

AFRICAN HUMAN MOBILITY REVIEW

Volume 5 Number 2, May – August 2019

Special Issue: Migration in West Africa

Introduction

Ambiguity and Symbolism in the Implementation of the ECOWAS Free Movement Protocol: Evidence from Ghana and Sierra Leone

Migrants in Countries in Crisis: The Experiences of Ghanaian and Nigerien Migrants during the Libyan Crisis of 2011

Navigating the Unknown Treasures of Guangzhou, China: Ghanaian Traders' Networks and Strategies

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Practical and Policy Implications of the Migration of Pastoralists in West Africa



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African Human Mobility Review

***African Human Mobility Review*, Vol. 5, No. 2 (August 2019)**

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Introduction

By Prof Joseph Kofi Teye*

In recognition of the benefits of migration and the challenges associated with its management, many governments and development partners have, in recent years, been discussing how to develop effective frameworks for migration governance at the national, regional and international levels (Mangala, 2017). As a result of the increasing realisation that population mobility can contribute to socio-economic transformation of both migrant sending and receiving areas, migration management was, in 2015, included in the 2030 Agenda for Sustainable Development and the Sustainable Development Goals (SDGs) (OECD/ILO 2018), marking the first time that migration is formally integrated into the global development agenda.

Although population mobility, in West Africa, is not a recent phenomenon (Adepoju, 2006), the region has become the focus of academic and policy discussions on population mobility in recent years because it is characterised by high level of labour migration (Olsen, 2011) and displacement (Boateng, 2012). While political narratives and media images suggest an 'exodus' of Africans to Europe, a majority of West African migrants travel to destinations within the region (Teye et al, 2015). In 2006, for instance, SWAC and OECD (2006) estimated that 84% of migrations from West Africa are directed towards another country in the region. Similarly, more recent data provided by the United Nations Department of Economic and Social Affairs United Nations Department of Economic and Social Affairs (UN DESA) shows that about 72% of West African migrants remain in the region (UN DESA, 2018). Intra-regional migration patterns in the West African region have shown a certain historical continuity of mobility patterns observed in the colonial era, with many migrants moving from countries in Sahel zone (i.e. Mali, Burkina Faso, and Niger) to the mineral-rich and plantation-rich coastal countries, especially Côte d'Ivoire, Ghana, Nigeria, Senegal and The Gambia (Awumbila et al, 2014). It is estimated that West African intra-regional migration movements, which involve about 7.5 million persons, are seven times greater than migration movements from West Africa to the rest of the world (SWAC and OECD 2006). Olsen (2011) asserted that, with more than 3% of the regional population circulating within West Africa, migration within the region is about six times higher than intra-European mobility. Internal

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migration is also very pervasive in West Africa due to rapid urbanization. Trafficking in children and women is also common in the region. Large-scale refugee movements, mainly caused by civil wars and ethnic conflicts, are also widespread in contemporary West Africa (Boateng, 2012).

Intra-regional migration in West Africa is largely facilitated by the Protocol on Free Movement of Persons, Right of Residence and Establishment which was adopted in 1979 by the Economic Community of West African States (ECOWAS), made up of 15 of the 16 in countries in West Africa. The Free movement protocol, which is based on an understanding that regional cooperation in the field of labour migration could promote the transfer of skills and assets, seeks to ensure that citizens of ECOWAS states are able to enter any ECOWAS member state visa free for up to 90 days.

Outside Africa, Europe is the most popular destination of West African migrants. Since 1970s, economic crisis and political conflicts have contributed significantly to migration from West Africa to North Africa towards Europe. Both highly skilled and unskilled migrants continue to migrate to Europe, either regularly or irregularly. Although irregular migration from Africa to Europe is not a new phenomenon, irregular entry of Europe by West Africans who travel through the Mediterranean has received public attention in recent years. West Africans constitute about 60% of irregular arrivals in Italy and Spain (de Haas, 2006). As a result of restrictive visa regimes imposed by traditional countries of destination in Europe, there has been increasing migration of West Africans to Asia countries, especially China and the Gulf States, in recent years.

Despite the high level of mobility within West Africa, there is a general paucity of data and research findings on various dimensions of population mobility and its outcomes within West Africa. Existing knowledge gaps make it difficult to integrate migration into development planning processes in the region (Awumbila et al, 2017). For instance, policy prescription in many West African countries tend to discourage migration because of its negative effects, such as shortage of labour, migrants smuggling, human trafficking and pressure on social amenities in urban centres. Yet, there is little understanding of the developmental impacts of various types of migration on migrants, host communities and families left behind. As a way of helping to fill some of these gaps in knowledge, this special issue seeks to provide an analysis of migration within, from and towards West Africa, particularly from the perspectives of migration scholars in the West African region.

The first article written by **Teye, Awumbila and Nikoi** examines the challenges to the implementation of the ECOWAS Protocol on Free Movement, with particular reference to Ghana and Sierra Leone. The authors demonstrated that the factors that negatively affect the implementation of the free movement protocol include policy ambiguities, harassment of migrants at the borders, migrants' lack of travel documents, low level of knowledge about ECOWAS protocol, resource constraints, securitization of migration, economic challenges and political instability. The authors conclude that future implementation outcomes of the ECOWAS protocol will largely depend on the commitment of the Member States and ability of ECOWAS to develop mechanisms to deal with states that continue to violate the rights of migrants.

In the second article in this issue, **Kandilge and Hamidou** collected data on the experiences of Ghanaian and Nigerian migrants who were affected by the 2011 Libyan crisis to examine how micro-level factors shape migration decision-making processes. The authors argued that migration culture, the desire to improve household livelihoods, existence of social networks and activities of migrant smuggling rings promote migration to Libya. Having identified the limitations of repatriation and evacuation programmes put in place by the Ghanaian and Nigerian governments during the Libyan crisis, the authors make a recommendation for the development of regional evacuation and repatriation programmes to facilitate the timely extraction of trapped migrants from countries in crisis.

The third paper written by **Obeng** employed multiple ethnographic methodologies to examine African importers' participation in the burgeoning economy of China. He argues that strategies employed by these importers are based on various factors such as the size of capital, trading experiences and locations of their imports. The fourth article by **Agyeman and Gyampah** also adopts a historical perspective to analyse cross-cultural ties between Ghana and Egypt through an analysis of the agency of the Egyptian Community in Accra, Ghana. The authors examine the type of cross-border and transnational ties that Egyptian migrants in Ghana have established between Ghana and Egypt and how these ties generate cross-cultural relations between Ghana and Egypt. They argued that due to high profile intermarriages between Ghanaians and Egyptians and the Nkrumah factor, the Egyptian community in Ghana occupies a privileged economic and political position in Ghana.

The last paper, written by **Adzande**, discusses how climate induced migration of itinerant pastoralists from countries in Central and West Africa into Nigeria

is contributing to conflicts. The author noted that states in north and central Nigeria are experiencing heightened conflicts between sedentary farmers and itinerant herders, and this has given rise to the disruption of livelihoods, leading to a major threat to food security. They argue that the ECOWAS protocol on free movement is unintentionally contributing these conflicts.

Taken together, the papers provide multi-disciplinary perspectives on contemporary migration issues within the West African region. Although the papers presented in this special issue are diverse, they all indicate the need for policy interventions that can reduce the negative outcomes associated with migration while maximising its developmental impacts. The article led by Teye and Adzande's paper demonstrate the weaknesses of the ECOWAS free movement protocol for the management of migration within the region. Similarly, the paper led by Kandilige demonstrates the need for effective regional level framework for dealing with humanitarian crises associated with migration. The three papers taken together therefore discuss the weaknesses of current regional level migration and displacement governance systems. Obeng's article and the paper led by Agyeman demonstrate the importance of social networks in facilitating migration flows and enhancing the outcomes of migration. While Obeng showed how Ghanaian traders rely on networks of social capital with agents in their trading activities, Agyemang and his colleagues demonstrated how similar networks help Egyptians to enjoy certain privileges in Ghana.

The papers demonstrate that despite the undesirable outcomes of migration, there are unique windows of opportunity to make it a triple win situation for the migrant, the origin and the receiving countries. This requires intensification of lesson drawing, knowledge sharing, and purposive interactions among researchers, policy makers, development partners, social partners and other stakeholders. The special issue discusses topical issues which should be of interest to migration scholars, policy makers, and development practitioners.

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Ambiguity and Symbolism in the Implementation of the ECOWAS Free Movement Protocol: Evidence from Ghana and Sierra Leone

Joseph Kofi Teye*, Mariama Awumbila** and Ebenezer Nikoi***

Abstract

This paper examines the challenges to the implementation of the Economic Community of West African States (ECOWAS) Protocol on Free Movement, with particular reference to Ghana and Sierra Leone. The paper is based on a desktop review and in-depth interviews with selected ECOWAS migrants and officials of institutions responsible for managing migration in Ghana and Sierra Leone. The findings suggest that Ghana and Sierra Leone have made modest progress in the implementation of the protocol. Apart from abolishing visa and entry requirements for 90 days, both countries have adopted the standardized ECOWAS Travel Certificate. Despite a few achievements, the following challenges affect the implementation of the free movement protocol in both countries: Policy ambiguities resulting from contradictions between national laws on employment and the ECOWAS Free Movement Protocol; harassment of migrants; migrants' lack of travel documents; low level of knowledge about the ECOWAS protocol; resource constraints; fears of competition with immigrants, especially in Ghana; securitization of migration and migrants; weak labour market and migration information systems, economic challenges and political instability. This paper concludes that the future implementation outcomes of the ECOWAS protocol largely depend on the commitment of the member states and financial support that they receive from ECOWAS and its development partners. While ECOWAS should continue to lobby states to implement agreements and protocols, mechanisms must also evolve to deal with states that continue to violate the rights of citizens and migrants.

Keywords Free movement; protocol; Ghana; Sierra Leone, ECOWAS.

Introduction

Although the relationship between labour mobility and economic development is contested (Ajaero and Onokala, 2013), there is enough

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evidence to suggest that if properly managed, migration could contribute to economic transformation in both migrant sending and receiving areas (Switek, 2016; Teye et al, 2017). In response to increasing acknowledgement that properly managed migration could promote socio-economic transformation in both sending and receiving countries, a number of governments are making efforts to effectively mainstream labour migration into development planning and policy (Mangala, 2017; Teye et al, 2017). However, while the developmental outcomes of international migration is increasingly acknowledged, apparently in view of the flow of international remittances (Mazzucato et al, 2005; Ratha et al, 2011), the contributions of internal and intra-regional migration have not been adequately discussed in both policy and academic circles (Teye et al, 2015).

Recognizing the potential and actual benefits of intra-regional mobility, the Economic Community of West African States (ECOWAS) adopted the Protocol on Free Movement of Persons, Right of Residence and Right of Establishment in 1979 (Protocol A/P.1/5/79). This was followed by the formulation of a number of agreements and supplementary protocols aimed at facilitating the mobility of labour and goods within the ECOWAS region. While these protocols provide guidelines for promoting intra-regional mobility and regional integration, there is enough evidence to suggest that the full implementation of the Rights of Residence and Establishment, as detailed in the 1979 ECOWAS Protocol relating to the Free Movement of Persons, and its supplementary protocols has not been fully achieved (ICMPD and IOM, 2015).

While it is acknowledged that evidence-based data is needed for addressing the gaps in the implementation of the ECOWAS Protocol on Free Movement (Adepoju, 2005; Teye et al, 2015), there are only a few studies on its implementation. Against this background, this paper examines the implementation record and challenges to the full implementation of the ECOWAS Protocol on Free Movement, with particular reference to Ghana and Sierra Leone.

Conceptualising Gaps in the Implementation of the ECOWAS Free Movement Protocol

Based on insights from the policy science literature (Parsons, 1995; Grainger and Konteh, 2007), this paper analyzes gaps in the implementation of the ECOWAS Free Movement Protocol by assessing the intentions and commitments of governments of the ECOWAS countries towards the development of policy and institutional structures and resource availability

for the implementation of the protocol in Ghana and Sierra Leone. In analysing intentions and commitments of ECOWAS governments towards free movement, the paper argues that even though all ECOWAS governments have signed and ratified the Free Movement Protocol, some governments are not committed to certain aspects of the protocols they have signed. To explain why and how ECOWAS countries do not implement the ECOWAS protocol fully, the paper relies on the concept of *stated and actual policy* (Aucoin, 1971; Grainger and Konteh, 2007). According to Grainger and Konteh, (2007), *actual policy* reflects the true intentions of the governments towards free movement and regional integration. This actual policy may differ from *stated policy* published in official documents (in this case the free movement protocol). This theoretical perspective suggests that since governments cannot satisfy all interest groups, one governing strategy is to design or ratify policies of frameworks that satisfy powerful development partners and then implement a very different policy that satisfies the government's interest. This strategy creates policy ambiguities and stated policy then remains "symbolic statements" (Smith, 1985: 135) that are never fully implemented.

Grainger and Konteh (2007: 46-47) identified three main scenarios when *stated policy* may deviate from *actual policy*. First, a government may find it difficult to publicize its choice between competing interests of various sectors/groups of the economy. Such a government may publish sectoral policies which contradict those of other sectors, are internally inconsistent and do not reflect their actual intentions. The government may also implement policy poorly, or maintain uncertainty (e.g. by poor monitoring of policy outcomes) to discourage challenges to ambiguity. Secondly, actual policy has changed due to changes in government or priority goals compared with those at the time of the formulation of the stated policy. The third scenario occurs when a government wants to hide, especially from international actors, activities that clash with rules of the institutional state. This involves ambiguity by delusion and delay. Drawing on insights from this theoretical perspective, this paper argues that many governments of the ECOWAS countries, in reality are not committed to implementation of certain aspects of the protocol because they want to maintain autonomy and preserve certain privileges for their nationals. However, the governments have signed the protocol and supplementary agreements just to satisfy the interests of powerful regional and international policy actors. The current implementation record in the different countries, therefore, reflects the *actual policy* while the protocol can be seen as *stated policy* which is merely designed for symbolic

reasons. This conceptualization suggests that some aspects of the ECOWAS Free Movement Protocol are poorly implemented in some countries because the governments of those countries are actually in favour of restricting the flows of certain categories of immigrants who are likely to compete with citizens for jobs and scarce resources. This paper's conceptualization resonates with the argument by Mathias and de Haas (2013) that while many governments sign agreements to facilitate free movement of skilled labour, they also adopt policies which seek to discourage the immigration and settlement of particular categories of migrants, such as low-skilled labour migrants. Such selective immigration policies are intended to shape the skills and income composition of migrant inflows, based on perceived economic needs of the countries and social desirability of different categories of immigrants.

Apart from the lack of commitment on the part of governments, this paper recognizes that in some countries poor implementation of some aspects of the ECOWAS protocol may be a result of institutional weaknesses and resource constraints. To explain such institutional constraints, the authors reviewed the various approaches to analyzing policy implementation and chose the *top-down rational policy implementation analysis approach* and the *bottom-up policy implementation analysis approach* to guide this assessment. The *top-down* approach regards policy implementation as a top-down rational activity whereby policy-makers formulate policies and street-level bureaucrats implement those policies. It is assumed that implementation can only be effective when goals are clearly defined, when there are adequate resources and where an effective chain of command exists (Pressman and Wildavsky, 1984). In contrast, the *bottom-up* approach posits that policy outcomes largely depend on the interests and decisions of street-level bureaucrats. The approach assumes that the implementation of any given policy involves a multiplicity of organisations at national and local levels. This produces a complex system, which top-down mechanisms of coordination are unable to handle. Since strict hierarchical control is not possible, street-level policy implementers have the power to change stated policies (Linder and Peters, 1987). Given that migration flows in both Ghana and Sierra Leone are managed by immigration departments that operate top-down coordination systems, this paper employs the top-down approach to examine how the chain of command and resource availability within the immigration departments in both countries shape the implementation of the protocol. On the other hand, the paper employs the *bottom-up* approach to examine how the interests and

decisions of street-level border officials may determine how the free movement protocol is implemented in various parts of the countries.

Methodology

The data used to write this paper was gathered as part of the research activities of the MADE West Africa Project which is financed by the European Union and aims to promote good governance of migration and mobility and protection of migrants' rights in the ECOWAS region. The study involved a desktop review and in-depth interviews with selected ECOWAS migrants and key informants, made up of officials of institutions/agencies responsible for managing migration in Ghana and Sierra Leone. In all, 35 persons in Ghana and 28 persons in Sierra Leone were interviewed. Both the key informants and individual migrants interviewed were selected purposively. The migrant category comprises both highly skilled migrants (i.e. professionals) and low-skilled migrants working in the informal sector. The instruments used to interview public officials and social partners responsible for migration management were flexible and focused on the following themes: trends of immigration and emigration; perceptions on the developmental impacts of migration; respondents' knowledge of the ECOWAS protocol; challenges to the implementation of the ECOWAS protocols; and migrants' rights. The flexible instruments used to interview ECOWAS migrants focused on motivations for migration and migration processes and experiences. All the interviews were recorded electronically and transcribed. The transcripts were further analysed thematically. While the findings of this study could have been enhanced by a combination of in-depth interviews and a questionnaire survey among a larger sample of ECOWAS migrants in the two countries, the authors believe that the conclusions drawn from the rich qualitative data alone are valid.

Overview of ECOWAS Free Movement Protocol and Supplementary Instruments

Efforts to promote cooperation and integration of the ECOWAS countries date back to 1975, when the ECOWAS treaty was adopted by member states. This treaty conferred the status of community citizenship on nationals of member states. The treaty also enjoined member states to ensure to gradually work towards the abolition of the obstacles to free movement of persons, services and capital (Adepoju, 2005). In line with the ECOWAS treaty, the ECOWAS Free Movement Protocol was adopted in 1979 (ECOWAS, 1979). It emphasizes the Free Movement of Persons, Right of Residence and Right of Establishment.

The Revised ECOWAS Treaty of 1993 further provides in Article 3 (1) for “the removal, between member states, of obstacles to the free movement of persons, goods, services and capital, and to the right of residence and establishment”. The major provisions on “Immigration” under Article 59 are as follows:

- a) Community citizens are granted the rights of entry, residence and establishment and member states undertake to recognize these rights of Community citizens in their territories in accordance with the provisions of the Free Movement Protocols.
- b) Member states undertake to adopt all appropriate measures to ensure that Community citizens enjoy fully the rights granted them.
- c) Member states undertake to adopt, at a national level, all measures necessary for the effective implementation of the provisions of this Article (ECOWAS, 1993).

These provisions are consistent with the 1979 Protocol Relating to the Free Entry, Right of Residence and Establishment (Agyei and Clotey, 2007; Awumbila et al, 2014). By this protocol, citizens of member states do not need to apply for a visa to enter another ECOWAS country for stays up to 90 days. However, ECOWAS citizens who plan to stay for more than 90 days are required to obtain permission for an extension of stay from the appropriate authority in the member states. Other supplementary protocols have been passed following this major protocol. The 2008 ECOWAS Common Approach on Migration, for instance, provides guidelines for dealing with challenges affecting the implementation of the ECOWAS Free Movement Protocol. It also provides strategies for dealing with other key migration issues, including combating human trafficking; policy harmonization; protection of the rights of migrants, asylum seekers and refugees; and recognition of the gender dimension of the migration (ECOWAS, 2008).

Record of implementation of the Free Movement Protocols in Ghana and Sierra Leone

The ECOWAS Free Movement Protocol is expected to be implemented in stages. During Phase 1 (Right of Entry), member states are expected to allow free entry of citizens of member countries without visa. Phase 2 and Phase 3 respectively, emphasize the granting of citizens of member states the right of residence and right of establishment in other ECOWAS countries that they may

choose to migrate to. This study has shown that Phase 1 has been implemented well in the ECOWAS region. All 15 ECOWAS countries, including Ghana and Sierra Leone, have abolished visa and entry requirements for 90 days. The implication of this is that ECOWAS citizens with valid travel documents and international health certificates are allowed to enter and stay in any ECOWAS country for 90 days without going through a prior visa application process.

Both Ghana and Sierra Leone have adopted the standardized ECOWAS Travel Certificate, which was introduced in 1985 to make cross-border movements easier and cheaper. The two countries have also adopted the harmonized “Immigration and Emigration Form of ECOWAS member states” which aims to facilitate and simplify cross-border formalities in member states. Both Ghana and Sierra Leone now use the ECOWAS common passport which was adopted by the Authority of Heads of State and Government in May 2000. With regards to the second phase (Right of Residence), which came into force in July 1986 following ratification by all member states, ECOWAS citizens who want to stay and work in another member state for more than 90 days are required to apply for and obtain residence permits or work permits just like immigrants from other parts of the world. However, refusal is possible on grounds of public order, public security or public health. In relation to the third phase (Right of Establishment), all citizens of ECOWAS member states have the right to access economic activities and to hold employment, including pursuit of the liberal professions. Discrimination may only be justified by exigencies of public order, security or public health. As a result of these provisions, many ECOWAS citizens have migrated to Ghana and are working mainly in the informal sector. Sierra Leone also has a few ECOWAS citizens. Apart from facilitating labour mobility, the ECOWAS protocol has contributed to student mobility within the region. For instance, tertiary institutions in Ghana have reduced the international students’ fees for students from ECOWAS countries. This has contributed to an increase in the number of ECOWAS students at Ghanaian universities.

Despite these achievements, there are serious gaps in the implementation of both the Right of Residence and Right of Establishment components of the ECOWAS protocol. A major challenge to the implementation of the Right of Residence is created by the procedures for issuing work permits. A recent assessment conducted by Teye and Asima (2017) on work permit regimes in four West African countries, including Ghana and Sierra Leone, showed that the procedures for issuing work permits in these countries do not support the Right of Residence enshrined in the ECOWAS protocol. In both Sierra Leone

and Ghana, the requirements and procedures for issuing work permits are the same for both ECOWAS citizens and other nationals. In principle, work permits are expected to be issued to all foreigners, including ECOWAS citizens, only in situations whereby there is a proof that the skills possessed by the migrant do not exist locally.

In both countries, certain sectors are reserved for citizens and as such work permits cannot be granted to ECOWAS citizens who want to work in such sectors. Public service jobs are available to nationals only, except under special arrangements (see also Teye et al, 2015). Foreigners in Ghana, including those from ECOWAS member states, are not permitted to work in the security services. Again, Ghana's Investment Act, 2013 (Act 865) prohibits migrants from engaging in petty trading, operating taxis, beauty salons or barber shops, printing of recharge cards for subscribers of telecommunication services, producing exercise books, supplying retail sachet water and retailing finished pharmaceutical products. Given that these economic activities are undertaken by mainly low-skilled persons, it is safe to conclude that the governments are adopting selective policies which will make it difficult for low-skilled immigrants to settle in those countries. This is consistent with the argument of Mathias and de Haas (2013) that many governments use such restrictive policies to affect the composition of immigrants and discourage low-skilled persons from settling in some countries. These restrictive employment policies discriminate against nationals from other member states and as such these policies violate the ECOWAS Free Movement Protocol, which stipulates that ECOWAS nationals who intend to pursue livelihood activities should be subjected to the same laws as nationals of the destination member state (Agyei and Clotey, 2007; Teye et al, 2015).

This scenario resonates with the idea of *actual and stated* policies discussed earlier. The governments of Sierra Leone and Ghana are not committed to the aspect of the protocol that seeks to ensure equal employment opportunities for nationals and citizens of member states. As a result, they have formulated domestic policies that contradict the principles of the protocol, creating policy ambiguities (see Grainger and Konteh, 2007). The protocol then becomes only a symbolic document (see Smith, 1985) which can be interpreted as a token gesture, designed to portray the governments as committed to regional integration without making any real change in the status quo.

Challenges and Gaps in the Implementation of the ECOWAS Protocol on Free Movement

Despite the modest progress made with respect to the implementation of the free movement protocol in Ghana and Sierra Leone, there are a number of issues that affect the successful implementation of the protocols. This section discusses these gaps and challenges based on evidence from Ghana and Sierra Leone.

Refusal of Admission and Discrimination

A major challenge to the implementation of the ECOWAS Protocol on Free Movement is presented by the Protocol affording member states the right to refuse admission into their territory, community citizens deemed inadmissible under their domestic laws (Article 4). According to Adepoju et al, (2007), this provision undermines the purpose of the Protocol through the use of restrictive domestic inadmissibility laws. As highlighted in the statement below, some countries may intentionally cite security reasons to prevent migrants from entering or staying in their countries:

[...] countries can hide behind national order and security concerns to refuse granting of residence permits...Practically anything can fall under public security. I mean if I get up and say that you are against the security of the state so I'm deporting you that is it, I don't have to explain to you how you are against the security of this state. So that provision gives a leeway for nations to manipulate the system depending on whether they want you or they don't want you (G.A., Ghana Immigration Service, Kotoka International Airport).

Apart from the refusal to admit unwanted migrants, nationals of ECOWAS member states are sometimes exposed to some discrimination in both countries. As noted already, in both Sierra Leone and Ghana, public service jobs are available to nationals only and foreigners can only be employed in the public services under special arrangements. Additionally, both countries also have a quota system of issuing work permits which implies that some ECOWAS citizens may not get work permits even if they applied. For instance, according to Section 35 of the Ghana Investment Act (Act 865), an enterprise with a paid-up capital of between US\$50,000 and US\$250,000 is entitled to an automatic expatriate quota of one person. An enterprise with a paid-up capital range of US\$250,000-US\$500,000 is entitled to an automatic expatriate quota of 2 persons while the US\$500,000-US\$700,000 range allows for an automatic expatriate quota of 3 persons and paid up capital of more than US\$700,000 allows for an automatic expatriate quota of 4 persons. In Ghana, quotas are

granted by the Ghana Investment Promotion Centre (GIPC). Similarly, the Sierra Leone local content policy makes provision for quotas for its citizens in all employment fields as follows: at least 10% for top management, 25% for middle management, and 50% at the bottom cadre (Teye and Asima, 2017). Given that ECOWAS citizens are not exempted from the application of the quota system, these requirements are not consistent with the rights of residence and establishment proposed by the protocol. This is highlighted in the statement below by an officer in Ghana:

In terms of residency, we have a quota system and you have to apply it. If we talk about right of establishment then we can say that the current work permit law is not consistent with the ECOWAS protocol because the quota system restricts the number of foreigners to be given work permits. ECOWAS citizens have a right of establishment so they don't even need to come to us, I mean practically if we want to implement the right of establishment (G.A., Ghana Immigration Service, Kotoka International Airport).

These domestic laws reflect the true intentions (actual policy) of the government of Ghana while the protocol that Ghana has ratified is a symbolic document (Smith, 1985). In such situations, different policy actors are expected to read different aspects of the policy. Ghanaians could read the investment promotion policies and be happy that the government is protecting their interests while ECOWAS countries can also read Ghana's ratification of the protocol and conclude that it fully supports regional integration.

Harassment of Migrants at Borders

Many migrants from member states are harassed at the borders and asked to make unofficial payments before being allowed to enter some ECOWAS countries. Migrants who travel by air are harassed to a lesser extent because of the presence of senior migration officials at the airports. Given that poor people are likely to cross borders by road, they tend to experience harassment more than rich people who travel by air. Among people who travel by roads, persons without genuine travel documents are more likely to be asked to make unofficial payments. A.N., a 48-year-old highly skilled Nigerian migrant living in Ghana who crosses several borders in a year for business purposes, reported that he does not face problems at the borders on occasions when he carries genuine travel documents but he was seriously harassed on other occasions when he appeared at the borders without documents:

The border officers don't worry me much because I have all the documents...When they say, 'Bring your bag', I bring it, 'bring your passport', I bring all those things. And once I give it to them and they check it, I am free to go. I remember there are some occasions I forgot my yellow card and they asked for some surcharge. For the Francophone countries they may surcharge you about 1000 CFA or less if you forgot a card and then they let you go (A.N., highly skilled Nigerian migrant in Ghana).

However, the border crossing experiences of some other highly skilled migrants sharply contrast with the accounts of A.N. Some of them reported harassment whether they had the documents or not. For instance, M.B.A. is a Beninois migrant who holds a PhD and works as a researcher in Ghana. He arrived in Ghana in 2015 by crossing the Togolese and Ghanaian borders and has since been crossing these borders at least once every two months. He noted that there is extortion at almost every immigration check-point even though he possesses valid travel documents:

[...] if we rely on what is in the ECOWAS [protocol], we are supposed to freely move to any country of ECOWAS as long as we have ID or passport. However, at every checking point, especially at the immigration, you have to pay...I have fought with them once but I later decided to just pay and forget about the ECOWAS and this free movement protocol. I don't know what it stands for and whether it means that when you want to cross you just present your ID or passport and then you go or if it comes along with some fees. I don't know what the free movement really means... If it's supposed to be that you freely move without paying anything then its not really working (M.B.A., highly skilled Beninois migrant in Ghana).

The accounts of A.J., a Nigerian tailor in Sierra Leone confirms reports of harassment. A.J., who has travelled widely in the ECOWAS region reported that some of the borders are more difficult but he believes that the officials at all the borders are only interested in the money and not the documents. He said:

Once you appear before them, they are only interested in the money and not the documents you carry along. If you have no passport and you are prepared to pay them, they are happy to let you go. If you carry all the documents and you don't want to pay, they keep you...One day I spent 2 hours at the Elubo border when returning from Ghana because I refused to pay and they said I must wait. I challenged them but at the end of the day I paid because they just wouldn't allow me to go (A.J., Nigerian tailor in Sierra Leone).

Besides the main border points, there are numerous barriers where payments are demanded from migrants by the police, customs officials and others and all these add to the challenges of crossing the borders. Another low-skilled migrant, F.R., spoke about these other barriers when moving from Burkina Faso to Ghana:

There are also people in-between the two countries [Ghana and Burkina Faso]. If the bus moves a bit further after crossing a border, they will also stop the bus and demand payment...I don't know them but they are also dressed like police or custom officers; they are always sitting under trees...It is very sad and we fear them because they will stop you after you have gone past the border (F.R., low-skilled migrant, Ghana).

Further interviews also revealed that ECOWAS citizens travelling on passports that have never been stamped are more likely to be harassed as they are required by border agents to pay 'disvirgin' fees, which is a kind of bribe, before their passports are stamped for the first time. This situation is explained by a migrant:

Always, [during] your first time of travelling, they say you should 'disvirgin' your passport through bribes. 'Disvirgin' means that your passport has not been used before, and so they assume that you have not travelled before. So to 'disvirgin' it, you have to pay money. So you pay the 'disvirginning' fee in combination with the money you are going to pay for the stamping of your passport...At least I know that it happens at the Elubo border in Ghana and the Nigerian border... Sometimes [the driver of] the vehicle you are travelling in takes the money and then when you get to the border they are going to 'de-virgin' it [the passport] for you, kind of for you (T.Q.G., cross-border trader and dual citizen of Nigeria and Ghana).

A Nigerian migrant in Sierra Leone also reported being asked to make this unofficial payment when he first used the Elubo border:

My first time of crossing the Elubo border, things were more serious as they required me to pay more because I was new at that border...They worried me and delayed me so I paid more than the other passengers. I knew that if I argued with them they will ask me to wait and the car will leave me, so I just paid (A.J., Nigerian tailor in Sierra Leone).

Top immigration officials who were interviewed reportedly knew of these forms of harassment at the borders. Some of them noted that extortions are caused by low levels of salaries and lack of incentive packages. The claim that

low salaries contribute to harassment is consistent with resource constraints on the part of organisations, which suggests that resource constraints and low salaries may force employees to perform poorly (Pfeffer, 1997).

When asked about the measures they are adopting to deal with harassment, some top immigration officials in both Ghana and Sierra Leone stated that they have put in place some measures, such as organising training for officials and punishment of those found to have seriously violated migrants' rights. An official in Ghana also stated that they have asked officials to wear name tags so that travellers could identify and report those who harassed them. Another official, however, was less sanguine about the effectiveness of this approach. He noted that asking migrants to report incidents of harassment at the borders would not solve the problem as the migrants would not get to top immigration officials to make such reports. He noted that the ECOWAS secretariat should have mechanisms for dealing with state officials who harass migrants:

The major weakness with ECOWAS is that it does not have enforcement powers. So people will feel harassed but they have nowhere to turn. So when the issue arose in one of the joint meetings, they said that various countries should establish complaint desk at their borders. I don't think this will work. Like someone who went to Nigeria and was harassed at Akrake, how will he go back to Nigeria to complain that their men have harassed him or her? The best way to deal with this problem should be sanctions by the ECOWAS secretariat (RNT, Ghana Immigration Service).

The statements above indicate that harassment at the borders takes different forms and affect free movement within the sub-region negatively. The causes of harassment are consistent with both the top-down and bottom-up policy implementation analysis approaches discussed earlier. In relation to the *top-down approach* (Pressman and Wildavsky, 1984), the chain of command for managing border officials can be regarded as being weak which is why the street-level border officials are able to demand unofficial payments, with impunity. The situation also demonstrates the ability of street-level border officials to 'reformulate policy' governing mobility based on their own interests and this gives credence to the *bottom up approach* (Linder and Peters, 1987) which argues that policy outcomes depend more on the interests and actions of street-level bureaucrats.

Lack of Travel Documents and Residence/Work Permits

Another challenge to the implementation of the free movement Protocol has been the difficulty of establishing the nationalities of travellers because some of them do not carry national identity (ID) cards or passports. Border management officials of the Immigration Departments in Sierra Leone and Ghana described this situation in the following statements:

The Free Movement Protocol enjoins us to admit people into our territory but we also have to establish their nationalities and be sure they are ECOWAS citizens. However, most of the Guineans we have seen at the Sierra Leone border do not think they need passports...When you tell them they need passports to be allowed to pass, they get angry...They don't understand the 'free movement' thing very well because some ask, 'Why do I need a passport when I am an ECOWAS citizen and need to travel anywhere freely?'...And when we tell them what they need, they think we just want to make life difficult (M.J., Immigration Department, Sierra Leone).

People have always blamed immigration officers for harassment of travellers at the borders but the reality is that some of the travellers also get there without any travel document. You ask them to give you their passports for inspection and they tell you stories...In such situations, they are asked to wait...Sometimes our men may also take that opportunity to take money from those without documents (O.O.M., Ghana Immigration Service, ECOWAS Section, Ghana).

The statements above show that some of the ECOWAS citizens do not have adequate understanding of the Free Movement Protocol. The statements also indicate that harassment at the borders are linked to the lack of travel documents. However, the accounts of some migrants suggest that it is indeed the harassment at the borders that make people reluctant to acquire travel documents. They asserted that border officials are more interested in the money they extort from people than travel documents and given that travellers who have all their travel documents are also required to make unofficial payments, there is no incentive to acquire travel documents. This is clearly captured in the statements below:

Some travellers think it is not necessary to acquire any passport because whether you have documents or not you are forced to pay money before being allowed to cross the borders...The border officials even prefer those without any document...If you don't have any document, they appear excited dealing

with you because then they tell you, 'Well you don't have any document so just pay so that I allow you to enter' (A.J., Nigerian migrant in Sierra Leone).

When you get to the border, they are not even interested in any document. What they want is their money. That is the first thing they ask for. Even if you have all your documents, what they always say is that, they are not there for papers but money. I can swear that I was once beaten several times at the Burkina-Ghana border at Bawku. I told them that I don't have money and they beat me and locked me up in a room. I was in the room until everyone in our bus went through the process and got into the bus, then someone came from the bus and paid for me before I was allowed to join the bus (C.O., low-skilled Nigerien immigrant in Ghana).

A few migrants and immigration officials also spoke about the inefficient passport acquisition processes, especially in Ghana, as a reason why people travel without travel documents. In Ghana, it can take as long as 6 months or more to get a passport. While the passport can be obtained officially for just 50 Cedis (10 Euros), many people who require passports within a reasonably short time (e.g. 1 month) tend to use the services of 'middle men' locally referred to as *goro boys* who can charge as much as 1000 Cedis (200 Euros) to get a passport. The passport acquisition processes in Sierra Leone are more efficient and faster than the processes in Ghana.

Apart from travelling without appropriate documents, many ECOWAS migrants do not apply for residence/work permits even though this is a requirement for right of residence and establishment, as stated below:

Whenever we try to monitor the movements and activities of migrants in this country, we realize that the migrants from the ECOWAS countries hardly apply for work permits...If you ask them why they don't apply for work permits they will tell you that they are ECOWAS citizens (C.M., Ministry of Labour and Social Security (MLSS), Sierra Leone).

The available data support the claims of the officials that in both countries, the number of work permits issued to migrants from the ECOWAS countries is very low. In Ghana, only about 6% of the total work permits issued in 2015 went to migrants from ECOWAS even though they constitute a significant proportion of immigrants. In Sierra Leone, only about 17% of work permits issued in 2015 went to ECOWAS citizens (Teye and Asima, 2017).

Challenges with Harmonization of Immigration Procedures and Documents

While both Sierra Leone and Ghana can be commended for the significant progress made in the area of harmonization of travel documents, especially with regards to the adoption and use of the ECOWAS passport and the harmonized Immigration and Emigration Form of ECOWAS member states, there are still gaps in the area of the harmonization of procedures of admission and travel documents. One area of concern has to do with what constitutes a travel document. While the ECOWAS protocol provides for the use of other travel documents such as travel certificates and the *carte d'identité*, some of the border management officials in some countries, including Ghana, tend to emphasize the use of only passports:

You see the harmonization of policies is one of the biggest issues that must be addressed. The Francophone have what we call the “carte d'identité” which they use to travel among themselves but which the Anglophone countries don't recognize as a travel document. So the ECOWAS Common Approach aims at harmonizing policies but we still have problems with implementation because of lack of political will. So the political heads should be committed to whatever protocols they have signed (I. A., Ghana Immigration Service, Aflao Border).

While the statement above suggests that Anglophone countries in general tend to insist on the use of passports for travel purposes, this study found that Sierra Leonean border officials are more liberal with the acceptance of other travel documents than their Ghanaian counterparts. The Ghanaian border officials' rejection of other travel documents, apart from the passport, contravenes the 1979 Protocol Relating to the Free Movement of Persons, which defines a valid travel document as,

[...] a passport or any other valid travel document establishing the identity of the holder with his photograph, issued by or on behalf of the member state of which he is citizen and on which endorsement by immigration and emigration authorities may be made. A valid travel document shall also include a laissez-passer issued by the Community to its officials establishing the identity of the holder (ECOWAS, 1979).

However, Ghanaian immigration officials explained that they reject the *carte d'identité* because it is not biometrically readable.

While the existence of a harmonized work permit is good for intra-regional mobility and integration within any sub-region (Clarke and Salt, 2003), there

are significant variations in the procedures for issuance of work permits in the ECOWAS countries. According to Teye and Asima (2017), the residence and work permit regimes vary in terms of the categories, documents required, fees charged and delivery time. Sierra Leone requires more documentation than Ghana. Both countries have reduced fees for ECOWAS citizens but these charges vary significantly from one country to another.

Low-Level of Knowledge about ECOWAS Protocol

A few migration officials and social partners in both countries indicated that some training programmes have been organized on the ECOWAS protocol, but they were quick to add that the training workshops were not adequate. In view of the limited number of training programmes organized, a significant number of public officials and the general public have a low level of knowledge about the protocols, as highlighted in the statements below:

For me, I would say no, I don't have adequate knowledge of the protocol. Even as an Immigration Officer, I don't know much about it...I do not see any sensitization done on it (E.C., Immigration Department, Ministry of Internal Affairs, Sierra Leone).

No, there is little understanding of the principles. We as officers don't know the details and there is no platform for educating the public because for Immigration Service, for instance, the sensitization that we have is geared towards anti-human smuggling, but there are no programmes to teach people about ECOWAS (A.A.O., Ghana Immigration Service, Work Permit, Section).

The low level of knowledge about the protocol partly contributes to the harassment of migrants and the abuse of the rights of travellers. The authors also observed that, apart from the immigration officials, the general public has an even lower level of knowledge of the protocol and this also accounts for the agitation and demonstrations against the inflow of ECOWAS immigrants. In Ghana, for instance, most of the people who complained about the presence of many Nigerians in the petty-trading sector did not seem to be aware of the existence of the ECOWAS Protocol on Free Movement, as there is very little public education on this protocol. This was confirmed by a Ghanaian immigration official:

One challenge that needs to be addressed is the low level of knowledge about the protocol. So if you look at the kind of complaints about Nigerians in Ghana, especially if something bad happens, you will realize that many Ghanaians are ignorant about the protocol...Public education in schools, churches and even

the market will be important so that people stop asking the government to drive Nigerians away (F.A., Migration Information Bureau, Ghana).

Some of the ECOWAS immigrants interviewed in the two countries stated that they did not know much about the rights that the protocols grant them, and that was why they did not challenge border officials who harassed them. A highly skilled Nigerian migrant noted that he does not challenge border officials who demand unofficial payments because of his low level of knowledge of the protocol:

I don't know much about the rights that ECOWAS migrants have...I can't challenge the officials because I don't know the laws very well, if you go to the border and tell them that they are supposed to allow you to enter freely...So the biggest problem is education. Both the immigration officers and we the ECOWAS citizens are not very conversant with our rights. We don't know our rights, we also don't know our obligations...Some people just travel; they don't have any documents (T.Q.G., highly skilled Nigerian migrant).

The low level of knowledge about the protocol also accounts for the lack of travel documents, as some ECOWAS citizens interpret free movement as being movement without documents. These findings highlight the need for more public education on free movement and the acquisition of genuine travel documents. Of the two countries, Ghana seems to have organized more public education programmes on migration than Sierra Leone. In Ghana, some information campaigns have been organized by the Ghana Immigration Service in collaboration with the International Organization for Migration (IOM). In Sierra Leone, the few training programmes on ECOWAS were organized recently by the International Centre for Migration Policy Development (ICMPD) and the IOM under the Free Movement of Persons and Migration (FMM) programme. The state institutions do not have long-term programmes for educating the public on free movement.

Resource Constraints and Border Management Challenges

Given the importance of resource availability for effective policy implementation (Pfeffer, 1997), public officials were asked about the adequacy of resources for implementing the ECOWAS protocol. The data collected shows that both Ghana and Sierra Leone do not have sufficient technical and human resources for the effective management of their porous borders. Consequently, many irregular migrants are able to enter these countries. To address these challenges, both Ghana and Sierra Leone have

established Border Patrol Units within their Immigration Services to police their borders. However, the policing of borders is very difficult as there are several hundreds of unapproved border crossing points, which have security implications. As shown in the statements below, the immigration officials in both Sierra Leone and Ghana reported that as a result of resource constraints, they do not have equipment to patrol the unapproved border crossing points:

It is very difficult monitoring the borders along unapproved routes, especially during the rainy season...There are no rooms for officials manning some of those routes...The challenge we had was the means of transport to those crossing points (D.T., Ghana Immigration Service).

There are several challenges with border control in this country...We operate with limited resources. We need more electronic gadgets but we don't have the funds to buy these things. As border management is a challenge, border officials may be so stressed that they will also frustrate people crossing the borders (E.C., Immigration Department, Ministry of Internal Affairs, Freetown).

The statements above link resource constraints to the harassment at the borders. Apart from the lack of resources, officials also talked about the difficulty in managing border residents who can cross the border anywhere:

We face problems managing border residents...Those who fall within a five kilometre radius from the borders normally access both points without using any travel documents. And you know we have to recognize them as such, as border residents. And so it becomes difficult to monitor their movements and get data on them (K.D., Ghana Immigration Service).

Border control is very difficult because some people live very close to the borders and they cross it at any place. So the borders are porous and we don't have the resources to be monitoring the borders (C.L., Statistics Department, Sierra Leone).

The interviews highlight the fact that, with serious challenges associated with border management, immigration officials who are frustrated by the lack of resources, may engage in various forms of harassment in order to get money. Some officials also indicated that harassment at the borders may be partly explained by the poor conditions under which border officials do their work.

Security and Health Concerns

Increasing securitization of migration and migrants, especially in the wake of what is perceived as growing threats of terrorism, is also a challenge to the implementation of the ECOWAS Protocol on Free Movement. In Sierra Leone, there is a belief that the civil war was fuelled by mercenaries who entered the country and this belief has an influence on border management in the country. The influx of migrants has also been blamed for rising criminal activities, such as kidnapping and armed robberies, money laundering and the flow of fake goods in Ghana, as highlighted in the following statements:

I will say in recent times there is an increase in the number of robberies. When most of these guys are arrested, you will realize that most of them are foreigners. That is one of the negative impacts of free movement of people within the region (F.A.O., Immigration, Migration Information Bureau, Ghana).

Cross-border crime is a negative outcome of the protocol. Other problems are money laundering and inflow of fake drugs into the country...Most of these guys do one bad thing in Ghana, then they move into Togo, Nigeria or Benin, and then we have criminals roaming in the whole region (K.M., Ghana Immigration Service, Akanu Border).

Thus, as noted elsewhere (see Teye et al, 2015), there are concerns that the privileges enshrined in the protocol have been abused by some citizens of the sub-region, including the prevalence of armed robbery, fraud, and illicit trade in narcotics. These crimes have led to expressions of resentment among officials and the general public, especially in Ghana where Nigerian immigrants, in particular, were likely to be perceived as being associated with crime. Recent conflicts between Fulani herdsmen and local farmers in the Agogo area of Ghana have created local community resentment against ECOWAS migrants in Ghana. In addition to the security threat, migrants are perceived by some as sources of disease transmission, carrying “foreign pathogens” that would exacerbate the burden of disease in these countries. The fear of diseases was more marked in Sierra Leone:

Ebola was transported from Guinea to Liberia and Sierra Leone to another. So that was one of the disadvantages [of free movement]...There is the tendency for migrants to bring foreign pathogens into our country (A.J.S., Public Health Superintendent, Environmental Health Directorate, Ministry of Health and Sanitation, Freetown).

These findings underscore the need for more public education and campaigns that will change the negative perceptions that people have about ECOWAS migrants, especially in Ghana.

Data and Labour Market Information Challenges

While reliable data on migration flows is important to support ongoing policy initiatives (Adepoju, 2005; Quartey, 2009), there is a general lack of accurate and up-to-date data on the flow of immigrants and emigrants in both Ghana and Sierra Leone and this poses problems to migration management. In both countries, officials explained that the lack of data is caused by a lack of resources to conduct research on migrants and or to analyse the data which is collected at the exit and entry points. Another problem has to do with the technical capacity of the agencies responsible for data collection. It emerged that in both Ghana and Sierra Leone, there is a general lack of both equipment and the technical capacity of immigration officials to manage and disseminate the data collected on a daily basis. However, Ghana has more advanced systems of data collection and analysis than Sierra Leone. The porous nature of borders also affects data collection. The statements below by some officials stress the data management challenges in both countries:

We do not have the resources needed to collect and analyze data on migrants. The census questionnaire has a few questions on migrants but this is not done regularly...The data collected at the entry points are not really analyzed because we lack the capacity. We also don't have equipment like servers and computers even to store and share this data (C.L., Department of Statistics, Sierra Leone).

We don't have equipment, like computers and a server to store and analyze data. We also lack capacity but I think the IOM, in recent times have organized a training programme where data management was taught. So that capacity is being built now, so that the ministry or the unit will serve as the custodian of all information or data relating to migration...Issues of capacity building, staffing, office accommodation are really a challenge (O.A., Migration Unit, Ministry of Interior).

Related to the challenges associated with data collection is the inability of governments of both countries to develop comprehensive data-sets on labour markets to provide information on employment opportunities to people entering the labour market. The Labour Market Information Systems (LMIS) are quite weak in both countries. A recent ICMPD/ECOWAS-commissioned

assessment conducted by Teye (2016) shows that there is currently no comprehensive Labour Market Information System in Sierra Leone. Individual government institutions and the private sector keep records of their employees in different forms and manners. Data on the labour market are mainly records of job vacancies and applications on public employment services. Although Ghana's LMIS is more advanced than that of Sierra Leone, it is still quite weak and does not provide adequate information on job avenues to both nationals and immigrants.

Economic Challenges and Political Instability

The poor economic situation in both Sierra Leone and Ghana and pressure from indigenes of these countries frustrate the migration process by making the benefits for most low-skilled jobs not worth the efforts of migrants. Economic challenges facing citizens create anti-migrant sentiments that render states reluctant to implement the ECOWAS Free Movement Protocols (Konan and Kouakou, 2012). The blame for economic problems is usually put on immigrants rather than on the root causes of corruption and mismanagement (Yaro, 2008). In the past, this has contributed to the mass expulsion of ECOWAS citizens from some countries. In both countries studied, economic challenges continue to create anti-migrant sentiments. These sentiments are more pervasive in Ghana's informal trading sector where Ghanaian traders attribute their low sales to the presence of Nigerian traders. There has been a series of demonstrations by Ghanaian traders against Nigerians and Chinese in the trading sector (Adjavon, 2013).

Additionally, political instability poses a serious challenge to using intra-regional mobility to promote development. As noted by Teye et al (2015), since the early 1990s, West Africa has experienced a number of intra-state conflicts. An immigration officer in Sierra Leone noted that as a result of the belief that the civil war was partly caused by mercenaries from other countries, border officials are concerned about the security implications of the inflows of migrants:

There is a general belief that the some fighters from other countries caused the civil war that destroyed our country. They crossed into Sierra Leone from Liberia where the same people fought during the civil war there. So we want people to come to Sierra Leone but we are concerned about security issues when we see many young men who appear at the borders without any travel document (TYN, Immigration Official, Sierra Leone).

The statement above shows that although border officials are not worried about inflows of all migrants, they are particularly concerned about young men who appear at the borders without travel documents. As Yaro (2008) noted elsewhere, since the conflicts created many refugees, both the individual countries and ECOWAS have to devote much attention and commit their scarce human and financial resources to the resolution of these conflicts, thereby constraining ECOWAS from achieving its set objectives.

Conclusions

The analysis in this paper indicates that both Ghana and Sierra Leone have made modest progress in the implementation of the ECOWAS Free Movement Protocol, especially in relation to Phase 1 (Right of Entry). All 15 ECOWAS countries, including Ghana and Sierra Leone, have abolished visa and entry requirements for up to 90 days. There are however, still serious challenges to the implementation of the free movement protocols, especially with regards to the Phase 2 and Phase 3 components. One challenge has to do with the harmonization of rules on travel documents. While some countries in the sub-region use identity cards (*carte d'identité*) as a travel document, these are not accepted by Ghanaian immigration officials.

The procedures for issuing work and residence permits in both Sierra Leone and Ghana also do not support the right of residence enshrined in the ECOWAS protocol. In principle, legislative instruments in both countries stipulate that work permits should be issued to all foreigners, including ECOWAS citizens, only in situations whereby there is a proof that the skills possessed by the migrants do not exist locally. These rules contradict the ECOWAS Free Movement Protocol which seeks to ensure that citizens of ECOWAS member countries are treated the same way as nationals of the host countries. The scenario resonates with the idea of governments having *actual and stated policies* (Grainger and Konteh, 2007) on the same issue. The governments of Sierra Leone and Ghana are not truly committed to the aspect of the protocol that seeks to ensure equal employment opportunities for nationals and citizens of ECOWAS member states. Consequently the domestic policies on employment contradict the principles of the protocol, creating policy ambiguities. The ECOWAS protocol, in some sense, remains a symbolic document, while the domestic rules governing the issuance of work permits constitute actual policy. By this strategy, the governments are able to maintain autonomy in the management of migration while also appearing to be abiding by the sub-regional protocol.

In line with reports of some earlier studies (see Adepoju, 2005; Teye et al, 2015), many migrants from member states are still harassed at the borders and asked to make unofficial payments. Another challenge to the implementation of the free movement protocol is the difficulty that immigration officials face in establishing the nationalities of the many migrants who arrive at the borders without travel documents. Many immigration officials and migrants in both countries have very low levels of knowledge about ECOWAS protocols. Of the two countries, Ghana seems to have more resources for border management than Sierra Leone, but both countries clearly need support to fully implement the Free Movement Protocol.

Other challenges which seriously affect the implementation of the ECOWAS protocol, in both Ghana and Sierra Leone, include fear of competition with immigrants, especially in Ghana; securitization of migration and migrants; lack of up-to-date data on migration flows, especially in Sierra Leone; weak Labour Market Information Systems, especially in Sierra Leone; and economic challenges and political instability in the ECOWAS region.

This study concludes that while some of the gaps in the implementation of the protocol, such as discriminatory work permit regimes, can be attributed to lack of ECOWAS governments' commitment which has led to the creation of policy ambiguities, other challenges (e.g. harassment at the borders) can be attributed to weak institutional arrangements and resource constraints. Although the top-down policy implementation model (Pressman and Wildavsky, 1984) is adopted to govern mobility in both countries, the lack of resources makes it difficult to ensure that street-level border officials protect these rights. This study concludes that the future implementation outcomes of the ECOWAS protocol largely depend on the commitment of the member states and financial and technical support that they receive from ECOWAS and its development partners.

Acknowledgements

This paper is largely based on a research report that the authors produced as part of the MADE West African project, funded by the European Union. We are indebted to all our respondents and research assistants. We are grateful to the International Catholic Migration Commission Europe for the effective coordinating role during the various stages of the research project.

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Migrants in Countries in Crisis: The Experiences of Ghanaian and Nigerian Migrants during the Libyan Crisis of 2011

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Abstract

Using the experiences of Ghanaian and Nigerian migrants who were implicated in the 2011 Libyan crisis as a case study, this paper highlights the importance of examining micro-level factors in explaining migration decision-making processes. It therefore challenges the uncritical use of macro-level factors as exogenous 'root causes' of migration especially in developing country contexts. Adopting mainly qualitative approaches among seventy-five key informants from six distinct categories, the study finds that migration culture, household livelihood aspirations, geographical propinquity, the existence of social networks and migrant smuggling rings motivate migrations to Libya. The paper also challenges scholarship on the 2011 Libyan crisis that treats the experiences of sub-Saharan African (SSA) migrants in the country as an undifferentiated group. The paper concludes that within a developing country context, the political economy of the origin country contributes to the establishment, over time, of a migration culture especially among youth who feel trapped in 'waithood' and are unable to realize basic socio-cultural and economic markers in life. The paper recommends the regionalization of evacuation and repatriation programmes to facilitate the timely extraction of trapped migrants from countries in crisis.

Keywords *Libya, motivations for migration, Ghanaian migrants, Nigerian migrants, crisis situation.*

Introduction

This paper provides a nuanced perspective on how individuals' migration decision-making processes are informed by the broader social, economic, cultural and political environments in both their country of origin and the country of destination. The paper also argues that the experience of 'trappedness' in crisis-ridden destination countries is shaped by the political economy in both origin and destination countries. Ghana and Niger are used

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as case studies to test whether sameness or difference in religious and cultural affiliation and geographical propinquity necessarily serve as proximate factors in migration journeys and coping mechanisms by migrants during an outbreak of conflict in destination countries. The paper is situated within the 2011 Libyan crisis context.

Existing literature on migration in Ghana has examined different aspects of the effects of the Libyan crisis of 2011. Kandilige and Adiku (2019) analyzed the institutional challenges faced in the return and reintegration of Ghanaian returnees from Libya. Mensah (2016) examined the major difficulties that returnees faced in reintegrating into their societies of origin after their forced-return and assessed the factors that influence reintegration and possible re-emigration. Bob-Milliar (2012) discussed the deportation and repatriation of Ghanaian nationals from Libya and the challenges they faced in reintegrating into their home communities. Manuh (2011) assessed the reintegration needs of returnees from Libya to the Brong Ahafo region of Ghana. In Niger, the limited number of academic writings tended to focus on the return and reintegration challenges. Nabara (2014) for instance, examined the return migration of Nigeriens from Libya, the reintegration strategies adopted and incidents of social change in the urban commune of Tchintabaraden as a result of their return. Mounkaïla (2015) discussed the management of Nigerien nationals who were repatriated from Libya to the municipality of Tchintabaraden and examined the challenges to their sustainable reintegration. Some studies have also examined cases of racism, discrimination, name-calling, robberies and casual attacks by Libyan youths, arbitrary arrests and detentions, lack of access to rental accommodation, inability to access the formal banking system and lack of protection by Libyan security services (Hamood, 2006; Kleist, 2017). However, a limited number of the extant studies have interrogated, from the perspective of the key actors themselves – migrants and their family members – the motivations behind the migration of mostly young, unskilled and illiterate/semi-literate migrants to Libya. Also, the first-hand accounts of experiences of the crisis situation by migrants have not been sufficiently examined (see Kleist, 2017) while generalizations about the experiences of sub-Saharan Africans in Libya are made as though they are an undifferentiated group (see Hamood, 2006).

This paper argues that even though experiences of sub-Saharan African migrants of the Libyan crisis were similar in some circumstances, they were significantly unique in others. Moreover, using Ghana and Niger as a case study, this paper extends the migration discourse beyond the predominant use

of macro-level factors to predict or explain individuals' migration decision-making by focusing on the micro-level motivations for migration. The comparative approach adopted in this paper allows for contrasts between a Muslim-majority sending country (Niger) and a Christian-majority sending country (Ghana). One country shares contiguous borders with Libya (Niger) and the other is far-removed from Libya (Ghana). Niger is one of the poorest countries in Africa and Ghana is one of the fastest growing economies in Africa.

This paper complements the existing works by asking new questions about the main motivations for migration from Ghana and Niger to Libya. It also discusses migrants' experiences and responses to the 2011 conflict situation in Libya. Key questions addressed in this paper include: (a) What are the individual as well as household-level motivations for migration to Libya? (b) What are migrants' experiences of crises in which they become implicated? (c) How are migrants' experiences of 'trappedness' defined by policy gaps in both countries of origin and destination? Data for this paper are from two case studies completed in Ghana and Niger as part of the research component of a European Union-funded project¹.

To better contextualize the two case studies, this paper provides a brief account of sub-Saharan African migrants in Libya in general and Nigerien and Ghanaian migrants in Libya in particular. The paper discusses key theories and concepts that are relevant for analyzing the drivers of migration, before outlining the methodology used for the data collection and analysis. The paper then presents the key findings, conclusions and policy implications.

Sub-Saharan African (SSA) Migrants in Libya: An Overview

In contemporary times, Libya has increasingly come to serve as a strategic staging post for broader migrations, particularly for sub-Saharan Africans (SSAs) heading to Europe (see Baldwin-Edwards, 2006). However, Libya also provides intervening opportunities for sub-Saharan African migrants who end up staying in the country as a destination, albeit with the desire to ultimately

¹ "Migrants in countries in crisis: Supporting an evidence-based approach for effective and cooperative state action". This larger project aimed at providing accessible, methodologically-robust and policy-relevant data on the migration implications of crisis situations in host countries. In addition, the project sought to investigate the availability of relevant mechanisms ensuring the protection of migrants before, during and after crises in countries of origin, transit and destination.

proceed to Europe on an uncertain future date. These migrants have historically not been afforded adequate protection due to unclear and very fluid policies regulating their stay in Libya (Hamood, 2006). The country's immigration policy has vacillated like a pendulum from pan-Arabism in the 1970s and 1980s to pro-sub-Saharan African migration in the 1990s. Several factors influenced this fluid policy: disagreements between former Libyan leader Colonel Gaddafi and Arab countries; the imposition of United Nations sanctions; the normalization of relations with European countries in the early 2000s and the attendant clamping down on sub-Saharan African migrations to and through Libya to Europe. This policy u-turn led to the deportation of over 12 200 Ghanaian migrants between 2000 and 2012, making Libya one of the leading countries deporting Ghanaian migrants (Bob-Milliar, 2012; Kleist, 2017).

The experiences of SSA migrants have been characterized by a lack of state protection, regardless of their legal status in Libya. Migrants risk detention and, once detained, suffer ill-treatment. Sub-Saharan Africans face the additional difficulty of racism from both state officials and the wider Libyan society (Hamood, 2006; Kleist, 2017; Lucht, 2012). Furthermore, Kleist (2017) and Hamood (2006) report that SSA migrants are also vulnerable to theft by Libyan youths and exploitation (including non-payment of wages) by some employers. Detention of SSA migrants, for variable periods of time, continues to be commonplace, mostly without any formal explanation of alleged crimes committed. Anecdotal evidence from police officers and prison wardens suggests that migrants are held for *tahrib*². According to Hamood (2006) migrants understand that this means trying to leave Libya illegally using the services of migrant smugglers.

However, as many SSA migrants in Libya regard the country as a transit destination, they endure these hardships in the hope of fulfilling their dreams of reaching Europe. The circumstances of SSA migrants significantly worsened during the 2011 Libyan revolution. Following the outbreak of the war, there were unproven allegations that a large number of mercenaries from sub-Saharan Africa were fighting for Gaddafi. These migrants were portrayed as a security threat and massacres and mass violence against them ensued. Life during the 2011 revolution became torturous. Human Rights Watch (2017) reported that during the 2011 conflict in Libya, armed groups and guards of the government and militia groups detained SSA migrants at various facilities

² *Tahrib* means 'smuggling' in Arabic.

and subjected many to forced labour, torture, sexual abuse and extortion.

Nigerien and Ghanaian Emigration to Libya: A Brief Background

Niger is a vast territory in West Africa that occupies a pivotal position between North and West Africa. Historically, the country has been the crossroads and transit space connecting West Africa to North Africa through the trans-Saharan trade (ECOWAS/CSAO-OECD, 2006; Karine et al., 2007). Nigerien migration remained essentially intra-West African, but during the 1950s and 1960s there was an increase in migration to the Maghreb motivated by positive developments in Libyan and Algerian oil production and the tightening of migration policies of Schengen countries (Adepoju, 2006; de Wenden, 2009). This contributed to a reorientation of flows towards the Maghreb with the aim of irregularly continuing the journey towards Europe. Migration flows of Nigeriens to Libya and Algeria further accelerated in the 1970s and 1980s because of droughts in Sahel countries (Gregory, 2010; Pliez, 2000).

Niger is still characterized by intense movement of people. Indeed, in contemporary times, Niger remains the centre of exchange between black Africa and the Maghreb (Gregory, 1998). Niger continues to be a country of emigration and of transit to North Africa specifically Libya and Algeria, with which it shares a long and porous border (Mounkaila, 2016). With Libya, Niger shares a border of 354 km (IOM, 2009). Predominant communities that migrate to Libya include the Tuareg, Arab, Toubou and the Niger Hausa. Many Nigeriens migrate to Libya, mostly irregularly, due to difficulties in obtaining travel documents, stringent immigration controls in Libya and the existence of structured networks of migrant smuggling (Nabara, 2014). Libyan official statistics classify Niger as the third largest sub-Saharan source country of immigration to Libya, after Sudan and Chad (IOM, 2009; Pliez, 2004). This is why the Libyan crisis in 2011 generated massive returns of Nigeriens. Niger simultaneously served as a transit country for West African migrants fleeing the Libyan crisis, especially nationals of Nigeria, Burkina Faso, Liberia, Senegal, Ghana and the Gambia (Republic of Niger, 2012). This situation posed a huge humanitarian and social challenge to the country. According to the International Organization for Migration (IOM, 2012a), in June 2012 nearly 100 500 Nigerien nationals returned from Libya since the outbreak of the crisis in 2011.

Historically, Ghanaians have participated in both voluntary and involuntary migration at internal, regional and international levels since the 1970s due to economic and political crises (Akyeampong, 2000). Emigration from Ghana has been predominantly to other sub-Saharan African countries, especially Nigeria and Cote d'Ivoire (Awumbila et al., 2013). However, a faltering economic situation in Nigeria resulted in the expulsion of almost two million Ghanaian immigrants in 1983 and 1985 (Akyeampong, 2000). These mass forced returns necessitated a change in the pattern of Ghanaian migration to other destination countries including to Libya (Bob-Milliar, 2012; Akyeampong, 2000). Drought, hunger and widespread bushfires that decimated farmlands and cocoa plantations in the early 1980s also served as push factors for Ghanaians to mostly African countries, including Libya.

Cordial relations between the then president of Ghana (Flight Lieutenant Jerry J. Rawlings) and the then Libyan leader (Colonel Gaddafi) on account of their shared interests in Pan-Africanism and the Non-Aligned Movement, bolstered a bilateral agreement between both countries (Bob-Milliar and Bob-Milliar, 2013). This agreement included opportunities for Ghanaian teachers to teach English in Libya. Subsequently, less-skilled Ghanaians also migrated to Libya to work in mainly the construction sector (predominantly as plasterers).

Theoretical and Conceptual Considerations

International migration from labour-surplus but capital-scarce origin countries to labour-scarce but capital-surplus destination countries has been explained largely from an economic perspective in the migration literature (see Borjas, 1989; Lucas, 2005; Stark, 1992; Taylor, 1999). It is, however, almost impossible to adduce one single theory that comprehensively explains the drivers of migration and the decision-making processes involved in international migration. As a result, while acknowledging the value of economic theories, this paper equally relies on the social network theory and the concept of 'migration culture' to guide the analysis. This is because the study finds that economic factors are intrinsically intertwined with socio-cultural and geographic factors.

Proponents of the network theory (see Bourdieu, 1985; Putnam, 1995) explain that once emigration is initiated, it becomes self-sustaining and develops its own autonomy as a result of migrants' networks. Networks in this context are defined as "sets of interpersonal ties that connect migrants, former migrants, and non-migrants in origin and destination areas through bonds of kinship, friendship, and shared community of origin" (Massey et al., 1993: 448).

Migrants from the same origin community based at the destination are perceived to serve as what Böcker (1994) refers to as 'bridgeheads' with the capacity to reduce risks and the material and psychological costs of subsequent migration. Much as this might be true in most circumstances, some settled migrants could rather serve as 'gatekeepers', thus inhibiting opportunities for newly arrived migrants. Pieke et al.'s (2004) work draws attention to the need for a critical analysis of the role of networks so as not to take them for granted. They therefore examine how new networks are created and how old ones are reproduced, sustained and turned to serve the needs of different groups (old and new migrants, local officials and those left behind). They also demonstrate how migrants' networks are trans-nationalized, with time, due to either deliberate or accidental actions on their part (Pieke et al., 2004).

There is, however, the need to further contextualize the importance of networks in explaining migration decision-making processes and patterns by interrogating the concept of 'migration culture' or 'culture of migration'. Heering et al. (2004) define the 'culture of migration' as a culture where migration is considered to be the only way to improve one's standard of living; that is, those who stay are believed to be losers, and those who leave are winners (see Black et al., 2006). Pieke et al. (2004: 48 quoted in Black et al., 2006) concur that cultural explanations that take into consideration the historical context, in addition to an appreciation of structural opportunities and constraints, is critical in understanding the drivers of migration. A central plank of this culture is a discourse on how migration serves as a dominant strategy that initiates social mobility. This discourse prescribes what constitutes success, as well as ignoring other local strategies that are not considered an option (Pieke et al., 2004: 194). They also argue that this culture of migration "renders current emigration patterns unintelligible in terms of a narrow cost-benefit analysis".

The Netherlands Interdisciplinary Demographic Institute (NIDI) carried out a large survey in five labour-sending countries (Egypt, Ghana, Morocco, Senegal and Turkey) and found a fairly significant group of young people in Morocco who were neither working nor looking for work, but reported that they spent their time and energy in looking for ways to migrate, as they were convinced there were no alternatives for them (Schoorl, 2002 quoted in Black et al., 2006). The concept of 'migration culture' therefore alters the formula of the potential migrants' decision-making process and thus it is critical for a deeper understanding of emigration dynamics (see Black et al., 2006: 46). The culture

of migration, however, has some political economy aspects and it is unrealistic to assume a clear-cut difference between this culture and the political economy of the origin state. Socio-economic inequalities in Ghana and Niger have engendered a process of 'othering' and the creation of group boundaries that can be understood as the first step in establishing inequality among social groups in a society. While 'othering' entails drawing the lines between who belongs to a society or is excluded, inequality among such groups or dominance of one group requires differential control of the means of production and access to economic rights (Barth, 1998: 28). Inherent inequalities in the allocation as well as access to economic and political power in the origin country perpetuate migrants' positive evaluation of migration as the only route out of poverty.

Research Methodology and Socio-Demographic Characteristics of Returnees from Libya

Data was collected using mainly qualitative research methods (in-depth interviews and focus group discussions) among seventy-five participants from six categories of actors (return migrants, family members, civil society organizations, community leaders, inter-governmental organizations, government authorities). Generally, qualitative methods allow for an in-depth appreciation of perspectives, behaviors and experiences. As Bedford and Burgess (2001: 123) argued, focus group discussions place the individual research participants in a group context, where "conversations can flourish in what can be considered more commonplace social situations". Focus group discussions tend to help the researchers to understand the lived experiences, complexities, negotiations, perceptions, conflicts and shared meanings of actors' everyday social worlds and realities (Limb and Dwyer, 2001).

The returnees comprised both male and female migrants even though the overwhelming majority were males. Beyond the returnees, family members who were knowledgeable about the migration experience, return process and impact of return on the household were interviewed in-depth. In addition, community leaders and civil society organizations (CSOs) were selected on the basis of their provision of services to returnees from Libya. Government agencies that actively participated in the evacuation, repatriation and reintegration of returnees from Libya were also sampled in order to gauge the statutory and structural factors in managing situations of forced return. Scoping exercises conducted prior to the data collection in both countries and results of previous research (Bob-Milliar, 2012; Nabara, 2014) suggested the

involvement of far fewer CSOs and government agencies in the case of Ghana compared with Niger. This informed the bigger sample sizes in Niger (see Table 1). Finally, inter-governmental organizations that provided logistical, technical, financial or advisory support to the evacuation, repatriation and reintegration of returnees from Libya were interviewed. Participants provided informed consent and pseudonyms have been used throughout this paper in order to protect the identity of participants. The Ghana data collection took place in Accra (the capital city) and the Brong Ahafo Region (especially Nkoranza but also Sunyani, Domaa Maasu, Nkwabeng and Domaa-Ahenkro) between March and September 2016. Accra was selected because it hosts the head offices of almost all government agencies as well as those of inter-governmental organizations. The Brong Ahafo Region represents the region with the largest number of Ghanaian migrants to Libya (see Table 2) and also returnees to Ghana in 2011 (Bob-Milliar, 2012).

Table 1: List of Participants, Ghana and Niger

Participant	Ghana	Niger	Total
1. Return Migrants	11	9	20
2. Family members of migrants	11	8	19
3. Inter-governmental organisation	2	3	5
4. Community leaders and Private Actors	3	3	6
5. Civil Society Organisations (CSOs)	1	9	10
6. Government Authorities	4	11	15
Total	32	43	75

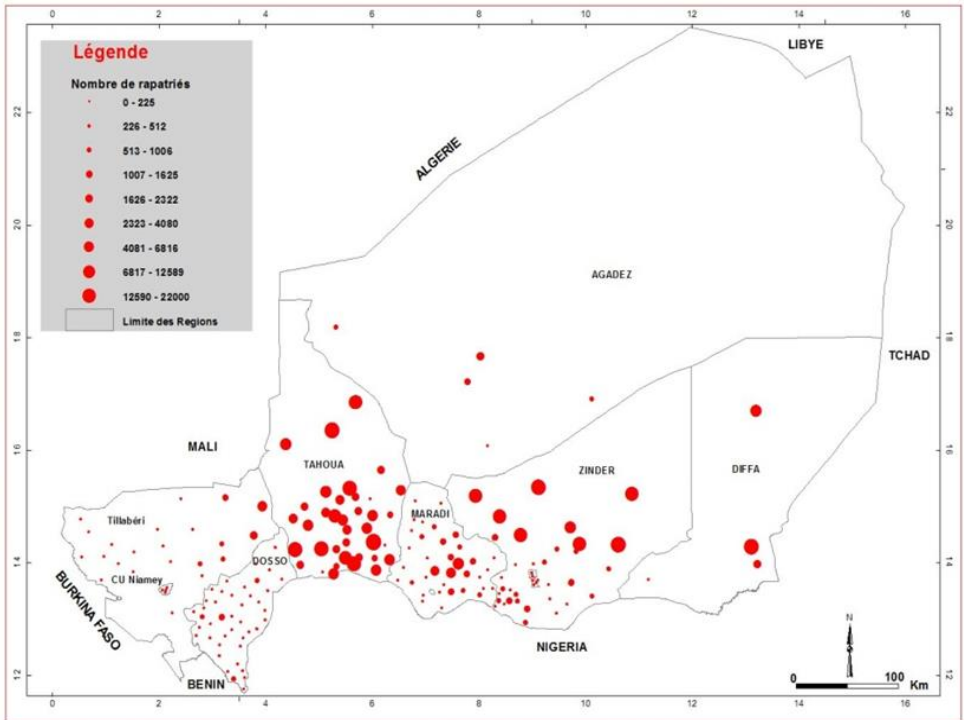
Table 2: Regional Distribution of Ghanaian Return Migrants from Libya in 2011

Region	Percentage Share of National Population 2010 (<i>N</i> = 24, 658,823)	Number of Returnees from Libya, 2011	Percentage Share of Returnees from Libya, 2011 (<i>N</i> =18,445)
Greater Accra	16.3%	665	3.6%
Central	8.9%	366	2%
Western	9.6%	852	4.7%
Ashanti	19.4%	2,375	12.8%
Eastern	10.7%	562	3.1%
Brong Ahafo	9.4%	9,520	51.6%
Volta	8.6%	373	2%
Northern	10.1%	1,834	9.9%
Upper East	4.2%	1,110	6%
Upper West	2.8%	784	4.3%

Source: IOM and NADMO, Accra, 2012.

In Niger, data was collected between April and September 2016 from Niamey (the capital city), Tahoua and Tchintabaraden (Central and North-western regions of the country, respectively). The goal of this approach was to see how policies were made at the central level and how they were implemented locally. The Tahoua region and the commune of Tchintabaraden were selected because they hosted more returnees from Libya than any other regions of Niger during the crisis (see Figure 1). These areas have an ancient tradition of emigration to Libya (Mounkaïla, 2015). According to a report from the Nigerien Prime Minister’s Office, in 2011, of the 212 791 migrants returning from Libya, 136 287 were hosted by the Tahoua region, representing 64% of the returnees (Republic of Niger, 2011).

Figure 1: Breakdown of Returning Migrants from Libya by Host Regions and Localities: Niger



Ghanaian return migrants sampled included 11 participants – ten males and one female. Even though this sample size is too small to draw broad generalizations, the proportions are reflective of findings in existing literature (IOM, 2012a:5; Mensah, 2016) that indicate that the overwhelming majority of Ghanaian migrants to Libya are male. This is attributed to the types of work that Ghanaian migrants tend to do (masonry and construction work, especially plastering) and the perilous nature of the migration process through the desert (IOM, 2012b 4; GH/C/01³; GH/A/01⁴). In addition, migration of single females to Libya is frowned upon in Ghana due to the stigma attached to the jobs that some of them are alleged to engage in (i.e. prostitution) (GH/E/01⁵). This perception might, however, be mistaken as there are other domestic roles

³ Representative of a Ghanaian Civil Society Organisation.

⁴ A former Ghanaian diplomat to Libya.

⁵ The director of a community radio station in Ghana.

such as housekeeping and even hairdressing that some female Ghanaian migrants engage themselves in. The only female return migrant interviewed for this study (GH/M/07⁶), for instance, joined her spouse in Libya and worked as a domestic worker (see Kandilge and Adiku, 2019). Her duties included cleaning, taking care of children and general household chores.

Of the nine Nigerien return migrants sampled, eight were males and one was female. Again, a small sample size constrains broad generalizations but the male-female ratio in our sample is also consistent with the results of bigger studies such as the National Survey on Migration (ENAMI) of 2011, which reported that 93.1% of Nigerien emigrants are men (National Statistics Institute, 2013). With particular reference to Libya, the Niger Horizon Consultancy (2014) reported that 98% of Nigerien migrants are male. It is also commonplace for at least half of the male population in rural areas to embark on seasonal migration during the dry season (Mounkaila, 2016). Similar to the Ghanaian case study, male dominance in Niger's migration profile is partly attributed to the rugged travelling conditions and activities migrants engage in, in Libya, which require great physical effort. In addition, the Nigerien society is largely Islamic, and it does not tolerate independent female migration. Women must either migrate with their husbands or with their husbands' permission. The only female Nigerien migrant in this study's sample migrated with her husband and she did not work in Libya.

Nine out of the eleven Ghanaian returnees interviewed were between the ages of 20 and 30 years (see also Mensah, 2016: 311). Similarly, Nigerien returnees were of the young productive ages of between 20 and 45 years. Although small samples are used in this study, the results are borne out by larger studies that conclude that Nigerien migration to Libya concerns young adults (Gregory, 2010). The age of migrants is important in explaining the types of jobs executed in Libya.

The Ghanaian research indicates that the overwhelming majority of Ghanaian returnees are without any formal education, with the highest level of qualification being a junior high school certificate (GH/C/01⁷; GH/M/09⁸; GH/A/01⁹). In the case of Niger, four out of the nine returnees interviewed were without any formal education and the rest had low educational

⁶ A female Ghanaian return migrant from Libya.

⁷ A representative of a civil society organisation.

⁸ A male Ghanaian return migrant from Libya.

⁹ A former Ghanaian diplomat to Libya.

qualifications (the highest also being junior high school certificate). Low educational qualifications limit such migrants' chances of obtaining paid employment in their countries of origin upon return. Moreover, the low educational qualifications of migrants partly explain why most Nigerien migrants hold low-skilled jobs in Libya (in agriculture, construction, and also as dock workers, labourers or security guards).

Findings

Motivations for Nigerien and Ghanaian Migrations to Libya

While the macro-level debates about the 'root causes' of migration from sub-Saharan Africa to, and through Libya to Europe are well-rehearsed and complex (de Haas, 2007; Diatta and Mbow, 1999), it is immensely beneficial to carry out a focused and nuanced examination of motivating factors that inform migration decision-making processes at the individual and household levels. This approach extends the structure-agency debates (Bakewell, 2008) by arguing that in reality endogenous factors are just as important as exogenous ones in explaining migration decision-making. As de Haas (2007) notes, broader macro-level factors such as extreme poverty, high unemployment, civil war, environmental degradation, globalization, population pressure and general development failure are routinely presented, uncritically, as exogenous 'root causes' of migration from poor African countries. In such analysis, the individual's agency is missed. Classical attempts at explaining the main drivers of migration (e.g. Lee, 1966; Ravenstein, 1885) have identified economic factors as being fundamental to most migrations. This study indicates that international migration to Libya from Niger and Ghana has been motivated by an interplay of economic, socio-cultural and geographical factors. The results are thematised under these three categories, even though they overlap in some cases. Both case studies demonstrate the centrality of unemployment, perceived poverty, lack of economic opportunities at home and household survival as the main economic factors underlying individuals' decisions to migrate to Libya. Even local authority officials of migrant-sending communities attested to these factors:

The main reasons pushing Nigeriens to emigrate to Libya are unemployment and poverty in the country [Niger]. Libya is a developed country that needs manpower and pays the migrants well. Nigeriens earn much more in Libya, especially before the crisis (Interview with Deputy Mayor of Tchintabaraden, on 25 May 2016 at Tchintabaraden).

Return migrants and their household members in this study cite good economic opportunities in Libya, poor employment prospects at home, wages in Libya considered as 'good', the existence of networks of smuggling rings that facilitate irregular entry and a demand for manpower to do unskilled jobs that Libyans detest (Gregory, 2010) as the main motivating factors for their migration. As Ghanaian return migrants asserted, poverty, family survival, unfulfilling jobs and potential reward from international migration are the main motivations for migration:

I travelled to Libya due to hardship and pressure from my household. My father is dead and my mother is poor and there is no one to care for the poor children. So, I decided to travel to Libya with a friend of mine through the desert. So, we passed through Burkina [Faso] to Niger. From Niger, we entered Libya with the help of smugglers (Interview with Ernest, 33-year-old Ghanaian returnee from Libya).

Ernest's younger brother, Kwadwo, who remained in Ghana, confirmed his brother's stance on migration:

My brother went to Libya because of hardship like what we are facing now. He was farming and the yield wasn't enough. Even the annoying part is, despite the efforts of the farmers, these Kumasi-Accra traders will come and buy the food produce for a very cheap price. Sadly, these farmers have no option because if you don't sell it to them, your produce will rot. You see how sad it is? So he was frustrated, as he was not getting any job in Ghana to do, apart from farming. Here in Dormaa, those who have been to Libya come back with a lot of money. The Libyan returnees own most of the cars you see in this town. Some have even built their own houses. This is the motivating factor for most of the young guys in this community (Interview with Kwadwo, 28-year-old family member of a Ghanaian return migrant from Libya).

Kwadwo's assessment of his brother's perceived poverty is relative to the apparent wealth that is associated with returnees from Libya who are able to acquire cars and even houses. This analysis feeds into the migration culture that has been entrenched in these migrant-sending communities whereby 'stayers' are classified as losers, while 'leavers' are regarded as winners. Within this context, migration to Libya serves as an important strategy that initiates social mobility. According to Rev. Twumasi, Chief Executive Officer (CEO) of a Civil Society Organization (Scholars in Transit) that operates in Nkoranza, the migration culture among the youth is even affecting their

attitude towards education:

We realized that irregular migration was predominant and most students mainly focused their attention on irregular migration. Because of that they were not concentrating on their education but rather on the trip that they were going to make...It was like the issue of 'children-on-the-run'. So our worry was, how do we curb this so that these young ones' concentration would be on their studies rather than migrating? (Interview with Rev. Twumasi, CEO of Scholars in Transit).

The CEO's use of the graphic imagery of 'children-on-the-run' is indicative of a situation where perceived remuneration abroad overshadows any local opportunities that might exist and defines the livelihood approaches adopted by individuals and families.

Kandilige and Adiku (2019: 10) note that migration of Ghanaians to Libya is informed mainly by a search for employment opportunities. In the origin communities of migrants, which are mostly agrarian in nature, deprivation and low educational attainment are distinct disadvantages in accessing paid employment in Ghana. This reality frustrates any meaningful effort to realize their aspirations in life such as building a house, marrying, sending their children to private schools, acquiring property or starting a business (see Mensah, 2016). Kandilige and Adiku (2019) further note the importance of attaining these aspirational goals, since they are linked with transitioning from 'childhood' to 'adulthood' in the Ghanaian context. Honwana's (2012: 19) conceptualisation of 'waithood' is particularly instructive as it examines the "challenges of youth transitions to adulthood in Africa as an illustration of global contemporary forms of the struggle for freedom from want and freedom from fear. It explores the lives of young people struggling with unemployment and sustainable livelihoods in the context of widespread social and economic crisis". The concept of 'waithood' is equally applicable in examples of youth being involuntarily immobile due to lack of resources to pay for the cost of their migrations. In such instances, they are stuck both in their immobility and their youth (i.e. stagnated life-cycle).

Nigerien returnees adduce similar economic and social reasons as motivations for their migration to Libya. The Nigerien migrants also expressed a desire to accomplish a personal 'project' such as getting married, starting a business, building a house or supporting their families. These are measures aimed at escaping the trap of 'waithood' (Honwana, 2012). One returnee captured these sentiments succinctly:

The reasons that led me to leave my country are both economic and social. They are economic because I had no economic activities that would bring me money here in Niger, so I wanted to go and look for a means to start a business. In addition, we do not own land and we cultivate on a borrowed patch of land. So, I needed money to buy my own land. The reasons are social because I want to get married, buy a house and leave the family home. That is what pushed me to leave my country to go to Libya (Interview with a Nigerien returnee from Libya at Tahoua, 25 May 2016).

A family member underscored this return migrant's sentiments:

The first thing that drove my brother to emigrate was to have enough money to build his own house and to leave the family house. Moreover, we cultivate on borrowed land because we do not have our own land. And he wanted to buy one for us. So, we sold a part of our agricultural produce to finance his trip to Libya (Interview with a family member of a Nigerien return migrant from Libya, 27 May 2016 at Tahoua).

Another Nigerien returnee further corroborated the use of migration as a household livelihood strategy:

Before going to Libya, I was a tailor but I did not earn enough to support my family. That is why I went to Libya to earn money to support my family (Interview with a Nigerien return migrant from Libya, 27 May 2016 at Tahoua).

Socio-cultural factors also play a key role in shaping the decisions of young Nigerien and Ghanaian males migrating to Libya. The study's results indicate that among the youth in especially Tahoua and Tchintabaraden in Niger and Nkoranza and Domaa-Ahenkro in Ghana, emigration to Libya is perceived as proof of maturity and a demonstration of bravery. Some parents even refuse their daughters in marriage to any young man who has not been to Libya, at least on one occasion. This is particularly commonplace in the village of Amokaye in Tchintabaraden in Niger and the towns of Nkoranza and Domaa-Ahenkro in Ghana. Anecdotal evidence from both countries suggests that some young men who are unable to embark on such migration to Libya resort to memorizing names of Libyan towns and also experiences of crossing the Sahara Desert from their interactions with actual returnees and then

impersonating 'been-tos'¹⁰ in order to lure unsuspecting young women into dating and possibly marrying them. The Deputy Mayor of Tchintabaraden's views are illustrative of these socio-cultural factors:

We must add the influence of environment because migration has become a culture within the Tuareg community. It is very difficult to find a home in which there has never been a migrant. For example, in the village called Amokaye, emigration to Libya has become an act of bravery and one who never emigrated, hardly has a woman to marry (Interview with Deputy Mayor of Tchintabaraden, on 25 May 2016 at Tchintabaraden).

Moreover, in the case of Niger, the existence of trans-border ethnic networks and the proximity of the Libyan border to some Nigerien communities such as the Tuareg, Toubou and Arab communities further serve as motivations for migration to Libya. The drought situations of the 1970s and 1980s, which caused large-scale loss of livestock in the Sahel countries, led several pastoralists of Niger (Tuareg, Arab and Fulani) to emigrate to Libya, which enabled the creation of a significant diaspora network of communities in southern Libya and Algeria (Gregory, 2010; Mounkaïla, 2015). The existence of interpersonal ties between prospective migrants in Niger and established social networks based in Libya, generates social capital through bonds of kinship, friendship, and shared community of origin. These social networks are not only beneficial to the prospective migrants but are equally important in helping members of the Nigerien diaspora in North Africa maintain what Pieke et al. (2004) refer to as a transnationalized migrants' network.

Migrants' Experiences of the Crisis in Libya

The Libyan crisis had variable impacts on migrants from sub-Saharan Africa (SSA). The precarity of the employment status of migrants in Libya was manifest during the crisis situation partly because it lacked permanence, job security and the necessary subtle social ties that cushioned native employees. Migrants who worked for the more formalized corporate entities in the construction, oil and commercial agricultural sectors were first to be laid off as their, mostly Western, employers shut down their operations and advised their migrant staff to vacate the country (Nabara, 2014; NE/M/01¹¹). On the other hand, migrants who were employed in informal settings or worked for

¹⁰ This concept refers to an enhanced social status acquired through migration.

¹¹ A male Nigerien return migrant from Libya.

individuals later abandoned their jobs of their own volition for fear of coming to personal harm, injury or even death. In Libya, many SSA migrants occupy mostly very low socio-economic positions relative to the native population. This is partly due to their irregular migration statuses and differences in cultural, religious and linguistic characteristics (Naik and Laczko, 2012). They are mainly on the periphery of the Libyan society and are employed in the lower sectors of the economy. A high percentage of the returnees interviewed in this study held low-skilled jobs in Libya, such as labouring, farming and construction. The research equally revealed cases of racism, discrimination, name-calling, robberies and casual attacks by Libyan youths, arbitrary arrests and detentions, lack of access to rental accommodation, inability to access the formal banking system and lack of protection from the Libyan security services. This characterized the political economy of Libya leading up to the crisis in 2011. The 2011 crisis, therefore, exacerbated these pre-existing precarious living conditions. Both Ghanaian and Nigerien migrants experienced such difficulties:

While I was in Libya, the war broke out and it became very intense day-by-day. Everywhere you turned you'd hear the sounds of deadly weapons and bombs flying all over and I knew I could easily lose my precious life. I therefore decided to come back home, because I know that once there's life, there's hope (Interview with Samuel, 30-year-old Ghanaian returnee from Libya).

When the war started I was plastering a storey building. They fired a gunshot and the bullet came through the walls I was working on. With my own eyes, I saw it. Meanwhile that was where we were staying, but we thank God nothing happened to us. So when I reflected on what happened I asked myself if this bullet had gotten to where we were sleeping, what would have happened? (Interview with Kwabena, 34-year-old Ghanaian returnee from Libya).

During the crisis, migrants were in an unsafe situation and work opportunities declined. The fighting forced more than 100 000 migrants to return [to their countries of origin]. The migrants were traumatized, some were injured, without travel documents, especially for families (Interview with Head of IOM Mission in Niger).

The loss of employment was compounded by the forfeiture of property and accumulated personal savings during migrants' flight from the crisis. The irregular migration status of most Ghanaian and Nigerien migrants in Libya

impacted negatively on their access to the formal banking system in the country. As a result, prior to the crisis most migrants either sent the bulk of their earnings as cash remittances through returning migrants or buried bundles of cash in unmarked secret locations. The outbreak of war denied migrants the opportunity to retrieve their informal savings. In addition, other property acquired by migrants was either confiscated by the warring parties or abandoned for fear of inhibiting their escape from the conflict. A Nigerien return migrant reflected,

War...when the bomb exploded, we fled into the bush. In the city, Libyan soldiers caught and imprisoned people. Then they took all our properties. Furthermore, it is in our city that Gaddafi left to go to Sirte, where he was murdered (Interview with a Nigerien return migrant from Libya).

The impromptu departure of a migrant such as Ernest resulted in him leaving behind US\$8,000:

I couldn't bring my stuff. I was in a rush because of the war. I left some of my money there – about US\$8,000 and some of my luggage. I remember the amount because we used to wrap every \$1,000 we get and I had wrapped about 8 of them by then. Not that I forgot to take it. The fighting was becoming intensive and scary. We were even lucky because we were under a kobri [i.e. overhead bridge] but even the overhead bridge was later destroyed by bombs (Interview with Ernest, 33-year-old Ghanaian returnee from Libya).

Ghanaian and Nigerien migrants, just as other sub-Saharan Africans, were implicated in the conflict by virtue of their skin colour. Black Africans were accused of being mercenaries of Gaddafi during the conflict (see Bob-Milliar, 2012; Hamood, 2006). While this study corroborates a limited involvement by some Nigerien migrants (especially Tuareg and Toubou migrants), these claims were exaggerated by Libyan rebels and used as a basis for attacking all male migrants with a black skin. There is no evidence of involvement by Ghanaian migrants in the conflict but they were equally attacked just because they satisfied the racial profile of the alleged mercenaries. Unlike Ghanaian migrants, however, Nigerien migrants became targets of multiple warring factions during the crisis following the Nigerien authorities' recognition (through an official statement) of the National Transitional Council of Libya as the legitimate representatives of the Libyan people (NE/C/06¹²). This

¹² A representative of a Nigerien NGO.

statement drew the anger of Gaddafi supporters who scapegoated Nigeriens living in the country (Nabara, 2014). Thus, Nigerien migrants were disproportionately persecuted, stripped of their properties, arrested, physically assaulted and some killed by competing parties in the same conflict (NE/C/05¹³). Some trapped Ghanaian migrants were assaulted and others killed on racial grounds. The account by this 25-year-old Ghanaian return migrant, vividly demonstrates the severity of the racially inspired vulnerability Ghanaian migrants faced in Libya:

They were four, all holding AK47s. They started shooting at us. Unfortunately for us, the bullets hit us. As for my friend it hit his waist and he fell. Then I was also hit in the leg by a bullet and I also fell down. Then I also lay down as if I was dead. So when they saw that we were both lying, then they moved their car and drove off. They thought they had killed us so they went away. So I went to my friend and called him, 'Gabriel, Gabriel', and he raised his head and looked at my face. Within a few minutes, his head just went down and he died (Interview with Prince, 25-year-old Ghanaian return migrant from Libya).

There was a general sense of dissatisfaction by migrants with the role of the national governments of both Ghana and Niger in dealing with the complexities and vulnerabilities associated with being trapped in a country in crisis. The Ghanaian embassy in Libya, like other embassies, is charged with providing, among other services, consular protection for Ghanaians. However, this study found that there was a profound lack of trust in embassy officials by Ghanaian migrants, which predated the 2011 conflict. This mistrust culminated in very few migrants registering with the embassy, thus weakening the embassy's access to reliable data on the Ghanaian migrant stock in Libya. This handicap constrained the efficacy of logistical planning during the evacuation phase of the crisis. In addition, the absence of a policy on evacuation and repatriation of nationals from countries in crisis as well as an acute lack of financial resources resulted in delays in extracting trapped migrants and an over-reliance on inter-governmental organizations for evacuation support. As a former senior diplomat at the Ghanaian embassy in Libya noted:

The major evacuation when people were going to the border, UNHCR, the Red Cross and IOM were instrumental in getting us the buses. They

¹³ A representative of a Nigerien civil society organisation.

had an office arranged so people could go there [Tripoli]; people on the verge of dying, people who had their hands cut could go there and they will pay their hospital bills for them. We always relied on them; they will send people to the border and airlift them to Ghana (Interview with a former Ghanaian senior diplomat in Libya).

The former senior diplomat also noted the direct impact on the embassy's daily operations as a result of re-assigning limited funds to meet unbudgeted costs. The absence of contingency funds to meet emergency expenditure in a crisis situation resulted in the ambassador using funds that were earmarked for staff salaries to support the cost of feeding migrants who were trapped at airports and transit centres. The former senior diplomat observed:

It denied resources for daily administration expenditure such as servicing of vehicles at the workshop. To a large extent it also affected payment of salaries. For example, for two months we were not paying ourselves. We requested for US\$100,000 from government to cater for the trapped Ghanaians but nothing came. We finally spent about US\$30,000 of our meagre funds on feeding the people because we had created a shelter at the airport (Interview with a former Ghanaian senior diplomat in Libya).

Ghanaian migrants described their embassy staff in Libya as 'useless', 'self-centred' and 'uncaring'. Oyibo, for instance, recounted challenges migrants faced with acquiring emergency travel documentation to enable them return to Ghana during the crisis:

When it [the crisis] happened, like that all the countries were air-lifting their nationals because a lot of people travel to Libya to work... So when we realized that every country was rescuing its nationals, we also started calling home, but it was useless. The Ghanaian embassy over there [in Libya] doesn't even recognize you, they have an office there but it only benefits them, not us the migrants. They won't mind you, when you go there, they tell you that they don't know you, even when you are speaking Twi¹⁴. At times you may tell them where you come from just to confirm that you are a Ghanaian, but they still won't help you (Interview with Oyibo, a 32-year-old Ghanaian return migrant from Libya).

¹⁴ Twi is the most popular local language spoken in Ghana and it is native to the Akan ethnic group.

Nigerien migrants who were trapped in Libya also shared these concerns. Poor consular support during the crisis and the scapegoating of Nigeriens by rebel forces compelled migrants to hide their true identity (identifying themselves as Malians instead) and being repatriated to Mali before returning to Niger (NE/M/01¹⁵). The weakness in consular protection is compounded by the fact that Niger has neither a national migration policy nor official guidelines on the evacuation of nationals from countries in crisis. Although the process of adopting such a policy began in 2007, it has stalled because of lack of funding. There is also lack of accurate empirical data on the number of Nigeriens in Libya and their socio-economic profiles, which are important for contingency planning. According to a Nigerien return migrant:

I was myself a witness to the conditions of repatriation. While migrants were stuck and they needed papers [laissez-passer], the ambassador refused to make the trip to see the living conditions of Nigeriens, as did other ambassadors [example of Mali]. For several days the Nigeriens were at the border in the rain and cold and homeless. IOM transported people to the border, but the Nigerien authorities were unable to deliver laissez-passer for repatriation. Also, the committee for receiving migrants did not play its role. For example, when migrants transited through Tunisia and Algeria people welcomed them with water at the airport, which was not the case in Niger (Interview with 31-year-old Nigerien returnee from Libya and member of the Collective of Nigerien Returnees).

Policy Implications

The Libyan crisis of 2011 has broader implications for global migration governance and management especially within the context of South-South migration. This paper demonstrates the importance of examining the multifaceted personal motivations for migration as a basis for better international migration policy formulation. The study also highlights the importance of drafting national migration policies, which expressly outline policy as well as institutional frameworks for the evacuation of nationals from countries in crisis. The International Organization for Migration (IOM) and the International Labour Organization (ILO) have played leading roles in supporting countries in the Global South such as Nigeria (in 2015) and Ghana (in 2016) to draft and launch national migration policies. The IOM and the ILO

¹⁵ A Nigerien return migrant from Libya.

have also supported countries such as Sri Lanka (in 2008), Ethiopia (in 2013), Kenya (in 2014) and Jamaica (in 2015) in drafting and launching either national labour migration policies or diaspora engagement policies. These policies are all geared towards enhancing the potential for migration to contribute to national development. The status of these migration policies vary in the different countries. The Ghana National Migration Policy (2016: 45) calls for the drafting of “guidelines for the evacuation of Ghanaian nationals abroad, during situations of political crisis, deportation or natural disaster”. The Sri Lanka National Labour Migration Policy (2008: 21) acknowledges that “repatriation is the responsibility of the State and the State shall ensure safe repatriation for all workers in need. This will address emergency situations faced by migrant workers, due to sudden and serious health issues, and grave safety and security issues”. However, the migration policies of Nigeria, Ethiopia, Kenya and Jamaica are all silent on the evacuation of nationals from crisis situations abroad. This notwithstanding, specific guidelines on the ‘how’ and ‘by who’ are still lacking even in the cases of Ghana and Sri Lanka. There is, therefore, the need for the extension of rights and protections to migrants to be considered as central to the migration-development nexus debate, as migrants should not be perceived only as remittance ‘cash cows’ (saddled with obligations) that are devoid of protection entitlements (rights).

Unplanned and forcible return of migrants from countries in crisis impoverishes both returnees and their families that depend on them as a source of remittance income. It is, therefore, imperative for origin countries to develop programmes that facilitate a sustainable reintegration of forcibly returned migrants into their home communities. Such programmes should seek to capitalize on the skills that such migrants acquire abroad rather than embarking on ‘one size fits all’ types of generic projects that win governments and inter-governmental organizations/NGOs political capital without necessarily empowering the targeted beneficiaries.

While regional economic groupings across Africa are rightly drafting regional migration protocols (e.g. the ECOWAS Migration Protocol), aimed at facilitating uninhibited movement of persons and goods, there is the need for the creation of regional evacuation units that are specifically mandated to manage the evacuation and repatriation of migrants in times of political/social crises. This minimizes the onus on impoverished member states (which might not have the logistics and expertise) to extract their nationals at short notice.

Conclusion

This paper concludes that micro-level motivations for migration to Libya entail an amalgam of economic, social, cultural and political factors. Within a developing country context, the political economy of the origin country contributes to the establishment, over time, of a migration culture especially among youth who feel trapped in 'waithood' and unable to realize basic socio-cultural and economic markers in life. The paper also concludes that whereas sub-Saharan African migrants were generally targeted for xenophobic attacks due to exaggerated claims that they were mercenaries for former Libyan leader Gaddafi, some nationalities were worse affected than others due to political decisions by governments of their countries of origin. Overall, the paper confirms the strength of international migration as a livelihood strategy even for people from poor, rural and agrarian communities. The use of social networks and other migration infrastructures (including a network of migrant smugglers) to overcome formal structures highlights migrants' agency in breaking the shackles of involuntary immobility in Africa.

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Navigating the Unknown Treasures of Guangzhou, China: Ghanaian Traders' Networks and Strategies

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Abstract

Using multiple ethnographic methodologies spanning a period of 13 months and collecting data across borders, this paper suggests that African importers' participation in the burgeoning economy of China is more nuanced than previously reported. It argues that approaches, motives and strategies employed by these importers are subject to their trading capacities such as the size of capital, trading experiences and locations of their imports. For instance, whereas experienced large-scale traders procure the services of 'visa agents' for convenient purposes, the small-scale trader's need the 'visa agents' to be able to undertake their business in China.

Keywords *China, Ghana, traders, networks.*

Introduction

Trade between China and Africa has grown steadily over the past 16 years. The highest value of US\$ 215 billion was recorded in 2014 (CARI, 2018; Monyae, 2014) and is projected to reach \$440 billion by 2025 (Sun et al, 2017). Despite the recent slump of values of commodity imports from Africa, the trade exchange between Africa and China has witnessed year-on-year average increase of 7.5% over the last 16 years of intensive trade (UN Comtrade Data, 2017). For many Africans however, the Chinese presence is marked by traders in the markets (Dankwah and Amoah, 2019; Obeng, 2018) and the availability of 'Made in China' products in their homes (Obeng, 2019b). These commodities are imported to the African continent by both African and Chinese traders. The literature on the importers and their activities is however tilted in favour of the Chinese (see Dankwah and Valenta, 2019; Gu, 2009; Haugen, 2011; Marfaing and Thiel, 2011; McNamee, 2012; Park, 2009).

Accounting for this neglect includes the fact that in studying the Chinese traders on the continent, the Chinese traders had expressed significant doubt about the abilities and competencies of the Africans to participate meaningfully in the import industry. They attribute these challenges to the

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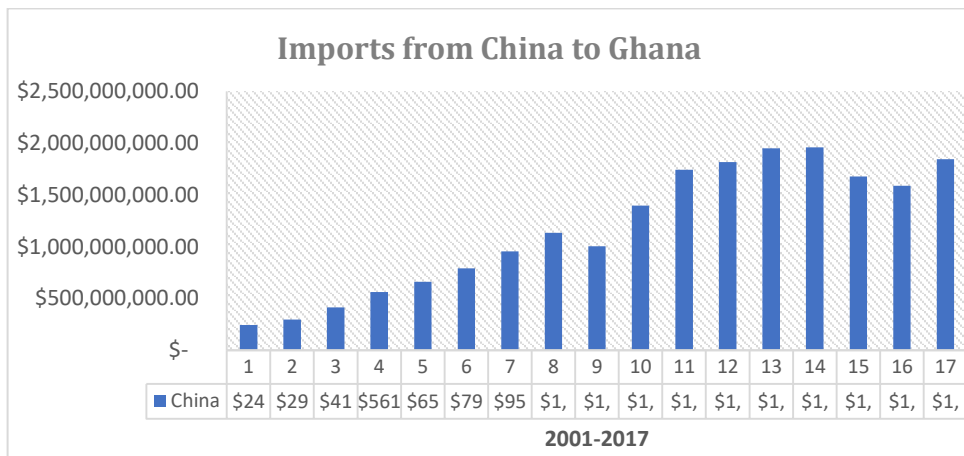
structural difficulties in China as well as the bad business practices of the African intermediaries in China (Haugen, 2011; Marsh, 2016; Obeng, 2019a). This is in spite of the realization that there are more Africans importing Chinese products onto the African continent than their Chinese counterparts (Marfaing and Thiel, 2011). This observation negates earlier studies that have justified the lack of focus on African entrepreneurs on the lack of zeal and poor business practices (see Haugen, 2011).

This, however, does not mean that the reported challenges are not present. Instead, it indicates that the traders have successfully devised reliable networks and strategies to circumvent these and other challenges (Obeng, 2017). These new insights have also failed to present a segregated analysis of these African actors and instead present these networks and the strategies in a more linear fashion (see Babou, 2002; Bodomo, 2018; Cissé, 2018; Diouf, 2000; Tall, 2004) and thus blur the observable nuances exhibited by these actors as they navigate this new territory.

In this paper, I use the stories of two Ghanaian transnational importers of Chinese products (one small-scale and less exposed transnational trader and another large-scale and experienced transnational trader) to demonstrate and analyze how in the midst of the structural and cultural constraints, these African traders procure and devise varied networks and strategies to participate in the Chinese import economy. This is done by profiling the traders and their trading trajectories and by highlighting the networks and strategies utilized to participate in the 'treacherous Chinese import economy' (Haugen 2011:167).

Ghana serves as an appropriate destination for such an analysis because Ghana has witnessed a dramatic surge of imports since 2000 and in the process became the second largest importer of Chinese goods in Africa in 2006 (Jenkins and Edward, 2006). Specifically, data from the UN Comtrade – the International Trade Statistics Database – indicates that the value of imports increased from US\$ 243 million in 2001 to US\$ 1.8 billion in 2017, representing a cumulative increase of over 741% growth. Figure 1 below presents a summary of the annual data on Ghanaian imports from China.

Figure 1: Ghanaian imports from China (million USD)



Source: UN Comtrade Data, 2019.

Further, the data indicates a consistent increase in the values of imports except for the periods between 2008 and 2009 and between 2014 and 2016 that witnessed a year-on-year decline. Percentage-wise, the data indicates growth from 3.9% to 10.4% over the period.

African Traders and the Chinese Import Business

The potential expansion of trade between the two continents was identified during the African-Asian summit in Jakarta in April 2005. At the celebration of the 50th anniversary of the Bandung Declaration, the dramatic rise in international commerce between the two regions featured prominently. Similar interest was evident at the G-8 summit in Gleneagles in July 2005 when the leaders of the global North underscored the growing importance of South-South trade and investment flows, especially as they pertained to the prospects for fostering growth and poverty reduction in Africa (Obeng, 2015).

As expected, the rising exchanges between China and Africa have generated an academic interest in implications for Africa largely at the macro level. The works of the following scholars are instructive in this regard: Alden, 2007; Bodomo, 2018; Brautigam, 2003; Broadman, 2007; Cheru and Obi, 2010; Lampert and Mohan, 2014; Taylor, 2009. In particular, Marfaing and Thiel (2011:1) stated that:

[...]this highly diverse subject field has been scrutinized in terms of partnerships in developmental aid projects, cultural exchange ... and macro-economic and geopolitical issues related to large-scale Chinese projects in the natural resource or infrastructure sectors.

This interest has resulted in two major positions about the extent to which China's increasing penetration into the economies of Africa is good or bad for the continent (Ajakaiye and Kaplinsky, 2009;). In this debate, the optimists have emphasized the opportunities that China offers the African continent and its people, while the pessimists have highlighted the more exploitative aspect of the Chinese engagement (see Hess and Aidoo, 2014; Tsikata et al, 2008).

One area emphasized by the optimist group is the availability of global consumables to the African continent and the benefits that the increasing consumption of such imported items offer the consumers (see Dobler, 2009; Obeng, 2019b; Zi, 2015). While the dominant theme in this area of research has been framed as a form of imperialism, leading to massive reports of tension and acrimony between the Chinese and their African counterparts (see Dittgen, 2010; Dobler, 2009 McNamee, et al. 2012), new perspectives have emerged that underscore multiple responses of Africans to the Chinese presence on the continent (see Haugen, 2011; Lampert and Mohan, 2014; Obeng, 2018). For instance, Lampert and Mohan (2014) and Obeng (2018) make the point that what generally gets framed by outsiders as tension between Africans and Chinese traders, is mostly a demonstration of competing African interests, mostly between those who have the capacity to import directly from China and those African distributors and consumers who do not have such transnational capabilities and have over time come to appreciate Chinese traders as a cheaper source of Chinese goods. They both, however, conclude that Sino-African encounters involve more convivial relations than usually reported. It must, however, be noted that these remain fluid subject to the trading capacity of these actors.

Closely related to this paper is the set of works that have addressed the inadequate representation of Africans in the business of importing Chinese products. For instance, the Chinese on the continent assert that Africans lack both the skills and the zeal necessary to succeed in a 'treacherous Chinese business environment'. They state: "This environment requires extreme vigilance and good bargaining skills for a successful purchase. The absence of such competencies (apparently lacking in many Africans) will end one up with

goods of different quantity or quality than the ones paid for” (Haugen, 2011:167).

The description of mainland China as a ‘treacherous and dangerous destination’ was particularly widespread in Ghana in the early 2000s. As a result of this, the few Ghanaians who desired to import items from mainland China did so through other Asian intermediaries from Hong Kong, as illustrated in the narratives below by Kofiga and Mansaba, respondents in this study:

I knew that the Middle East people, from whom we were buying these goods from in Hong Kong were bringing these products to us from mainland China, but we dare not go there on our own. This is because we were told it was a very dangerous place with the possibility of losing even our lives (Kofiga, Accra)¹⁶.

[...] The Chinese were dangerous people; they will take your money and give goods of inferior quality and that you won’t even have anybody to complain to (Mansaba, Kumasi).

Additionally, the Chinese described the African attitude toward business as unproductive and less competitive. Haugen (2011) reports the Chinese traders in Cape Verde as saying, “whilst the African aims at earning 100% profit, we won’t do that; we take maybe 30 or 50% profit” (Haugen 2011: 167). The latter view is shared by a sizable number of African small-scale traders and their consumers who attribute the dramatic domestic successes of Chinese importers to poor trading practices of their nationals (See Obeng, 2018:62-64).

Notwithstanding the above narratives, a scoping study in Senegal and Ghana in 2012, Ghana in 2015 and 2019 indicated that there are more Africans importing Chinese products in person than their Chinese counterparts (Dankwah and Amoah, 2019; Marfaing and Thiel, 2011; Obeng 2015). In terms of numbers, although currently, no reliable statistics exist on the number of Africans importing from China for sale in Africa, the population of importers is

¹⁶ Kofiga and Mansaba are among the first set of Ghanaian traders who began the import business in mainland China. Prior to importing from China, they had imported from other countries including Malaysia, Singapore and Hong Kong. Importing from Hong Kong, they had learnt that the products imported were cheaper in mainland China, particularly in Guangzhou, but were for years never courageous enough to enter mainland China because of the reported threats. To imports from mainland China were only possible with the services of middlemen, mostly from the Middle East.

estimated to be large and continues to expand. The city of Guangzhou reported that about 60,000 African tourists, mostly itinerant traders, stayed in hotels in 2007 (Guangzhou Municipal Statistics Bureau, 2008), ostensibly to trade directly with Chinese factories and wholesalers rather than through intermediaries. Similarly, Bodom (2012 and 2018) estimated that there were about 500,000 Africans in China with almost 60% of them being traders or engaged in trade-related activities. The huge numbers of Africans in this venture challenge the pessimism with which their Chinese counterparts had perceived their attempts at doing business with the Asians (Haugen, 2011) as well as the projection that the Chinese dream for Africans was dead or dying (Marsh, 2016). These traders travel from all parts of Africa regularly in search of various manufactured items in China and ship them to Africa for sale and ultimately for profits.

Research Method

The base data for this research was collected both in Ghana and China over a period of 13 months, as part of a larger study. The study sought to understand the networks and strategies that are used by Ghanaian transnational traders who import global consumables from China for sale in Ghana. The respondents included both Ghanaians and Chinese citizens involved in the import enterprise. Multiple ethnographic methods were employed, notably in-depth interviews with 50 Ghanaian importers – 30 from Accra and 20 from Kumasi (the two biggest commercial centres in Ghana). This was supplemented with key informant interviews with 3 visa agents in Ghana and 5 itinerant agents in China. The itinerant agents included 3 Ghanaians and 2 Chinese. Other Chinese nationals interviewed were suppliers and shop attendants from whom the Ghanaian importers bought their products in China. Additional data was solicited from Ghanaian residents in China, whose livelihoods were connected to the import business. The last set of data was collected during non-participant observation. This involved ‘shadowing’ a few Ghanaian importers in China while they undertook their daily business activities in Guangzhou. In all, 89 interviews were conducted to properly contextualize the narratives and experiences of the transnational traders. The data for this paper, however, includes additional data gathered through continuous engagement with some of the traders (2015-2018). All interviews were transcribed, manually analyzed and presented.

In this paper, I project the cases of two traders, with whom I have maintained a working relationship since 2013, to advance the subject of networks and

strategies used by Ghanaian transnational traders importing from Guangzhou. These traders were among participants interviewed in 2013 in Ghana and subsequently, followed in non-participant observation in Guangzhou as they went about their trading routines in Guangzhou. The stories of the two are highlighted because they represent the two categories of Ghanaian transnational traders: large-scale and small-scale, a characteristic that to a great extent determines the different networks that are procured as well as strategies devised by the traders as they 'hunt' for their fortunes in Guangzhou. The discussion of the two cases is preceded by a summary presentation of the 50 Ghanaian transnational traders interviewed as part of the bigger project. This offers a broader perspective to the nature and strategies employed by Ghanaian importers, which the two selected cases typify.

Ghanaian Transnational Traders Importing Goods from China

The study involved 24 males and 26 females of varied trading experiences and demographics. This is a clear departure from other studies on Ghanaian transnational traders which have focused exclusively on women (Bowles, 2013; Darkwah, 2007). Although this challenges the perception that trade is a feminine enterprise (Clark, 1994; Cruickshank, 1853; Daniell, 1856; Robertson, 1983), it also reveals the dynamism that characterizes the trade enterprise. Further analysis indicates that men's superior access to financial capital has created gender differences in terms of what is imported and the volume of import between men and women. Specifically, most of males sampled (58%) traded in luxury and durable commodities and in large volumes, while the females (77%) were into fashion and trendy items that require relatively little capital.

Comparatively, the males were younger, with 71% below 40 years, while 65% of the females were above 40 years. The age disparity could be accounted for by three related socio-cultural practices in Ghana. The first is the unequal access to financial capital to the disadvantage of women (see Asiedu et al, 2013). The second is the practice of Ghanaians preferring to hand over their viable businesses to their male children rather than their female children, as in the case of Lamptey, whose story is related later. The third reason for the relatively late entry of women into international trade, are the domestic and gendered responsibilities such as the rearing of and caring for children, which make such long-distance business travels a tough field for women. To overcome the above gender-related challenges, particularly poor access to capital, female traders start from petty trading and rise through the ranks to

become transnational traders as demonstrated by the story of Akorkor, discussed later in this paper. They do this by importing from countries such as Nigeria, Togo, Benin and Ivory Coast in a manner described by Ravenstein (1885:198) as “step-wise migration,” a practice where emigrants who failed to satisfy the immigration criteria of Europe opted to travel to ‘lower status, easy visa’ countries from where they hoped to eventually relocate to a ‘higher status’ country (Konadu-Agyemang 1999). On the contrary, fewer men ever imported commodities from the coast of West Africa. They usually entered the import business as international traders.

The small-scale traders’ activities in Guangzhou are characterized by the following: first, the importers do not have a known supplier from whom they import. Because of this, they have limited control over the design, style and sizes of the products they import. To be successful then requires them to move from one retail unit to another in search of marketable items and to ‘pick’ limited pieces. Though very stressful and time-consuming, the ‘pickers’¹⁷, unlike their large-scale counterparts, have the advantage of importing less compromised products because they buy the ‘already made’ products which offer a greater guarantee. Secondly, because they buy from various retail outlets, they enjoy the benefits of having a variety of items from various producers and designers as compared to the large-scale importers who purchase in bulk from limited producers. In China, the small-scale traders are usually seen with heavily loaded black polythene bags. They employ this strategy for about 80% of their time in China until they exhaust their funds. After successful purchases, they spend the rest of the period re-packaging for easy transport. The goods are transported home either by air or sea or a combination of both. The former, however, remains the main option. They buy up to ten, ‘32 kg’ of extra luggage to transport their items home. With this, the traders are usually guaranteed their delivery between 3-5 business days. The cost of the extra luggage of 32 kg ranges from US\$ 200 to US\$ 300. This is, however, subject to space availability and thus becomes very difficult during the peak seasons – May to July and October to November. Another challenge is the limited size and weight permitted by air. As a result of this limitation, they complement their export by sea travel in a practice known in the industry as ‘groupage’ but technically known as ‘less than container load’ (LCL). The LCL

¹⁷ This term is used to refer to small-scale importers who normally carry with them very small amounts of money on their trips, moving from one shop or market to another as they search for and buy limited quantities of various already manufactured products usually for retail in their home country.

implies that two or more importers hire a container and share the cost based on the space occupied by their goods. In terms of cost, sea transportation is cheaper. The 20-foot container costs between US\$ 6000 and US\$ 8000 depending on the season. But this may take between 6-8 weeks before its arrival at the Tema Harbour in Ghana. As a compromise, almost all traders simultaneously combine air and sea transportation.

Unlike the small-scale importers, the large-scale importers enjoy much more control over their type of imports and their sources of imports. These importers, wielding huge capital, are able to deal directly with wholesalers and factories. This direct access allows them to order for the production of quantities of a given item with their own specifications. Some of them even enjoy the privilege of their products being branded in their own registered trademarks. Additionally, instead of travelling from one retail market to the other, they rather move from factory to factory, usually located in the small villages of China or to the showrooms in the commercial cities. One of the greatest advantages these importers enjoy over their small-scale counterparts is the advantage of economies of scale. Ironically, this also poses the biggest threat to their businesses. Because of the large volumes of import, they are not always able to verify the quality and specification of all the items ordered. After a successful order and payments, the goods are usually transported after they have left Guangzhou to Ghana by their agents. They are mostly able to charter a minimum of a 20-foot container.

Closely related to this typology is the traders' perspective on the future outlook of the import industry. For instance, for the large-scale importers, the Chinese traders operating within the country poses a major threat to the future of the business, while the Chinese traders are the least of the challenges of the small-scale traders. In some instances, the Ghanaians have forged a complimentary trading relationship with the Chinese traders and rate other internal threats above the Chinese presence in the market space (for more details see Obeng, 2018).

Another difference is the means of procuring a Chinese visa. While all traders eventually resort to proxy to secure visas, the motivation for doing so differs. For the large-scale traders, it is motivated by opportunity cost but for the small-scale traders, it is out of necessity.

The varied strategies and nature of networks utilized by the respective importers as they endeavour to benefit from the hidden treasures of Guangzhou are told through the stories of Mr Lamptey, a large-scale importer

and Madam Akorkor, a small-scale importer. Further, the study highlights how variations in gender, financial resourcefulness, international trade exposure and level of education shape the activities of Ghanaian transnational traders participating in the Chinese economy.

Lamptey – Large-Scale Importer

Mr Lamptey represents the educated Ghanaian men who have joined the business of importing global commodities into Ghana, an enterprise which was originally dominated by women (see Awumbilla et al, 2011; Bowles 2013; Darkwah, 2002). Lamptey, 34, is married with three children. He is a university graduate and combines his import business with his professional career as a civil engineer. Lamptey inherited the business from his parents, an enterprise they managed for more than two decades. Even though Lamptey had a sister who was the eldest child, their parents preferred him because they believed that guaranteed the family ownership of the business. A woman, according to the family, will marry and ultimately join her husband's family.

Lamptey manages the business together with his brother and three other employees. One of the three employees is a distant relative, while the two others are non-kin members. The business is, however, managed professionally, with little familial attachment. Lamptey maintains an effective bookkeeping system and has the company's account distinct from his personal account. The business is also registered with the Ghana Revenue Authority, the Registrar General as well as the local municipal assembly and pays tax regularly to the state. The business outlet is relatively big and is in one of the busiest sections of the Makola Market in Accra, Ghana. Apart from the shop outlet where the imported items are sold, he also has a large warehouse where the imported items are kept and from where he restocks the showroom and the sales outlet.

For Lamptey, taking over the business from his parent was not a very difficult task because on several occasions he accompanied his parents on their trips to Germany, the original import destination for business purposes and worked in the shop during vacation periods. This practically acquainted him with the day-to-day routine and management of the business enterprise. He took charge of the business eventually after completing his national service¹⁸.

¹⁸ National service is a mandatory one-year service to the state by all citizens usually after tertiary education. A proof of national service certificate is a fundamental requirement for future employment.

Having taken over the business in 2003, Lamptey continued with his parents' legacy by importing from Germany the same sets of products such as men's suits, shirts and suiting materials and sold these items in the same shop and largely to the inherited client base. Occasionally, he tried to make some modifications to the line of business but stuck generally to his parents' business model. All this changed in 2005.

In 2005, Lamptey and his brother decided to shift the import destination from Germany to China. Lamptey, like most Ghanaians, was aware of China as a potentially profitable market but was very sceptical about the destination. Although he knew some Ghanaians had started importing from China since the early 2000s, he never considered a shift to the Chinese market because of the generally held perception that imports from China are inferior (Obadia, 2009). This began to change during one of his trips to Germany when he discovered that one of his most trusted suppliers also sourced his wares from China. This information came as a shock to Lamptey because all the while he believed that all his imports were made in Germany and usually boasted of the quality of the products to his competitors by displaying the 'Made in Germany' label. This worked because Germany remains one of the countries that Ghanaians in general recognize and acknowledge as makers of durable and quality products (Obeng, 2019b). This information suddenly changed his long-held scepticism about Chinese products and he immediately set into motion plans to import directly from China.

In September 2005 Lamptey saw an advertisement in one of the national newspapers inviting businesses to attend a trade exhibition, the Canton fair in Guangzhou, China. He enrolled and applied for a visa to attend the fair. As an experienced importer, acquiring a visa was easy for him. He states, 'I went to the embassy, picked up an application form, filled it out and attached all the needed documents including my bank statement and business registration certificate and in less than a week I had a 6-months' business visa'. Even though Lamptey wields the capacity to procure his visa in person, after five trips he decided to procure his visa by proxy because he felt it was more convenient to do so. He would instead collect the application form, fill it out,

and attach all the relevant documentation including a letter of invitation¹⁹ and give it to the visa agent to facilitate the processing at a fee. He pays between US \$250 and US\$ 300 dollars per application.

Lamprey had little difficulty settling on what to import because of his experience. His main challenge was where and how he could buy these items. As a strategy, Lamprey preferred to have embarked on the journey in the company of an experienced Ghanaian importer, but he failed in his bid because of fewer importers of 'Made in China' items at the time. He, however, secured the services of a non-Ghanaian agent in China via the internet and arranged his trip with him. The agent was due to pick him up at the Baiyun international airport and guide him through Guangzhou.

On the day of the departure, Lamprey was disappointed when he arrived at the airport and discovered that fewer people had signed up for the program. He, however, was fortunate to have sat next to an experienced importer. He shared his concerns about the trip with the woman and solicited her assistance on the trip. On their way, he learned that there were Ghanaians in China who provide intermediary services to new traders. Lamprey requested such services and the woman arranged one for him. The preference for a Ghanaian intermediary is consistent with most of the Ghanaian respondents in this study who almost always preferred, particularly, at the initial stages, to have a Ghanaian contact person on their visits. This is also consistent with the literature on the role of what Darkwah (2002) calls transient nationalistic networks in helping importers navigate foreign terrain (Obeng, 2015).

On arrival, Lamprey was picked up and assisted to check-in at his hotel and together they discussed where Lamprey could find the items he was interested in buying and agreed on the terms of their engagement. Lamprey agreed to pay the agent US\$50 per day in addition to his meals. Lamprey also bore the costs of transportation. Lamprey was interested in importing items such as floor and wall tiles, construction materials and electronic gadgets in addition to his core

¹⁹ As a measure by the Chinese authorities to control the number of persons who enter the country and to ensure that all persons who enter China have legitimate reasons for doing so, the immigration service now insists that all persons desiring to enter China must produce a letter of invitation. For traders, this should be issued by a registered trader, usually, from a major client. For the large-scale traders procuring this letter is easy because they already have clients who have the capacity to issue these letters. The small-scale traders, however, do not have major and regular suppliers with such capacity. To secure this, means resorting to using the services of an agent.

imports. The peripheral import, nonetheless, changes from time to time either as a result of specific requests or because different types of items caught his attention during the market tour.

Lamprey was astonished by the huge size of the market space and its structuring by wares:

Master!! Their malls and markets are well structured and very huge; so, if you want garments, for example, the whole of Accra Business District will be for such items. So, when you get there, you will have to walk through these places, observing and making your bargaining. In fact, it will take you more than two or three days just to tour the garment market alone.

As a large-scale importer, he was taken to both the city market and showrooms in Guangzhou and two other factory sites in the small districts of China. The two factory sites were Foshan, for the sanitary items and Santon, known for electronics within the Guangdong province. These three sites remain his main import destinations. Lamprey, like most of his colleagues, even after years of importing from China and the Guangdong province, still perceives the region as a learning field. He says:

I am always learning on my trips. You see, sometimes, you might be thinking that you are actually dealing with a factory or wholesaler and so you are getting your wares at the best price only for you to realize that the things sell on another floor at half the price in the same department.

Statements such as the one above gives further credence to the description of China as 'treacherous' by the Chinese on the African continent. For Lamprey, therefore, the key to a successful purchase in China is a combination of meticulousness and persistence. Guided by this, he spends the first three to five days acquainting himself with developments within the market by combing the market and bargaining with potential suppliers without necessarily making any financial commitments. This activity was initially undertaken by his agents but over time, he has decided to take charge of it because the agents have consistently not lived up to his expectation. He is, however, unable to terminate the relationship with the agent because of some structural constraints, key among which is the language barrier, particularly as he moves to the outskirts of Guangzhou. Unlike the business district of Guangzhou, where the spread and use of the English language keep improving, in the smaller towns it becomes practically impossible to engage in any meaningful discussion without a Chinese-speaking intermediary. In addition

to language, Lamptey needs the agent to supervise the delivery of ordered goods that usually tend to be supplied after his departure to Ghana. The agent then arranges and supervises the transportation of the goods to Ghana. This is in spite of the realization that the agents keep taking undue advantage of his lack of proficiency in the Chinese language by pre-arranging prices with suppliers with their mark-up included, a practice he refers to as a bi-commission. This is because the agent gains from both parties in a single transaction, a cost that is borne eventually by the trader. To protect his interest, he has changed agents on several occasions, but he remains unsure even of his current agent.

In terms of money, Lamptey spends between US\$ 35000 and US\$ 50000 per trip. After a successful purchase, Lamptey transports his goods mostly by chartering a 20-foot 'full container', but may in addition resort to 'groupage' when he has more products than the chartered container could transport. He spends between US\$ 6000 and US\$ 8000 per 20-foot container subject to the season. He regularly transports some of his imports by air to hold the business until the bulk of his imports arrive. Compared to others, Lamptey makes fewer (2-3) trips a year at an average airfare cost of US\$ 3000.

He also complements the direct imports with indirect imports through the help of his agents and suppliers. Doing so, however, requires clear instructions and detailed descriptions of the products to avoid any difficulties or misunderstanding. So for instance, if he needs to import suits, he will, in addition to telling them the quantity, sizes and colours of the suits, include the number of buttons for each set and the type of lapel to be affixed. In addition, because he finds it difficult to describe the nature and types of fabrics, he sends samples of the fabrics properly labelled via airmail or other colleagues.

He also enters into a written agreement with the supplier in order to protect his stake. In these contracts, Lamptey makes a 20%-30% part-payment of the agreed sum and undertakes to pay the difference upon satisfactory delivery of the order. He arrived at this strategy in response to earlier mishaps which almost cost him his capital. Although Lamptey has reservations about his suppliers, he maintains that if he proves to be trustworthy, his action will be reciprocated by the Chinese suppliers. This, he believes, he has achieved successfully. As a result, he enjoys supply on credit, sometimes, even without making any deposits. He returns the money after delivery or sales. Notwithstanding this partnership, he remains very sceptical of the quality of the product. He says, "...in business, you never trust 100%."

Lamprey is not very optimistic about the future of the business even though he aspires to remain in the import business. Key to this expression of pessimism is the incursion of the Chinese into the retail business in Ghana. He sees the Chinese as undermining the Ghanaian participation in the distribution sector. He vehemently discounts the assertion that it is the Ghanaian quest for huge profits that makes the Chinese better competitors. Instead, he cites two major factors that work to the advantage of the Chinese. The first is the comparatively large volume of imports of the Chinese. This translates into a cheaper unit cost. Secondly, he believes that the Chinese circumvent the customs system and thus pay lower import duties than the Ghanaians. To illustrate the latter, he recounts an instance where a Chinese offered to help him 'clear his imports' at a lower cost. This according to him makes it unbearable for him and his counterparts. To illustrate this, he states that there are other colleagues who are now bankrupt because the Chinese are retailing at prices below their cost prices in China. He complains of losing some of his bulk buyers to the Chinese competitors as a result of the lower Chinese prices. To sustain this business, Lamprey and his counterparts demand the removal of the Chinese retailers from the market space and full implementation of the Ghana Investment Promotion Center Act, Act 825. The GIPC Act 825, 27 (a and b) grants Ghanaians the exclusive right to the "sale of anything whatsoever in a market, petty trading, hawking or selling in a stall at any place". In 2013 the state responded to this demand by setting up an inter-ministerial task force to address their issue. In the process, several shops operated by the Chinese were closed, while others operating illegally were repatriated. The activities of the task force, however, failed because of the complex nature of the situation (Obeng, 2018).

Amid the Chinese influx, Lamprey has decided to offer some customers who have proven over the years to be credit-worthy, supply credit. The decision to offer commodities on credit, according to Lamprey, remains one of the key strategies employed to maintain large-scale customers. Closely related to the success of the credit facility is the maintenance of social and personal contacts with traders and the offering of gifts, usually, purchased from China, as a token of appreciation. This offer of giving goods on credit to 'known customers' has not always yielded the expected prompt payments from the customers. Despite this, it continues to be one of the key strategies that Ghanaians use to compete against their Chinese counterparts since the Chinese lack the social connection based on which credit facilities could be extended and monitored.

This ability to offer goods on credit buttresses Petersen and Rajan's (1994) work on small-scale entrepreneurs' access to bank credit. Similarly, Uzzi (1999) argues that embedding commercial transactions in 'social attachment' allows the lender and the client to overcome their mutually experienced ambiguity. Just as it is in the case of banks, suppliers/creditors in this study invest in close personal relationships in the form of frequent interaction with each other's families in social settings such as child-naming or wedding ceremonies. Through these personal and extended ties, the creditors and the customers develop a trust and a deeper knowledge of each other's character and business dealings (Carruthers and Ariovich, 2013). In the process, as Uzzi (1999:488) points out, both parties form direct relations with third persons such as spouses and children whom they confidently rely on for perceptions of character and trustworthiness in their business dealings with others. Such interaction is not common between the Chinese suppliers and their customers. As a result, traders who do not readily have the capital to buy from the Chinese suppliers at a cheaper cost may still resort to getting their supplies at a relatively higher price from the Ghanaian who offers softer terms of payment.

The offer of soft payment terms is what allows the Ghanaian importers to maintain their status as the main channel through which imported goods are sold in Ghana (Marfaing and Thiel, 2011).

Akorkor – Small-Scale Importer

Madam Akorkor is a 53-year-old married woman with three children. Akorkor lives with her husband and her youngest child in one of the suburbs in Accra. Although Akorkor completed a Middle School Leavers' Certificate Education (MSLCE), she describes herself as an 'illiterate' person, because she cannot express herself fluently in the English language. She sells palm nuts as her main business and sells corn seasonally. She has been doing this for the past 30 years.

Five years ago, Akorkor took a giant step and joined the import business to generate an additional stream of income. She settled on fancy jewellery. She imported from West African cities – Lomé and Cotonou, the capital cities of Togo and Benin respectively. The choice of Togo and Benin was influenced by two key networks who helped her to navigate the two territories, an approach consistent with the role of networks as persons /groups that help new entrants to navigate unknown regions (Prell 2012:9). Her husband is a Beninese so when she decided on Cotonou, her husband accompanied her on the first trip and introduced her to one of his family members in the city. The

relative who is a trader herself assisted her during her business trips to Cotonou until she was able to navigate the market independently. In Lomé, she also had a close friend who lived close to the Ghana-Togo border and assisted her with accommodation and communication. These persons were, thus, very instrumental in her insertion into the cross-border trade along the Ghanaian coast of West Africa. Six months later, Akorkor abandoned Togo and concentrated on Benin because Cotonou offered her more quality products than Lomé.

After importing from Cotonou regularly for two years, Akorkor discovered that the items were originally sourced from China at a cheaper cost. That was after she had inquired about the sudden absence of her Nigerian counterparts from the Cotonou market. On her return from Benin, Akorkor solicited assistance from a friend to travel to China. At that point, Akorkor had made sizeable savings from both her jewellery and oil palm businesses. The friend introduced her to a travel and tour agency to assist her to procure a Chinese visa. She paid US\$ 400 for the services of the agency. She only had to submit her passport and two passport-size photos. The rest of the documentation such as a letter of invitation from a Chinese supplier, statement of account, business registration and tax clearance certificate were procured by the agency on her behalf. The agency also linked Akorkor to a Ghanaian based in China who serves as a trade broker to facilitate her business activities in China. The business relationship had changed from the initial role of an itinerary agent who was always with her during her visit to China to a business consultant who proffers experts knowledge when approached.

Akorkor changed her visa agent after two trips because she got a better offer from another agency that charged US\$ 300 instead of the US\$ 400. The cost of her airfare over the periods has ranged between US\$ 1000 and US\$ 2000 for a return trip.

In preparing for her first Chinese trip, Akorkor sought to know from her friend how much money she needed to make a successful trip to China and back. Instead of a direct response, her friend offered her some guidelines. She quotes:

I cannot tell you how much money you need, but to be successful on your trip, you must at least have about double the amount you spent securing the visa and your plane ticket and maybe your accommodation in China.

After several years Akorkor confirmed the validity of her friend's guidelines. Guided by this advice, Akorkor subsequently travels with an amount of between US\$10000 and US\$ 15000 and makes reasonable returns.

Similar to the experiences of Lamptey, Akorkor did not have a problem with her core imports, the jewellery items. As part of her preparation, she undertook a kind of market survey to identify the goods that sell fast at the best prices. To do this, Akorkor adopted a combination of pretense and deception. She recounts:

I couldn't go and ask them for their assistance directly, you know Ghanaian traders, they will not be truthful. So, what I did was to go to the stores and tell them that I am a regular customer and was there to re-stock. With this, they then opened up to me and I bought some items to be used as samples on my trip.... To be sure, I got the appropriate pricing. I tried to bargain vigorously and bought at the wholesale prices.

After a successful market survey and adequate preparation, Akorkor made her first trip to Guangzhou, China, in February 2010. She was met at the airport by her agent and taken to the agent's home. The agent had converted his private apartment in China into a guesthouse and rents out rooms within the apartment to his clients at US\$ 15 a day compared to the average hotel rate which ranges from US\$ 30 to US\$ 50. The traders also have access to a kitchen where they can prepare their own preferred dishes during their stay in China. Akorkor therefore always carries some Ghanaian delicacies on her trips.

Just like Lamptey, Akorkor pays her agent US\$ 50 a day. She is also responsible for his meals during their trips. The agent also assists her with currency exchange from US dollars to the Chinese RMB. It takes 3 to 4 days for her to go through all the business areas and to all the potential shops where she could find her choice of fabrics, dresses, shoes as well as the fancy jewellery.

As a strategy, Akorkor window-shops on the first 3 days as a form of recognisance. She takes note of potential items and their respective prices with the assistance of her agent because of the language barrier. The routines normally take her to major centres such as the Yulong Plaza, Canaan and the Sanyuali sub-way area. Other places also toured included Dashatou Flee Markets, the Tianxiu building and the Denferc hotel areas. These are known to have items that meet the taste of Africans and are mostly visited by African small-scale traders (Bodomo, 2012; Obeng, 2018). After this, she usually dedicates a day in her apartment to compare and review her notes and plan

her subsequent itineraries. This also includes converting and expressing the cost in Ghanaian currency to determine its marketability in the light of products already on the Ghanaian market.

After these exercises Akorkor embarks on her shopping, mediated by the agent, from one shopping outlet to another. In between the regular purchases, Akorkor would sometimes purchase items she did not budget for but chanced upon in the course of her shopping when she envisages a potential market for the item in Ghana. In fact, some of these items, according to her, on a couple of occasions, had fetched her more profit than her regular imports. Akorkor further reveals that it was this possibility of an 'occasional bonanza' that had entrenched her desire to always make the Chinese trip in person even though she could have arranged for her regular imports to be shipped to Ghana on her behalf.

Akorkor has ceased moving around with her agent but maintains close contacts with him and continues to stay in his apartment, if it is available, when she travels to China. In addition, she calls him for assistance when needed and when she intends visiting an unfamiliar place. She discontinued using the services of the agent mainly because she had become conversant with navigating the market area independently. Just like Lamptey, Akorkor also attributes her decision partly to some unethical practices of the agent. She accuses the agent of not being truthful as he always sought to steal from her either by pre-arranging prices with the suppliers or overstating the cost of services he renders on her behalf. This decision was not taken hastily, though. Akorkor prepared and armed herself before finally severing the relationship, albeit not completely. Akorkor set out to observe all the relevant processes, closely and to learn some of the relevant expressions in the Chinese language. In particular, she learned and took note of key landmarks so she would know where to board and alight from the bus, how to communicate with the taxi drivers and, most importantly, how to negotiate prices with her suppliers. To use a taxi, she learned to collect complimentary cards from all the shops she visited. In order to keep track, Akorkor makes notes on all the cards. When she needs to make a visit, she will stop a metered taxi and show the destination to the driver and she will be driven to the destination. Similarly, to transact business with the suppliers, Akorkor recounts:

One just needs a workable calculator and three important Chinese phrases. The phrases are, tige do sa, which translates into 'how much'; the second is tud tudi, which means 'reduce the price' or 'your last price';

and haundu haundu, which is to tell the supplier that you are interested in buying in bulk.

Bodomo (2012:43) calls the use of these simple expressions, combined with the use of a calculator and body movements, “calculator communication”. It works for Akorkor because she makes all her purchases in the main cities of Guangzhou where these expressions are meaningful to the non-English-speaking Chinese suppliers. This approach, though familiar to Mr Lamptey, cannot suffice for him, because he does most of his business activities in the less cosmopolitan districts. The service of an intermediary, therefore, becomes indispensable.

After a successful purchase, Akorkor transports her commodities to Ghana by paying the airlines for the excess baggage. She pays between US\$ 150 and US\$ 200 for every 32 kg luggage and is permitted up to 10 pieces of excess luggage. Where she had more goods, she made use of sea transport.

Unlike Lamptey, Akorkor does not have a retail outlet where she sells her imports but rents a room where she keeps her imported items. She sells her products through a combination of targeted marketing and personal retailing. She visits boutique owners and wholesalers and showcases her products to them and retails them to friends and other acquaintances, including her palm fruit and corn customers.

She has little concern about the increasing presence of Chinese retailers in Ghana. Her challenge relates to the difficulties in acquiring a visa and the depreciation of the Ghanaian cedi against the major trading currencies. This is because it increases the cost of her items which directly reduces the volumes that she can import as well as the quantity she is able to sell which ultimately affects her profit margin. For Akorkor, therefore, as long as the presence of the Chinese traders does not deny Ghanaians access to China, the Chinese traders pose no threat to her business.

Conclusion

The two cases presented above serve as a signpost to the lives and navigation processes of Ghanaian transnational traders who import from China. The study reveals that both men and women with varied trading experiences are involved in the importation of global consumables from Guangzhou. In terms of demography, the study confirms the assertion that the import business is a high-class enterprise (Bowles, 2013; Darkwah 2007). The field is dominated by well-educated people, contrary to the notion that trade is for the poorly-

educated who cannot find employment in the mainstream economic sector. A significant number also combine their formal sector jobs with their import businesses, as in the case of Mr Lamptey.

Although all the importers are within the active working age group, the males are comparatively younger (mostly below 40 years) than the females (mostly above 40 years). A combination of socio-economic factors including male dominance and access to financial capital, result in women's late entry into the import industry, though they have a longer history of trading. This also influences the nature of items and the volumes of items imported.

The regularity and consistency of importing by Ghanaians successfully defy the pessimism of the Chinese traders on the continent and show the agency of the African traders, as passionate, entrepreneurial and resourceful. This is despite the problem they face from their compatriot agents in China and other issues such as the difficulty in obtaining a travel visa, competition from Chinese importers back in Africa and depreciation of the local currency.

They have achieved this by procuring the services of relevant networks at every stage to render services that they could not perform in person. The longevity or otherwise of these network relationships nonetheless depends on trust and personal capacity. As innocuous as the situations may be to reduce risks, the engagement is done in a piecemeal fashion until the point where trust between the parties is secured. When this is abused, the relations are terminated either completely or are reviewed to safeguard the trader's interest. Succeeding in such environments thus depends on tactfulness. This requires different approaches and strategies to be used by different categories of traders. For instance, small-scale traders, by necessity, have to maintain the networks in order to procure their visas while the large-scale importers do so for convenience. Similarly, the services of the itinerary agent in China can be terminated permanently by the small-scale trader without jeopardizing their business interests but this becomes a near-impossible option for the large-scale importer who buys from the outskirts of the capital city. This paper therefore argues that although the occurrence of disequilibrium may trigger a desire to terminate network relationships, cessation does not occur automatically. Instead, cessations are subject to the context in which the network relationships are being implemented.

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Cross-Cultural Ties between Ghana and Egypt: The Agency of the Egyptian Community in Accra, Ghana

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Abstract

Ghana is recognized as an important destination of international migrants. In spite of the socio-economic and political upheavals that the country experienced during the early post-independence era leading to the (forced) return of several of its migrant groups, some have still remained and formed permanent communities and integrated into the Ghanaian society. This paper focuses on the Egyptian diaspora in Ghana. It examines: (1) the type of cross-border and transnational ties that Egyptian migrants in Ghana have established between Ghana and Egypt; (2) how these ties generate cross-cultural relations between Ghana and Egypt; and (3) the extent to which these ties provide a privileged economic and political position to the Egyptian community in Ghana. The work is based on the socio-cultural transnationalism theory. A socio-historical method was adopted for the research and apart from the analysis of historical data, eight key informants were interviewed. The paper shows that due to high-profile intermarriages between Ghanaians and Egyptians, coupled with the 'Nkrumah factor', the Egyptian community in Ghana occupies a privileged economic and political position in Ghana.

Keywords *Egyptian migrants in Ghana, intermarriage, privilege, economic and political position.*

Introduction

The migration of persons, families and groups across the African continent has played a leading role not only in advancing the livelihood strategies of the different people who inhabit the continent, but also in the process of empire-building, state formation and the evolution of the present forms of nation-states (Agyeman and Setrana, 2014). Migration was also key in promoting the interaction amongst the different tribes and ethnic groups. It facilitated the building of social, political and economic relationships across the African continent. Such movements took different forms and occurred for varying reasons. These included large-scale movements owing to unfavourable

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climatic conditions; economically induced migrations such as people moving in search of new farmlands, hunting grounds, grazing land and for trade; as well as politically induced migration such as groups fleeing from wars or from tyrannical, wicked and atrocious leaders (Boahen et al, 1986).

Whereas many of these movements and socio-economic dynamics took place in the period before the development of modern African states, colonialism and events leading to the independence of African states led to the construction of new ties and political alliances between states across the African continent. For example, during the Ghanaian struggle for independence, Kwame Nkrumah, Ghana's first President, was strongly backed by a pan-African ideology which enabled him to develop inter-state relations that permeated the ethnic, religious, racial and territorial boundaries that existed on the continent. This led him to develop stronger ties with the Maghreb countries which later constituted the Casablanca group that supported the establishment of a single African state (Badejo, 2008). It is within this context that this paper foregrounds the intersection between Ghana and Egypt, the pioneers in African independence. The shared political ideology between Kwame Nkrumah and the Egyptian leader Gamal Abdel Nasser set the grounds for the construction of political ties between the two states during the period of the African independence struggle and in subsequent periods on the continent.

Additionally, Nkrumah's marriage to Madam Fathia, an Egyptian woman, during the late 1950s, and other high-profile marriages between Ghanaians and Egyptians contributed to solidifying these relations. This subsequently ignited migration movements between Ghana and Egypt, further intermarriages as well as trade and socio-cultural ties between the two countries. Today Egyptian migrants constitute one of the most significant North African communities in Ghana and, over the years, they have contributed to establishing various degrees of linkages such as trade, political ties and religious networks between Egypt and Ghana.

This paper focuses on the Egyptian diaspora in Ghana, examining, (1) the type of cross-border and transnational ties that Egyptian migrants in Ghana establish between Ghana and Egypt; (2) how these ties generate cross-cultural relations between Ghana and Egypt; and (3) the extent to which these ties provide a privileged economic and political position to the Egyptian community in Ghana.

Theoretical Framework and Method

The work is situated within the framework of migration and socio-cultural transnationalism literature (see Basch et al, 1994; Levitt, 1998; Portes et al, 1999). According to this line of thought, the activities of migrants across state borders create transnational kinship ties and identities that transcend national barriers. These ties vary from informal to formal ones, ranging from individual to collective linkages, including family, economic, political, religious and institutional connections. Through these ties, migrants are able to transfer and exchange vital resources, including cultural goods, knowledge, human and financial capital that affect origin and host societies (Basch et al, 1994; Levitt, 1998; Portes et al, 1999).

This study adopted a socio-historical approach, which was premised on the thesis that a combination of history and sociology provides a sense of complexity and change, sensitizing researchers to strategies that were prevalent in the past, while pointing to contemporary correlates. Beyond that, the sociological approach provides a theoretical lens for analyzing historical phenomena. Data for the study was generated through interviews of key informants, who were identified through the snowball sampling technique. A total of five key informants were interviewed in Accra between June and September, 2016. They included Egyptian community leaders, embassy staff and entrepreneurs living in Accra. Participants felt free and at ease to discuss their lived experiences and activities in Ghana. The study accessed archival materials housed at the Public Records and Archives Administration Department (PRAAD) in Accra, as well as newspapers and secondary literature to gain in-depth knowledge about Ghana-Egypt relations. This information was useful in understanding and analyzing the diplomatic context that shaped the cross-border and transnational ties between Egypt and Ghana and the experiences of Egyptian migrants in Ghana. It was unfortunate that a key target group was not interviewed. These were the children from marriages between Ghanaians and Egyptians who hold key political positions in Ghana. That was due to the interview period (2016) coinciding with an election year in Ghana and raising sensitive issues could potentially affect the identity sentiments of participants and eventually impact adversely on the research.

Trans-Saharan Migration and Relations between North and West Africa in Historical Perspective

The mention of trans-Saharan relations evokes several images and feelings – some of which are historical constructs. In some instances, the Sahara evokes the image of a desert – an arid land where human habitation and activity is less desirable. In other instances, it conjures the image of a vast sea of sand that separates the Mediterranean North African region from tropical Africa. Yet, in another sense, and probably the most popular, it evokes the image of commerce – the trans-Saharan trade that linked North Africa to sub-Saharan Africa (Austen, 2010). As a result of the trade relations between the northern part of Africa and the rest of tropical Africa, human mobility between states and across the Sahara became a regular occurrence, over a very long period. Indeed, historians date the beginning of the trans-Saharan trade to the 3rd and 4th centuries. Yet, its traffic became significant from the 7th century and reached its peak between the 14th and 17th centuries (Boahen et al, 1986). These trade relations across the Sahara provided sub-Saharan Africa with its earliest and most significant contact with the outside world before Europeans arrived on the Atlantic coast of West Africa in the 15th century (see Austen, 2010). Falola (2000: 25) aptly observed that, “trade was, perhaps, the most important form of relations between pre-colonial African states”.

The reason for the emergence of the trans-Saharan trade have been extensively documented (Boahen et al, 1986). One lesser-known fact is that merchants from North Africa, in the initial stages of the trade, rarely made any contact nor built any relations beyond the cities south of the Sahara. Austen (2010) has argued that the perceived dangers associated with travel beyond the desert, the lack of a more sophisticated mode of transportation as well as the lack of cultural skills to traverse such new environments, hindered such enterprise.

Nonetheless, in later centuries, it seemed that with the involvement and active participation of the Mande and Dyula traders, who had acquired the cultural skills to mediate the cultural relations of both the North African traders and their neighbouring sub-Saharan Africans, the trans-Saharan trade extended into the savannah and forest areas further south. Thus, as Austen (2010: 41) states, “the task of connecting the end points of the caravans with savannah and forest zone sources of export goods thus became the specialty of indigenous Sudanic traders.” These Sudanic merchants would develop into professional entrepreneurs, developing unique communities close to

commercial centres of the Sahel and beyond and would eventually become not only exporters of tropical African products across the Sahara to the north, but also the transmission belt of the culture of the Northern Africans to most people of sub-Saharan Africa. The vital role of trade is underscored by Falola (2000: 26), who asserts that, “the requirements of trade, such as currencies, languages of communication, trade routes, markets and professional traders served to promote interactions among states.”

Migrants, mostly merchants, formed communities in ancient Ghana, Gao, Mali, Djenne, Bona and Timbuctu and these migrant communities which were often referred to as ‘stranger communities’ integrated well into their host communities. Skinner (1963) notes that migrants, predominantly merchants, actively involved themselves in both local and foreign trade and they became the economic force that ensured that almost the entire West African sub-region was linked together as a common economic unit. He further notes that, because of their wide exposure and their ability to understand and speak more than one language, their host communities relied on them to act as interpreters to visitors as well as travellers to and from the host community. Additionally, because of their vast exposure to other cultures they became cultural bearers, introducing their host communities to new cultural traits. Historians have established the impact of the trans-Saharan trade on the development of African kingdoms. The trade provided the impetus for the rise and development of ancient kingdoms such as Ghana, Mali and Songhay. These kingdoms primarily benefited from the trans-Saharan trade to rise into prominence. The trade was also essential for the spread of ideas, goods and institutions among African kingdoms. The spread of languages such as Hausa and Swahili across the continent as well as the spread of the Arabic civilisation to most parts of Africa was essentially the result of the trans-Atlantic trade.

With the arrival of Europeans on the West Coast of Africa, the direction of the trans-Saharan trade shifted towards the Atlantic Ocean, so that by the 18th century, the trans-Saharan trade had declined considerably. As European colonisation made inroads on the African continent, the migration pattern of Africans was also reconfigured (Skinner, 1963). It similarly altered the nature of relationships that existed between migrants and their host communities. As new urban centres emerged and as Europeans established plantations and commercial ventures along the West African coast, new opportunities were created and the number of immigrants to these new entrepôts increased substantially. As Skinner (1963) observed: “African migrants who were later to settle as strangers flocked to these centres from far and wide, drawn and

pushed by forces introduced by Europeans. For example, Yoruba, Togolese, Ewe, Dahomeyans, Mossi, and Songhay migrated to the former Gold Coast and the Ivory Coast..." (Skinner, 1963: 309). These new migrants followed pre-European migrant traditions and established their own permanent quarters under their elected chiefs and headmen. This pattern of migration across sub-Saharan Africa, encouraged by the colonial political economy, continued throughout the colonial period, so that by the time colonial rule ended, several permanent migrant communities in most West African cities had been established. These migrants were politically and economically integrated into their host communities and served as the bridge between their host communities and their original nations. Yet, relations between migrants and their host communities were not always cordial (Skinner, 1963).

Economic pressures often pitched migrants against local populations as migrants were often accused by local populations of helping to perpetuate the exploitative tendencies of Europeans by accepting low wages and serving as middlemen between the Europeans and the locals (Akyeampong, 2006). Also, the migrants' involvement in local politics, particularly, during the struggle for independence, often created tensions between migrant communities and nationalist leaders, resulting in some migrants being deported soon after independence. A clear case was the deportation of several migrants in Ghana in the 1950s and also in the Ivory Coast in more recent times (Agyeman and Setrana, 2014).

As most African countries gained independence in the 20th century, new dynamics emerged not only in the pattern of migration in sub-Saharan Africa, but also in the relationship between migrants, migrant communities and their host communities.

The Egyptian Diaspora Community in Ghana

The Egyptian community in Ghana, along with the Lebanese, constitute what is generally referred to as Ghana's Arab community. This group of nearly one million migrants in Ghana, occupies a central position in Ghana's economic and political structure. Whereas the Egyptian migration to Ghana started during the 1950s, that of the Lebanese started a century earlier (Akyeampong, 2006). The earliest Egyptian settlers in Ghana were mainly diplomatic administrative staff. However, from the late 1950s Egyptian women who were married to Ghanaian men, settled in Ghana. Those women included Rouby Sinare, wife of the late army general, Alhaji Said Senare, Megwa Cata, the wife of another army general and most notably Fathia Nkrumah, the wife of Ghana's first President,

Kwame Nkrumah. There were, indeed, curious amorous relationships between Ghanaian military professionals and Egyptian women and between Ghanaian political elite and Egyptians. That was, in part, due to the training programmes and educational opportunities offered to Ghanaians by the Egyptian government, as well as the prevailing Pan-African political ideology of the time (CCT5).²⁰

In subsequent years, other Egyptian migrants arrived in Ghana to establish their businesses. The current Egyptian community in Ghana remains very small, numbering between 200 and 800. They have settled mainly in Accra and Kumasi.

In spite of its small size, the Egyptian community in Ghana, like the Lebanese, controls large-scale family businesses and constitutes what Akyeamong describes as “a formidable entrepreneurial class” (Akyeampong, 2006: 308). Some notable companies controlled by Egyptian migrants include *Rafi Aluminium*, *Elsewedy Electric* which is the lead supplier of electrometers and cables in Ghana as well as *Mantrac* which is the sole company authorized to supply CAT caterpillars (construction equipment) and spare parts to Ghana.

In addition, children of the Egyptian migrants and some of the migrants themselves have become formidable political leaders in Ghana. Three prominent cases include Samia Nkrumah, daughter of Kwame Nkrumah who was leader of her father’s Convention People’s Party and Member of Parliament for the Jomoro constituency between 2012 and 2016; Alhaji Said Senare, the second vice-chairman of the National Democratic Congress, who also served as Ghana’s ambassador to Egypt and later to Saudi Arabia; and Dr Medhat Khalil, chairman of Rafi Aluminium and patron of the Egyptian community in Ghana; Dr Khalil is also the Malawian ambassador to Ghana.

During the study, it was evident that the Egyptian community in Ghana constitutes a privileged group and unlike other immigrant groups, the level of interaction between them and members of the Ghanaian community is quite intense. The study deduced that this is largely the result of the (high-profile) intermarriages that have occurred between Ghanaians and Egyptians since the 1950s.

²⁰ CCT5: CCT was the coding technique that was adopted in order to protect the anonymity of our informants. CCT1, CCT2, CCT3, CCT4 and CCT5, thus, refers to the first, second, third, fourth and fifth informant respectively.

Intermarriage and Cross-Cultural and Kinship Ties between Ghanaians and Egyptians

Among the non-West African migrants in Ghana, Egyptians have increasingly developed conjugal ties with Ghanaians. Akyeampong (2006) observed that Lebanese migrants who have lived in Ghana for more than a century have managed to keep their cultural heritage and ethnic/racial identity intact by strictly prohibiting mixed marriages between members of their group and those of the host society. Research on some West African migrants in Ghana also report a similar practice. A case in point pertains to the Gao and Zabrama people from Mali and Niger who observe a similar exogamous marriage prohibition rule between Ghanaians and members of their community (Gamado, 2016). This practice has succeeded in creating some degree of distance between these groups and members of the host society, across generations.

However, unlike the Lebanese, Gao and Zabrama, the Egyptian diaspora in Ghana has developed strong cross-cultural ties with Ghanaians. This is manifested in intermarriages and the resultant development of kinship relations, the establishment of the Coptic Orthodox Churches and Islamic centres in Ghana led by Egyptian scholars, the development of Egyptian businesses, and the popularity of the Egyptian smock, even among non-Ghanaian Muslims in Ghana. These practices were also confirmed during the interviews with the key informants. One of them said: “There are no borders between Egyptians and Ghanaians; there are no short ways in the interrelations” (CCT1).²¹

Intermarriage between Ghanaians and Egyptians has been a prominent feature since the 1950s. This practice appears to be the key behind the establishment of close ties between members of the two communities. In 1957 when Kwame Nkrumah married his Egyptian wife, this relationship lent itself to several interpretations. Recently, Ray (2015) argued that Nkrumah’s marriage to Madam Fathia created panic among Western leaders who viewed it as grounds for a political alliance between Ghana and Egypt. In fact, Western scholars, such as Scott Thompson (1969: 49), viewed it as a politically motivated ‘bizarre’ marriage:

In December 1957, Nkrumah married an Egyptian Coptic woman, one of the more bizarre alliances caused by his foreign policy [...] The marriage was to be

²¹ CCT1: Informant 1.

a continuous embarrassment to Nkrumah, and to his colleagues. He seldom paid any attention to her. At the time of writing, it was reported she was suing Nkrumah for divorce.

In fact, while the political circumstances at the time opened the window for intensive interaction between leaders and citizens of Ghana and Egypt who combined roles to help African counties to gain independence, evidence from this study further shows that the affective relationships that developed at the time might have triggered the close political ties between Nkrumah and Nasser after the 1950s and not the *vice versa*.

The role of Ghanaian students studying in Egypt was key in this process of affective interaction. Over the years, Egypt has served as one of the principal destinations of Ghanaian overseas students. A good number of Ghanaian Islamic scholars attained university education in Egypt and it was during the period of their schooling in that country that some of them met their Egyptian partners. This practice was confirmed during this researcher's interaction with leaders of the Egyptian community in Accra. According to their patron, it was Alhaji Said Senare who had advised his friend, Kwame Nkrumah, to marry Madam Fathia after Senare had forged an affective relationship with an Egyptian woman while studying in Egypt:

While Senare was studying in Egypt at Hazard University, he met his Egyptian wife. Senare married the Egyptian (woman) and introduced Fathia to Nkrumah (CCT5).²²

As mentioned earlier, both Senare and Nkrumah relocated their wives to Ghana and these high-profile marriages set the precedent for further marriages and intensive kinship ties between Ghanaians and Egyptians. Another key informant observed:

*The effect of Nkrumah's marriage with Madam Fathia is that many Ghanaians and Egyptians started having mixed marriages. Some Ghanaian students returned from Egypt with wives, diplomatic representatives and other Egyptians came to Ghana and started having Ghanaian wives. They did so not just to imitate Nkrumah, but due to intensive relations (CCT2).*²³

²² CCT5: Informant 5.

²³ CCT2: Informant 2.

This social phenomenon was not the preserve of Ghanaian males who went to Egypt to seek wives. Egyptians in Ghana also sought Ghanaian wives. Moreover, there are many intermarriages between Ghanaians and Egyptians within the Muslim community in Ghana. Some of the Egyptian community leaders interviewed for this study, are also married to Ghanaians. A striking case is the patron of the community, who had been living in Ghana for 33 years, at the time of the interview and is married to a Ghanaian woman and they have children. He is the owner of one of the largest aluminium firms in West Africa and is also the current ambassador of the Republic of Malawi to Ghana. This man represents a perfect example of instances where the lives of Ghanaians and Egyptians intersect. During the interview, it was evident that he used part of the premises of his company building as the Embassy of Malawi. Apart from being an entrepreneur and ambassador, he is also a professor and a lawyer who holds a doctoral degree. He asserted that he had achieved everything he had aspired to, after migrating to Ghana. Although the circumstances leading to his appointment as Malawian ambassador to Ghana were not discussed during the interview, this study surmises that Ghana's ties with Egypt and Malawi during the African independence struggle in the 1950s and the role of Nkrumah opened such an opportunity for him. Malawi's first President, Hastings Kamuzu Banda, who studied and practiced medicine in the United Kingdom, settled and practiced his medical profession in Ghana after he left Europe. During the time he was in Ghana (then the Gold Coast) he was active in Ghana's independence movement before he finally moved to his home country Malawi to lead his people to achieve independence.

The Ghanaian concept of kinship is very broad and when two people marry, it is perceived as entire families, communities and ethnic groups marrying. As a result, Egyptian migrants in Ghana are perceived in many circles as kinsmen rather than foreigners. The appointment in 2012 of Alhaji Said Senare, whose mother is an Egyptian, as Ghana's ambassador to Egypt symbolically represents this relationship. In doing so, Ghana was in fact sending her son to represent her in his mother's land. The choice of Samia Nkrumah as leader of her father's political party also demonstrates the level of acceptance that she has gained within the Ghanaian society. As a matrilineal society, the Akan which constitutes, by far, the largest ethnic group in Ghana, and to which Nkrumah belonged, children do not normally inherit from their father's lineage.

The cross-cultural exchanges between Ghanaians and Egyptians are evident in several other practices, including culinary practices, tastes and the manner of

dressing. Ghanaian local dishes such as *fufu*, *kenkey* and *banku* have also become staple foods for many Egyptians living in Ghana. This was confirmed in the following interview:

The Egyptians that came here managed to live the way Ghanaians live, even though they kept their identity (CCT2)²⁴.

The adoption of Ghanaian local dishes by the Egyptians migrants could also be attributed to the intermarriages. However, this does not mean that the Egyptians have abandoned their ways. The lifestyle of the Egyptian migrants and their children born with Ghanaian spouses manifests a close knit between Ghanaian and Egyptian cultures. This is evident in name-giving, way of dressing, religious practices and social relations. For example, during a number of public appearances, Alhaji Said Senare sometimes wears the Egyptian smock to showcase this cross-cultural identity.

Conclusion

This paper examined the transnational ties between Ghana and Egypt which have been forged due to migration. In tracing the instances where North and West Africa intersect, the paper examined the kinship, political and economic ties that have developed between Ghana and Egypt since the 1950s. While the political circumstances at the time dictated the instances leading to such relationships, these connections have been perpetuated by the Egyptian community living in Ghana. In an attempt to situate where transnational kinship ties connect Ghana and Egypt, this study found that the impact of high-profile intermarriages between Ghanaians and Egyptians were at the bedrock of such relationships.

Whereas the existing literature on migrants' transnationalism is largely drawn from research based on migration experiences between the United States and South America or Asia (Iredale et al, 2003; Portes et al, 1999) and between Europe and Africa (Mazzucato, 2010) this paper shows that there is a strong transnational tie between North and West Africa as a result of the activity of migrants.

Ghana has been able to maintain long-term political, trade, cultural and social relations with Egypt because the Egyptian citizens who settled in Ghana many years ago have developed and used several forms of transnational networks to connect the two countries. The Egyptian migrants in Ghana are able run

²⁴ CCT2: Informant 2.

their businesses and trade through the transnational networks they have established between their host and origin countries. This practice has proven to be common elsewhere, as the case among Bangladeshi migrants in Japan illustrated (Rahman and Lian, 2010).

The high rate of intermarriage between the Egyptians and Ghanaians has given the former the leverage in developing a degree of economic and political power in Ghana. The informal and formal family and kinship ties (husband, wife, son, daughter, in-laws, parents, grandparents) which have developed between Ghanaians and Egyptians have had a rippling effect on the way members of the two communities and nations perceive one another. As kinsmen, these ties constitute an important resource to leverage political relationships. More so, these ties are buried in lasting relationships (the burial of Madam Fathia in Ghana symbolically represents this) and they have become important elements for the formation of a mnemonic community, that is, a community with memory of a common history, which continues to influence a great deal of Ghana-Egypt relations.

This study recommends that any discourse on migrant integration in Ghana should not overlook the complexity of transnational relations, kinship and socio-cultural ties that develop between migrants and the host society, which nurture and perpetuate long-term coexistence. The literature would be enriched by future studies that drill down more deeply to explore the construction of the Ghanaian-Egyptian identity among the second generation, that is, the children from these mixed marriages.

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Migration of Pastoralists in Africa: Reflections on Practical and Policy Implications

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Abstract

In recent years, there has been increased migration of pastoralists from countries in Central and West Africa into Nigeria. Such movements are supported by the ECOWAS Transhumance Protocol and the Nigerian Constitution respectively. The movement of pastoralists has been associated with multi-dimensional practical and policy implications. This paper reflects on the policy implications of the migration of pastoralists across and within the borders of Nigeria and presents pointers to the areas for future policy intervention and research. The paper relied on existing policies like the ECOWAS Transhumance Protocol, the Nigerian Constitution and the Open Grazing Prohibition Law enacted by the Benue State government to draw inferences about the relevance and effectiveness of such laws in Nigeria. Interviews with farmers and pastoralists were conducted in 2017 to augment the policy analysis. The paper reports that the provisions of the ECOWAS Transhumance Protocol, like the possession of the International Transhumance Certificate as a mandatory entry requirement, have not been implemented in Nigeria. In addition, the ECOWAS Transhumance Protocol acknowledges the primacy of national and local laws, which means that the validity of the Transhumance Protocol does not transcend borders. In Nigeria, the absence of specific federal laws that address pastoralism have created a vacuum that is currently being filled by the introduction of anti-open grazing laws in states like Benue. This paper calls for an increased focus on research to remove contradictions in existing laws and to identify alternative policies in addressing the migration of pastoralists in West Africa and beyond.

Keywords Cross-border transhumance, ECOWAS protocols, migration, pastoralism, pastoral conflict, pastoral policies, transhumance.

Introduction

In recent years, the rate of migration of pastoralists within and across borders has been on the increase. This massive influx of pastoralists from other countries in Africa into Nigeria and the drift of pastoralists from northern towards southern Nigeria have been associated with multi-dimensional and

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long-term practical and policy implications. Whereas the practical implications which are often visible and shape lived experiences have received significant attention in the extant literature, commensurate attention has not been accorded the policy implications of such movements. This paper therefore reflects on the policy implications of the migration of pastoralists across and within the borders of Nigeria and presents pointers to the areas for future policy intervention and research.

Migration among West African countries was originally viewed as an integrating factor capable of promoting interactions between populations within the region. Consequently, in 1978, the ECOWAS Protocol on Free Movement of Persons, Residence and Establishment was ratified by member states in advancement of the goal of regional integration. Article 2 of the Protocol on Free Movement states that “citizens of member states have the right to enter, reside and establish in the territory of other member states”. However, Article 3 (numbers 1 and 2) requires such citizens to possess valid travel documents, an international health certificate and to enter the territory of a member state through official entry points (ECOWAS, 1979). It is evident that the emphasis of this Protocol is on the movement of people. This raises a challenge concerning the regulation of other forms of mobility across the West African sub-region.

Consequently, legislation governing pastoralism began to emerge in many countries in West Africa. Dyer (2008) noted that over time, governments have sought to manage international transhumance primarily through bilateral accords, sub-regional compacts and regional agreements. Velasco-Gil and Maru (2018) further classified types of legal arrangements for trans-boundary pastoralism to include bilateral treaties, regional agreements and protocol, national legislation, local arrangements and non-binding arrangements like Memoranda of Understanding (MoUs). These policies were initiated to facilitate trans-border mobility by specifying guidelines and processes for obtaining permits for border crossings, conditions for cross-border transhumance and institutional structures governing livestock mobility. Within Africa, West Africa has the most developed set of agreements. Dyer (2008) identified some bilateral agreements reached between Mali and countries like Burkina Faso, Mauritania, Niger, Senegal and Cote d’Ivoire from 1988 to 1994. Other regional agreements also exist between Cameroon, Central African Republic, Democratic Republic of the Congo, Equatorial Guinea and Gabon on the one hand, and Benin, Burkina Faso, Cote d’Ivoire and Niger on the other.

In 1998, the regional agreements were consolidated with the introduction of the Protocol on Transhumance which was ratified by the 15 member states of the Economic Community of West African States (ECOWAS). The Protocol on Transhumance was introduced in recognition of the importance of pastoralism as a key source of animal products like meat and milk and was designed to regulate transhumance between the ECOWAS member states. The introduction of this protocol was hinged on the premise that “the development of livestock breeding is an integral part of any food security policy” (ECOWAS, 1998). Thus, it was imperative for ECOWAS to foster cooperation between member states to ensure agricultural development and to achieve food security. This goal was based on the conviction of member states that “transhumant livestock breeding was essential for safeguarding and increasing agricultural production”. Interestingly, the Protocol duly acknowledged that “transhumance is a source of health, social, environmental, economic and political problems”. One of such problems has been the incessant conflicts between itinerant pastoralists and sedentary farmers across countries in West Africa. While the Protocol makes provision for the resolution of disputes between farmers and nomadic herders through an arbitration commission or the law courts, the conflicts have continued unabated with devastating consequences across the sub-region.

With the persistent conflicts between farmers and pastoralists across West Africa, the achievement of the goal of boosting agricultural production and food security is increasingly becoming an illusion. In Nigeria, Amnesty International (2018) reports that the number of casualties in the conflicts between farmers and pastoralists has increased over time due to the government’s inability to keep the peace and arrest and prosecute the perpetrators of violence. This perceived ineptitude of the federal (central) government has led to the introduction of laws that criminalize open grazing of livestock by some states in Nigeria like Ekiti, Benue and Taraba. These ‘anti-open grazing’ laws, as they are popularly called, are perceived by some groups, especially sedentary farmers as the only panacea to the lingering conflicts between farmers and pastoralists. The nomadic herders on the other hand view these laws as a violation of their fundamental human rights as enshrined in the ECOWAS Protocol on Free Movement of Persons, Residence and Establishment, the Protocol on Transhumance and the Nigerian Constitution (Kwaja and Ademola-Adelehin, 2017; Nasir, 2018).

There have been fierce debates about the legitimacy of such laws and the implications of enforcing the laws. As researchers and policy-makers chart the

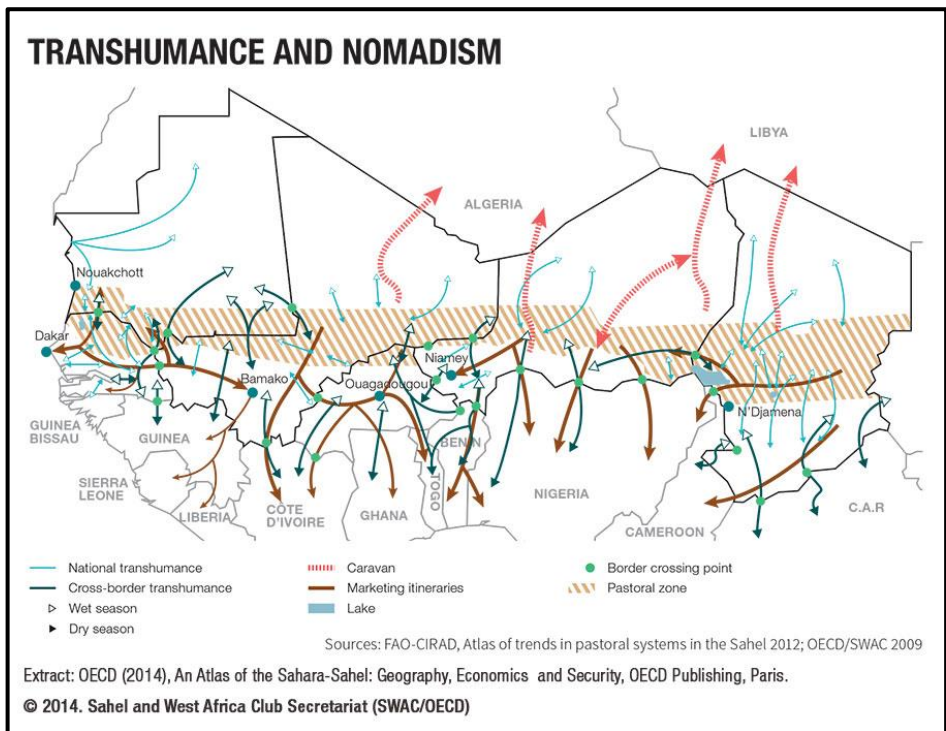
course for the future of mobility research and pastoralism in West Africa, it is imperative to examine the ways in which the available policies have shaped the migration of pastoralists and pastoralism in general and the implications going forward. Drawing on case studies from parts of Nigeria and provisions of some existing policies, this paper briefly highlights the practical implications of transhumant activities and further reviews the seemingly unintended effects of the existing policies and the alternative policies that have emerged in response to the perceived failures of extant laws in Nigeria. Specifically, the paper examines the provisions of the ECOWAS Transhumance Protocol, the Nigerian Constitution and the open grazing prohibition laws and the suitability and effectiveness of the laws. It further explores available policy response options (amend, replace, remove or add a policy) to address issues associated with the migration of pastoralists in West Africa and Nigeria in particular. This knowledge is fundamental for policy formulation and review as the Nigerian government and its regional partners grapple with the conflicts arising from the migration of pastoralists across local and international borders.

Background/Contextualization

Transhumance as an adaptation measure entails the movement of pastoralists across agro-ecological zones at various seasons in search of pasture for their livestock. It has a long history as an important source of livelihood in the Sahel and the Sudanese regions of Africa. The depletion of arable land for farming and rapid urbanization have caused the amount of land available for crop production and grazing to shrink. In addition, Tall (2018) noted that livestock density per hectare of grazing land has increased by 41% between 2006 to 2016 while forage and fodder production has significantly reduced, leading to increased cross-border transhumance. Generally, the increased rate of migration which is largely in search of pasture for livestock has been attributed to the ravaging effects of climate change. Climate change across the globe has resulted in longer periods of droughts, changes in precipitation patterns, increased heat waves and by implication, changes in plant and animal ranges. In addition to climate variability, environmental degradation and socio-political upheavals have also altered the migratory patterns of pastoralists (Aremu and Abraham, 2018; Bonneau, 2012; Burrows and Kinney, 2016; Chatty and Sternberg, 2015; Djekić, 2014; Hartmann et al, 2010). The historical migratory patterns (routes, destinations and season of movement) of pastoralists have been greatly affected by the variations in climatic conditions, increase in population, settlement expansion/urbanization and

intensity of crop production. Thus, areas that were once designated as grazing routes have been taken over by farms and settlements. Hitherto attractive destinations for pastoralists are currently experiencing adverse climatic conditions, causing the pastoralists to deflect to more favourable environments. Relatedly, seasonal migration of pastoralists which once recorded massive movements southwards during the dry season and northwards at the onset of the rains have been altered as a result of the changing climatic conditions and abrupt displacements from increased conflicts across the continent. These movements which were once temporary have become semi-permanent or even permanent in recent times (Tonah, 2006). Figure 1 below shows the migratory patterns of cross-border pastoralists within West Africa.

Figure 1: Map showing migratory patterns of cross-border pastoralists



Source: Sahel and West Africa Club (SWAC, 2018).

The resultant effect of these movements in the transit or host countries is an increase in the competition for available land resources between farmers and pastoralists, often leading to violent confrontations and conflicts. Thus, the age-long cross-border transhumance practice has come under threat of extinction since it is perceived as the source of many major conflicts in the West African sub-region. In fact, the United Nations Economic Commission for Africa (UNECA, 2017) reported that the majority of the ongoing conflicts in Central African Republic, Chad, Mali, northeast Kenya, Somalia and Sudan involve pastoralists. From Mali to South Sudan, Democratic Republic of the Congo, Burkina Faso, Ghana to Nigeria, the magnitude and intensity of violence between farmers and herders has increased significantly. In Burkina Faso, a report presented by the New Humanitarian (2012) indicated that from 2008-2012, about 55 people were killed in 4,000 recorded clashes between farmers and pastoralists. The report further showed that an estimated 600 incidences of conflicts occur each year and the number has been rising with each passing year. Similarly, Gaye (2018) reported high incidences of violent conflicts between sedentary farmers and pastoralists in Mali and Burkina Faso.

In Nigeria, historical accounts suggest that the relationship between farmers and herders was relatively cordial and mutually beneficial. This coexistence was not without low-scale skirmishes which were usually caused by the destruction of crops or the killing of cattle. In recent times, such confrontations have become more violent, involving massive casualties, destruction of settlements, infrastructure and properties, including large-scale forceful displacement of people. It also involves the use of sophisticated weapons like machine guns and AK-47 rifles. These new dimensions of the conflicts have raised questions about the origins of the 'new breed' of itinerant herders on the one hand and the support-base or criminal networks of the 'indigenous' herders on the other. The current surge in conflicts between farmers and pastoralists across West Africa is contrary to the tenets and expectations of the ECOWAS Protocols on free movement of persons and transhumance. Thus, there has been an enhanced and intentional focus on the development and improvement of policies by local, national and regional actors across West Africa to address the protracted conflicts between farmers and pastoralists.

Literature Review: overview of Interactions between Farmers and Pastoralists in Africa

While the Transhumance Protocol acknowledges the benefits of pastoralism, it is also not oblivious of the potential conflicts that may arise when two

divergent agricultural livelihoods – farming and pastoralism cross paths. However, in recent times, the negative consequences of the escalated conflicts between farmers and pastoralists seem to have inundated the benefits of pastoralism. The limited information and statistics available suggest that pastoralism contributes about 30-38% of the gross value of the agricultural commodities in Africa (UNECA, 2017). Avis, (2018) note that in 2014, a World Bank report indicated that livestock rearing contributed about 38% to the agricultural Gross Domestic Product (GDP) in 16 African countries. Among these African countries covered in the report, Djibouti had the highest contribution (90%) of livestock to agricultural GDP while in Nigeria livestock contributed about 10% to the agricultural GDP. Generally, pastoralists supply about 90% of the meat consumed in East Africa and about 60% of the meat and milk products consumed in West Africa (Avis, 2018).

On the other hand, several studies have reported on the conflicts between pastoralists and farmers or local communities in different parts of Africa and the attendant consequences. Olaniyan (2015) reported violent clashes between *Fulani* pastoralists and the Konkomba farming community, in which human lives were lost, cattle were rustled, houses were burnt and large-scale displacement of people occurred. The study also reported that some of the herders affected in the conflicts were citizens of Burkina Faso. This points to the possibility of cross-border herders being victims of the conflicts. The finding also deflates the skewed impression created by the dominant narratives that cross-border pastoralists are the sole perpetrators of conflicts in their host communities. In Tanzania, Mwamfupe (2015) observed that conflicts between farmers and pastoralists have increased in magnitude and spread. He noted further that the areas affected were historically crop producing areas; but the migration of pastoralists triggered conflicts within such areas.

These persistent conflicts between farmers and pastoralists across Africa have given rise to a number of issues including food insecurity. A report presented by the Internal Displacement Monitoring Centre (IDMC) suggests that in 2018, there were about 541,000 new displacements as a result of conflict and violence in parts of Nigeria (IDMC, 2018). Out of this number, about 200,000 persons were displaced in the middle belt region of Nigeria where the conflicts between farmers and pastoralists are rife. These conflict-induced displacements have had a significant effect on the economy, agriculture and development efforts as a whole.

Research suggests that conflicts are the main drivers of food insecurity across the world. In 2017, findings obtained from 18 countries across the world including South Sudan, Somalia, Yemen and Nigeria indicate that famine driven by conflict has given rise to increased hunger and malnutrition which has affected over 20 million people (United Nations World Food Programme, 2018). In Ghana, Antwi (2018) found that loss of access to arable farmlands, reduced crop production, labour shortages and crop destruction all had an adverse effect on food security. Similarly, Azad and Kaila (2018) conducted surveys among households in conflict regions of Nigeria including north central, north east and south-south and found that a significant percentage of the households are highly 'food insecure'. This study found that there was a link between food prices and food insecurity in all three Nigerian regions. The high cost of food in the areas affected by conflicts may not be unconnected to decreased crop production, high cost of labour and costs involved in transporting food to regions affected by conflicts. Consequently, the research concluded that armed conflicts have a detrimental effect on food security as they reduce production, increase food prices and reduce access to food.

In response to the conflicts between farmers and pastoralists, governments in African countries have individually and collectively introduced measures including the promulgation of laws. For instance, the Ghanaian state adopted a policy of expulsion which entailed the evacuation of *Fulani* herders from Ghana and the introduction of measures that prevented them from entering and conducting any business in the country (Olaniyan et al, 2015). The policy was introduced as a measure to put an end to the recurrent conflicts between farmers and pastoralists and it was applied in Agogo town in northern Ghana. These expulsions were premised on the perceived status of *Fulani* herders as 'strangers' and not originally from Ghana. The policy of expulsion contravenes the provisions of the Ghanaian Constitution which recognizes people born in the country and those who have acquired citizenship as legitimate citizens of the country (Olaniyan et al, 2015). Similarly, as a member state of ECOWAS and a signatory to the regional treaties, the policy of expulsion introduced in Ghana violated the Protocols on free movement of persons, residence and establishment and transhumance. This example highlights the contradictions in local, national and regional pacts which are capable of threatening the free movement of pastoralists within and across countries in West Africa.

The situation in East Africa is not different either. In Tanzania, the government employed strategies like the eviction of livestock and their owners from certain areas and split villages, designating specific areas for crop cultivation

and others for grazing to deal with the conflicts between farmers and pastoralists. However, Mwamfupe (2015) still identifies policy deficiencies and contradictions as a major factor contributing to the protracted conflicts. This is in line with the observations by UNOWAS (2018) that the conflicts between farmers and pastoralists are aggravated by the weak enforcement of the rule of law.

In a comprehensive analysis of the regulations governing pastoralism in Africa, Leonhardt (2017) assesses the extent to which free movement policies, legislation and practices are being applied to transhumant pastoralism in the ECOWAS region, particularly in Mali, Niger and Nigeria and the resultant effect thereof. Leonhardt (2017:13) finds that contradictory public policies are currently affecting the mobility of pastoralists. For instance, he noted that,

[...] in contrast to the Transhumance Protocol of 1998, the ECOWAS Regulation on the implementation of the Transhumance Protocol (2003) regards pastoralist transhumance not so much as a valuable economic activity but more as a relic of the past that will soon be replaced by more intensive forms of animal husbandry.

The analysis further identifies limited domestication of the ECOWAS Transhumance Protocol in member states and uneven development of the institutional structures and operational guidelines required for the implementation of the Protocols as some of the challenges faced in the regulation of cross-border transhumance. Consistent with this view, a study by the Food and Agricultural Organization (FAO) and ECOWAS (2012) outlined key challenges encountered by practitioners of cross-border transhumance to include the existence of land policies that do not take into account pastoral mobility and limited promulgation and implementation of policies, institutions, legal and regulatory frameworks regarding pastoralism. Alidou (2016) also observed that various countries have formulated and passed legislation but these have not been put into operation.

Opanike and Aduloju (2015) presented a more radical view when they asserted that the ECOWAS Protocol on Free Movement of Persons is contributing to insecurity in the West Africa sub-region. They further alleged that ECOWAS does not have adequate instituted mechanisms for monitoring cross-border movements. Thus, people who carry out nefarious activities have exploited the opportunities to their advantage. This has led to increased crime and criminality, thus abusing the privileges of the ECOWAS protocol on free movement of persons and goods. In April 2018, a high-level meeting of

Ministers in charge of Security and Agriculture/Livestock or Transhumance in West African countries and representatives of regional and international organizations held in Abuja deliberated on some of the challenges of transhumance. The challenges identified were the lack of implementation of existing pastoral and transhumance laws, political manipulation and the proliferation of weapons in the region. The meeting therefore proffered some recommendations which include: the audit of the non-implementation of the existing regulatory framework relating to transhumance; the control of the proliferation of small arms; the review and update of the existing regional regulatory frameworks relating to transhumance and the international transhumance certificate considering current realities; the harmonization and implementation of national legislation in compliance with ECOWAS laws on transhumance and small arms control; and the review of the existing transhumance routes. It is too early at this point to ascertain the progress made by the participating countries on the implementation of the aforementioned recommendations.

The meeting further agreed that herder-farmer conflicts are a regional issue that requires a regional approach as it affects human, economic, national and regional security. The preceding discussions and the recommendations proffered by the high-level panel suggest that the non-implementation of policy frameworks and the contradictions in the regional, national and local laws are major impediments to the regulation of pastoralism and its attendant consequences. Thus, adequate attention needs to be given to the policies that regulate pastoralism within and across countries, to harness the benefits of the practice and mitigate its adverse effects.

Methodology

This study adopted a combination of policy analysis and fieldwork in selected states in Nigeria. Existing policies like the ECOWAS Protocol on Transhumance (1998), the Constitution of the Federal Republic of Nigeria (1999) and other local laws were examined. This was necessary because these laws stipulate the conditions for the migration of pastoralists and are at the centre of the quest for a lasting solution to the conflicts between farmers and pastoralists in Nigeria. Information from the fieldwork was used to complement the policy analysis. The fieldwork covered three states in Nigeria namely Benue, Plateau and Adamawa, where the conflicts between farmers and pastoralists were prevalent. Benue and Plateau states are located in the central part of Nigeria while Adamawa State is situated in north-east Nigeria.

Semi-structured interviews with farmers and pastoralists were used. Interviews were conducted between August and November 2017. The interviews sought to elicit information on the nature of the conflicts, the drivers of the conflicts from the perspective of those directly affected and the efficacy of existing policies in dousing the tensions between the two groups. The views of farmers and pastoralists were important to confirm or dispute the claims relating to the emergence and role of new actors in the conflicts between farmers and pastoralists. The qualitative data generated through the interviews was analyzed according to dominant themes. The provisions of the ECOWAS Transhumance Protocol were outlined and examined to address pertinent issues and questions relating to effectiveness (how well a policy works), evaluation of alternatives (how good the policy is compared to other approaches) and the establishment of recommendations for positive change (is it better to amend, replace, remove or add a policy?) In addition, the provisions of related legal instruments like the Nigerian Constitution and the Anti-open grazing laws were reviewed.

Discussion

While the ECOWAS Protocol on Free Movement of Persons and Goods and the Protocol on Transhumance aim to promote regional integration and boost agricultural production respectively, the policies have contributed to trans-border crime and insecurity in Nigeria, thereby producing counter-productive results. The situation is worsened by the uncontrolled and porous borders across Nigeria. Cross-border transhumance has been associated with exacerbated conflicts between farmers and pastoralists, the emergence of new actors and the proliferation of small arms and ammunition. These have compounded and changed the dynamics of farmer-herder conflicts across West Africa. The widespread displacement of people, destruction of homes and infrastructure, loss of lives, disruption of livelihoods and diminishing labour force are currently affecting the socio-economic development of states like Benue, Plateau and Adamawa. The conflicts have long-term effects on food security, access to education and other aspects of development. The International Crisis Group (2018) found that the disruption caused by conflicts between farmers and herders in Benue, Nasarawa and Taraba states in Nigeria have led to an estimated 33-65% reduction in farming activities and food production. Relatedly, officials of Benue and Plateau states reported that about 60% of displaced persons were children of school-going age. This implies that such children have been deprived of access to formal and non-formal basic education. The cumulative effect is an increase in poverty, inequality and

underdevelopment in the affected states. These negative effects of the migration of pastoralists across and within borders have elicited debates on the place of itinerant herders in contemporary African society.

Policy Implications: Provisions of the ECOWAS Transhumance Protocol

Several aspects of the Transhumance Protocol are of particular interest in this paper. Article 3 allows for free movement across the borders of all member states upon the satisfaction of stipulated conditions. These conditions include the possession of the ECOWAS International Transhumance Certificate (ITC). The reason for the introduction of the transhumance certificate was to document the movement of cross-border pastoralists. This documentation enables the tracking of pastoral movements and provides information to the host communities on the arrival of transhumant animals. The certificate basically contains the itinerary of the herders, the border posts to be crossed and the final destination of the pastoralists. Article 7 stipulates that transhumance herds shall follow the routes defined by member states in accordance with the itinerary indicated on the ECOWAS ITC. In the event of any contraventions, Article 13 makes provision for the apprehension of stray animals by the relevant authorities without prejudice to the application of sanctions against their owner or herdsmen as provided for by laws applicable in cases of stray animals in the member states concerned. Articles 14 and 15 address issues relating to the period during which migrating livestock may enter into and depart from host territories and the responsibility of states in defining the areas where transhumant animals may be stocked and the maximum capacity of each holding zone. The Protocol further demands that accompanying herdsmen must pen up their herd in the zone assigned by officials at the point of entry. While it appears that the proponents of the transhumance Protocol foresaw the likelihood of conflicts between pastoralists and host communities and laid down seemingly adequate measures to prevent the occurrences of such, persistent conflicts between the two groups suggest that either the Protocol is inefficient or enforcement and adherence have been lacking.

Article 16 requires herders to observe all laws and regulations of the host country, particularly those concerning the conservation of forest reserves, forest resources and the management of watering points and pastoral land. Interestingly, the transhumance Protocol in both Articles 13 and 16 acknowledges the extant laws in member states and does not in any way assume overarching authority in the regulation of transhumant activities in

the member states. However, the attempts by some state governments in Nigeria to introduce and enforce laws to abate the conflicts have often met stiff resistance, with the majority of those opposing such laws making reference to the contradictions between local laws and the ECOWAS Transhumance Protocol. Even though the Nigerian government was a signatory to the ECOWAS Transhumance Protocol, little or no effort has been made in domesticating and implementing the provisions of the Protocol. For instance, cross-border pastoralists migrate into the country unchecked and without the required International Transhumance Certificate which is supposed to show their itinerary and certify their livestock fit for passage. Another contradictory dimension could be the relevance of the ECOWAS Transhumance Protocol in the member states. If the provisions of the Protocol suggest that national and local laws of member states supersede the Protocol, then of what use is the Protocol in regulating cross-border transhumance besides the issuance of the International Transhumance Certificate?

Policy implications: Perspectives of Farmers and Pastoralists in Nigeria

Through semi-structured interviews with farmers and pastoralists in parts of Nigeria, it was gathered that there is a link between the escalation of conflicts and the emergence of new actors. The farmers and pastoralists interviewed referred to these new conflict actors as ‘a new breed’ of pastoralists originating from other countries in Africa. Some of the respondents traced the origin of the pastoralists to Central African Republic and Libya. They alleged that these pastoralists who had been displaced by conflicts in their original areas of habitation brought along sophisticated weapons which are used in the conflicts between farmers and pastoralists in Nigeria. According to the members of farming communities in Benue, Plateau and Adamawa states, the major differences between the new and old pastoralists are that the former carry weapons such as guns as they move with their livestock and they are unable speak the Hausa language while the latter carry sticks and often communicate in other Nigerian languages such as Hausa. Some excerpts from the interviews show the views of respondents on the migration of pastoralists in Nigeria:

The new herders with guns from Mali, Libya and Central African Republic where there are ongoing conflicts move freely into Nigeria. They are received by the indigenous herders residing in northern Nigeria. As unfavourable conditions such as drought and desert encroachment worsen in northern Nigeria, they drift southwards

towards central Nigeria. Conflicts arise when their cattle destroy farmers' crops or when the farmers steal or kill their cattle (interview with a community leader, Plateau State).

Similarly, interviews with community leaders and the *Fulani ardos* in Adamawa state revealed that the conflicts between farmers and pastoralists are driven by the influx of a 'new breed' of herders. These 'new breeds of herders' were referred to as *Fulani daji* (literally translated as 'bush *Fulani*') in a bid to distinguish 'legitimate' herders (*Fulani gida*), who are inhabitants of the local communities, from the unrecognized itinerant herders who are new entrants. These itinerant herders allegedly migrated from countries such as Mali, Niger and Chad. In Adamawa State, a traditional ruler in Yola South Local Government gave a brief historical account thus:

The Fulani gida pastoralists lived with the Bachama ethnic group peacefully before the arrival of the foreign itinerant herders (Fulani daji). The Fulani daji caused the conflicts from the beginning. They killed members of the other ethnic groups in the state. After igniting the violence, they moved on, leaving behind tensions between the other ethnic groups and the Fulani gida. The other ethnic groups then turned on the Fulani gida claiming that they were co-conspirators of the Fulani daji. This led to the escalation of the conflicts between the other ethnic groups which are predominantly farmers and the Fulani gida who are pastoralists. Though the government was aware that the initial perpetrators of the violence were migrant herders, no action was taken to address the issue (interview with a traditional ruler in Yola South, Adamawa State).

The views on the influx of a supposedly different group of herders were corroborated by respondents in Benue state. In providing the distinction between the 'old' and 'new' types of pastoralists, a traditional ruler said:

In those days, Fulani herders sought permission from local traditional rulers before settling temporarily in a community. That way, it was easy to hold the herders accountable in the event of crop destruction by cattle. Recently, the 'new type' of herders arrive in our communities without prior notice, thus violating the mutual arrangements we had with the old Fulani herders (interview with a traditional ruler in Benue state).

In Benue, Adamawa and Plateau states, it was reported that the emergence of these foreign itinerant herders has led to more violent and brutal killings, the

use of sophisticated weapons such as AK-47 guns and midnight attacks that leave no trace of the attackers by daybreak. Besides the identification of the new or foreign pastoralists by their inability to communicate in an indigenous Nigerian language, there exists little or no substantial evidence to prove the actual identities of these invaders. Despite the protracted nature of the conflicts, no foreign itinerant pastoralist has been arrested or prosecuted. However, these narratives of the identities of the invaders have also been propagated by the Nigerian President and the Military Security Chiefs who alleged that the violence between farmers and pastoralists is perpetrated by 'mercenaries' who have received training in Libya. In spite of these allegations and subtle admission of a possible security breach, little or nothing has been done to control the entrance of pastoralists into Nigeria. In addition, no effort has been made to enforce the pre-conditions for admission into ECOWAS member states as stipulated by the Transhumance Protocol. Failure to enforce the terms and conditions outlined in the Transhumance Protocol like the issuance of International Transhumance Certificates endorsed by competent authorities in pastoralists' countries of origin, has resulted in the uncontrolled influx of pastoralists from different parts of Africa into Nigeria.

The traditional ruler in Yola South, Adamawa State opined that the Nigerian government must be held accountable for the unregulated movements of pastoralists within and across local and international borders. He stated:

The government needs to address these questions: how did the pastoralists come here? Where did they come from? What is their reason for moving? How do they manage to traverse the country without the intervention of law enforcement agencies? Why are permits not issued by government agencies at the border crossing? ...The nomads come in as if there are no rules or laws governing their movements. Why won't the government enforce the laws which relate to migration of pastoralists and if there is none, why can't the government enact such laws? (Interview with a traditional ruler in Yola South, Adamawa State).

Adamawa state is on the Nigerian border with Cameroon. The traditional ruler compared the experiences of pastoralists attempting to cross over to Cameroon with what is obtainable in Nigeria:

I have five different shepherds nurturing five different herds of cattle. If any of my shepherds intend crossing the border into Cameroon, there is always a border security personnel who will first ask questions like, where are you from? Where are you going to? Are your cows healthy? In

fact, there are veterinarians stationed at the border to check the health condition of the cows before livestock are granted entry into Cameroon. You also have to tell them your name, present your passport to them or any Nigerian identity card which bears your name. After all the security checks, the security personnel leads the pastoralist to the village head for proper introduction. The village head then allocates a space for the pastoralist and his livestock. That way, they are able to monitor incoming pastoralists effectively. The Nigerian government needs to enforce the issuance of resident permits to all itinerant pastoralists who come into the country through the borders and even for those traversing internal borders. The permits can serve as evidence that the holder is moving under the authority of the government. They can achieve that by manning the borders with credible security personnel. If these measures are implemented, the conflicts between farmers and pastoralists will be reduced if not eradicated (interview with a traditional ruler in Yola South, Adamawa State).

Two key issues can be identified from the preceding discussion. First, it is evident that the provisions of the ECOWAS Transhumance Protocol have not been implemented in Nigeria. Thus, pastoralists have unfettered access into the country. Secondly, the ECOWAS Transhumance Protocol acknowledges the primacy of national and local laws, which means that the validity of the Transhumance Protocol does not transcend borders. This further implies that the guidelines of the ECOWAS Transhumance Protocol can be adhered to at the international boundary crossing points but whatever happens after the pastoralists get into the transit or host territory, is to be determined by the laws of that country. So, what do the national and local laws say about the movement of pastoralists within internal borders?

Provisions of National and Local Laws in Nigeria

The major legal documents within Nigeria that are referenced in the discourse relating to pastoralism are the Constitution of the Federal Republic of Nigeria (1999) and the laws prohibiting open grazing of livestock (as is applicable in Ekiti, Benue and Taraba states) or criminalizing cattle rustling (as is the case in Katsina state).

The Nigerian Constitution (1999)

Chapter 4 of the Nigerian Constitution (1999) as amended describes components of fundamental rights to include the right to freedom of

movement. Specifically, section 41 states that every citizen of Nigeria is entitled to move freely throughout Nigeria and to reside in any part thereof, and no citizen of Nigeria shall be expelled from Nigeria or refused entry thereby or exit therefrom. The Nigerian Constitution of 1999 as amended does not specifically address pastoral mobility but permits the free movement and settlement of people wherever they choose to. Even though the freedom of movement and residence is accorded to human beings, livestock are an integral part of the people's livelihoods and therefore share in the privileges accorded their owners. This freedom to reside wherever one desires has been classified as a fundamental human right of all citizens and rightly so. However, such laws do not define the boundaries of one's freedom of movement and residence and are silent on issues that may arise when one's freedom of movement and residence impinges on another's right to life and sustenance. These lapses in the Constitution and the absence of specific federal laws that address pastoralism have created a vacuum that is currently being filled by the introduction of laws in some states across Nigeria.

The Open-grazing Prohibition Law

The recent trend in Nigeria is the enactment of the Open-grazing Prohibition and Ranches Establishment Act in some of the states plagued by violent conflicts between farmers and pastoralists. According to the Governors of the states where laws have been introduced to criminalize open-grazing of animals including cattle, the laws became necessary to minimize the conflicts between the two groups. This became imperative especially in the face of perceived inaction from the Federal Government of Nigeria. However, the introduction of the laws have been faced by stiff resistance from various stakeholders including the President of Nigeria, the Chief of Defence Staff, the former Inspector-General of Police and members of the socio-cultural group representing all *Fulani* pastoralists in the country, the Miyetti Allah Cattle Breeders' Association of Nigeria (MACBAN).

In Nigeria, states determine what is permissible on the land within their territory/borders. Similarly, the states also have the legal mandate to enact laws that prohibit certain practices and spell out punitive measures for the offenders. These powers have been vested in state governors by the Land Use Act of 1978 (Federal Republic of Nigeria, 1978). According to the Land use Act of 1978, all lands within the boundaries of a state are under the control of the state and are administered under the authority of the State Governor. Consequently, Nigerian states are at liberty to make laws on how land will be

used within their areas of jurisdiction. Even the federal government has to acquire land from state governments for the execution of projects in states under the terms and conditions stipulated by the state. It is safe to say that the local laws governing the administration and access or use of land supersede any federal or regional law.

Acting within its legal authority, the Benue State government promulgated the Open Grazing Prohibition and Ranches Establishment Law in May 2017 (Benue State government, 2017). However, the implementation of the law was delayed for about six months. The law sets the conditions under which livestock rearing can be done within the state. The law, which is popularly called the Anti-open Grazing Law, came into effect in November 2017. The law aims to abolish the current practice of pastoralism by prohibiting the free movement of animals within the state except by road or rail. The law further advocates for ranching as the 'best practice' for livestock rearing. According to the law, pastoralists and other interested parties are to lease land from the government for the establishment of ranches. The lease permit issued for such land is to be renewed annually. The law further stipulates penalties for defaulters including a jail term of a minimum of five years, or a fine of one million Naira (equivalent of \$3,000).

It is pertinent to note that proposing changes to the lifestyle of a group of people should be a long-term measure: to allow the pastoralists who wish to conform to the government's proposal to adjust mentally to the sedentary lifestyle; to enable the pastoralists to do away with the local breeds and acquire breeds of cattle that are suitable for ranching; and to enable the government to set in place mechanisms for the successful establishment of ranches. In Benue state, the implementation of the law commenced about 5 months after it was signed by the governor – a very short period for interested pastoralists to establish ranches and take the steps towards a sedentary lifestyle. Figure 2 below shows a billboard erected by the Benue State government providing information on the Anti-open Grazing Law.



Figure 2: A billboard providing information on the Anti-open Grazing Law in Benue State, Nigeria

Photo Credit: Linus Unah (2018).

The introduction of the Anti-open Grazing Law has consequently stirred up debates about its legitimacy on the one hand, and on the other hand, highlights deviations from the ECOWAS Protocols on Free Movement and Transhumance and the Nigerian Constitution. The representatives of pastoralists in Nigeria operating as the Miyetti Allah Cattle Breeders' Association (MACBAN) have argued that the provisions of the law trample on their fundamental constitutional rights to free movement and residence in any part of Nigeria. In a bid to seek justice, the Miyetti Allah Kautal Hore instituted a law suit against the Benue State government, pointing out the contradictions between the Anti-open Grazing Law and the provisions of the Constitution of Nigeria as the major issue of contention. The suit was dismissed by the Federal High Court, Abuja. On the other hand, the Benue State government has defended its Anti-open Grazing Law, claiming that the constitutional rights to freedom of movement and residence apply only to humans and not to animals. Another line of argument has been on the issue of whose rights are more legitimate,

especially in a state like Benue where a significant percentage of the population are rural crop farmers. Thus, members of farming communities have argued that freedom of movement and residence is not an exclusive right for pastoralists, but that such freedom of residence ought to be enjoyed by farmers as they engage in their livelihood practices.

Shortly after the commencement of the implementation of the law in Benue State, more than 70 people lost their lives in attacks by suspected *Fulani* militia on 1 January 2018. Nigeria's security chiefs attributed the violent attacks to the introduction of the Anti-open Grazing Law in the state. The arguments presented for the attacks were that the aggrieved pastoralists reacted against an oppressive law. This narrative seemed to suggest that the killings were justifiable. However, it can be argued that local laws such as the Anti-open Grazing Law are filling a void created by the non-implementation of the stipulated conditions for legitimate transhumant activities or the absence of deliberate policies on pastoralism in the country. In addition, states like Benue could be responding to the conflicts in the face of daunting frustration by the non-commitment of the Federal Government of Nigeria to deploy strategies to effectively manage the conflicts.

Conclusion and Recommendation

The Economic Community of West African States (ECOWAS) Protocol on Transhumance enacted in 1998, though borne out of good intentions, has limited applicability in the transit and host countries because national and local laws supersede the regional Protocol. The preceding discussions show that there is weak enforcement of the provisions of the Transhumance Protocol especially along Nigerian borders. In addition, the regional, national and local laws are not aligned to provide a harmonized policy for the migration of pastoralists in West Africa. This legal imbroglio that has arisen from the existence of contradictory policies and inherent ambiguities in the national laws, needs to be addressed for pastoralism to thrive. Policy-related issues that require attention include, the undocumented movement of pastoralists across internal and international borders; unpacking the notion and implications of 'free movement' across internal and international borders to ensure fairness to all; and the development of institutions and mechanisms to specifically address issues associated with the migration of pastoralists. There is also a need to find a compromise between national laws and local laws to address the contradictory issues. Focus should be placed on research to find ways of reaching this compromise and to identify the alternative policies that

may be useful in addressing the migration of pastoralists in West Africa and beyond.

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