inventiveness and unrestrained profiteering" (Comaroff and Comaroff 2006: 9) leading to a regional complex based on a military-commercial nexus (Roitman 2005), which was a win-win situation for both rebels and tycoons

Negotiation with broader society:

« The Tycoons, they bring the community close to them »

The Hardware Tycoon for example constructs roads within the town, pays for the school fees of a big number of children, pays for all the costs of the local football team, almost weekly pays for funerals and weddings, yearly pays for 'Christmas packages' ^[1] of different villages and makes sure there are always different ambulances ready in different sub-counties. He also provides favors on a case-by-case basis: whoever has a problem can consult his manager, who will try to help the person as much as possible. Also his religious activities play an important role within the local community. The Hardware Tycoon is a devout Christian and is a major well-wisher of the Christian community in Arua. He paid for the restoration of a number of major churches, provided the furniture for them, paid for the musical instruments; and so on.

^[1] Consisting of blankets, towels, mattresses and an envelop with between 50.000 and 100.000 UGX. Animals are slaughtered for the whole village.

Negotiation with broader society:

« The Tycoons, they bring the community close to them »

- Manifestation of the redistributive duties of the African 'big men' (Berman 1998) and its moral matrix of 'father family and food' (Schatzberg 2002; Olivier de Sardan 1999; Chabal and Daloz 1999)
- Rational and strategic goals which are specific to the tycoon's activities in cross-border contraband trade.

Rational and strategic goals of redistribution to broader society

- Making the illegal 'licit'
- Establishment of a good reputation (= drawing more customers to the network)
- 'Negotiated Equilibrium' with traditional authorities = conflict prevention!
- Creating an undetermined debt among the population which
 - Establishes secrecy
 - Establishes a large information network which protects the market against newcomers
 - Population offers protection in case of any problems: Hardware Tycoon in UN report and wanted by the DRC (on the list of most wanted people of the 'Tripartite Plus Joint Commission of the Great Lakes Region)

Rational and strategic goals of redistribution to broader society

- 'Embeddedness' in broader society (Granovetter): 'strength of weak ties' > legitimating and rationalizing the trading network (society)

Conclusion

- Tycoons' trading networks have established a cross-border regulatory authority: their economic actions are informed by their oligopolic agreements between the three Tycoons and protected by the politically clientelist relationships with the government. At the same time, they are 'embedded' in wider societal structures.
- This 'regulatory authority' manages to "regulate local populations and regional exchanges through the exercise of the power to define access to material resources and wealth, to tax the profits of economic relationships, and to establish preeminent authority over certain sectors of economic activity. Quite simply, by controlling access to possibilities for accumulation, they determine the right to work and wealth" (Roitman 2005:18).
- Not in opposition to the state but "part and parcel of the political logics of the state itself, contributing to its ability to fulfill essential political imperatives such as extraction and redistribution" Roitman (2005: 165)
<> reproduction of regime; criminalisation of the state (Bayart, Ellis, Hibou 1997; Chabal and Daloz 1999; Reno 1998); strong protection of trading systems by several actors. Not a peripheral phenomenon but central to the reproduction of political power.

Magendo, Economic Ingenuity and the Paradoxes of Inter-State relations on the Kenya-Uganda border, 1966-1980.

Peter Wafula Wekesa*

ABSTRACT

The evolution and transformation of the Kenya-Uganda border into what it is today presents researchers with interesting analytical paradoxes. By the time the two east African countries attained their independence from a single colonial power, Britain, in the early 1960's through the early 1980's a series of negotiated local, inter-state and regional initiatives had come to converge in defining its nature, shape and meaning. The purpose of this paper is to reflect on the dialectics of the state-society relations within the economic prism in the context of the Kenya-Uganda border. Situating the analysis in the post-independent period, the paper examines the economic challenges and paradoxes confronting the two newly independent states in regard to the legitimacy of the border that divides a similar cultural area occupied by the Babukusu and the Bagisu peoples. As a fluid cultural zone informed by strong historical ties, the Babukusu-Bagisu borderland area was not only a site of intense inter-state relations but also an arena of possibilities for the local communities. Taking the case of *Magendo* (Kiswahili word for smuggling) we test Nugent's (2002) argument that borders are shaped as much by the everyday activities of ordinary people in ways that sometimes undergird but at other times may bypass the formal structures of the states. By the 1980s, *Magendo* had led to the emergence vibrant towns and markets including the famous *Chepkube Soko ya Magendo* (Chepkube the smuggler's market) which is presently only retold in the local literary texts and popular music among other forms. Although *Magendo* was due to cross-border interactions that had their own distinctive features, it also offered avenues for economic survival that combine elements of inter-state and trans-national regionalism. The overall aim of the paper thus is to assess the inter-state economic and political dynamics informing border policy and community relations in the light of a strong cultural movement towards informal economic regionalism in Kenya and Uganda and the East African region in general.

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Introduction

The making of the boundaries in east Africa like elsewhere in Africa was a product of long drawn historical processes whose dynamics could be located in the local as well as European economic and political rivalries and competitions. The case of the Kenya-Uganda boundary specifically presents interesting paradoxes since unlike other formative division lines in Africa, its demarcation only involved one European power, Britain. Yet, by the time the border was being demarcated by the latter half of the 19th century until the time both Uganda and Kenya attained their political independence in 1962 and 1963 respectively, a series of negotiated settlements came to converge in defining the nature and meaning of the boundary into what it is today. Together with these were the social, economic and political transformations taking place within the respective east African countries and the relations generated across the common borders by the different communities straddling them.

By the time both Kenya and Uganda attain their independence in the early 1960s, the evolution of their common border and the history of border community relations across it provided an important paradox to issues of inter-state relations in the region. Unlike the colonial period, the leaders of the new East African states, like those in other parts of Africa, readily acknowledged the disastrous effects of the colonial partition of the continent and their countries specifically. However, they were reluctant, if not totally unwilling to support policies that were likely to restrain state sovereignty and consequently undermine their own power. The problems and constraints encountered in officially encouraging harmonious border community relations during the independent period seemed many and intractable. Specifically in terms of the border dynamics and the problems raised by the partition of similar cultural groups by a common boundary, the impact of national consciousness as well as the social, economic and political events taking place at the local, national and regional levels were important concerns. Conflated within the contradictions of the continental politics of the Organisation of African Unity (OAU) and the local national identity dynamics, the new leaders were reluctant to take bold decisions towards common border issues.

As far as border community relations were concerned, practical underpinnings informing the pursued policy favoured the persistence of the colonial territorial political status quo. Within these broad concerns, this paper specifically sets out to examine the reactions of the independent states of Kenya and Uganda to the border relations between the Babukusu and Bagisu peoples. Contextualizing the border issues within the emerging theoretical debates, the paper specifically assesses the inter-state economic and political dynamics informing border policy and community relations in the light of a strong cultural movement towards informal trans-border economic regionalism characterized in the form of *Magendo*. It further highlights the central role played by the emerging informal economy at the Kenya-Uganda border within the evolving borderland relations between the Babukusu and the Bagisu and also within the conflicting developments of inter-state tensions and militarism for the period up to 1980.

Border Community Relations and the historical Context

The history of the Babukusu and the Bagisu communities that occupy Western Kenya and Eastern Uganda respectively provide an important starting point in the analysis of relations across the Kenya-Uganda border. Prior to the establishment of colonial rule in the then British East Africa, the two peoples had a shared corporate past for several centuries (La Fontaine, 1960; Were, 1967; Makila, 1978; Wafula, 2007). Besides similarities in language, semblances among these communities are found in cultural aspects such as codes of conduct, marriage customs, circumcision traditions and even folklore. Indeed as Makila (1978: 46) aptly argued, in relation to the Babukusu, 'if they are Abaluyia by virtue of their geographical circumstance, they are first and foremost members of a duplex community incorporating the Bagisu by virtue of a historical circumstance'. Thus, as a social process and a historical condition, the common historical and cultural background between these two peoples was in itself a source of immense influence in the various forms of social, economic and political transactions generated across the common border.

Following the colonial partition of Kenya and Uganda through to the colonial period and beyond, the historical basis of the relations between the Babukusu and Bagisu provided a useful ground on which the two peoples related with other neighbouring communities in the region including the Bantu, Nilotic and Cushitic groups. Yet, following the colonial partition of the region the two peoples occupied different states and, even though they were under one colonial power, they were subject to different social, economic and political transformations taking place in their separate geo-political spaces. At independence therefore the partitioning of cultural areas and groups, like the case was for the Babukusu and the Bagisu confronted the newly independent African states with two major problems. The first related to whether, looked at in terms of the nature of their evolution, such partitions should be accepted and boundaries that were inherited from the colonial period be respected or revised. The second issue related to the nature of policies that needed to be adopted in regard to trans-border transactions between partitioned cultural groups whose impact transcended individual nation-state entities.

In regard to the specific case of Kenya-Uganda under consideration, it is important to examine the issue of community relations and the various social, economic and political transactions across the border by emphasising their international and domestic dimensions. In respect to the Babukusu and the Bagisu specifically, such border relations and transactions cannot necessarily be restricted to conflicts. Both Babukusu and Bagisu occupy a fluid cultural zone that is informed by strong historical ties that have consistently shaped the nature of long term intense interactions between them and this has minimised any possibilities of major conflicts. As an international line delineating and separating the two communities, the Kenya-Uganda border also stimulated the development of other cross-frontier transactions. The common border between these two peoples also affected the likelihood of other non-violent patterns of inter-state relations often described as *Magendo* and variously referred to as informal, unrecorded, underground and also as smuggling. The border throughout the independent period continued to define patterns territory that facilitated control from the centres of the two

countries. Thus, as smugglers, for example, and as people who possibly had double loyalties, they could have benefited from undermining state regulations and even engaged in activities that threatened states in their centres (Barth, 2000: 28).

Domestically, the common border challenged the stability of the administrations on either side. It also challenged the leadership in both Kampala and Nairobi in their quests for hegemony, control and nation-building. Their exclusive recourse to dictate policy choices and influence on the quality of institutions and the degrees of allegiance of citizens was constantly checked thus resulting in different levels of political participation, disengagement and varying propensities for repression and diverse development fortunes. On the other hand, and as has been observed by Donnan and Wilson (1998), the identity of the persons experiencing the restrictions created by the international boundary and their various responses towards the border and the regimes that limit their movement and fruitful cross border transactions and communication was a crucial across the common border. In the context the Babukusu and the Bagisu border peoples, our point of departure is to examine the role of the new independent nation states of Kenya and Uganda and their quests for national sovereignty within the continental institutions of the Organisation of African Unity (OAU) in influencing border economic issues and relations.

The National Community, OAU and Border Relations.

The legitimacy of the colonial partition lines has remained one of the most enduring colonial legacies in independent Africa. Colonialism not only left behind a patchwork of many sovereign states in Africa, but the states spawned by this process were themselves artificial entities. The case of the border communities of the Babukusu and the Bagisu amplify not only the artificiality inherent in the colonial partition but also the constant challenge posed by trans-border cultural relations on the state-model institution introduced by the colonial rulers. By the time Uganda and Kenya attained their political independence in 1962 and 1963 respectively, they were by no means nations but rather they represented the shells of territorial independence in which different ethnic communities co-existed with each other. The major task of the new two east African governments was to provide the soil in which the seeds of their national sovereignty could grow. Moreover, the process of political consolidation required territorial stability as the most viable means of maintaining national integrity and engendering nation and state building.

At independence, therefore, both Kenya and Uganda acquired exclusive sovereign rights in the international system to act within their territories without being subjected to any legal control by another sovereign state. Possession of sovereignty conferred upon each of these states the total jurisdiction on the utilization of the strength of its people and resources in whatever manner they wished, without regard to any political authority inside or outside the national territory (Ojo, 1985; Okoth and Ogot, 2000). Each of their governments were to make and enforce laws of the state, decide and carry out the state's policies, both domestic and international, and conduct official relations with other states operating in the international system. What is perhaps more relevant to our context is the

relevance of this transformation to the nature of relations between the Babukusu and the Bagisu peoples in the post independent period. As ethnic entities within different geopolitical states, the two peoples became subject to the social, economic and political transformations in the respective countries. The nature of their relations across the border reflected each state's primary active role in the diplomatic, political and military affairs of its people (Okoth and Ogot, 2000: 281). Thus, in as much as such relations constituted inter-community relations, they were inter-state relations characterised by both conflict and cooperation.

Central to the process of creating a national sovereignty and state was the issue of boundaries and how they would differentiate national groups from others. As Benedict Anderson (1983) has argued, ethnic groups, or nations as he calls them, are 'imagined political communities', imagined as both inherently limited and sovereign. To Anderson, a nation is imagined because the members of even the smallest nation will never know most of their fellow members, meet them, or even hear of them, yet in the mind of each lives the image of their communion. The nation is imagined as limited because even the largest of them has finite albeit elastic boundaries beyond which lie other nations. No nation, Anderson asserts, imagines itself to be coterminous with mankind. A nation is imagined as sovereign in the sense that each one of them imagines itself to be free from all the others. Finally, a nation is imagined as a community because, regardless of the actual inequality and exploitation that may prevail in each, the nation or ethnic group for that matter, is always conceived as a deep, horizontal comradeship.

The relevance of Anderson's observations to the context of the two new independent East African states lies in the challenge posed to the new leaders in their effort to weave together a national as opposed to a regional consciousness. The boundary thus becomes an important component in instituting patterns of territorial control and differentiating one nationality from another. According to Barth (1969) the cultural features that signal such a boundary may change, and the cultural characteristics of the members as well as the group's organizational form may likewise be transformed, but the fact of the dichotomization between members and outsiders remains a permanent feature. It is the context of the dichotomization of national groups into strict sovereign borders that fitted well into the political programs of the new independent African states generally and those of Kenya and Uganda specifically.

Anxious at encouraging a national sovereignty, or dichotomy to use Barth's words, the new leaders were compelled to look inward and to rank as their first priority the political, economic and social developments of their own polities. The immediate concern, then, was to build viable national groups based on their traditions and customs. The extent to which national consolidation received high priority, the less the attention was paid to relations between communities that had strong inter-state cultural bonds. As Nugent and Asiwaju (1996) have pointed out, this reality arose out of the fact that:

At the time of independence, African governments inherited citizens where there had once been colonial subjects. Formally at least, the new rulers imagined that the ensembles of citizens added up to nations- or at the very least nations in the making. But there was an inherent tension

between the new ideology of 'nationalism', which assumed that people belonged to one nation or another, and the reality of borderlands where communities merged into each other in spite of official lines of demarcation (Nugent and Asiwaju, 1996: 9).

From the outset, therefore, and in spite of the tension the new political leaders of Kenya and Uganda like their counterparts elsewhere in Africa did not display much willingness to sacrifice perceived national interests on the regional altar. Committed and deliberate efforts to address the problems posed by the borders and especially those that required a regional input beyond the nation states were generally minimal. As Asante (1999, 732) has argued, whether regional or continental, such efforts only succeeded in contexts where they were not in conflict with considerations of national security, prestige or economic advantage.

From the mid-1960s, the warmth with which they had received the federation diminished as both internal and external acrimony crept in. Internally, both Kenyan and Ugandan political leadership were besieged by the constant political challenges to consolidate the ruling parties and power over the masses and against opposition leaders. In Uganda specifically, Milton Obote's regime had through the infamous 'Pigeon Hole' constitution of April 1966 embarked on a series of unpopular political moves that used both force and intimidation against its critics. In Kenya on the other hand, the ideological divide that polarised the country into two political camps, pro-West ruling KANU party and the communist leaning Kenya Peoples Union (KPU) provided major political rifts in the country in the mid 1960s. The latter rifts, as Nyong'o (1989) argues, had led to the disintegration of a nationalist coalition and led to the emergence of a strong authoritarian president in Kenya.

In as much as the foregoing internal political developments undermined efforts towards regionalism, they also had important implications for the Kenya-Uganda inter-state relations. Obote's political problems in Uganda, for instance, did not only lead to a constitutional crisis and the collapse of relations between his regime and the Buganda kingdom, but had other inter-territorial repercussions. Besieged by persistent opposition at home, however, Obote through his UPC adopted a policy of repression in order to legitimise his position. As a source (Munyanda, O.I, 2005) revealed, one of the main fears to Obote's regime was that the opposition was colluding with external agents outside the borders to destabilize his government. Such fears had been made apparent by the famous gold scandal motion in parliament in February 1966 in which its mover, Daudi Ochieng' alleged that that some members in government were planning to overthrow the constitution. One of the main responses to this crisis was the famous changes in 1967 in which parliament converted itself into a constituency assembly which, among other things, abolished all the local ethnic kingdoms. In terms of inter-state relations and border community relations specifically, the decision by Milton Obote to expel thousands of Kenyan migrant workers in 1966 and 1970 opened a major diplomatic row that had significant consequences on the two countries relations (Okoth and Ogot, 2000). Though rationalised within Uganda's nationalisation program, there is no doubt that the expulsion targeted mainly Kenyan border populations for political reasons. As

Berg-Schlosser and Siegler (1990: 127) argue, there were fears that the Kenyan border communities were colluding with their kinsmen in Uganda to destabilize Obote's regime.

In Kenya on the other hand, the political conflicts between KANU and KPU and the subsequent banning of the latter saw a decrease in the active participation of people in politics and the steady emergence of institutional authoritarianism. In terms of the wider impact, the ideological rifts merely represented a tip of the iceberg within the regional inter-state dynamics. By 1964 and 1965 when the East African leaders called for meetings in Kampala and Mbale respectively, the ideological differences between them over the economic disparities in the region had become apparent. Although they resolved to correct trade imbalances between the three states, it was clear that the ideological acrimony signalled major inter-territorial differences. Apart from the view that Kenya, because of her strong economy enjoyed most the economic advantages, the leaders were not ready to forfeit their political and economic sovereignty for broad based regional integration. As Ochwada (2004: 66) observes, this acrimony indeed led to the collapse of the East African common Market.

Yet as the strident economic competition and the strong feelings of nationalism spread within Kenya and Uganda, the commitment of the leaders to regional ideals only mattered in contexts where they didn't conflict with the various national interests. One such area concerned the issue of the maintenance of the borders through the institutional framework of OAU. The OAU, as a Pan African organisation, had important binding resolutions in regard to African boundaries that affected all member states, including Kenya and Uganda. Although appreciating the problems associated with African international boundaries, the OAU sanctioned their continuity. The organisation pre-empted claims to territorial regimes by accepting in principle that boundaries inherited from the colonial period be retained *faute demieux*. Like the UN, its mother organization, the OAU stressed in Article III (3) and (4) of its Charter the respect for the sovereignty and integrity of each state and the peaceful settlement of disputes through negotiation, mediation, conciliation and arbitration.

The relevance of the OAU resolution to border community relations and inter-state relations between Kenya and Uganda specifically need to be emphasized. As signatories to the OAU resolutions, the new presidents of Kenya and Uganda, Jomo Kenyatta and Milton Obote, respectively, were in support of the continuity of the status quo as far as their common boundary was concerned. In terms of the Babukusu and the Bagisu peoples, this status quo meant that the two peoples remain in the respective new national entities of Kenya and Uganda. Like the case was during the colonial period, therefore, the two peoples continued to be defined within the former geopolitical entities. In essence nothing changed in as far as the common border was concerned since the colonial partition line had simply been transformed into an administrative, boundary separating the two independent states. Given the multi-ethnic nature of their respective political entities, the two peoples came at the centre of the new political leadership's efforts to construct the different national sovereignties of their respective countries.

Inter-State Relations, the Border and Economic Regionalism 1967-1980

As could be gleaned from the foregoing, the different developmental strategies adopted by Kenya and Uganda during the early years of independence made the relations between the two countries, generally, and those of the border communities problematic. Having defined their national priorities and emphasized the sanctity of national boundaries, it became difficult for the two countries to adopt any supra-national unification policies. However, by June 6, 1967 when the treaty establishing the East African Co-operation (EAC) was signed in Kampala, it was clear that the countries of the entire region could not socially, economically and politically meet their national objectives without actively incorporating inter-state integration arrangements within their development agendas. The latter was not only prompted by the nature of the colonially adopted federal institutions but more so by the interlocking cultural nature of their geopolitical entities.

At independence, both Kenya and Uganda inherited British colonial integration arrangements that dealt with economic aspects of production of goods and exchange of services. As Ochwada (2004: 63) argues, the different countries had during the colonial period specialised in the production and exportation of particular products, the purpose that had served the British well. They had also developed specialised forms of transport and communication as well as services such as reinsurance and tourism. Kenya increasingly specialised in food manufacturing, while Uganda produced electricity and processed raw minerals (Ibid, 64). All these colonial integration arrangements were, together with the associated institutional arrangements, inherited by the independent states. Though replete with various deficiencies, the new leaders were keen to further their integration efforts through the colonial based structures of the East African Common Services Organization (EACSO).

Colonial and early independent formal regional integration initiatives shared a common feature of being mainly economic in objectives. The economic justification for regionalism was overwhelmingly emphasized almost at the exclusion of other possible intervening variables. The economic arguments insisted that by joining together, states are in a position to exploit large scale economies and at the same time restructure the regional economy in a way that benefits the production base of a given region (Clapham, 2001). Imbued with the western developmental arguments and conjured within modernization theoretical assumptions, regional integration was conceptualised as a mechanism of ensuring economic development. At independence, it was obvious that the new leaders would continue to pursue integration through a federation.

Both Jomo Kenyatta and Milton Obote embraced the ideals of federalism as envisaged through EACSO and viewed regional integration as a way of liberating their respective states from the throes of economic malaise. By encouraging regional integration, the two leaders together with their Tanzanian counterpart, Julius Nyerere, hoped to create common markets that would allow the free movement of people, capital, services and goods within and between their respective countries to avoid their chronic dependency to the North. As Mazrui (1977) has argued, regional integration efforts were seen as a struggle against the dependency situation imposed upon the continent by its colonial

historical experience. Thus, East African regionalism was acknowledged as a viable strategy through which the different countries in the region would adopt to combat foreign dependency and underdevelopment.

Used rather loosely, regional integration came to characterize various broad social, economic and political initiatives that were hoped to increase the bargaining power of the respective countries within the international political economy. As Clapham (2001: 59) has argued, the uniting strand within such initiatives was the sense that as individual states, they could not readily achieve their goals in isolation from their neighbours. This, as the author further argues, explains why integration schemes were particularly characteristic of groups of states that were aware of both their common identities and of their least relatively small size and individual weaknesses. Since the East African countries, like those elsewhere in Africa were seen as being exceptionally small and weak, at least in reference to those in the North, regional integration was seen as the panacea to their numerous problems. Again, the realities in the region characterised by shared histories among its people and a strong sense of continental solidarity expressed through pan-Africanism made the need for East African integration initiatives sacrosanct.

By 1967 when the leaders of the three East African states signed the treaty formalizing the operation of the East African Community, both local and continental initiatives towards regionalism were fully on course. Locally, as we have already observed, the federation structures inherited from colonialism were active in the countries of the region. Continentally, the activities of the Economic Commission for Africa (ECA) gave overwhelming impetus to the economic aspects of integration. As the earliest formal apostle of regional cooperation in the entire post-independent Africa, ECA perceived the internal markets of Africa as generally too small and therefore a constraint on industrialization and development (Adetula, 2004: 11). Consequently, ECA strongly advocated for the creation of effective regional markets through economic cooperation between states. In this regard, various groups of countries were expected to establish or strengthen their multinational institutional machinery to facilitate the crystallization of common economic policies and projects. ECA's programme, through the political support of OAU, formed the basis for the emergence of numerous regional and sub-regional integration organisations.

Within the East African Community, the stipulations of the 1967 treaty laid down new strategies of integration although the leaders did not abandon the structures inherited from colonialism (Ochwada, 2004, 67). As Ochwada (2004:7) has observed:

The new elements added aimed at correcting the economic disequilibria in trade between the countries. They also hoped to promote a more viable development strategy through the harmonisation of fiscal incentives offered by each country. These included the transfer tax system and the establishment of the East African Development Bank. At the time, they argued that a more equitable distribution system of industrial benefits would diversify wealth and bring about economic equilibrium.

The signing of the EAC treaty signalled a major development in the inter-state relations in the region. From a state-centric point of view, the member states committed

themselves to an economic course that was destined to benefit the peoples of the region and more so the border populations. Though mired with economic as well as political problems, the period between 1967 and 1977 saw major economic cooperation facilitated through the EAC between the states of the region generally, and Kenya-Uganda specifically. This was a period characterised by broad national experiences in Kenya and Uganda fostered through the political leadership of three presidencies, Jomo Kenyatta in Kenya and Milton Obote and Idi Amin in Uganda. While Kenya witnessed a relatively consistent political and economic development by the standards of most African states, Uganda was greatly undermined by the political collapse in the 1970s that came to be manifested in military dictatorship and authoritarian regime (Berg-Schlosser and Siegler, 1990: 126).

Uganda's political problems among other factors explain Kenya's dominance in the economic fortunes of the region generally and those of the EAC specifically. As already observed, Uganda's political problems had began with Milton Obote who by 1967 had suppressed those opposed to his abuse of power. By 1969, Obote had banned political parties and in 1970 made the so-called 'Nakivubo Pronouncements' on May Day 1970, nationalizing private business holdings. Within this political atmosphere that was also associated with economic problems and the eroded investor confidence, Idi Amin, his army commander used a disgruntled section of the army to overthrow Obote's government on January 25 1971. This coup effectively brought Uganda under Amin's military dictatorship that was to last till April 1979. During this reign Uganda experienced the worst economic and political turmoil characterised by tyranny that caused serious disruptions and led to the eventual breakdown of the economy.

The collapse of the Ugandan economy in the 1970s, among other things, intensified the reliance of the Ugandan people on Kenya especially through the provisions of the EAC and other informal economic networks. Following the expulsion of the Indian community that controlled a major proportion of the country's economy in the early 1970s for example, the sharp decline in Uganda's manufacturing sector was mainly cushioned by Kenyan business people. Consumer goods and other imports from Kenya increased in markets in Uganda. Mamdani (1983:97) has observed that in 1971 imports of animal oil and fats, cotton fabric and sugar valued at Uganda Shs. 24 million, Shs 12.3 million and Shs 11 million respectively streamed into Uganda from Kenya. Ochwada (2004: 68) has further observed that by 1976, Uganda imported from Kenya products valued at Uganda Shs 94.99 million, Shs. 41.68 million and Shs. 76 million. Concomitantly, multinational corporations (MNCs) operating in Kenya extended their commercial undertakings into Uganda. The latter included Cooper Motors, Leyland Motors, East African Industries, Robbialac Paints and Shell Chemical Company.

The foregoing economic links between Kenya and Uganda, though not wholly credited to the EAC, succeeded within the greater spirit of Pan-East Africanism that was championed by the political elites in the two countries. Yet this spirit, and generally the EAC treaty, merely mirrored the inherent contradictions that dictated the nature of the commitment of the leaders to the EAC as a supranational body. Essentially, the unwillingness of the leaders to forfeit their political and economic sovereignty posed a

major threat to the survival of the EAC. In terms of its broad impact on the lives of most ordinary Kenyans and Ugandans, especially those inhabiting border areas, the deep involvement of the states and the over-emphasis on economic arguments for regional integration provided a series of contradictions for its dismal performance and collapse in 1977.

Border Bukusu-Bagisu Relations and the Failure of Economic Regionalism

That the reduction of EAC integration goals to strictly economic matters militated against its relevance to border communities cannot be gainsaid. The state centred economic arguments hardly paid attention to the particular social and political histories that informed the two countries whose peoples were meant to benefit from the EAC integration initiatives. Integration as Adetula (2004: 21) argues, represents much broader and detailed arrangements which require states to make certain social, political and economic sacrifices and commitments as well as concessions, as well as demonstrate their will towards a redefinition of their individual and collective participation in the international economy. Thus, by conceiving the EAC in purely economic terms its operations ignored the wider realities at play. EAC merely became an avenue through which infrastructures were created for the exchange of commodities. The human agency lacked in these initiatives since exchange and markets that facilitate the movement of goods were the only ones that were over-emphasized.

In terms of the human agency and specifically the activities of the border communities of the Babukusu and the Bagisu, the EAC meant nothing much without transforming their social, economic and political border interactions in real terms. While the official rhetoric emphasized the economic gains of EAC, other social, cultural and political dimensions of this process were conflated within the individual political and ideological rivalries of the power elites in Kenya and Uganda. To the ordinary peoples within the different national sovereignties, the boundary between them continued to define their insertion into the power interests at play. The Kenya-Uganda border basically remained a line of contact between two sovereign states each jealous of its territorial integrity and national autonomy. In a sense, contacts at borderlands remained more often than not contacts of conflict rather than harmony.

Precisely, the relations between the Babukusu and the Bagisu peoples were, within the state centred economic imperatives, mitigated within the inhibitive and restrictive tendencies of the two states. The crossing of the border by the nationalities of either state was a challenge that needed to be monitored within the context of each state's policies and interests. This was especially important for the cross-border movements of persons who had and continued to have close historical and socio-cultural ties and who continued to view the border as a great impediment to their daily transactions. As Baubock and Rundell (1998: 8) observe, the crossing of the boundary by these people blurred three kinds of boundaries; the territorial borders of the states, the political boundaries of citizenship and the cultural boundaries of national communities. When such people move from one international location to another, as individuals or as groups, their activities

affect the immediate and future development prospects both at the source of their movement, the place of their origin and also the place of destination.

As already observed, before 1967, there was some relative calm and political stability in both Kenya and Uganda as the leaders in the two states struggled to align their national priorities and consolidate their power. The trends of cross-border relations between the Babukusu and Bagisu were equally calm. As one source (Wamimbi, O.I, 2005) indicated, border crossing did not raise much heat since the nationalist consciousness was the main political agenda. Due to this relative calm, most people within these communities freely moved to the different urban centres and towns in the two countries in search for better opportunities for self-advancement. Border towns such as Bungoma, Mbale, Malaba, Chepkube, Lwakhakha and Tororo became major conglomerates attracting large populations of the Babukusu and Bagisu peoples.

Within the various urban centres, the two peoples were engaged in several formal and informal activities and trade. As Kolia (O.I, 2001) observes, it was in the urban centres characterised by diverse cultural dynamics that the Bukusu-Bagisu cultural comradeship was highly demonstrated in the people's social, economic and political transactions. The main regulating mechanism in the participation of the two communities in the political economy of each respective country remained the Identity Card or *Kipande* that defined their distinct nationalities. However as several oral sources (Munyanda, Wakiro, O.I, 2005) corroborate, the use of the Identity Card did not translate into much success as far as the controlling of cross-border movements and relations between the two communities were concerned. This was because of the presence of people from either community on each side of the border and their ability to speak not only Lubukusu and Lumasaaba but also Kiswahili, the regional language. Moreover, the Identity card could only be issued to those who had attained the age of eighteen years. With the increasing participation of the young populations in the various cross-border transactions, the ineffective system of police and the lack of enough data to determine those who had attained the identity card age, its use as a means of controlling interactions between the peoples became an abysmal failure. Moreover, the extensive nature of the border and the limited human and financial resources also made close surveillance problematic.

But if the period before 1967 was characterised by intense cross-border relations between the Babukusu and the Bagisu that were relatively calm, the political dynamics in Kenya and Uganda between 1967 to 1980 made such relations increasingly problematic. Although the political developments in Kenya were no less insignificant, Uganda's political instability under Obote in the late 1960s and Amin in the 1970s especially had the greatest impact on the two border communities' relations. As already pointed out in the previous section, Obote's repressive regime from 1966 to 1971 had not only led to a crack down on his opponents but also to the expulsion of thousands of Kenyan migrant workers. Though this had an overall impact on the Kenya- Uganda inter-state relations, its greatest impact as we noted was on the border communities whose people were seen to be collaborating on kinship lines to destabilize Obote's regime. As Okoth (1992: 76) has observed, it was not surprising that because of the antagonism that Obote had created,

Idi Amin's coup of January 1971 was well received in Kenya as a whole and western Kenya in particular.

The years between 1971 and 1980 were critical ones in the border relations between the two countries and that of the Babukusu and Bagisu people specifically. On top of the economic collapse that we observed, Idi Amin's military dictatorship worsened the security situation in Uganda and this continued to impact on the border dynamics and relations. Indeed as it is noted, the warm mood that had received Amin's takeover in Kenya lasted for only two years (*ibid.*). From 1973, the worsening security situation in Uganda had led to the disappearance of several Kenyan employees of the East African Community. Although there emerged a strong diplomatic concern in Kenya, Amin's response was to accuse Kenya's Luos in Uganda of colluding with exiled Obote in Tanzania to destabilize Uganda. Thus, like Obote after 1967, Amin also viewed the Kenya-Uganda border and the relations generated across it as politically destabilizing and, therefore, requiring close monitoring and control.

Amin's need to control the border though not restricted to the Luo impacted greatly on the specific relations between other border communities including the Babukusu and the Bagisu. By 1975, thousands of Ugandans including the Bagisu fled into exile using western Kenya generally as their escape route. For most of the Bagisu, the proximity of the border and the presence of their kith and kin in Kenya made their incorporation in Kenya easier. As one source reveals (Kolia, O.I, 2005) the Bagisu in fear of repression crossed the border and were warmly received in most of the Bukusu homes. While some sought refuge among their Kenyan extended relatives, others ended up in major rural and urban centres in various parts of Bungoma. It was in these areas that the Bagisu sought various opportunities for advancement. As we shall demonstrate below, most of the activities they engaged in were informal in nature.

Yet, neither the nature of cross border movements nor the political problems could be viewed in a unidirectional way. The political problems and their resultant impact on both the Babukusu and the Bagisu relations across the border were not uniquely a feature of the Ugandan state in the 1970s. In Kenya, although the scale was relatively low in comparative terms, there were all forms of state orchestrated repression. Within this political framework, that was characteristic of the Kenyatta regime of the mid 1960s to late 1970s, Kenyans with dissenting voices were clamped down, including artists, lawyers, academics, politicians and the clergy. The brutal manner in which the Kenyatta regime sought to silence its critics during this period partly explains why many Kenyans including some Babukusu found their way into Uganda. Like the experience with the Bagisu, the movements by the Babukusu across the border found refuge among their kinsmen in Bugisu and within the many emerging urban centres in Uganda including Mbale and Kampala. What perhaps needs to be emphasized at this point is not the comparative strengths of political repression in the two countries but rather the impact of the inter-state relations on the peoples' cross-border activities and relations. The Ugandan scenario perhaps captures this reality better.

The crossing of many Ugandan nationalities into Kenya continued to cause an alarm to the Amin administration in the mid 1970's. As Okoth (1992: 77) observes, Amin was clearly in difficulties and to get out of them he decided on a confrontation course with Kenya. In February 1976, Amin through a radio broadcast announced that large tracts of land in Kenya (mainly western Kenya) were originally Ugandan territory and wondered whether the people in those areas still wanted to remain part of Kenya. Amin indeed went ahead to announce that he would fight any neighbouring country that interfered with its import-export routes (Okoth, 2002). This provocation and territorial claims no doubt generated a lot of diplomatic tension and affected the relationship between Kenya and Uganda so severely that armed conflict seemed imminent. The Kenyan response to these provocations was to close the border, stop the handling of Ugandan goods on 23 February 1976 and give Amin 48 hours to apologise (Okoth, 1992: 77). Although Amin relented almost immediately, Kenya's subsequent trade embargo, including blocking the entire oil supply to Uganda for a short time in 1976 almost broke the Amin regime before Uganda finally agreed to withdraw its claims.

The provocation generated by Amin's territorial claims over Kenya was just among the many ways in which the Kenya-Uganda inter-state tensions were consummated in the mid 1970s. From 1976 to April 1979 when Amin was ousted from power, the intense suspicions between Jomo Kenyatta and Idi Amin occasionally threatened to bring the two countries to war with resultant implications to the ordinary people in the two countries and especially those occupying border areas. It is, for instance, noted that following the humiliation that Amin faced in his failed territorial claims over Kenya, deliberate harassment of Kenyans started in Uganda (Okoth, 2000: 288). These harassments culminated in the death of a Kenyan female student in Makerere University and the 'disappearance' of another in March 1976 (Ibid). This was followed in the subsequent month with the raid and killing of five Kenyans by Ugandan troops in the Kapenguria border area inside Kenya. After this, a series of accusations and counter accusations led to steadily rising tempers between the two leaders. It is no wonder that when the Israeli government raided on Entebbe in July 1976, Uganda quickly suspected Kenya of complicity. Indeed this accusation of conspiracy did not only get forwarded to the UN and OAU but also led to the mobilization of troops at the common border by the two countries.

That the inter-state relations between Kenya and Uganda in the face of mounting tensions were significant in shaping the community relations across the common border cannot be gainsaid. More often than not, it was mainly during such strained relations between the national leaders that the border and indeed the border communities became relevant in the ensuing power play. It was during such times that stringent economic and political measures, including border closures and enhanced border policing became important policy options for the national leaders. In such contexts, the cross-border relations between the Babukusu and the Bagisu were greatly strained by the deliberate national decisions to control or completely curtail the people's movements across the border. Such national decisions, though obviously aimed at meeting the political leaders' aspirations, contradicted the historical realities of interaction between the two communities across the common border.

The Informal Economy, *Magendo* and the Border Bukusu-Bagisu Relations to 1980

The manner in which the national Kenyan and Ugandan interests ignored the trans-border community relations and the activities they generated was responsible for the emergence of various diverse informal responses to the border restrictions. These responses, which took place beyond the formally recognised institutions under which the border and its management was conceived by the states, continued to define the nature of its evolution and transformation over time. As Nugent (2002) argues, borders are shaped as much by the everyday activities of ordinary people, in ways that sometimes undergird but at other times may bypass the formal structures of politics. The nature of response generated by both the Babukusu and the Bagisu through their regular interaction across the border on the one hand worked against the logic of national integration and tended to reinforce a sense of commonality between them that was supranational in nature. On the other hand, the two peoples, in collaboration with others in similar situations sought to take advantage of their unique location as border peoples to participate in the daily cross-border activities that challenged the national restrictions espoused by the leadership in place. The emergence of the informal economy along the border and the increasing participation of the two peoples in it during the period 1967 to 1980 need to be conceptualised within these broad dynamics.

The proliferation of the informal economy, which some scholars have called variously as 'unrecorded trade', 'underground', 'smuggling' or within the context of East Africa 'Magendo' is due to cross-border interactions which have their own distinctive features but which, as Bach (1999: 8) observes, combine elements of inter-state and trans-national regionalism. Although the informal economy generally, and informal trade specifically comes in different forms or known by different names, it is characterised by not being entered in national accounts. Since it operates outside the official national networks, it challenges the restrictions and tax policy frameworks put in place as its participants are viewed in opposition to established norms. Even if the activities within the cross-border informal economy may not be interpreted as acts of overt opposition, they may still be seen as acts of what James Scott called 'everyday forms of peasant resistance', comprising part of the hidden transcript of power relations (Scott, 1990). According to Scott:

The official transcript of power relations seldom elicits explicit challenges from subordinated groups, except during moments of systemic crisis when the mask will finally be permitted to drop. At other times, when the structures of power are secure, the response of the subordinate is to circulate their own knowing and hidden transcript among themselves, traces of which may seep into the public arena and thus destabilize the official transcript (Scott, 1990: 200).

If the above observation by Scott is correct, it is not enough to look at just open acts of resistance but also keep an eye on the alternative constructions of reality embedded in the words and the deeds of the ordinary people. The informal cross-border activities between the two peoples can be seen as constituting their subversion of the official constraints that

the border laid on their daily interactions and which continued to hamper their age-old dealings that obviously go beyond the colonial institution of the border.

The existence of the informal economy at the border and its various categorizations unmasks the constant reality of the ordinary peoples' struggle to make a living outside the formal state defined economic networks. The context of whether these activities are legal or illegal is arguably dependent on what Nugent (2002: 259) has distinctly categorized as the divide between the national and local discourses of morality. Within the national, most of the activities may be noted as being illegal since the states have historically arrogated to themselves the right to distinguish legal from illegal activities. From the local point of view on the other hand, cross-border informal activities or what is often described as smuggling is basically an exchange of goods and services over the boundary. In essence, therefore, the definition of smuggling and indeed other informal cross border economic activities boils down to whose point of view, between the national and local, arrogates the morality issues.

Scholars have generally observed that the restrictive policies followed by many countries create incentives for the rise of the illegal cross-border informal economy (Ackello-Ogutu, 1997: 2). Restrictions such as import tariffs, quotas, exchange controls, state trading monopolies and export restrictions create incentives to beat the system. Together with the restrictive national policies, past historical linkages and the semi-convertibility of currencies in border areas facilitate 'illegal' cross-border informal activities. Import licensing, often a response to an overvalued currency, restricts the supply of imports and raises their domestic price which in turn provides incentives for a parallel market in smuggled goods (Ibid, 3). Relative price differentials between countries and shortages in a particular country also encourage border informal trade. Scarcity and shortages in some of the neighbouring countries create effective demand and high profits thus making it extremely difficult to control smuggling. All these conditions obtained for both Kenya and Uganda and were particularly exacerbated in the 1970s by the civil strife and political instability in the region as we have observed above.

The restrictive nature of the state at the borders coupled with the uncertain political climate that disrupted the traditional forms of interaction between the Babukusu and the Bagisu was mainly responsible for the rise of illegal trade within the common borderland area. By 1980, most of the economic gains that had developed across the border during the first decade of independence and earlier had come to a standstill. These gains had been a product of not only a cultural interaction but also a flourishing cross-border trade that saw the emergence of major border trading centres and market places like Chepkube, Suam, Lwakhakha and Malaba. The Amin dictatorial regime in Uganda, the constant border restrictions and the ever-mounting border insecurity due to the inter-state tensions especially in the 1970s accounted for the transformation of this trade into more discrete and contraband nature. The range of commodities that passed through the Kenya-Uganda border includes agricultural commodities (coffee, maize, maize meal, sugar, milk, rice, wheat flour, beans, groundnuts, simsim, bananas etc), industrial goods (cooking fats and oils, petroleum products), fish and forest resources (charcoal and timber).

Although the above list of items that exchanged hands between the Babukusu and the Bagisu is far from being exhaustive, several observations on the nature of transactions can be identified. Given the strong industrial base in Kenya, most of the processed items including cooking fats/oils, wheat flour, petroleum products, maize meal, sugar and bread were produced in Kenya and sold across the border to Uganda. On the other hand, most agricultural commodities including un-milled maize meal, beans, groundnut, bananas and rice, charcoal that were locally produced in Bugisu and elsewhere in Uganda were transacted across the border into Kenya. Most of these import/export transactions along the border exploited the old unofficial networks that had historical and cultural connections. Between 1970 and 1980 however, the transactions became more complicated as the political climate in the two countries and border restrictions heightened price differentials and greatly affected the production of certain items leading to scarcity in several areas. This was also exacerbated by the entry of other market functionaries, including the rich businessmen, Multinational Organisations and others that had both direct and indirect influence on the local cross-border trade.

By far, the most intricate nature of the informal transactions between the Babukusu and the Bagisu across the border involved cash crops mainly coffee and cotton. Although the nature and direction of their transaction across the border was a function of the price differentials in both Kenya and Uganda, other intervening variables were obtained from the oral sources. With respect to coffee, one source (Kolia, O.I, 2005) pointed out that although there were overwhelming income variations arising from the coffee supplied to Kenyan factories with what was fetched from that supplied to Ugandan factories, the mode of payment also influenced the manner in which the coffee was smuggled into Uganda. The failure by Kenyan factories to pay farmers on time and the more accessibility to certain Ugandan factories was also an important consideration in the decision to sell coffee to Ugandan factories in the 1970s. The issue of accessibility perhaps more than price was significant in the trans-border transactions involving cotton than coffee. Ugandan cotton farmers reportedly delivered their lint to Kenyan ginneries located close to the border than take the trouble of having to cover many kilometres to deliver the cotton to the ginneries located in Mbale (Munyanda, O.I, 2005). One thing that seems strikingly similar is the fact that whichever direction the products moved, there was an overwhelming consideration for the risk of border crossing and the added advantages of accessing additional scarce items and enhancing kin relations with the respective areas visited.

Whether it was coffee, cotton or the agricultural and industrial commodities, there was a clear effort through this informal trade by both the Babukusu and the Bagisu to mould the border into something that benefited them. There were certainly various categories within such informal participants in the cross-border trade. They could broadly be delineated into three, the small timers or what Nugent (2002) has identified elsewhere as armpit traders, the commission workers and the rich bulk traders. The first and second categories comprise mainly the local Babukusu and Bagisu and are distinguished by the nature of their transactions and the volume of goods transacted. While armpit traders dealt in petty or small quantity items, the commission workers whether on foot or on bicycles worked for the rich to smuggle bulk goods across the border in order to earn a commission. Their

success highly depended on the discrete nature of the operations and on their ability to develop good working relations with the police and border personnel. The bulk traders involved many rich merchants and companies from Kenya, Uganda and outside.

The active participation of the Babukusu and the Bagisu in these informal activities stretched into the 1980s and beyond and is responsible for the rise of prominent trading centres such as Lwakhakha, Suam and Chepkube. Although these border centres appear neglected in their physical outlook, they actually remained active in terms of cross-border trading activities. Malaba seems to be the busiest centre with infrastructural facilities including roads, telecommunication, power lines and supporting institutions such as banks, yet within the context of the 1970s and early 1980s Chepkube was perhaps the most active in the entire East Africa region, having earned itself the name *Soko ya Magendo* (the Smuggling Market).

There is no doubt that the propitious nature of the informal economy together with the rapid growth of the border trading centres attracted myriad other participants and activities beyond the limited context of Bukusu-Bugisu. In regard to coffee specifically, many people, including prominent Kenyan politicians took advantage of the chaos in Idi Amin's Uganda to make a fortune from coffee smuggling at Chepkube. During the 1977-79 period for instance, Ugandan coffee smuggling by the Kenyan top leadership did a lot to undermine morality in the police force that the then Kenyan Police Commissioner acknowledge. Indeed, Chepkube became the tag used to refer to senior police officers named in Parliament as accomplices in the illicit business (http://www.nationaudio.com/News/DailyNation/02032003/Comment/Special_Report08.html). While two MPs - Muhuri Muchiri and (the late) Jesse Gachago - were jailed for smuggling, a lot more people in the Kenyan government, including President Kenyatta's kitchen cabinet, were said to be deep in the vice. It was said that some members of Kenyatta's inner circle had taken advantage of his advanced age and failing health to circumvent the law and engage in what may be classified as illicit activities (Ibid.).

It is significant to also point out that owing to the discrete and contraband nature of this trade there was always a real constant threat of being infiltrated by criminal elements. Following the degenerated security situation in the region and the lack of appropriate border policing mechanisms, arms found their ways in civilian hands and were equally transacted across the border. Also important was the issue of women's engagement in prostitution within the main border trading centres. The degenerated security situation was also reflected in the increase in the number of refugees, especially those fleeing the tyranny of the Amin's misrule into Kenya (Ochwada, 2004: 69).

Perhaps, what needs to be emphasized is that whereas there is no doubt that the networks which the two communities exploited during the informal activities reflected long established primordial links, it is also not difficult to see their activities as being a resistance to the embodiment of the states' power which the border represented. As the Kenyan and Ugandan states started to embrace the renewed mood for regionalism, coupled with the calm political environment and strong local Pan East African initiatives from the 1980s, the fluidity within which these informal activities thrived began to wane.

Deliberate policy decisions on the part of the political leadership meant that such trans-border activities become more channelled through the semi-informal social networks that continued to evolve in the borderland as we demonstrate in the next chapter.

Conclusion

This paper has generally examined the role played by the independent Kenya and Uganda governments in influencing the nature of trans-border community relations between the Babukusu and the Bagisu from the early independent period to 1980. It has been argued that unlike in the colonial period, the new independent leaders in Kenya and Uganda readily acknowledged the negative effects arising from the inherited colonial boundaries but were reluctant, if not totally unwilling to support policies that would restrain state sovereignty and their power. In terms of borders generally, the leaders through the OAU supported the persistency of the status quo in as far as the running of borders was concerned. This status quo meant that both the Babukusu and the Bagisu, like the case was with other African communities remain in the former colonial defined geopolitical spaces. Having accepted the status quo, the challenge of the new political leaders was to weave together a national community through which it could meet the many social, economic and political challenges.

As the paper has demonstrated however, the construction of a national community both in Kenya and Uganda was embedded in the intractable debates on regionalism that sought to give some power to certain regions and communities. The failure of the nationalist project, coupled with the economic attempts at a broader regionalism, saw the emergence of inter-state tensions and civil strife in Kenya and Uganda that greatly undermined border community relations. While this was happening at the state level however, a vibrant informal economy characterised by *Magendo* activities was evolving within the Bukusu-Bugisu borderland and challenging the statist restrictions at the economic level. By 1980, the volatile scenario generated by the inter-state rivalries, the dwindling economic performance of the countries had transformed *Magendo* into a livelihood strategy for the border communities of the Babukusu and the Bagisu. This strategy no doubt exploited the *primordial* networks whose history stretched beyond the colonial and post-colonial periods.

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Points for ABORNE conference Basel 2010 presentation

AFRICAN BORDER TOWNS: NODES OF TRANSNATIONAL EXCHANGE AND SITES OF DYNAMISM

AFBOTO – comparative research project draft, not (yet) funded

3 reasons why we are interested:

1. urbanisation generally, also of border regions,
2. while statist projects of integration of periphery often weak, their integration in transnational networks of exchange can often be witnessed, recent infrastructure projects in resource-rich areas and rising commodity prices,
3. border zones as safe havens for people fleeing from conflict: refugee cities as focal points for relief agency interventions

For all these reasons, border towns are excellent places to study the state and society from its margins. Within ABORNE emerging consensus that the contemporary importance of places and phenomena on the margins of the state is not merely a function of an absence of formal governance at the centre (in short, state failure). Also policy aspect: Can border towns be a dynamo that is conducive to economic development, regional integration and political stability - as the African Union and the Regional Economic Communities (RECs) are currently positing? This is a question that is of particular interest to Africanist scholars and institutions engaged with the continent, but the implications are also profound for borderland studies more generally. Because African border towns are closely integrated into regional and global networks of exchange, as exemplified by the growing profile of Chinese (and Indian) traders and the penetration of manufactured imports, they shed light on processes that extend well beyond the continent and will inevitably become even more prominent in the future.

Central hypothesis: border towns in Africa function at two levels simultaneously: as **nodes** within extended trans-national networks of trade and migration, as fixed points,

or **sites**, where state projects and other agendas (including the imperatives of everyday survival) converge - and sometimes very visibly collide with one another.

The relationship between these levels is a dialectical one:

changing patterns of trade through a given border will tend to manifest themselves in the changing institutional and physical dimensions of life in these border towns. Conversely, where infrastructural investments in border towns are made (e.g. improved roads, a bridge, communication infrastructure and town planning), this will tend to have implications for the performance of these towns as nodes within larger networks.

Methodology: studying border towns as nodes and sites

Nodes: placement in larger networks of exchange, what regimes control these?

Sites: What makes these towns tick, who is running them?

- the nature and volume of trade
- the connections of the border towns to other commercial centres
- the history of the border region and the town's specific place within it
- the most important actors in the border location
- the physical geography and infrastructural layout
- recent developments and impending changes (e.g. infrastructural)

criteria deployed in the selection of case-studies:

1. evidence of a significant level of cross-border traffic
2. evidence of a desire on the part of the state to make its presence felt, with case-studies including 'cold' and relatively 'hot' borders
3. sufficient population to count as a town (at least 3,000 people), but with no limit at the upper end

additionally, we have selected cases that contain one or more of the following elements:

4. a strategic position in relation to the physical geography of a given region, such as being located on a river, a lake or sea shore or a mountain pass

5. an advantageous location with respect to infrastructure, especially roads, railways, ports and bridges
6. the likelihood that new interventions may lead to a rapid increase in traffic and population growth within the lifetime of the project (e.g. because of infrastructural investments)
7. present or pending inclusion in new trans-boundary management regimes (e.g. transport corridors)
8. being an exemplar of either an established border town or of a boom town
9. being representative of either cordial or hostile relations between states on either side of a border
10. existence of related populations on either side of the borderline

Case-Study 1 – *Aflao and Lomé on the Ghana-Togo Border:* A very substantial volume of trade in secondhand cars, Chinese textiles and other consumer goods passes eastwards and westwards from the coastal ports of Cotonou and Lomé. The research will focus on the nexus between the Ghanaian border town of **Aflao** (est. pop 39,000) and the Togolese border capital of **Lomé** (est. pop 738,000), of which it is virtually a suburb. The Lomé free port has historically depended on its re-exports to Ghana - with the smuggling of Chinese textiles featuring very prominently in recent years – but the balance may be shifting with the creation of the Ghana Free Zones Programme that seeks to attract investment into local assembling, manufacturing and re-export (e.g. of Indian pharmaceuticals). Ghana is also seeking to modernize its customs regime and is currently negotiating a one-stop border post with the Togolese authorities, which promises to transform the way in which this border is regulated.

Case-Study 2 – *Nimule and Bibia on the South Sudan-Uganda Border:* Situated mid-way between the Great Lakes region and the Horn of Africa, this particular borderland has experienced protracted political instability and violence in several inter-related conflicts. Since the advent of a shaky peace process in Sudan in 2005 and the relocation of the rebel Lord's

Resistance Army into the DRC-Sudan borderland the towns of **Nimule** (est. pop. 45,000) on the Sudanese side of the border and its Ugandan neighbour, **Bibia** (est. pop. 3,500), have been transformed from sites of combat to booming truck stops along a transnational transport route that serves as vital link between South Sudan's capital, Juba, and the port of Mombasa on Kenya's Indian Ocean coast. New regulations and business opportunities continually emerge in this bustling but volatile setting.

Case-Study 3 – *Kasumbalesa and Chililabombwe on the DRC-Zambia Border:* The border region straddling the DRC and Zambia is one of the most mineral-rich on the continent: namely the Copper Belt. A lively cross-border trade passes from Lubumbashi, through the Katangan town of **Kasumbalesa** (est. pop 4,000) to the Zambian mining town of **Chililabombwe** (est. pop. 57,300) on the other side. Kasumbalesa has recently been upgraded as a one-stop border post constructed and operated by a private investor as a profit-making private-public joint venture. While refined copper follows the tarred road southwards along the recently completed Walvis Bay Corridor, sea salt, fertilizer and mining equipment travel in the opposite direction. This formal trade is complemented by considerable quantities of consumer goods traded informally or smuggled along sections of the same route. It is reasonable to suppose that Kasumbalesa will undergo rapid growth during the lifetime of AFBOTO and this development and the social phenomena it will generate will be closely followed.

Case-Study 4 – *Manica and Mutare on the Mozambique-Zimbabwe Border:* The Beira Corridor links the Mozambican coastal port at Beira with the Zimbabwean capital of Harare, and is of crucial importance for the latter as a landlocked country. This key rail and tar road link passes through the Mozambican border town of **Manica** (est. pop. 24,400) and **Mutare** (est pop. 170,100) on the Zimbabwean side. The two border towns face each other across either side of a rugged but highly fertile alpine border landscape that is very difficult to patrol. In the 1980s, the Mozambican side of the border was largely depopulated during RENAMO's guerrilla war

against the FRELIMO government and its ally, the Zimbabwean regime of Robert Mugabe. But the population is now growing at twice the national average, reflecting both the return of refugees and recent investments in agri-business (especially bio-fuels) throughout the greater region on the Mozambican side. Should the political situation in Zimbabwe continue to stabilize, this trend is expected to continue.

Case-Study 5: Bukoba on the Tanzanian shore of Lake Victoria and the Tanzania-Uganda land border: With its location at the intersection of cross-border trade routes across the lake and serving as the main road link between Tanzania and Ugandan capital of Kampala, **Bukoba** (est. pop. 81,000) is a quintessential border town. As a former German colonial administrative outpost, Bukoba had its heyday as a bustling trading centre for regionally grown coffee during the late colonial era. Still well-connected by road, sea and air, and regionally significant as an (Indian family-dominated) trade hub, administrative centre and minor tourism destination, Bukoba is an established border town that has the potential to recapture its former dynamism.

Case-Study 6 – Brikama on the Gambia-Senegal Border and Sao Domingos on the Senegal-Guinea Bissau Border: The Gambian port at Banjul is a major transit point for a wide range of manufactured imports and contraband goods that are traded across the Senegambia. The research will focus on **Brikama** (est. pop 80,000), one of the two most important commercial hubs in the Gambia, and on **Sao Domingos** (est pop. 27,000) in Guinea-Bissau. These two towns, that are separated by the Casamance region of Senegal, lie at either end of an important commercial route. The Casamance region underwent a low-intensity guerrilla insurgency in the 1990s. Although this has now subsided, the area around Sao Domingos remains an unstable zone through which drugs, arms and rustled cattle are trafficked northwards, while consumer goods from Brikama pass in the opposite direction.

Case-Study 7 – *Katima Mulilo and Sesheke on the Namibia-Zambia Border* were thrust into the limelight of national and regional news in May 2004 when the opening of the German-financed Zambezi Bridge connected not only these twin border towns, but also closed the missing link in the 2,524km Walvis Bay Corridor (compare case-study 3). The event was historically significant in two ways: It represented the fruition of a century-old German colonial dream to construct a transport link to the interior of southern Africa through Namibia's Caprivi strip (the anomalous shape of its boundary itself preserving this aspiration since its inception). It also heralded a new era of political relations, with the respective governments in Windhoek and Lusaka hoping to rein in separatist movements in this marginalized borderland through promises of new economic opportunities. **Katima Mulilo** (est. pop. 24,000) and **Sesheke** (est. pop. 14,000) have become attractive sites and hubs for investment since the bridge opened and the trucks started rolling - alongside runaway urban sprawl and a host of other social problems.

Case-Study 8 – *Kinshasa and Brazzaville on the DRC-Republic of Congo Border*: **Kinshasa** (est. pop. 7.5 million) and **Brazzaville** (est. pop. 1.2 million) are two capital cities that face each other across the Congo River. The volumes of trade have always been very high, as a consequence of currency and price differentials and the fact that the populations are closely related. During periods of violent conflict, especially in Brazzaville, there have been flights of population to the other city. There are currently plans to construct a bridge across the Congo River that would fundamentally alter the dynamics of trade. If the bridge is completed, this will provide a particularly rich test case of the ways in which the functions of border towns/cities can alter in response to changes in infrastructural provision (see hypothesis above).

Case-Study 9 – *Nsanje on the Malawi-Mozambique Border*: Also relating to the Beira Corridor (compare case-study 4), another spur of the Beira Railway, which crossed the border into Malawi until it was destroyed during the Mozambican civil war, is about to be reconstructed with donor

and private investment funds. The route links Malawi's capital Blantyre and the highly fertile south of Malawi, where considerable agribusiness investments (sugar and bio fuel) are already under way, with the Mozambican port of Beria. The Malawian border town of **Nsanje** (est. pop. 27,100) lies on this rail route, and is the headquarters of Malawi Railways. Nsanje is also the site of a new river port on the Shire River, which is currently being rehabilitated as part of the Shire-Zambezi Waterway Project. As with Kasumbalesa (Case-Study 3), it is reasonable to expect that the combination of a navigable waterway and a railway will have a profound impact on the functions of this border town as a regional node, but also on its shape as an urban site and its relations to its immediate surroundings, which lie partly across the border in Mozambique.

Case-Study 10 – Goma and Gisenyi on the DRC-Rwanda Border: Goma (est. pop. 600,000) and **Gisenyi** (est. pop. 106,000) in the DRC and Rwanda respectively are de facto one continuous urban settlement with an international boundary running through it. They are situated on the northern shore of Lake Kivu and 15km south of the active Nyiragongo Vulcano, which last erupted in 2002. Representing an additional threat to human life around Lake Kivu, as well as a considerable natural resource, vast quantities of methane gas have been discovered in the lake and their commercial extraction is being considered by the Rwandan government. Goma-Gisenyi is home to a small but regionally important fishing industry. It is also a major regional road, water and air traffic hub, with regular bus and flight connections to Kisangani on the Congo river and the resource-rich eastern DRC, as well as Rwandan capital Kigali and Ugandan capital Kampala. Ever since the Rwandan genocide in 1994, however, the single most powerful social and economic factor shaping the twin towns were the hundreds of thousands of people fleeing several inter-related occurrences of organized violence in Rwanda and DRC. The population of Goma-Gisenyi has increased manifold during this period, as the urban landscape and cross-border relations within it have been permanently transformed by formal and informal refugee camps and the presence of a large emergency relief and development aid industry.

