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## Introduction

If the argument about post-colonial exploitation of Africa by speculators requires empirical examples, the current trade in African art is an excellent one. While the issue of the art trade in general, and stolen art in particular, may seem secondary to the immediate condition of the peoples of modern Africa, the role of the various institutions in the core-capitalist states and the international art market bear witness to the ongoing despoliation of Africa's resources for the benefit of capitalists in the West. This problem is not unknown to the nation-states of Africa. That the problem is relatively obscure in the West, and even in Western art circles, is more the product of beneficial ignorance on our part than a mere oversight.

It is estimated that sixty percent of the antiquities on the market is illegally excavated, largely from underdeveloped nations in Africa, Latin America and Asia. (Burnham, 1975). One can quibble over percentages or the certainty of the numbers especially given the fact that the trade is an underground affair and access to and the existence of records is limited. But such quibbling does not deny the truth that it is a major source of the exodus of African artifacts and a source of lucrative business in the West. Some people maintain that next to the drug trade, the art trade is the most significant illegal activity in the world. (Arts and Antiquities, 1986). A recent auction of African artifacts in New York was expected to gross over one billion dollars! (Reif, 1989).

However, much of the literature neglects discussion of this problem as it relates to the poorer nations of the world (especially in Africa). Rather, they decry the theft of a few valuable paintings and sculpture from Western museums. Perhaps even more telling is the fact that most reports of the theft of African artifacts discuss their removal from Western museum.

This paper is primarily attempting to analyze the current international trade in African artifacts and demonstrate how this situation is a manifestation of the broader political and economic system that perpetuates the underdevelopment of Africa. In this system "entrepreneurs" from both Africa and the West make huge profits out of artifacts by stealing or smuggling them out of customs in Africa. After being smuggled, they are sold at high prices in the West. The result of this process is that African who have ownership rights to such artifacts part with little or no artifacts. All of this is but a manifestation of a broader, and perhaps more significant, pillage of African resources and products based on unfair terms of trade and other methods of exploitation by Western nations.

## How the Illegal African Art Trade Works

The central character in the trade is the middle man. He is the person who gets the art from indigenous sources. Once it is purchased or stolen, he either smuggles the

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art out of the country under cover or through bribery of customs officers. Sometimes the artifacts are transferred to a Western dealer. Most times, the middle man has little knowledge of the real worth of a particular piece. Relating what she saw in Ghana, Burnham (1975) wrote about the middle man:

The museum in Accra [Ghana] is his source of information on the value of the traditional objects. He brings these things there which he does not recognize, or of which he doubts the authenticity. Sometimes he sells or gives pieces to the museum — it is important to maintain good relations. The museum for its part, feels the same way. It is surprising to find that the national museums know, and have relations with, most of the major smugglers in their countries. The dealer comes to the museums with almost every valuable object that leaves the country. He wants to be sure of its value, to pickup free expertise.

In the art-trading countries there is also help that exist among dealers. It proceeds in a manner similar to the one described above (Meyers, 1973). Having established the value of the pieces, the middleman visits museum curators, local dealers and private collectors displaying his wares and asking for offers.

Of course, all trade is not illegal. However, the illegal trade constitutes the dominant form of exchange and is, as will be shown later, encouraged by the legal and social apparatuses in the Western world and by social and economic conditions that prevail in the African societies themselves.

#### Factors Underlying the Trade in African Artifacts

There are several resources that make art trade flourish in this manner. But the most important are two related factors: (1) the emergence of the capitalist economy and its penetration into the African economy; and (2) the virtually complete domination of the world society by the predominant capitalism nations. The first factor has been discussed by many observers. They postulate that the capitalist system emerged in Europe, extending into Africa (and the Americas and Asia) in the quest to perpetuate itself, exploiting those areas without actually developing them to fully participate in the capitalist economy. In this way they distorted developed in these areas by extracting means and objects of production (resources, land, and labour) without returning the fruits of production to those areas.

The second factor is related to the first, but is in some ways separable. It refers not so much to the idea of market capitalism but the expansion of the Western way of life which is closely associated with capitalism. This include extreme individualism, high levels of consumption and the associated alienation of people from each other and the environment. It is perhaps these factors which are not unique to capitalism that should be addressed to. Even in the art trade it is often the power associated with Western capitalism, i.e., how it is used in a more political or cultural sense that perpetuates the current inequities in the world system and keeps African culture "dependent" on Western bias.

The pillage of archeological antiquities and tribal relics is widespread in Africa. The biggest source of illegal exports are archeological sites, many of whose locations are unknown to that nations government. (Eyo, 1986; Moore, 1988; Burnham, 1975) There is a difficulty however in establishing the actual quantity of devastation. Since the trade is secret, those who know about it, especially those who are profiting from it, do not talk (Bator, 1981; Burnham, 1975). Even so, a lack of hard information

about the volume of illegal trade in Africa does not stop us from discussing its underlying causes. These causes can be surmised from the history of the position of Africa in the world.

#### History

A history of how the West discovered and profited from Africa's artifacts fully explains the current situation. It shows that African cultural despoliation is embedded in the economic world system *and* that another culture is *imposed* on African societies by this system. The latter development further explains the "dependent" position of the cultures of Africa today. The pillage of Africa's indigenous art did not begin with formal colonial rule. It began with the first vestiges of modern Europe's contact with Africa and the demand for gold (Wallerstein, 1977).

From the "bush" came the slaves and much of the gold for which Europeans had an insatiable hunger, gold in the form of exquisite ornaments as well as dust or nuggets. Their appearance meant nothing to the traders who hastened to melt them down into humdrum, but measurable bullion. (Chamberlin, 1983)

The concern with other African resources grew as the needs of capitalist states did. Slaves were shipped to the Americas. This was rationalized by claims that black Africans were inferior to their white counterparts and that they were subhuman. The basis for this cannot be looked on as merely capitalists' rationalization, but should also be examined as a product of culture. Indians were not treated in the same way under British colonialists.

During the colonial period of Africa's integration into the world capitalist system (Wallerstein, 1977; Ake, 1981), art was looted and brought back to Europe and America as the bounty of conquest. In the words of Eyo (1986):

Those acquainted with the history of looting of art objects from Africa will be familiar with the infamous British punitive expedition to Benin City in 1897. In this operation the Royal Palace was burnt down, precious bronzes looted, and the king banished to die in exile.

The removal of African art was further encouraged by a growing interest on the part of Europeans in the "primitive" art of Africa. Western artists of the early twentieth century such as Picasson, Matisse, Klee and others, incorporated African forms in their work (Pierce, 1976; Burnham, 1975). Such practice generated interest in these "primitive" artforms among the public. Predictably, the value of African art increased. In the process, it became a profitable line of business for middle men and collectors.

#### The Current Role of the Art Collecting States

Before and during the colonial period the supply of artifacts was more or less controlled by demand in Europe. However, the rise in demand for the artifacts occurred during the more recent part of this century, a period in which most former colonies become independent nations. African nationalists began to attempt to collect their own art and tried to keep it at home (Bator, 1981; Burnham, 1975). These attempts have come upon the harsh reality of the broader post-colonial experience of continued economic underdevelopment and cultural despoliation. The art-collecting states continued to use the benefits of their position in the world economy to profit more from Africa's art and culture.

Recall the discussion of the middle man. Once he leaves Africa he is virtually free to trade with collectors and museums. The demand in these countries for art from all sources is very high. A recent look at record prices (and profits) received at auctions is perhaps an example of art's growing importance as a field of risk capital (Meyer, 1977; Reif, 1989). As a commodity, there is a great incentive to buy cheap and sell high. The specifically exploitative nature of the current market is explained by Eyo (1986).

Whereas in the past there was some attempt to inform, now much of the collection activity is confined to economic exploitation through organized theft: the sole purpose is to make money out of the heritage of the poor nations of the world.

But it is not only profit motive which is driving these collectors. Some collectors aim specifically for museums. The curators buy art in the assumption that it is probably stolen in order to get "one up" on a rival museum. They justify their action on the basis that the art will be bought by another museum, or purchased by a private collector and hidden from view (Meyer, 1977; Burnham, 1975). It is not outlandish to compare this to the African land grab of 1884, when the colonial powers quickly carved up Africa amongst themselves to stop the possibility that other would-be colonizers would stake claims in Africa.

As stated at the beginning of this section, many of the new independent African nations recognized what was happening to their art. They enacted laws to restrict the flow of cultural artifacts from Africa. In fact, all African nations, except Togo and Uganda have export restrictions on art (Bator, 1981). These restrictions usually take the form of export licensing requirements for all, or valuable artifacts to be exported. Zaire has totally banned all art exports (Prott, 1983).

The legal structure of the art-collecting states protects the practices of middle men and museums, consequently allowing an obviously illegal trade to become legalized. Despite the export restrictions and various measures to monitor what artifacts leave African Countries, the illegal trade continues due to an elaborate system of legal loopholes primarily in the collecting states. In the first instance, legal systems of many art-collecting states do not even recognize claims on illegally exported artifacts. Law Professor Paul Bator (1981) explains:

The fundamental general rule is clear: The fact that an art object has been illegally exported does not in itself bar it from lawful importation into the United States; illegal export does not itself render the importer (or the one who took it from him) in any way actionable in a U.S. court; the possession of an art object cannot be lawfully disturbed in the United States solely because it was illegally exported from another country. This general rule apparently obtains all other major art-importing countries, including England, France, Germany and Switzerland.

On the other hand, there are laws which maintain that if the work was stolen from the country of origin (prior to its illegal export), then that country may get the art back. However, the major attempt in the West is to ensure a market for art in the West, more than it is to preserve the integrity of Africa's cultural heritage or Africa's rights to its own artifacts.<sup>3</sup> To avoid the problem of the above-mentioned exception to unrestricted importation, collectors simply launder art objects through a jurisdiction with a *bona fide* buyer law. This law exempts the buyer from legal action if he purchases the art in "good faith" (Nofzinger, 1983); that is, without good knowledge that the piece was stolen. An alternative approach practiced chiefly by museums is

to hide suspect pieces (in a warehouse or such) until the statute of limitations expires. Then they are free to show the piece with impunity (Meyer, 1977).

The plight of third world states is not unnoticed in the West. The law (or lack thereof) have been challenged by civil codes and even court decisions in art-collecting states. However, these maverick decisions which attempt to recognize the third world nations' claims to artifacts lying within their borders, have been met with stiff resistance from those who stand to gain by the continuation of the trade.

One example of this situation is in the United States, the chief market for antiquities. In *U.S. v. McClain* the court found that the claim of provenance by a nation and the proof of illegal export from that nation were sufficient to require the return of an artifact. Such a ruling was a potential boon to artifact-rich nations (chiefly the poorer nations of the third world) because it would have allowed them greater standing to recover stolen art. Such a ruling was also consistent with laws in the United States which grants legitimacy to ownership claims by individual U.S. states of undocumented archeological sites (Moore, 1988).

Following the court decision, action began in the U.S. Congress and in several U.S. state legislatures to undermine it. At the federal level, legislation was introduced to protect buyers of illegally obtained art from other nations. One bill proposed to abolish national ownership claims of previously undiscovered artifacts (Moore, 1988). On the state level, a three year statute of limitations was proposed in New York, a major museum and collector center. The law would take effect as soon as the artifact was stolen, giving smugglers and collectors an easy time circumventing laws against cultural theft. Not surprisingly, the major proponents of this legislation were wealthy, well-connected American collectors (Moore, 1986). Meanwhile, the lobby of affected artifact-rich nations was small, as were the numbers of Americans who knew or cared about this theft.

Another example of the failed attempts by people in art-collecting states to stem the flow of artifacts from the poor countries of the world is France. The government has attempted to require documentation certifying that art works have been obtained and traded legitimately. These actions have been mooted by the courts (Prott, 1983).

There has also been action at the international level as expressed by the UNESCO Convention of 1970 on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property. This has resulted in little concrete action, however, as the recent court events in the art-collecting states has shown. There have been successes where art has been sent back to its country of origin, but such successes are few and far between.

The failure of international organization to alleviate this problem is a classic example of the lack of will on the part of the West, despite clear evidence that the majority of nations support restrictions and justice. It is, in fact, a not so masked attempt to perpetuate conditions that make the cultural artifacts of Africa (and the rest of the underdeveloped nations) free for the taking by those who seek profit.

### The Limits to Africa's Role in the Trade

Colonialism (and the powers gained from it) by the West severely limits the response of African nations to the systematic pillage of their culture. Claude Ake (1981) has shown how the capitalist states systematically prevent Africa from developing by exploiting trade and other relationships established in the colonial period in order to

maximize profit for themselves. Underdevelopment of the peripheral states of Africa prevents them from playing any significant part in the art trade, other than as a supplier of the "raw material" of culture. Many authors in the West, the proponents of the existing (non) regulation in the Western nations, comment on the necessity of a free trade in art in order to establish "an interest in, understanding of, and sympathy and admiration for that [other] country" (Bator, 1981). What they ignore is the fact that the "exchange" only flows one way.

Attempts by African states to obtain on loan, works of art (often their own art, previously looted) from art-collecting nations are usually unsuccessful. They confront an attitude that somehow suggests that they cannot properly take care of these works. Western nations maintain that the works are too fragile to be shown in the African climate or that there is not enough security in African states to prevent theft. Indeed, this kind of attitude is often expressed by art collectors as a reason for all art to be exported from the third world. This excuse is often a rationalization for buying stolen pieces (Eyo, 1986; Meyers, 1977).

To an extent, these fears are true. One of the reasons that it remains so easy to steal or smuggle art out of Africa is that African countries have less time and money to spend on policing sites, tracking down thieves and taking care of their art. By way of illustration, as of 1975 Gambia and Guinea had no museums, Mali had only a mis-kempt warehouse-museum and virtually no country (except Nigeria and Kenya) had a budget for acquisition or research. They had no way of telling villagers the true value of what they were essentially giving away (Burnham, 1975). The continued decline of African economies in the last decade and a half would indicate that the situation might have even worsened.

Without money, Africa cannot pay to care for and monitor archeological sites. Thus, without monitoring, they can get no money for their own art. The situation is analogous to Ake's explanation of Africa's underdevelopment more generally.

The pervasive poverty in much of Africa explains the tendency of some individuals to loot art works or for government officials to "look the other way" when the crime is committed. Indeed, many collectors and dealers in the developed nations consider the trade as a benefit to poor villagers who happen to find artifacts (Meyer, 1977). A hundred dollars for a looting of a site is both easy for a dealer to pay (given that he will receive much more when selling it in the United States or France) and an even better incentive for a local citizen, who may not earn more than three or four hundred dollars a year in a sanctioned occupation.

Even with more money for archeological recovery in the nations of Africa, it would be difficult to restrict looting within the border as long as people there remain poor and as long as the art markets in the developed world make it profitable to steal.

Finally, the extensive despoliation of African artifacts can be explained by the very quantity of archeological sites in these artifact rich nations. Unlike most of the art-collecting states which have relatively few valuable indigenous artifacts, the art exporting countries tend to be areas long ago civilized, and thus have many antiquities.

There is also another aspect of the obstacles African nations face in their attempts to reduce the flow of artifacts from the continent. This too can, in part, be explained by remnants of the colonial period still prevailing in the world today. As the occupying powers were leaving Africa following the success of African independence move-

ments in the mid to late twentieth century, they attempted to maintain their favoured position in their colonies by empowering groups and individuals who would continue to protect their interests. This process continues today (Ake, 1981). In this way Western nations are able to guide the development of political and economic systems in the third world. This, coupled with a general command of the world economy, gives them considerable weight in the third world politics. This weight extends into issues relating to art and culture.

As Burnham states in *The Art Crisis* (1975), despite the changing attitudes among many Africans about their culture and economy, some African leaders remained more allied to Western interests than to preserving Africa's culture. One example she cites is the theft of some artifacts from Gabon which were discovered in France. Just when it seemed that Gabon would lodge a complaint, the matter was dropped because it had been discovered that the wife of a prominent French politician had purchased some of these pieces. Burnham also mentions that many African leaders encourage the flight of "tribal relics" in the interest of westernizing their culture.

The relationship between such actions and the attempt on the part of Western nations to guide African politics is evidence of more than merely an attempt to insert capitalism into the economies of Africa. It shows that there is an attempt to push an entire social system upon African nations together with the marketing of cultural artifacts. Moreover, there is an indication in the West's continuation of policies that permit encourage the flight of antiquities from the indigenous societies in Africa. This shows a profound disregard for maintaining African culture anything outside the tradable curiosities.

### The Importance of Cultural Heritage

It should be clear now how the flow of artifacts from Africa systematically denies Africans the economic advantages of art possession. Whether kept at home to encourage tourism, or controlled in such a way that states are able to receive fair prices for Africa's artifacts, Africa can receive fairer economic benefits for its people than it does at present. But what about cultural benefits? One may be tempted to argue, as has been done, that at least acquisition of art by art-collecting states will preserve some artifacts that might otherwise be destroyed by development or elemental forces (Meyer, 1973). This argument is wrong for several reasons.

First, it ignores the obvious economic implications. Africa is still underpaid for the value that these artifacts represent. But there are few people who make this argument that are willing to devote huge amounts of money to pay Africa to get Africa's artifacts. This argument is more diversionary than real.

Second, it ignores issues of Africa's development. Many pieces stolen from Africa have very limited utility in non-African communities other than being a curiosity. In their localized contexts they may serve direct cultural and historic functions in addition to aesthetic ones (Eyo, 1986). While aesthetic value is a valid reason to desire such objects, there must also be consideration of the integration of aesthetics into the day-to-day functioning of a society.

The widely held opinion that art is a luxury and serves no vital purpose is, at least as far as Africa is concerned, a myth. For, apart from having well-known social and religious functions, much of Africa's art also plays a prominent part in the sphere of political leadership, that is, in the governing of the people. (Fraser, 1972).

As it currently stands, the exodus of antiquities serves to alienate people from their history. To the exporters of culture in the West, this is all part of the "modernization process". And there is evidence that it is working. Eyo (1986) explains:

Today not a single Western museum that depicts African civilizations is without one or two Benin pieces. Yet the Benin museum has to display third-rate pieces and casts and photographs [of pieces] that now adorn museums elsewhere.

In addition to losing its own cultural heritage, African development is harmed because it cannot develop its museums and be involved in the much needed cultural exchange advocated by some proponents of a "free market" in art. As the "exchange" exists now, Africans are gaining little understanding or sympathy when the West takes their art and returns a coke. What Africa and the West need to come to realize is that cultural exchange and societal development works in two directions, and not just one. The implication of the present one-sided "trade" is domination.

African nations seem to be developing as mere appendages to alien ideas and systems: religious and political, economic and scientific, social and philosophical. In pursuit of the alien ideas and system of organization, due to the intellectual inability of the "educated class" of the nations to creatively rethink and re-interpret the ideas in the context of the African cultural heritage and because of a passionate enthusiasm shown towards almost everything Western, the foundations of African development and progress are neither stability or integrity. (Avanwu, 1986).

Finally, those who claim to preserve African artifacts better than Africans must realize the ultimate fallacy behind their greedy practices.

... an antiquity without provenance -- even if perfectly preserved -- is of limited historical significance; if we do not know where it came from, it can provide only limited scientific knowledge about the past. The preservation of archeological evidence requires not only that objects as such be protected from destruction or mutilation, but further, an opportunity to study and record exactly where and how each object was buried and how it related to other objects. (Bator, 1981).

The broader socio-historical importance is perhaps never considered by those looting and buying artifacts. Furthermore, the solution to this particular problem coincides with the solution to the economic and developmental ones. The project for the future should be to go to Africa and take part in an investigation of African artifacts, for ourselves, for Africa and for all people.

## Conclusion

To summarize, the history of capitalist intervention in the African art trade is an example of the broader economic and cultural domination of African society by Western capitalism. The history of capitalist intervention into Africa resulted in the underdevelopment of African economies, which is perpetuated today not only by that historical underdevelopment, but by the continuing use of political and economic power to deny African nations a fair price for their artifacts or self-determination concerning their heritage.

The pillage of African art undermines the greater understanding of African culture because of the diffusion of artifacts from their archeological contexts to cater to the whims of art collectors. This, perhaps, best points out the fallacy of the rationalization that the West can best protect Africa's past. The looted and smuggled artifacts need to remain in Africa if scientific and fair investigation of them is to provide any clue about Africa's, and indeed, mankind's past.

African nations and those of the art-collecting states. I believe that there are benefits far all concerned to alleviated these problems. Whether it is those seeking to make money from Africa's heritage or those attempting to "modernize" Africa, the continued pillage of archeological sites and relics is tantamount to the abolition of culture. The disappearance of these sites, if steps are not taken to preserve them, promises more than a loss of history to Africans.

#### NOTE

1: *African Arts* magazine presents a column, "Caveat Emptor", which documents recent looting from collections and the continent. However, this is only a small part of the problem. The biggest source of illegal exports are archeological sites, many of whose locations are unknown to African governments (Eyo, 1986; Moore, 1988; Burnham, 1975).

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## Marxism, Social Class, Ethnic and Gender Inequalities in Contemporary African Societies

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### Introduction

The paper aims to develop theoretical explanation for the prevalence of class, gender' and ethnic/racial inequalities in contemporary African societies. The controversy in development literature as to the relevance of the Marxist concept of social class in the explanation of inequality in developing countries is echoed in the discourse on inequality in Africa. This controversy oscillates between ethnic reductionism and class reductionism, virtually omitting gender inequality.

Ethnic reductionists such as African Socialists' tend to reduce all forms of inequality to ethnicity, presenting social class as "a simple empirical entity" unsuitable for the analysis of African societies (Katz, 1980: 13). They contend that the penetration of capitalism into Africa, while providing a common platform for economic interaction among various ethnic groups, fails to transform the allegiances and identities of the diverse ethnic entities. This school of thought substantiates its stance by pointing to the fact that the deepest cleavages in Africa have been, and still are, between ethnic/racial groups and occasionally religious groups, but not between economic entities. Africa is, therefore, projected as a classless society. Class reductionists, on their part, emphasize that ethnic/racial relations are an ideological construct reflecting class relations. Ethnic/racial, gender and other forms of inequality are, in this sense, perceived as class inequality in disguise. They stress that Africa is class-structured like any other society of the capitalist world, only that the formation of classes in Africa has been slowed down by colonialism and neocolonialism (Nkrumah, 1970; Amin, 1977; Onimode, 1988). My stand is that classes exist in Africa, and they interact with ethnicity and gender. However, by using the classical Marxist class model to analyse the African class structure, classes become obscure. Onimode (1988) postulates that social classes exist in Africa although they may be in their embryonic stage of formation because of the articulation of pre-capitalist and capitalist modes of production, with the latter occupying a dominant position. Although he does not make any distinction between mercantile and industrial capitalism, it is implicit in his analysis that the contemporary African social formation is dominated by industrial capitalism. He states:

Then, between c. 1750 and the scramble for Africa, Africa was incorporated into a second phase of an increasingly unified world capitalist system through what Rosa Luxemburg defined as exploitation of pre-capitalist (Africa and other Third World) societies by industrial capitalism (emphasis mine) (Onimode, 1988: 99).

The question then is, if industrial capitalism is dominant in Africa, why is it that the African class situation is so different from that of the developed capitalist countries? For example, why is it that contrary to Marx's postulate 1) the African bourgeoisie

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