



Universiteit  
Leiden  
The Netherlands

## Historical perspectives on changing livelihoods in northern Togo

Haan, L.J. de; Binsbergen W.M.J. van

### Citation

Haan, L. J. de. (2003). Historical perspectives on changing livelihoods in northern Togo. In *The dynamics of power and the rule of law* (pp. 221-234). Münster: Lit Verlag. Retrieved from <https://hdl.handle.net/1887/4813>

Version: Not Applicable (or Unknown)

License: [Leiden University Non-exclusive license](#)

Downloaded from: <https://hdl.handle.net/1887/4813>

**Note:** To cite this publication please use the final published version (if applicable).

## Chapter 9

# Historical perspectives on changing livelihoods in northern Togo

by Leo de Haan

### Introduction

Nowadays, it is often proclaimed that by linking up with globalisation (i.e. getting connected to the global flows of information, capital, goods etc.), people in developing countries will be more successful in organising a decent livelihood. The neo-liberal consensus wants us to believe that poor communities need to be opened up in order to profit from globalisation and thus to develop. This paper does not question the supposed advantages of globalisation. It rather seeks to explain, by means of a historical analysis of northern Togo, that successful or unsuccessful linking up with the world system is not a matter of simply opening up, but the result of a delicate articulation of external economic and political forces and local livelihoods. This paper reflects van Rouveroy van Nieuwaal's work both geographically – the northern savannah region of Togo proved a field that inspired him time and again – and in topic: from a different perspective, this paper articulates the same process that triggered van Rouveroy van Nieuwaal's academic attention throughout his research in Togo; it has found a lasting expression in his publications on legal pluralism, with regard to, for instance, land tenure and chieftaincy.<sup>1</sup>

People in developing countries, and poor people in particular, undertake manifold activities that give them access to food, housing and a monetary income. The most common of these activities are the production of crops, livestock, clothing and housing for home consumption; the production of crops and livestock for sale; trade; handicrafts such as basket weaving, pottery, carpentry; seasonal or permanent wage labour (including that of children);

---

<sup>1</sup> Van Rouveroy van Nieuwaal & Améga 1979; Van Rouveroy van Nieuwaal 1985c; van Rouveroy van Nieuwaal & van Dijk 1999.

remittances by kin who have emigrated; loans, alms, gifts from patrons or benefactors; and sometimes corruption. Maintaining a livelihood is however not necessarily the equivalent of having a job. It is not even inevitably related to work. Moreover, although obtaining a monetary income is important, it is not the only aspect of significance. It is for instance quite conceivable for somebody with a low monetary income to be better off than someone with a higher monetary income.<sup>2</sup>

To maintain a livelihood, people make use of various means, which are alternately referred to as assets, resources, or capitals.<sup>3</sup> Depending on their strategies, people apply various blends of these capitals, which generally result in different livelihoods. Although the actual proportion and mixture varies per livelihood, generally the following capitals are distinguished:

- human capital such as labour, but also skills, experience, creativity and inventiveness;
- natural capital such as land, water, forests, pastures and minerals;
- physical capital such as food stocks, livestock, jewellery, equipment, tools and machinery;
- financial capital such as savings at a bank or in an old sock, a loan or credit;<sup>4</sup> and
- social capital, meaning manifestations of mutual engagements with other people.

Capital does not necessarily have to be held in private property: land, water and forests, for instance, may be owned communally. Essential however is one's access to the resource when needed and wanted. Chambers and Conway have therefore made the distinction between 'tangible assets' – which consist of general resources and what they refer to as 'stores' (cattle, equipment, stocks) – and 'non-tangible assets'.<sup>5</sup> Non-tangible assets consist of 'claims', the ability to be able to call upon moral and practical assistance, and 'access', having or getting the opportunity to use the resource in practice. The concept of non-tangible assets refers to the *real* opportunity for e.g. women to gather firewood in the forest or for men to use water for irrigation from the village well.

<sup>2</sup> De Haan 2000: 343.

<sup>3</sup> See Ellis 2000; Blaikie *et al.* 1994; Carney 1999. In this paper, I prefer to use the term 'capital' although I am aware that this implies the 'old' contention that economics can rightfully claim precedence over the (other) social sciences.

<sup>4</sup> De Haan & Quarles van Ufford 2001: 285.

<sup>5</sup> Chambers and Conway 1992.

According to Chambers,<sup>6</sup> it refers, in addition, to the *possibility* for women to obtain food from the compound's granary, or for men to obtain information about cattle prices or to get temporary wage labour elsewhere in the region.

Blaikie has built on this aspect of access by creating an 'access model of maintaining livelihood'.<sup>7</sup> According to him, every household, and every individual member of it, has a certain access profile to capital. This profile depends on individual rights, such as property rights, by tradition or by law. These rights differ per individual and per household and they may also change over time. Each actor (household, individual) chooses a set of livelihood strategies on the basis of this access.

Livelihoods are affected by shock and stress. Sen, for instance, has pointed out that livelihood does not merely depend on direct access to capital, but also on how the use of capitals is embedded in a wider social, economic, political and natural context.<sup>8</sup> Various contextual factors such as the labour market, market organisation, and price policy contribute to, and may even cause, stress in livelihood. The concept of livelihood thus not only refers to access to, and processing of, local capitals, but also to the interaction of social groups, households and individuals with their wider context. Livelihood is a dynamic concept because people process capitals not automatically, but with an eye on opportunities offered by the wider context. People are thus sometimes forced to resort to distinct strategies in a more or less identical context. Rather than having the opportunity to outclass certain contextual influences, such as drought, war and inflation, people in their livelihoods have to cope with them.

Moreover, capitalist market organisation and social norms and values do not change overnight. Thus, people are neither powerless objects nor free agents who can become whatever they choose.<sup>9</sup>

### Livelihood and colonisation in northern Togo

Pre-colonial Gourma society in the savannah region of Togo was predominantly agricultural. Gourma society was built on subsistence farming, but part of its surplus production was levied by Anufom warriors, who had settled in the region in the eighteenth century after a period of turmoil and warfare. As the result of superior military organisation and exclusive access to European firearms – as mediated by the Ashanti – the Anufom dominated the other peoples in the region and the Gourma were thus made to pay yearly

<sup>6</sup> Chambers 1995: 24.

<sup>7</sup> Blaikie *et al.* 1994: 46-60.

<sup>8</sup> Sen 1981; Drèze & Sen 1989.

<sup>9</sup> De Haan 2000: 350.

tributes in the form of millet and poultry. Moreover, Gourma chiefs seem to have been nominated only by Anufom consent.<sup>10</sup>

Gourma agricultural activities were organised on a lineage basis. The lineage was and is a unit of production and consumption, occupying a compound of its own and its surrounding fields. Duties were organised by the lineage elder, and clearly divided according to gender and age: whereas the lineage elder could claim the labour of all men and women in the compound, all other men could only call upon their wives and children. Young people could only get assistance on a reciprocal basis with other youth.<sup>11</sup> Women spend considerable time on domestic duties, child-care and the collection of firewood, some women brewed beer and old women made pottery. Hut building was a collective activity, but the men did the actual construction, while the women did the laborious collection and transport of materials. For comprehensive activities, such as the construction of a new compound, the clearing of a new field or a harvest, lineages living in neighbouring compounds were asked for assistance.

Agricultural production was a collective activity, organised along clear gender lines: men cleared the woods for new fields and prepared the soil; women sowed and weeded (with the exception of the remote fields, whose weeding was a men's job); men cut the millet and sorghum stalks when the crop was ripe; women cut the cobs and transported them to the compound; men threshed; women looked after the vegetable gardens. Fields and vegetable gardens around the compound were cultivated every year. They were fertilised with household garbage and small-livestock manure, and planted with fast growing millet. Fields further away were cultivated with millet and sorghum. They were left to the woods again after a few years of cultivation. In the dry season cattle roamed the stubble-fields, leaving some manure on the soil.

In this pre-colonial livelihood, land and labour were the key capitals, and access to these capitals was clearly embedded in power relations. Given the low population density and the simple production techniques, land was abundant and held on the level of the clan as a common property resource. Upon their arrival in the region, all Gourma clans had established their own claim on land in a particular part of the savannah region by installing local shrines.<sup>12</sup> All lineages of a particular clan had free access to the clan's land in their particular area, but they needed permission to cultivate land of another clan. This permission had to be granted by the land chief (who ensured the

<sup>10</sup> Van Rouveroy van Nieuwaal 1976: 13-15; de Haan 1993: 89.

<sup>11</sup> BDPA [Bureau pour le Développement de la Production Agricole] 1964: 60.

<sup>12</sup> We are avoiding the commonly used term 'fetish' at this point, because of its problematic status in anthropology.

sacred relation between the clan, the ancestors and the god of the land). Such permission was occasionally refused, not because of land shortage, but because of social conflict between the clans. Permission to cultivate another clan's land was easily obtained, even by other ethnicities such as the Fulani, in return for extra labour obligations. Labour was thus considered a more important capital than land. This corresponds with the general condition attributed to many pre-colonial African societies, i.e. that, given the low population densities, land was abundant and labour was scarce.<sup>13</sup>

Consequently, access to labour was at the core of power relations in traditional Gourma society. As power relations were predominantly determined by status and marriage, labour as capital was so too. Status was closely linked to marriage, but getting married was difficult. The Gourma clans were exogamous, marriage was arranged and women were only exchanged for other women. Moreover, marriage occurred in a strict age sequence, starting with the oldest man of the oldest generation. This system made young men highly dependent upon their lineage elder, because only he had the authority to provide one of his daughters or nieces as bride in exchange. Moreover, polygamy was generally accepted, with the result that lineage elders could arrange an additional young bride for themselves or for one of the other married men in the lineage instead of for a bachelor. As a result, young men had to wait a long time before they could get married and enjoy the ensuing rise in status. Although this system of connubial reciprocity offered some leeway – e.g., at times brides were given away as a token of friendship, respect or gratitude and sometimes men could, as last resort, work for a number of years on the field of another lineage in order to earn a bride – all marriages had to be officially sealed by the exchange of one woman for another.

Put within the framework of livelihood, access to capital in pre-colonial Gourma society thus relied heavily on the marital system: both human and natural capital were closely linked to social capital. Human capital could only be obtained through marriage and natural capital, i.e. land, was not scarce, but its access was in the hands of elders.<sup>14</sup>

<sup>13</sup> Cf. Meillassoux 1960.

<sup>14</sup> Virtually everyone was bound to this structure of dominance, because other job opportunities were not available in the region. The German explorer Doering for example hardly found any craft in the region in 1895 (de Haan 1993: 106). Moreover, slave trade was monopolised by the Anufom and not accessible to the Gourma. Only some petty trade existed with the passing long-distance Hausa caravan trade, but that opportunity was too meagre for a specialised livelihood.

### Colonial occupation: A change in livelihood

In the first decades of the twentieth century, the relatively stable Gourma lifestyle changed. Through influences from outside, their livelihood framework underwent some structural transformations. First, during German colonial rule, an official tax system was introduced. As financial security was a main objective of the colonial authorities, colonial revenue had to equal, and preferably even exceed, colonial expenditure. Taxes became the most important source of colonial revenue,<sup>15</sup> and the regular tribute payments to the Anufom were replaced by tax labour for the Germans. As a result, the relationship between the Gourma and the Anufom changed considerably. Although the yearly tribute payments continued for a long time, they became gradually more symbolic: surplus extraction was taken over by the colonial administration, and political dominance too.

Under German occupation, taxes were mostly in the form of labour. From each village, groups of men were forced to work on the construction of roads, railways and bridges, on administrative posts, and as porters. Because tax labour mostly took place during the dry season, it hardly interfered with the Gourma agricultural production. It was however regarded as an additional burden for young men, who were the first to be recruited. All over the region young men therefore occasionally fled to neighbouring French and British colonies, where colonial tax collection was less efficient.<sup>16</sup>

Later, in the first years of French colonial rule, Gourma society underwent further transformations. The French clearly realised that, although they did have a much larger physical presence in the region than the Germans had ever had, they could only rule with the aid of local chiefs.<sup>17</sup> The French thus actively interfered in the nomination of these chiefs and local chiefs became pillars in the collection of taxes, the recruitment of forced labourers, maintenance of roads, health control, justice and the introduction of cash crops. As a result the power of local chiefs increased: backed by the colonial administration they exploited their new tasks for their individual and family's benefit.

Under the French administration, personal taxes were no longer paid in labour, but in money. As a result, monetary income became imperative in Gourma society, and livestock and food from the savannah were increasingly sold to the neighbouring Gold Coast, a more prosperous colony as a result of its successful cocoa export production. At the same time however, forced labour

<sup>15</sup> It is important to note that, when in 1911 a German commander claimed that between 84% and 98% of those subjected to taxes, i.e. all adult men, actually paid the tax, this could only have been achieved with the help of local chiefs.

<sup>16</sup> De Haan 1993: 101-103.

<sup>17</sup> ANT [Archives Nationales du Togo] 2, APA [Affaires Politiques et Administratives], 35.

for construction continued. Officially the labourers worked for a wage, but in practice this was exceptional. In addition, trade became taxed, amounting to 40% of the total tax income in 1930.<sup>18</sup>

The indigenous population of the Togo savannah became increasingly discontented: reports about unrest and resistance were numerous, and ever more people fled to adjacent colonies. One source of unhappiness was that road maintenance by forced labour increasingly occurred at the end of the rainy season, when roads and bridges were in need of repair. This coincided with the harvest season, putting a high demand on labour. Despite the fact that villages had the unintended advantage of not having to feed a large proportion of their population any longer – between 1929 and 1933, for instance, many young men were sent to central Togo to work on railway construction – they were increasingly forced to sell their surplus crops against low prices. In addition, taxation pressure was worsened by local chiefs. Some chiefs, for instance, did not hesitate to levy higher taxes than had been imposed by the colonial government, in order to fill their own pockets;<sup>19</sup> this in turn resulted in growing discontent with the chiefs.

In the 1920s the phenomenon of migrant labour was introduced in the Togo savannah. Many men, in order to earn money to pay their taxes, started migrating for short periods of time to the Gold Coast, where the booming cocoa export production had brought fast economic growth. However, the economic crisis of the 1930s put an end to this opportunity and between 1929 and 1933 (the same years when others were working on railway construction inside Togo) many migrants returned from the Gold Coast. As the sale of livestock and food to the Gold Coast also became increasingly difficult, the French colonial administration introduced export production of groundnuts as a means to strengthen the tax base. All local chiefs were instructed to create so-called *plantations cantonales*, communal fields where groundnuts were cultivated by villagers under the supervision of the local chief and colonial officials. Despite all rhetoric about modernisation of production,<sup>20</sup> the main objective of this regulation was the production of a cash crop which the colonial administration or the villagers themselves could sell to European trading companies. The regulation became relatively successful in so far as it motivated individuals to produce exportable groundnuts; it did however never manage to inspire a communal or co-operative type of production. Almost everywhere in the savannah region the *plantations cantonales* were considered to be the personal

<sup>18</sup> De Haan 1993: 116.

<sup>19</sup> It should be noted however that some chiefs refused to collect taxes or to recruit forced labour if resistance from their villagers became too risky for their own position.

<sup>20</sup> De Haan 1993: 127.

fields of the chief, where villagers cultivated his groundnuts. Even the meals and beer normally provided for a traditional (reciprocal) working party were lacking. The chiefs handed over part of the yield to the colonial administration in order to settle the tax target for his area, and sold the other part to trading companies as if this were his private produce. The distinction between the 'communal' groundnut fields and the chiefly lineage fields thus became blurred, and villagers eventually did the work that had traditionally been done by the chief's younger brothers, his sons, and his women. According to some colonial officials the system developed feudal features.<sup>21</sup> In the late 1930s another variety of groundnuts was introduced, this time to eliminate the problems caused by the *plantation cantonales*; every adult man was ordered to cultivate 0.25 ha of this new variety of groundnuts on an individual basis, and to sell at least one bag of the yield through the chief to the colonial administration. But despite this new development, the local chiefs persisted with the *plantations cantonales* and managed to maintain a hold over their people.<sup>22</sup>

Interpreting colonial Gourma society through the livelihood framework, a number of interrelated structural changes and local responses become clear.

First, as a result of taxation, forced labour and the system of *plantations cantonale*, on the one hand, and the persistence of the marital system and power vested in elders, on the other hand, the workload for young men rose considerably. But there were also benefits for young men: they were given the opportunity to escape from their inferior position and its related workload without placing themselves outside their community. In the past, a young man may have had the option to refuse to perform his duties, but in order to ensure his continued livelihood he would have had no option but to leave his village. It would however have been very difficult for such a young man to find a family elsewhere in Gourmand, and outside his own ethnic region it would have been plainly impossible. Through forced labour, young Gourma men got acquainted with foreign areas: migrant labour in the Gold Coast, which had initially been seasonal work to earn money for tax purposes, soon turned into an important opportunity to acquire a more interesting livelihood. With saved money, taxes in Togo could be paid and their position in the community could be restored. The tax system and labour migration, combined with the traditional local power relations, thus developed as a new activity to Gourma livelihood.

Secondly, colonial occupation changed traditional power relations. Due to its weak physical presence in the region, French colonial administration was forced to use local chiefs as intermediaries. Through the increased power

<sup>21</sup> ANT 2APA/27: 2.

<sup>22</sup> De Haan 1993: 120-130.

vested in them, and the considerable margins they had in shaping their role, these chiefs and their lineage were able to control more key capitals, labour and land, which yielded them considerable wealth. As a result, power relations in Gourma got a new dimension. In addition to age and gender, they became dependent upon a person's ties with the administration.

Thirdly, decision-making processes based on lineage reproduction were transformed through the introduction of new crops. Initially, new means of production through the *plantations cantonales* led to increased chiefly authority and decreased lineage power. Later, the obligation for every adult man to cultivate 0.25 ha of groundnuts on an individual basis, led to the complete undermining of the traditional authority of the elders, and of communal livelihood production. For instance, it became increasingly customary for men of a compound to have a small field with cash crops and the monetary income from the sale of the yield served their personal purposes. Gradually, decision making with regard to agricultural production became an individual matter. Despite the fact that personal fields were long denied to women and young men – no doubt because the latter would otherwise gain too much independence, which would result in a decrease of their labour input on the family's communal fields – individual cultivation became increasingly popular. At the end of the colonial period, it was even common for young, unmarried men to have their own personal fields.<sup>23</sup>

### Migrant labour and livelihood independence

After an initial boom in the late 1940s, groundnut production generally collapsed in the area of Gourma for a number of reasons. Lower world market prices made groundnuts less attractive; a plant disease wiped out the crops altogether; and a new, more resistant variety became available too late. At the same time, migrant labour experienced an increased impulse. As the result of very successful cocoa production, the Gold Coast witnessed an unparalleled economic growth, providing ample opportunities for Gourma labour migrants. Many young, unmarried Gourma started migrating to the Gold Coast for increasing periods of time. Most were away for at least a year, and those that were successful in finding a job through family networks, or even setting up their own plantations, sent money back home on a regular basis. With their income, and as a result of the custom of bride prices in the traditional marital system of the cocoa areas – as opposed to their own tradition of connubial reciprocity – and thanks to the monetarisation of this bride price system, many were even able to marry local women, despite the fact that they were

<sup>23</sup> De Haan 1993: 130, 151.

foreigners. Some migrants never returned to Gourma. They regarded their opportunities abroad as a way to escape from weighty obligations. Others only returned to take over their fathers' or brothers' position once they had passed away. They perceived their labour migration as a way to supplement local earnings. Those that returned completely penniless generally took up their subordinate position as if nothing had changed: at least they enjoyed the admiration of others for having travelled.<sup>24</sup>

However, local surveys indicate that not all Gourma were cocoa labourers.<sup>25</sup> Peak periods in cocoa production, for instance, partly coincided with peak periods in agricultural production in the savannah region. Migration to the cocoa production zone was therefore impossible for men heading a compound. According to local norms, absence should never be longer than a few weeks, perhaps some months, and then only if it was during the agricultural slack season. Longer absence would be perceived as negligence, and could easily result in divorce, or a man would lose such power in the village and family as he had had before leaving. Theoretically, a man could temporarily hand over his responsibilities to a *younger*, married brother who lived in his compound, but such an arrangement would result in a struggle over competences upon the migrant's return. Alternatively, putting a compound under the responsibility of his father or *older* brother would amount to accepting once again a subordinate status. Older, married men could only migrate for short periods and were mostly involved in trading and in casual jobs.

In the scholarly literature, a debate has been waged on the principal factors that made a man migrate in Togo during the colonial period. Was it mainly age? Or was a man's kinship position also a factor? Some researchers have argued that land shortage induced young men of non-landowning lineages to migrate more than others.<sup>26</sup> Elsewhere, I have however argued that this is certainly not the case for the late colonial period:<sup>27</sup> higher labour claims on these lineages might occasionally provide a better explanation. At the end of French colonisation, kinship position did emerge as a factor in the sense that people of certain lineages were more prone to migrate to the Gold Coast than others, but for a completely different reason. The *Union des Chefs et des Populations du Nord* (UCPN), the political party from the north based on patron-client relationships of local chiefs and their villagers all over northern Togo, had supported pro-French governments ever since the elections of 1951. However, they were swept out of government in 1958 by the nationalist, pro-

<sup>24</sup> De Haan 1993: 156.

<sup>25</sup> De Haan 1993: 155-160.

<sup>26</sup> Cf. Ponté 1986.

<sup>27</sup> Cf. de Haan 1993.

Independence *Comité d'Unité Togolaise* (CUT). Although the Gourma had massively supported the UCPN, they turned against their chiefs once a CUT government came into power. The period until Independence in 1960 was troublesome: one chief was killed and other chiefs were chased away, their compound and stocks plundered and their land and livestock divided. Many sons and younger brothers in their lineages did not await these troubles but fled to the Gold Coast after 1958.<sup>28</sup>

Looking at late-colonial Gourma society through the lens of the livelihood framework, the link between labour migration, colonial taxation, and the way in which access to capital in the village community was regulated, once again becomes clear. Opportunities for migration depended on economic growth, and a subsequent demand for labour, in the Gold Coast. However, this opportunity was closely related to taxation pressure and groundnut prices in Togo. Ultimately, the manner in which the local community regulated pressure on labour and access to other capital, particularly land, determined how this opportunity was seized. At the top of the pyramid was the compound elder, who, by virtue of the fact that his social capital consisted of the management of local kin relations, could never venture a chance in the Gold Coast cocoa production without losing his position within the family. Moreover, of all community members he would have had the least reasons to become a labour migrant: as family elder he was in the powerful position to have the young men working for him and thus further their future marriage. Moreover, the family elder could profit from the emerging market for cash crops by allocating part of the communal fields as his personal field, using the labour of youth (which until 1950 was not too difficult), and still provide himself with a personal income. Younger, married brothers and sons of the compound elder could more easily, i.e. without loss of social status, explore the opportunities in the Gold Coast for a longer period. However, as soon as they got a chance to obtain personal fields, they stayed home as well. Unmarried men on the other hand had nothing to lose by leaving: they had no power, no say, and had had to work on the communal fields, on the *plantations cantonales*, on the elder's new personal fields and, occasionally, as forced labourers for the French. Their departure for the Gold Coast had only positive consequences: it brought them independence.

### Conclusion: The livelihood framework examined

Livelihood studies are actor-oriented and generally do not look upon people as passive victims of exploitation but rather as active agents making use, though

<sup>28</sup> De Haan 1993: 149.

often with very limited means, of opportunities, and sometimes even creating these opportunities. In this paper, the Gourma were not portrayed as passively suffering from the supremacy of colonialism. Instead it was shown that, although both German and French colonialism was exploitive and oppressive, the direction in which the Gourma developed depended very much on local circumstances and local responses. Thus, it was shown that linking up with the world system was not a simple matter of opening up, but the result of delicate articulation of external economic and political forces in regard with local livelihoods.

That is not to say that every articulation is successful. Success from the Gourma perspective very much depended on the sustainability of their livelihood: it had to provide them with a decent living in the long run, and according to their own standards. Success from the perspective of the colonial administration depended on financial sustainability. It is not difficult to conclude that from both perspectives success was doubtful, or at least marginal. Gourma living conditions were not significantly and persistently above the level of sheer survival, although at the end of the colonial period the health situation was much better than ever before. Financially, the savannah region was more a burden than an asset to the colonial administration: pure geographical factors such as distance to markets, transportation costs, and lack of mineral deposits can be indicated as causes. The lack of success in linking up with the world system should rather be attributed to these geographical factors than to the exploitative nature of colonialism.

From the analysis it has become clear that access to labour and land, constrained by social capital, was crucial in understanding Gourma livelihood.<sup>29</sup> This induces the question what social capital actually means and how it relates to what is usually called social structure. Carney distinguishes various views on social capital and identifies the following core elements:<sup>30</sup>

- relations of trust, reciprocity and exchange between individuals;
- connectedness, networks and groups, including access to wider institutions; and
- common rules, norms and sanctions mutually agreed or handed down within societies.

<sup>29</sup> It was explained that to achieve a livelihood, people make use of five capitals, i.e. human, natural, physical, financial and social capital. For the analysis of colonial Gourma society it was sufficient to focus only on labour (human capital), land (natural capital) and social relations (social capital). Of course, physical capital such as food stocks, livestock, jewellery, equipment and tools, is not to be overlooked, particularly not in an analysis more focused on agriculture than the present one. Financial capital (savings, loans or credit, hardly played a role because monetarisation) was still in its infancy.

<sup>30</sup> Carney 1999a: 1.

While all three elements amount to a resource upon which people can draw for their livelihood, especially the third element seems synonymous with social structure beyond individual strategy. It is clear that social behaviour, including colonial Gourma livelihood, cannot be understood exclusively in terms of individual motives, intentions and interest. Individual behaviour is socially constructed. Agency is embodied in the individual, but embedded in social relations, through which it can become effective. Individual choices and decision-making are embedded in values and norms and institutional structures. From this perspective, social capital is more a device to link livelihood with social structure, than a useful concept of its own accord. In this paper, the notion of social capital soon gave way to attention for social relations governing access to labour and land. It was demonstrated that the social structure of Gourma society, and especially the way in which power relations were institutionalised in the marital system and the allocation of land, was decisive for the way it responded to colonialism and the manner in which opportunities were perceived and grasped. Given the particular geographical circumstances of the savannah region of Togo, land was less of an issue, and the colonial administration and traditional authorities were only left with labour to struggle over. Labour seized the opportunity, created but not imposed by colonialism, to migrate to the Gold Coast.

In the long run, migrant labour was more harmful to the Gourma elders than to the colonial administration: while it catered for at least part of the taxes which the colonial administration levied, the lineage elders lost part of their labour and could only compensate for this loss by permitting young men the use of personal fields, in other words by in fact allowing the latter more individual decision-making in livelihood. This clearly shows that Gourma social structure induced particular livelihoods to develop under colonialism, and that those very livelihoods induced changes in the original social structure of Gourma society.

Finally, the analysis of the colonial Gourma situation indicates an important, by now well-established trend in modern livelihood studies: diversification. Gourma lineages, responsible for group production, did not attempt to specialise in one livelihood – migration *or* groundnut production – but rather preferred to exploit both opportunities. As compared with pre-colonial society, not only livelihood itself became more diversified, but also families tended to combine more types of livelihoods. At present, this diversification is even more manifest than in the period under scrutiny. It should be noted that in academic livelihood debates, diversification does not necessarily imply higher incomes. It is often argued that poverty induces people to exploit all possible means and niches to survive, and that therefore

the poor tend to engage in multiple activities. However, notions of diversification should also be understood on the individual and the family level. Although individuals may admittedly follow multiple income strategies simultaneously, families that do so do not necessarily have a collective decision-making process, i.e. deliberations about costs and benefits or advantages and disadvantages do not always take place at the collective level. Individual objectives and family aspirations are thus sometimes conflictive and specific activities, such as labour migration, may in fact weaken family cohesion. From the framework of the livelihood debate, this paper has thus indicated that diversification is not necessarily planned at the family level. What is more, the argument's historical approach has revealed that the increase of livelihood diversification already took place in early colonial times, even in the most peripheral regions of the world system.

## Chapter 10

# The environment of disputes

by Keebet von Benda-Beckmann

### Introduction

The study of dispute and disputing processes has always been at the core of legal anthropology. Over time however, there have been changes in the reasons advanced for the significance of disputes within this type of study. The work of van Rouveroy van Nieuwaal reflects these shifts: starting out with his doctoral dissertation on marriage and inheritance disputes among the Anufom,<sup>1</sup> his work, especially that on chieftaincy in West Africa, has been a reflection of the more general move away from an interest in institutions of dispute management to the wider political contexts in which the validity of various normative orders are reconstituted, contested, and merged.<sup>2</sup> The present article traces this general development in the study of dispute behaviour in legal anthropology.

### Disputes in a social setting

The traditional academic viewpoint was to regard disputes as the most important sources of knowledge concerning substantive unwritten rules inherent in legal systems. For authors such as Llewellyn, Hoebel and Pospisil,<sup>3</sup> the study of dispute was thus the methodological solution to the problem of studying oral legal orders which could not be studied on the basis of written material.

However, at an earlier stage (known to the authors mentioned: Hoebel translated *ter Haar* into English) it had already become clear that the study of dispute could only provide a very partial insight into the workings of

<sup>1</sup> Van Rouveroy van Nieuwaal 1976; van Rouveroy van Nieuwaal & van Rouveroy van Nieuwaal-Baerends 1981.

<sup>2</sup> Van Rouveroy van Nieuwaal 1987, 1996, 1998; Ray & van Rouveroy van Nieuwaal 1996a.

<sup>3</sup> Llewellyn & Hoebel 1967, Hoebel 1954; Pospisil 1971.