Bioinsecurity and Vulnerability

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Don't Let the Lion Tell the Giraffe's Story

Law, Violence, and Ontological Insecurities in Ghana

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All those hands armed with cutlasses or axes find their nationality in the implacable struggle which opposes socialism and capitalism.

—Frantz Fanon, The Wretched of the Earth

The World Bank's 2013 overview of Ghana—the lion's story—states:

Ghana progressed from forty-first to thirtieth position out of 179 countries and third in Africa on press freedom according to the "Reporters Without Borders" 2013 Press Freedom Index report. The 2011 report of the World Wide Governance Indicators places Ghana between the fiftieth and seventy-fifth percentile on political stability, government effectiveness, and regulatory quality, rule of law, control of corruption and voice and accountability. This performance reflects the positive effects of an improving environment for democratic governance, coupled with a gradual improvement in the effectiveness of public institutions and persistent economic growth, resulting in Ghana attaining a lower middle-income status.¹

The report then turns to Ghana's economic indicators as if the effectiveness of governance is unmistakably related to the growth of foreign direct investment and liberal economic reforms. Finally, the conclusion of the report, ambiguous at best, draws attention to significant gaps and contradictions in the indicators:
The government has reiterated its commitment to reverse the cyclical fiscal slippages associated with election years in Ghana. However, a number of challenges continue to persist, mainly in the areas of quality and timeliness of statistical data, relatively weak country systems to deliver aid, non-functional domestic accountability systems to prevent corruption and election year expenditures. The authors never venture beyond their statistical data in order to assess whether fiscal slippages during election years suggest free market failure and democratic success or free market success and democratic failure. To do so would challenge the basic premise of their coding, which treats democracy and free market capitalism as essentially one and the same.

Since the collapse of the Soviet Union or, more importantly, the disappearance of a counterdiscourse to American exceptionalism, claims by international policy experts that democracy, free market capitalism, and state security are co-constitutive have largely gone unchecked. The presumption that where there is free market capitalism, there is democracy and state security is embedded in global indicators used to mobilize or restrict a country’s access to markets and aid. Initially used in business, these statistical approaches to ranking countries for purposes of decision making are now being used by the aid regime and human rights organizations to assess everything from quality of life to levels of state corruption to resiliency (Strathern 2000; Watts, chapter 8). Legal scholar Sally Merry (2011:885) notes, “In the area of global governance, an increasing reliance on indicators tends to locate decision making in the global North where indicators are typically designed and labeled.”

Although there is much to critique with respect to how the data are produced, in this chapter, I focus on the impact these rankings have on what Nancy Chen (chapter 5) describes as the mobilization of people and resources based on narratives about economic and political freedom. I argue that these rankings constitute narratives in the sense that they are statistical representations of what Richard Rorty (1989) might describe as historically contingent vocabularies and therefore are provisional methods of knowledge production. Built on narratives of human progress, global indexes are informed by political theories such as Walt Rostow’s (1960) stages of economic growth and are entangled in Western imperialist projects that confuse the economic and political interests of the United States and Europe with “evidence-based” development (Rist 2002). Missing from this overview is an assessment of the local insecurities and violence that continue to grow as Ghana scrambles up various lists of global indicators (Throup 2011). Abdul-Gafaru Abdulai (2009:22) notes in his working paper on the political context of contemporary Ghana, “The donor-dependent nature of the Ghanaian economy provides the country’s so-called development partners with significant policy leverage, and raises questions as to the extent to which Ghana can claim ‘ownership’ over its economic policy choices.... [A] prerequisite for fostering ownership is the capacity of the state to formulate and finance the implementation, monitoring and evaluation of its policies.” Importantly, increasing levels of insecurity can be traced to the ways in which indexes mobilize resources and people to essentially work against their own political interests in the name of some indeterminate economic freedom (Marx 1978; Whitfield 2005).

Rather than simply being useful to think with, these global indicators are having real effects on local security. Ghana has received loans, aid, and foreign direct investment based on its rankings. However, ranking a state high or low on a democracy index based on elections alone, for example, often obscures how political interests are actually negotiated in seemingly nonpolitical arenas, including kinship, cultural markers of status, and nonmonetized forms of exchange (Hasty 2005; Maurer 2005). Similarly, celebrating a state’s support for free market capitalism ignores the fact that corporate power and business interests often operate against the political interests of the demos, as can be seen in the chapters in this volume by Caton (6), Chen (5), and Stone (4).

Regardless of how poorly the large conceptual categories relate to actual lived experience, to be ranked well on the Financial Times and Stock Exchange development index, the Democracy Index, the Index of Economic Freedom, or countless other indicators opens possibilities otherwise closed. Designating a “developing country” as more rather than less democratic or as more rather than less supportive of free market practices opens the door to an infusion of investments and donor aid that can be profoundly destabilizing. From the alienation of family land to the use of foreign capital to control political discourses and practices—a neocolonialist form of indirect rule—these indicators are producing local forms of biosecurity by shielding foreign businesses and donor organizations from having to evaluate for themselves whether an election actually means that people’s political interests are represented at the state and local levels or whether structural adjustments actually democratize the economy. Through ethnographic research, contributors to this volume have found that decisions to invest in or fund, for example, water projects, sustainable development, militarization, or new biotechnology have very little to do with...
with protecting people's political and social interests (Caton, chapter 6, Sharp, chapter 3, Vine, chapter 2, and Watts, chapter 8).

My example is Oshiyie, a fishing village on the outskirts of Accra, which is the capital of Ghana. Since Ghana's 2000 elections, when power transferred peacefully from one political party to another, the state has been celebrated as a stable democracy (Chalfin 2008; Gyimah-Boadi 2001). Now, this former British colony in West Africa has been designated a middle-income state by powerful international agencies like the World Bank. The celebration of Ghana has helped to attract foreign capital and enabled the government to secure loans, but the lion's story of Ghana's economic emergence and stability has more to do with its willingness to be "the best student of the IMF and World Bank" (a saying among West Africans) than with everyday forms of biosecurity, or assessments of emergent risks to human health and well-being (Mascio, chapter 1). Country indicators of suicide, homicide, terrorism, and crime, for example, have almost no relationship to indexes of democracy and freedom. Rather, indicators of governance and the subsequent monetized forms of intervention, such as structural adjustments or austerity, often lead to social disruptions that threaten lives. In this chapter, I trace local insecurities in Oshiyie, Ghana, to growing inequities related to foreign interventions and the resulting contests over land. I also describe how the community tried to reconcile competing state and local interests through law, ontologies, and violence.

THE STAKES

The community violence started around three in the afternoon in Oshiyie, a fishing village on the western edge of greater Accra. At the time, the elders were at a District Assembly meeting, working on the final negotiations to bring back a faction that had rejected the legitimacy of Chief Afadi Annoh IV. For more than twelve hours, a group of forty or so men used machetes, gasoline, and rocks to inflict damage on people, houses, and cars. In the previous ten years, this village of about fifteen hundred had witnessed four such violent eruptions, and each time, the community did what it could to repair the damage through reconciliation and reparations, but to no avail. In 2008, the economic stakes in Ghana were simply too high.

Community violence is extremely personal, and the incident in Oshiyie was no different. Knowing that the elders and chief were away at a meeting, the faction of young men gathered at the west end of the village and split into three groups. The first group headed for the cinderblock and mud brick houses crowded together along the beach. The second group targeted businesses along the only paved road that runs from Accra to the resort town of Kokrobite. The third group snuck in from the bush behind the houses on the hill.

The men were armed with machetes, guns, sledgehammers, and gasoline and matches. The first target was the mankralo's cinderblock and stucco house on the hill. The mankralo, who is one of the closest advisers to the chief, is by definition a supporter of the Amoah faction. From the appearance of the destruction around his house after the incident, it seemed as though the men were unsure at first about what type of symbolic violence to commit. One of the mankralo's burgundy couches was removed from the house, as if theft was considered. The couch was then dropped a distance from the house and scorched in what appeared to be a futile attempt to set it on fire. The remaining contents of the house were then bathed in gasoline before being set ablaze. The damage in this case was thorough. Next to the mankralo's house, his new one-room rentals were also targeted. The contents of each unit were picked through before the young men smashed holes in the corrugated tin roofs with boulders. They then methodically sledgehammered the decorative cement honeycomb on the small front porches.

While the hillside team continued to exact revenge on homes near the mankralo's compound, the men responsible for disrupting the street tossed over the wooden food stands; these are typically owned by women who sell homemade food to hungry passersby. The food stands are simple wooden structures awkwardly capped with tin to protect the food from rain and sun. One woman whose corn-roasting stand was knocked over used her earnings to send her three children to the New Life Academy, a rigorous Christian school that teaches preschoolers to read. Another vendor, Gyin, had recently moved to Oshiyie with her husband because it was a place they could afford. They had already purchased a plot of land (about a quarter of an acre) and were hoping to pay off their debt so that they could start building a home and church.

At the east end of the hamlet, the men on the street decided that it was time to use gasoline. Around 4:30 in the afternoon, three cars parked in a shed near the new chief's palace were burned. About an hour later, a man not from Oshiyie, coming to take his sick mother to the doctor, had his car torched. In the same vicinity, a number of businesses owned by supporters of the current chief were burned, two literally to the ground. Meanwhile, the young men responsible for the beach vandalized the homes of the elders and community leaders, using machetes, sledgehammers, and fire.

The violence could almost have been called systematic, except that the forty to fifty mostly young, undereducated, and underemployed men clearly lost their focus. As they swept through the village, anything in their
way was treated as fair game. After several ineffective attempts by the police to stop the violence, the disaffected men became emboldened.

For more than twelve hours, the police and the wrecking crew played a game of cat and mouse. The police would come, the men would scurry into the bush, the police would leave, and the men would return to do more damage. In response to my question about why the police did not treat the incident simply as violence that needed to be contained, the Kokrobite police sergeant said that the response was weak because it was a chief’s duty to act. In other words, community sovereignty meant community responsibility.

The night of violence in Oshiyie was meant to delegitimatize the leaders responsible for the recent distribution and development of community land. Like many communities in sub-Saharan Africa, an exploring international speculative real estate market had altered the economic potential of the land, and in the early 2000s, investors recognized the value of Oshiyie as a tourist destination. Within ten years, almost all the available land was sold. The fact that many of the residents who sold their land lacked the education to understand the rights they were signing away, or the global scale of this lucrative market, meant that these transactions were essentially coercive. Many sold their land for what some in the community jokingly called "poverty remediation." A better description would be desperation. In Oshiyie, where I have spent six years building a high school, the Pan African Global Academy, and studying the impact of the school on the community, the sale of much of the land to wealthy foreigners and rich Ghanaians has produced forms of insecurity that sometimes manifest in violence.

The visible disparities are the most distressing to my high school students. Large estates, houses larger than 2,500 square feet, dot the hill, but the descendants of the founders of Oshiyie continue to live in tiny cinderblock homes by the seaside. In response to these inequalities, the students have formed a youth committee charged with repairing the damage caused by their elders’ land transactions. I do not want my students to try to rewrite the past through violence in the present, but instead find ways to anticipate the future and to design sustainable interventions. I told Samuel, one of the youth leaders, that changing systems and laws takes time but the law has the capacity to mitigate the growing income and resource divide.

In order to even participate in the discussions, however, it is critical for my students to understand the historical lineages and ontological claims that have credibility but are nevertheless open to negotiation. These ontologies provide the conceptual scaffolds upon which new logics can be built (Strathern 1992).

Even as I counsel against violence, I also recognize that it has been a response to frustration and a sense of disempowerment on the part of the young. Violence is often thought of as endemic to sub-Saharan Africa, but it is more accurate to say that violence is endemic in places where there is tremendous social inequality and uncertainty about the existing rules and systems. When I spoke with Jacob, an advocate for the chief of Oshiyie, just months after the violence, he argued that going through the courts would not lead to justice. Justice, he said, would go to those who paid the judges and police the most. Jacob’s opinion was validated in 2010 when the fact that had come with gasoline and machetes in 2008 had the police indiscriminately arrest fourteen men for the murder of one of their supporters during the night of violence. A police van arrived in Oshiyie, and one man was given permission to identify any man on the street and finger him for arrest. I was told that during the police raid, men ran up the hill to hide. Just to give a sense of the randomness of this symbolic exercise—one of the men arrested was schizophrenic and spent his days talking to himself. It took thirteen months to release the fourteen from a prison without toilets and where as many as fifty men share a single cell. The arrests were another act of community violence and contributed to more community insecurity.

LOCAL INSECURITY

In the case of war, two adages speak to contests over truth: “History is written by the winners” and the Nigerian proverb “Don’t let the lion tell the giraffe’s story.” But what about in Ghana, where different kingdoms share a nation-state? Which group’s history matters at the state level? Whose needs take priority when it comes to development and security? Which group should be given opportunities that others are not? With respect to land in Ghana, these questions are critical, given that utilitarian economic theories, the foundation of neoliberalism, equate free markets with free subjects.

The evolutionary theory of property rights tends to downplay political and power relations, and the extent to which dominant policies shape land relations. An effect of the policy discourse on transforming land relations is to present the interventions that dominant policy interests seek to initiate as natural, and as an integral part of the next stage in evolutionary development. This tends to present the story of those able to secure and alienate land in collusion with dominant political interests and policies, while it neglects the perspectives of the losers and their disillusionment with the contemporary world. (Amahor 2010:104)
The relationship between land rights and biosecurity is so critical that the subject's absence from biosecurity discourses is both troubling and fascinating. I would argue that it is missing because to introduce land into global discussions about biosecurity is to invite critique of the most sacred tenet of capitalism: private property (Polanyi 1944). The violence in Oshiyie is only one example of disruptions taking place all over the world as the logic of private property is increasingly used to justify the alienation of land from the poor (Schoneveld, German, and Nutakor 2011). In a 2009 report by the Oakland Institute, the authors argue that insecurities produced by land grabs pose a greater threat to food systems than terrorism does. Most notably, vast tracts of land have been purchased by hedge funds competing for the cut flowers and biofuels markets, and in China, rural families are being relocated to cities in a state urbanization project of unprecedented scale (Borras and Franco 2012).

Given that wars are largely fought over land, land alienation could easily be characterized as the twenty-first century's undeclared war on the poor. What makes it unique from land alienation in the past is that it is now done in the name of rationalizing property rights, increasing productivity, and expanding economic opportunity. Land alienation, in other words, is coded in country indicators as a good thing, another rung up the ladder toward developed status, but the indicators simultaneously obscure the social impact of this alienation. In Oshiyie, people who do not consider their new landlessness a thing to celebrate are fighting to reappropriate their land through what the anthropologist Carola Lentz (2013:4) describes as an "oral land registry"—the giraffe's tale—and, when that does not work, through violence.

The institutionalization of land reform policies is a complex, sometimes brutal, but absolutely necessary part of statecraft. The Zimbabwe land reform that began in 2000, for example, drew international condemnation for the sometimes violent seizure of white-owned farms. For years, the country endured economic sanctions and tremendous uncertainty, but by 2012, the redistribution of land to black Zimbabweans was hailed for enlarging the black middle class. Unfortunately, contemporary approaches to land policy in sub-Saharan Africa have been dominated by economic liberalization theories that see land policy as a means to generate larger export markets (Mojo 2000). What these market-based approaches fail to appreciate is that the legitimacy of any land policy is not based on the quality of the macroeconomic statistical data alone. Gross domestic product is meaningless as an indicator of economic stability if 80 percent of the country lives in poverty. Instead, the legitimacy of land usage is read through history and through changing understandings of distributive justice.

In order to understand the current insecurities, it is essential to return to 1957 when Ghana, formerly the Gold Coast, became the first sub-Saharan African country to gain independence from colonialism. Ghana's postcolonial land insecurity can be traced to the periods before and after independence as ethnic constituencies increasingly refused to back President Kwame Nkrumah's Pan-Africanist policies. Ghanaian leaders were united in their desire for sovereignty, but even before the elected assembly passed a motion demanding independence from Britain in 1956, political divisions along ethnic or regional lines had formed. Echoes of these unresolved debates are audible in the continuing legal struggle to integrate local and national understandings of authority, sovereignty, and legitimacy (Rathbone 2000).

Nkrumah's biggest intellectual failing was his inability to understand the role that local leadership could have played in stabilizing the nation post-independence (Rathbone 2000). Nkrumah's brand of African socialism imagined a centralized state united by national economic interests and run by highly trained technocrats (Amamoo 2008). And he certainly was not the first socialist unable to fully appreciate that national and local interests are often at odds. An inability to understand the governing rationale behind checks and balances seems to be a consistent failing of most postcolonial leaders (Mennini 2006). But Nkrumah's vision of a rational state in which the law and the government could easily replace regional authority was worse than ideological; it was native. Nkrumah's seeming unwillingness to engage competing visions of Ghana's future precipitated his quick descent from celebrated leader of independence in 1957 to overthrown ruler in 1966. By the time he was overthrown, Nkrumah had lost the support of those responsible for local security, namely, the local chiefs, queen mothers, and elders. For fifteen years following Nkrumah's ouster, Ghana was led by seven consecutive leaders of varying authoritarian stripes. Each made explicit concessions to local authority, recognizing that Ghanaians, still leery of a centralized government, remained loyal to leaders who protected their regional interests (Amamoo 2008).

It was Flight Lieutenant Jerry John Rawlings's second coup in 1981, the second year of what is known as the Third Republic, that set in motion the series of reforms that now frame Ghana's security system. They included the increased centralization of government power, in addition to increased guarantees of the rights of traditional authority known as "chieftaincy"—Rawlings's form of checks and balances. In 1992, the institution of chieftaincy was guaranteed by the new constitution, and in the same year, Rawlings restored democratic elections and won the presidency (Amamoo 2008).
2008). As a result, security was placed under the auspices of the nation-state and of the local political institutions in which traditional law is enacted.

One could read Rawlings's legitimation of traditional authority cynically, as a way to maintain a base of supporters despite his radical neoliberal reforms. A more nuanced analysis would acknowledge that Rawlings understood that the wounds of colonialism had yet to heal. During colonialism, the institution of chieftaincy was allowed to continue so long as local leaders facilitated the work of colonial administrators (Brobey 2008:3). By codifying chieftaincy in the 1992 constitution, Rawlings restored the dignity and independence of an institution that was far from obsolete. Ultimately, Rawlings was able to do what Nkrumah could not: unite the country, but at a cost.5

The security experts Aning and Larney (2009:17) argue, “In Ghana, chiefs are the custodians of cultural values and guardians of lands in trust of their people. The role and legitimacy of the traditional authorities in administering customary values and practices are guaranteed under the constitutions. However, the institution of chieftaincy possesses a parallel security system that does not fall within the ambit of the state security apparatus.” John and Jean Comaroff (2006:9) argue that in postcolonial states, these parallel systems produce what they call “cartographies of vulnerability”: “Here the reach of the state is uneven and the landscape is a palimpsest of contested sovereignties, codes, and jurisdiction—a complex choreography of police and paramilitaries, private and community enforcement, gangs and vigilantes, highwaymen and outlaw armies.” In Ghana, these vulnerabilities manifest in community violence as chiefs vie for control over land that, given neoliberal economic reforms, has become a valuable commodity in an international real estate market.

Throughout Ghana, divergent cultural and historical understandings of the rights of people to land make it difficult to determine which ontological claim would form the basis of a national land rights policy. In addition, legally and administratively, in one arena, land is treated as private and in the other, as “communal,” a common term that does not fully capture the complexity of Ghanaian land stewardship. These different ontological understandings of land make particular claims about human rationality and utility and are built around very different understandings of citizenship and accountability. What this produces is ontological insecurity, or the loss of trust that the social and natural worlds are as they appear (Giddens 1984). Ontological insecurity is caused by repeated ruptures in economic and political life such that one loses a sense of one's own moral grounding and agency (James 2010). This breakdown in the unwritten and unspoken cultural presumptions and anticipatory logics that enable people to understand the actions and feelings of others impacts institutional legitimacy. Without these cultural postulates, people have a much harder time establishing shared goals.

It is important to note that positive systemic change can emerge from ontological insecurities, and doubt can therefore be a force for social good. But in the case of Ghana, where there are two primary legal systems and where economic markets are largely controlled by the West, it is profoundly unclear exactly where authority lies and which cultural postulates matter. At a practical level, what this means is that in order to publicly authorize an action or sale, Ghanaians must employ a legal and quasi-legal hybridity, including drawing from different legal systems, deploying historical narratives, and/or organizing groups for ad hoc policing. For example, if one loses access to land for reasons related to chieftaincy, one might then turn to the High Court. If one loses access to land based on administrative enforcement by the Lands Commission, one might then turn to the chieftaincy system.

In Oshiyie, for example, the chief sold land to a private individual, Burger (a nickname given to Ghanaian expats and returnees and the name given to this man by the community), who promised to develop the land for the benefit of the community. But with the exception of an unfinished foundation for a building that was supposed to preserve the community's fish catch, known as a cold store, Burger failed to deliver the houses and businesses he promised. In order for community members to nullify Burger's right to the fifty acres of land he had legally registered with the Lands Commission, they had to return to traditional notions of land stewardship. The community said that the fact that Burger's indenture was signed only by the chief invalidated it. Oshiyie land, they argued, is family land, meaning that the individual heads of the seven major family lineages should also have signed the indenture. But if Burger had delivered on his promised gated community, nobody would have challenged his right to the land. Burger has backed down from some of his land claims, but the community is still trying to sue him for land he has sold—sometimes for thirty times what he paid. Despite the antagonism, Burger is frequently seen at the one development project in Oshiyie that has worked, a bar and dance spot.

Often missing from the community's telling of this story is the fact that the chief was able to capitalize on the transaction. Burger paid him in cash and paid his rent for a compound for two years. It is important to note that the community violence has not been directed at the developer, Burger, but at Afadi Annoh IV, who, in his capacity as chief, is able to sell and resell land. As in all the communities surrounding Oshiyie, Chief Annoh has a
competitor, Nii Akrashie, who claims to be the legitimate chief. In the past decade, Akrashie has employed community violence as a means to legitimate his claim. It is expected that should Akrashie prevail, he, too, would capitalize on his role as chief to resell and redistribute land. One of the residents of Osibiye said, “If there was no land, there would be no chieftaincy dispute.” By reauthorizing chieftaincy in 1992, Rawlings unwittingly produced a third security apparatus, built around legal ambiguity, in which disputes are prosecuted through violence.

SECURITIZING GHANA FOR US AND EUROPEAN INTERESTS

Knowing what I do about the extent of local violence and the limited authority and capacities of the police, I was very surprised when I flew into Kotoka International Airport in Accra in 2011 and was greeted with a fingerprint, or biometric, scanner. Since the 2000 elections and the discovery of a new oilfield in 2007, Kotoka had grown from a sleepy two-gate airport into a seven-gate, glass-enclosed, air-conditioned hub (Chalfin 2008). Now, the politicians and businesspeople outnumber the hippies and missionaries with whom I used to travel.

The $45 million the government spent on scanners suggests that the state had the capacity to record, analyze, and store vast amounts of traveler and voter data. In fact, neither the Electoral Commission nor the government had a centralized computer system for storage or analysis. In addition to widespread reports that the machines kept breaking down, there was no indication that the data were secure against hacking. Not only did the scanners seem to have no power to ameliorate the community and political violence that represented the most immediate threat to the state, but also the new biometric voter registration drive had incited violence. Members of the two primary political parties accused one another of tampering with registrations and performing acts of physical violence. Finally, the scanner did not improve the situation: “Morale in the police force and the customs service is low, salaries are poor, and the temptation to take rewards...all too evident” (Throup 2011:11). Instead of indexing the current state of security in Ghana, the fingerprint scanners indexed the end point of an anticipated security trajectory. Like a national museum, the scanners told the story the state wanted to tell about itself. However, rather than objects representing the past, the scanners told the story of Ghana’s imagined future.

Ghana’s security sector includes everything from high-tech airport security to ad hoc community policing with little to no authority to enact justice (Aning and Larre 2009). Theorizing the scanner as a curatorial object, representative of an imaged future, helps make sense of the unevenness of actual security. In general, development experts within what political scientists call the “aid regime” are asking the Ghanaian government to choose between a future built around what they consider to be rational approaches to the law and markets and a past in which the law and markets are deeply embedded in local cultural histories. Welcoming progress, the government invested heavily in objects for the future (the scanners), but the museum celebrating the country’s liberation from British colonial rule, the Kwame Nkrumah Museum, remains underfunded and underwhelming. Nkrumah’s books are not sold at the museum and remain out of print, and there is no mention of the role postcolonial ideals might have in the present. Nkrumah’s leadership is celebrated, but bracketed as a past that the country had to transcend.

Many of the intellectual architects of postcolonialism were inspired in part by a Marxist narrative of history and progress that includes the reappropriation of labor and land as the basis of liberation (Gaines 2006). Ghana’s first president, Kwame Nkrumah, aspired to that vision. In a foreign policy telegram sent from Ghana to the United States in 1960, the US embassy expressed concern over Ghana’s growing alliance with the Soviet Union. The anxiety was masked by a derisive condescension toward African socialism. A Department of State official asserted in that telegram, “To match USSR fully in cultivating friendship with Ghana we would have to be more positive in supporting Africa against European NATO powers. We would also have to oppose ‘neo-Colonialism’ in Africa and encourage Ghana’s desire to create (in the worlds of Nkrumah) ‘a socialist New Jerusalem’ in Ghana. In my opinion Ghana is not communist and I detect no desire here that it become so. It is trying to develop a type of socialism that has its roots in tribal life determined not to be exploited by East or West.” Nkrumah’s socialism included nationalizing Ghanaian industries and uniting the country with roads and railways.

In a 1964 memorandum, Secretary of State Dean Rusk implored President Lyndon Johnson to warn President Nkrumah that any more anti-American attacks in the press or elsewhere would risk US friendship and assistance. In an audacious response to US pressure, Nkrumah wrote to Johnson, “It should be obvious to any who has followed the history of Africa’s development with impartiality that a planned economy and rapid industrial and agricultural development can be best achieved through a socialist course.” Agents of the United States acknowledged that Ghana was not likely to form deep economic and political relationships with the USSR, but to ensure that this not happen, the CIA destabilized Nkrumah’s
presidency by funding the opposition. In 1966, Nkrumah was deposed in a military coup led by Emmanuel Kwasi Kotoka. A year later, General Kotoka was killed in a coup that ousted him from power. Between 1972 and 1981, Ghana experienced five more coups.

In addition to the weapons and money used to battle socialism, the United States deployed cultural scripts to turn Ghana into the neocolonial state it is today. Encouraging Ghanaians to embrace a US-designed approach to development required, using the words of Lyndon B. Johnson, capturing the “hearts and minds” of Ghanaians. Buried in the foreign relations reports in 1964–1968 are concerns about too much information on race relations coming from the Voice of America radio broadcasts and encouragement to distribute more National Geographic magazines in Africa because these presented a good image of the United States. National Security Council adviser Robert W. Komer suggested, in a 1965 memorandum to LBJ, that showing sympathy for independence movements in Africa may break some crockery but “a few rousing speeches will buy...more than $200 million in aid.” And development aid was decidedly the carrot, the reward for embracing capitalist notions of progress and freedom. After a punishing decade in the 1970s, during which the economy was hampered by payments to service debt, high rates of inflation, the deterioration of the agricultural sector, high unemployment, and growing corruption, Ghana finally reached for the carrot.

Since the institutionalization of structural adjustments in the 1980s, democratic elections in 1992, and the signing of the Heavily Indebted Poor Country initiative in 2001, Ghana’s absorption into the global economy has been swift (Gyimah-Boadi 2001). Structural adjustments bolstered Ghana’s export industries and stabilized the economy, leading to foreign direct investments, including investments by Ghanaian returnees and expats. It is estimated that in 2004, US$2 billion in remittances were transferred through Ghanaian banks, or about 22.4 percent of the GDP of Ghana. The devaluation of the Ghana cedi did very little, however, to improve non-export markets, and this lack of efficacy was marked by the fact that the percentage of the population living below the poverty line decreased by only 2.9 percent from 1992 to 2007. The census data from 2010 indicate that there was a growing middle class (about US$1,200 per capita), but the 5.7 percent increase in GDP per capita in 2009 was smaller than the 10.7 percent rate of inflation. In my own household surveys in Oshiyie in 2008, most families could barely afford US$100 for a year of school tuition. It was clear that poverty and lack of access to basic resources remained endemic. These daily insecurities were dealt with through local forms of exchange, including barter and community organizing (Grant 2009; Kraus 1991).

Given the anxieties that come with economic uncertainty, the role local leaders played in maintaining a basic standard of living for members of their communities was critical. In addition to ensuring that everyone had access to water, food, and shelter, local leaders tried to improve existing institutions, redistribute resources, and maintain the rule of law. The fact that the state had yet to step in and consistently deliver these services was one of the reasons that in multiple studies of Ghanaian civil society, people noted higher levels of trust in local chiefs and elders than in lawyers and politicians (see, for example, Blocher 2006; Ubbink 2007). But despite the continued vitality of community leadership, the legitimacy and power of traditional authority have been eroded as the administrative and economic structures encouraged by the EU, the World Bank, USAID, and the IMF have become the DNA, so to speak, of Ghana’s mode of state and fiscal governance (Abdulai 2009:22–24; Kraus 1991; Whitfield 2005).

With respect to security, growing economic inequality is less of a factor in community violence than the law prohibiting the two parallel legal and administrative systems from working together. This allows local insecurities to be ignored by the state in the name of protecting community sovereignty. This bifurcated system remains in place even as the state has both the resources and the need to expand its authority beyond the capital. As the Ghanaian legal scholar A. K. P. Khadze (1998:37) describes in “Chiefdom Jurisdiction and the Muddle of Constitutional Interpretation in Ghana,” the 1992 constitution mandated that the “High Court and the Court of Appeal have no jurisdiction in chieftaincy matters.” This differed from the constitutions of 1969 and 1979, which allowed for chieftaincy cases involving criminal and civil matters to be heard by the High Court and Court of Appeal.

Stronger demands by the international aid community and foreign investors that the legal and political systems of developing countries mimic those of Europe and the United States have intensified this bifurcation and the accompanying ontological insecurities. What the new global indexes of governance fail to capture is that older security systems do not simply disappear when so-called rational approaches are introduced. Putting greater pressure on countries to protect private property has, as in the case of Ghana, simply expanded the repertoire of political-legal possibilities. The insistence on stronger legal protections for private property, for example, simply ignores the fact that land is understood in multiple dialects: the dialect of traditional land rights and stewardship, the dialect of private property and utility, and the dialect of rights (Oquaye 1995; Ray 1996). The policy solutions promoted by American and European experts remain
historically tone-deaf and wedded to modernization theory, a one-size-fits-all approach that in the case of Oshiyie has led to bioinsecurities, including land alienation, food insecurity, and violence.

In *The History of Development: From Western Origins to Global Faith* (2002), Gilbert Rist describes how notions of progress typically treat the past as something to be overcome. To succeed in the ways imagined by the current architects of development in Ghana requires the dissolution of chieftaincy, the rejection of President Nkrumah’s economic policies, and the refusal of any regional sense of shared destiny or economic unity, including nationalism and Pan-Africanism. Basically, Ghanaian leaders have been told that for Ghana to develop, it must put its national, regional, racial, and historical interests aside in order to secure the interests of multinational companies. The development-as-progress narrative requires a disavowal of the postcolonial discourses of the 1940s and 1950s that justified sovereignty based on ontological claims linked to land and culture. Yet, it was President Rawlings—who led two coups in 1979 and 1981, abridged human rights during the 1980s, brought back the IMF and World Bank, and resumed democratic elections in 1992—who spearheaded the development of the Kwame Nkrumah Museum and secured the inclusion of traditional leadership in the 1992 constitution.

What currently exists is a state that supports the economic interests of multinationals through laws and practices that indirectly impact most Ghanaians (through scanners, deregulation, structural adjustments, and new legal systems). Community policing has a daily impact on most Ghanaians but is legitimated by an entirely different ontology (land stewardship, exchange practices, punishments and other forms of restitution and accountability). At a basic level, chieftaincy disputes in Ghana are a struggle over land, a resource that translates into power, money, food, and even education. More critically, the struggle is over the ontological narratives providing legal justifications for particular forms of local leadership and cultural ownership.

Walking around Oshiyie years after the incident in 2008, I am still amazed that families living side by side fought one another using machetes and gasoline. After midnight, guns were added to the mix, which turned largely symbolic acts of violence into deadly revenge. In 2012, many relatives of the less legitimate chief, Nii Akroshie, had yet to return to fix up their houses, which were destroyed in the wee hours of the morning.

Ghana’s cartographies of vulnerability are distinguished by the country’s particular cultural history. Although community violence may seem irrational and chaotic from the outside, it is rule bound. The chieftaincy system follows a set of historical possibilities and contingencies linked to accounts of land settlement, past tribal leadership, and acts of heroism that confer succession rights. Chieftaincy in Oshiyie is open only to the descendants of the original settlers of the land. In this respect, chieftaincy mirrors the land rights of indigenous tribes in the Americas. The most critical aspect of the relationship of people to land in Ghana is that land is not one thing. Even before colonialism, land was sometimes a commodity and sometimes a sacred trust (Amanor 2010).

The descendants of the original settlers of Oshiyie could have claimed all the tribal land as their inheritance and required everyone to lease or purchase land before using it. This principle of private property is something Americans hold dear, but land rights evolved differently in Ghana. Ownership confers rights of stewardship rather than rights of exploitation. Stewardship may have diminished economic growth and accumulation, but this is a problem only if one thinks that growth and accumulation are necessarily good. Given that civil wars in Liberia and Sierra Leone undermined social and environmental security, turning emergent economies into rubble, we might conclude that maintaining peace through land stewardship may slow economic growth in the present but sustain growth into the future.

Therefore, at issue should not be promoting land rights that accelerate economic growth, but understanding the systems that protect people’s ability to participate in economies large and small. In Oshiyie, ontological narratives about who is owed what with respect to resources have the power to whip up resentment and feelings of exclusion. These same narratives, reinterpreted, have the power to resolve conflicts. And as much as foreign experts, and a number of Ghanaians, want to do away with traditional leadership, there are no comparable legal frameworks that would secure land for the poorest Ghanaians. Without traditional stewardship, most Ghanaians would lose control of their family lands.

**DISCUSSION: HISTORY, LAW, AND SECURITY**

In addition to violence, the Oshiyie community deployed historical narratives as an approach to codifying traditional law. In order to legitimate Afadi Anoh’s chieftaincy, the community wrote down and submitted to the chieftaincy court the four-hundred-year history of Oshiyie. Although their historical account diverged from accounts in published journals, the fact that it was written gave it the legitimacy it needed to reduce ambiguities and local insecurities.

The use of local history to adjudicate disputes and to promote security in Ghana can best be compared to case law, or the practice of using legal
precedents to determine legal outcomes. Although there is plenty of room for interpretation in case law, case law has far less flexibility than local customary law has. Flexibility can also be a problem, however. The community violence in Oshiyie is a perfect example of what is wrong with chieftaincy: overreach of power, arbitrary decisions, uncertainties about one’s rights in the future. But chiefs serve at the behest of the community, and as imperfect a system as it is, traditional authority gives chiefs the power to redistribute land.

A chief has the ability to help the landless and poorest members of the community in ways that are foreclosed by a centralized legal body devoted to securing private land ownership. If a local developer, for example, registers newly purchased land with the Lands Commission, the court will back that claim. Currently, more than 80 percent of the cases adjudicated at the High Court in Accra are over land issues. But what about the Ghanaians without legal recourse, whose rights to land were given orally or who do not know that the plot they are selling for $1,000 today will be worth $30,000 in five years? Asymmetries in knowledge and power make it unclear whether the two parties that enter into a contract are equals. With land stewardship, a chief can take back land if the developer fails to develop the land as agreed upon. Similarly, when a new chief comes to power, he or she can renegotiate past land deals. Again, this may seem chaotic, but when done well, this flexibility allows for the alignment of land use with changing demographics and development needs.

Twenty years ago in Oshiyie, a descendant of one of the ten major lineages could ask the chief for a plot of land. A man (the local inhabitants, who are Ga, are patrilineal) would be given a stone to throw, and the distance between the man and the stone would demarcate his new plot of land. Rising land values tied to an international speculative real estate market, and a concerted effort to register all lands, have meant that chiefs no longer have the right to redistribute land according to new needs. In many ways, the violence in Oshiyie is related to the fact that land rights exist between an emergent national agenda that does not yet have the capacity to secure the interests of the majority of Ghanaians and a local security system that does the actual work of protecting citizens but no longer has the administrative power to actually protect their rights.

Aspects of this system do work. The state is divided into District Assemblies, which hear cases that can be adjudicated at the local level. The districts are not delineated by ethnicity, but because they handle local affairs, they can be read as either ethnic or regional. The paradox is that the assembly members are often elected by the president and members of his party. This means that the District Assemblies can be accused of being an arm of the central government rather than a body elected to balance the authority of the central administration. The increasing centralization of authority is a growing concern among security experts, given that party politics have become the new ethnic politics and are threatening Ghana economically and socially (Throup 2011).

The refusal of Western donor institutions to attend to social dynamics, such as violence, that are exacerbated by this two-headed legal system is born of an expectation that if they institutionalize enough neoliberal financial, economic, and administrative systems, chieftaincy will disappear eventually. And they may be right. The example of Oshiyie makes clear that local leadership can be extremely problematic, particularly concerning the issue of land rights and gender. Many young adults, often migrants to Accra, say that they would like to see chieftaincy ended. But until the state is able to respond to local needs, it would be difficult to make a case that chieftaincy needs to be abolished through referendum.

Currently in Ghana, it is difficult to identify an effective, indigenous biosecurity apparatus. The country barely has enough money to police its own borders, educate its young, or provide good health care to the majority of its citizens. Given its limited resources, it certainly does not have enough power internationally to control a global health agenda or international economic or migratory policies. High levels of human trafficking of sex workers and child labor throughout Ghana reflect the state’s complicity, ineffectiveness, or inattention to flows of vulnerable bodies. Finally, the breakdown of the biometric scanners during the December 2012 presidential elections became a point of dispute, and the threat of countryside violence remained high for the eight months it took the Ghanaian Supreme Court to resolve the question of which candidate received the most votes.

Communities like Oshiyie know firsthand what is at stake when the state is unable to protect its citizens. For those residents of Oshiyie who feel disfranchised and who do not think that there are any legal institutions they can turn to, violence has become a method for effecting social change. But in addition to being tragic, violence is inefficient. Four eruptions of violence in ten years failed to legitimize the opposing chief, Akrashie, and many of those identified as perpetrators of the 2008 night of violence have yet to return to their family lands for fear of reprisals.

Those whose houses were burned and who were victims of machete attacks could have chosen to work with the police, but rather than seek justice through the state legal system, the supporters of Chief Afadi Amoah IV have attempted to create their own security through a kind of legal and
historical bricolage built around narrative. In order to validate Amnoli's claims to chieftaincy, the leaders in the community have spent the past several years collecting oral histories to prove that only members of the Amnoli lineage have the right to lead the Oshiyie kingdom. These written oral histories have been submitted to the District Assembly as evidence. The District Assembly does not, however, have any power other than to enter evidence into the legal record. The hope is to authorize a history of Oshiyie that can provide the foundation for the types of cultural presumptions and anticipatory logics that might enable the community to work together in peace.

CONCLUSION

Changes in social demographics, technologies, and land pressures require a constant rethinking and restructuring of social relations around land. What chieftaincy does, which the free market does not, is to force communities to confront the moral economy of land distribution. In Ghana, "ownership" is not supposed to confer the right to exploit the land as one wishes, although there are increasing pressures to do so. Ideally, chieftaincy requires the balancing of the needs of individuals in the community in order to promote peace and to support enterprise.

Given the potential of community leaders to promote social stability through fair land distribution, why is so much community violence related to chieftaincy? The inability of the leaders in Oshiyie to maintain security is in part related to their inability to authorize their own narrative about successful stewardship going back as far back as 1623. Authorization of that narrative would delegitimize the claims of Nii Akrahie but would require the administrative and resource backing of the nation-state. One can only imagine the possibilities if the two security systems were integrated, providing a form of checks and balances against abuses on both sides. Currently, the chieftaincy disputes that make it into the news average about one per month, and during the summer of 2012, there were numerous identified "hotspots" of community violence. That Oshiyie's 2008 night of violence received almost no news coverage makes me conclude that community violence is significantly underreported. This should remind security experts that the present system is unsustainable. The country's inability to codify a relationship between the central government and local authority (or, more specifically, to codify a relationship that makes sense, given the inevitable legal, administrative, and ontological conflicts) has been one of Ghana's postcolonial failures. Currently, Ghana's security is maintained by everything from state-deployed biometric scanners to ad hoc local policing. These security structures are quasi-legitimate at best; most Ghanaians do not experience security at the level of the everyday. Low wages, high prices, unemployment, alienation from family lands, bureaucratization of informal markets, increased barriers to political and social capital, political corruption, and increasing economic inequality are frequent topics of conversation and are responsible for growing feelings of exclusion from emergent markets and institutions. Bitterness has found expression in community violence that, in many ways, is overdetermined by the uncertain status of the law.

It is important to note that none of the complexity discussed above can be gleaned from the global indicators that are currently directing vast economic resources and mobilizing people in Ghana. All the local attempts to gain control of a fast-moving economy at the local level are constantly undermined by decisions made by national leaders, international policy experts, and foreign investors. Until national, local, and international interests are better aligned and power differentials less stark, one can only anticipate that violence will continue to be used as a tool to assert political authority and to push back against impending personal and economic insecurity.

Notes

2. Ibid.
5. The 1992 constitutional rules around chieftaincy can be abolished only through a prohibitively costly referendum.


11. Ibid.


16. The creation of parallel legal systems was partly Rawlings’s strategy for appealing to his political base, which included chiefs who wanted Rawlings to guarantee that the economic, legislative, and administrative changes were not going to destroy their authority.

17. The strategic use of identity, in this case, lineage, varies little from the ontological discourses used to legitimate postcolonial struggles and even to settle disputes prior to colonialism (Tonah 2007).

18. Regina Aretxaga (2004) similarly addresses the relationship between violence, narrative, and the extant struggle between national identities and sovereignty. Aretxaga employs Giorgio Agamben’s (1998) argument that violence is in part related to how law has been usurped by neoliberalism. I argue similarly but avoid Agamben’s state-of-exception frame because in Ghana, resistance—in the form of chieftaincy courts—is institutionalized. Achille Mbembe’s (2003) necropolitics thesis helps but does not work as well as Aretxaga’s focus on narrative. Violence does not clearly map onto power in Oshiyale. It takes the cultural work of writing the violence into a narrative, or web of signifiers, to give a violent act the power to effect change.