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The ECOWAS Area without Internal Borders: Lessons from EU Cross-Border Mobility

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Introduction

Background

One key measure for the success of any regional integration process is dependent on open internal borders - where people can move, live and work freely, knowing that their rights are fully regarded and their safety guaranteed. A regional integration project requires an operative removal of the importance of borders, frontiers and boundaries between countries, which furthermore facilitates actors' trust, commitment and seriousness to integrate (Asiwaju, 2003). A regional integration process which does not aim to remove obstacles of internal mobility as successfully constructed and exhibited by the Schengen system in Europe, is likely to struggle.

Benelux-Schengen Process and free movement in Europe

In the European Union, the Rome Treaty of March 1957 triggered a process that led to one of the most sophisticated and exemplary "open internal border" projects in the world. This ever-increasing and continuous process of actualizing the "Europe without Borders" concept as triggered by Benelux, enshrined in the initial Schengen Agreements in 1985 and subsequently established in the Constitutional Treaties of The EU (Maastricht, Amsterdam and Lisbon). The outcome of these developments has seen to the dramatic removal of checks on persons at internal borders, a common set of rules applying to people crossing the external borders of the Member States, harmonization on the rules of entry

and visas for short stays, increased police and judicial cooperation and the establishment of a Schengen Information System (SIS).[1]

General Overview of the Border Situation and Free Movement in West Africa

The West African sub-region is made up of fifteen Member States[2] which cover a land area of 5 million square kilometers with a total population of 319 million people. 45% of the total population living in the sub-region is an urban population. The estimated total GDP of the ECOWAS region was, as of 2014, 396 billion dollars (Mo Ibrahim Foundation, 2014). Based on this data a closely knit region where internal border controls are dismantled will lead to the fulfillment of the borrowed concept of an "ECOWAS sub-region without borders"[3] where there will be an increase in cross-border activity resulting in deepened regional integration.

This means that ECOWAS Member States will no longer carry out border checks at the borders they share with each other, ensuring the free movement of people from one ECOWAS country to another without being subjected to passport controls. This removal of internal border controls means that ECOWAS countries need to collaborate with each other to maintain a high level of harmonized security within the ECOWAS area. It also means that Member States need to share and cooperate in the management of the common external borders and seek to collaborate in this context with their non-ECOWAS neighbours.

In 1975, sixteen West African countries signed a treaty to strengthen regional economic cooperation and eventual integration by progressively ensuring free movement of goods, capital, and people and to strengthen the peace and security efforts of Member States. The adoption of the free movement protocols conferred on Community citizens the right to enter and reside in the territory of

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1 For measures adopted by the Member States as part of cooperation under Schengen, see <http://europa.eu/legislation_summaries/justice_freedom_security/free_movement_of_persons_asylum_immigration/l33020_en.htm> [Accessed on 23.02.2016].

2 Mauritania exited ECOWAS in 2000, resulting in 15 Member States as of 2014.

3 An adapted concept to suit the ECOWAS sub-region, taking a cue from the concept, "Europe without Borders".

any Member State provided they possessed the required valid travel document and an international health certificate. Nonetheless, it also allowed Member States to reserve the right of refusal of admission to any Community citizens who were inadmissible under the domestic law of Member States. The realization period of the three-stage Protocol – visa-free travel, right of residence, right of establishment – with each particular phase lasting five years.

Figure 1: ECOWAS Member States
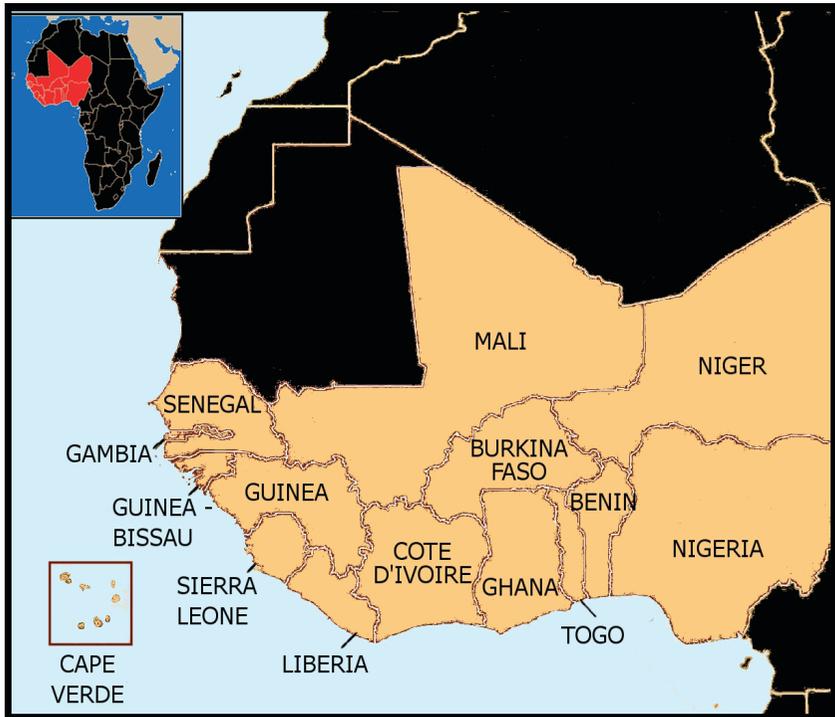
Source: Mondo Magic, 2009: "Map of West Africa, where Energy for Opportunity Works", see http://commons.wikimedia.org/wiki/File:Map_of_West_AFrica.gif#mediaviewer/File:Map_of_West_AFrica.gif

The four supplementary protocols adopted between 1985 and 1990 committed Member States, among other things, to:

- Provide valid travel documents to their citizens (1985 Supplementary Protocol A/SP.1/7/85, article 2(1))

- Grant community citizens the right of residence for the purpose of seeking and carrying out income-earning employment (1986 Supplementary Protocol A/SP.1/7/86, article 2)

- Ensure appropriate treatment of persons being expelled (1979 Protocol A/P.1/5/79 relating to Free Movement of Persons, Residence and Establishment, article 11, and 1985 Supplementary Protocol A/SP.1/7/85, article 3.)

- Not expel Community citizens en masse (1986 Supplementary Protocol A/SP.1/7/86, article 13(1))

- Limit the grounds for individual expulsion to reasons of morality, public health, national security, public order or the non-fulfilment of an essential condition of residence

The major deficiency of these provisions in the free movement protocols is that they are either not known or not implemented. In theory, all three of the phased stages are complete and the guaranteed benefits specified in the free movement protocols are part of the Community's legal regime. In reality, however, only the first of the three phases has been fully implemented.

Although observations generally focus on what has not been realized, it is important to distinguish how considerable visa-free travel in the region is. Visa fees represent a scarce source of revenue which Member States have voluntarily foregone. Regardless of under-resourced immigration agencies and border control departments, the absence of systematic entry and exit recording systems and the widespread seeking of bribes by border officials, phase one of the protocols is fully executed throughout the sub-region. This is generally reflected in the high level of public consciousness of the guaranteed benefit of visa-free travel. Promoting cross-border mobility in the West African sub-region is important to its political and socio-economic activities. Critical to this mobility is the free movement of persons and goods. As evidenced in studies conducted in 2006, 4 to 5 million citizens of the countries of the Economic Community

of West African States (ECOWAS) traverse the frontiers of the community's territory every month (this also includes displaced citizens i.e. refugees) (Lamine, 2006, p.47). As a result, even though the 'free movement protocols' of ECOWAS support mobility and residence of citizens in principle it must be increasingly implemented through the removal of its internal border controls to reap the benefits of deeper integration.

Research Questions

The following paper is based on one specific question with eleven hypotheses, which will serve as a guide to better understand how open borders through the removal and devaluation[4] of border checks in West Africa will increase the ease of people travelling across borders (in particular) and cross-border activity (in general) and consequently deepen the regional integration process in the sub-region. The discussion paper studies an area in which there is an intense shortage of scholarly research. Migration, drug trafficking, crime and border security have received a great deal of attention in the mainstream media and in scholarly works. However, very little research has been conducted on how the removal of border checks and controls is related to cross-border activity in West Africa. Hence, to redress this deficiency of evidence, the paper represents an attempt to determine how the initiatives and processes dealing with open internal borders, triggered by ECOWAS and its Member States, have influenced or changed the face of cross-border activity and mobility. A secondary goal is to explore how certain elements such as similar cultural orientation, educational exchanges, common political ideology, media proliferation and presence, shared regulatory environment and economic interconnectivity serve as driving forces or obstacles in the process of diminishing the value of borders and thereby leading to a solidified regional integration process.

This research paper is divided into six chapters: The first introductory section deals with the introduction and importance of the topic and gives a general overview of the border situation in West Africa. It also considers the main challenges to the border liberalization process so far in the sub-region. The final

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4   *Devaluation* here is not being used in an economic context but to show the underestimation of the importance of border checks.

part of the introduction considers the research question that is being answered by this research study, that is, how can open internal borders in West Africa result in increased cross-border mobility and how can contact consequently deepen the regional integration process in the sub-region.

The second part contains a literature review which places the concept of borders in a historical context. It begins by clarifying the definitions of borders, cross-border mobility and further looks into understanding African borders and particularly crossing West African borders and points to the linkage between cross-border activity and Regional Integration.

The following theory section examines the general theory of the research question and seeks to draw upon the eleven unique hypotheses that this research is focused upon. A conceptual framework is presented here to give the reader a diagrammatic viewpoint. Then, it highlights the three fundamental theories - liberal intergovernmentalism, new regionalism and constructivism – that this study relies on.

The research design and methodology section examines the case study approach of the European context of the Benelux-Schengen process. This is employed to understand the process of open borders, free movement and cross-border mobility.

Consequently, the results are discussed based on the eleven hypotheses which are grouped in three sets of factor areas and then analyzed on the basis of the available literature. When necessary some comparisons are made between the European and the West African process and in the end lessons are drawn.

Last but not least, the conclusions highlight the policy implications of the research findings for border policy experts and suggests opportunities for further research in the area.

It is the ultimate goal of this research to contribute to a better understanding of the relationship between border control, cross-border mobility/activity and regional integration issues and to point out opportunities and risks the border regions and sub-region of West Africa as a whole may encounter. Additionally, it is hoped that this research will help inspire potential border policy researchers to conduct further studies on open internal borders and cross-border mobility in West Africa in this context.

Literature Review

The History of the Idea of Borders

Mankind has used the mechanism of being fenced from each other for millennia. Due to the strategy of the appropriation of land employed by humans a few thousand years ago across continents, it becomes clear how ownership of these lands was demarcated. "Early humans" showed domination by having slaves and more recently conquered and colonized continents, drawing borders on maps. Cities and walls appeared in turn. The first documented cities appeared in Mesopotamia, particularly Eridy, Uruk and Ur - their sites predate ours by about 5700 to 7500 years.

The Sumerian civilization was made up of walled cities, once agricultural production started to dwindle as a result of constant erosion of the ground – as the land contained large quantities of salt. Wars did the rest and the civilization disappeared. The lesson learnt is that humans associate and disassociate (us and them - the slaves) and that fences and walls are therefore about exclusion (us and them - we conquer hence our gods are superior). This has occured for about 12000 years. It is an ongoing process, that has not changed. Example of cities and walls serving as boundaries are the Hadrian wall that separated Scotland from England, the Great Wall of China, and the walled city of Timbuktu in Mali, among others.

Relating this to maps, our understanding of territory is quite fluid. Thus, we integrate and disintegrate. This is evidenced by the representation of the World in some of the earliest geographical works of Claudius Ptolemy.

Figure 2: Representation of the Ptolemy Map

Source: Credited to Francesco di Antonio del Chierico, ca 1450-1475, Ptolemy's World Map, available at: <http://commons.wikimedia.org/wiki/File:PtolemyWorldMap.jpg#mediaviewer/File:PtolemyWorldMap.jpg>

Furthermore, the Paris Convention and the Treaty of Versailles in 1919 influenced immensely the way we view the world today. This process lasted for a whole year, subdividing the world and organizing it around three empires the USA, Britain and France. Woodrow Wilson's statement in 1919 - *"People should have a right of self-determination"* - established the principle and idea of self-determination. This, among other significant occurrences, led to the formation of the United Nations (UN) after the Second World War (WWII). In essence, after the set-up of the UN, the idea of borders and walls in the present era has been greatly influenced by the process of "self- determination" and mapping technologies.

Definition of the Border and Migration/ Mobility Theory

Since antiquity and through the origins of states, city-states and empires, there have been borders and marches[5] – lines, zones, strips of land, which separate, divide and demarcate other zones of confrontation or passage. The many functions of the border varied greatly and it is still changing.

Yet today's borders "vacillate" (Balibar, 2002) because they are not at the borders itself. Yes, the border marks the end of "sovereignty" and the beginning of another, where obligations and currency change, tolls are paid and customs are examined. But indeed our understanding of borders is limited by what Yosef Lapid (2001) called the "Territorialist Epistemology": He states that borders started as "lines in the ground", but that is not all they are today.

Brunet-Jailly (2011) suggests that borders are not only about territorially bounded authorities. They rather constitute institutions, resulting from bordering policies and are therefore about people. And as borders are woven into varied cultural economic and political fabrics, they are for most settled territories predominantly about inclusion and exclusion. He posits that they are not just sea and air ports of entry or even border crossings. Following this logic, borders are increasingly becoming virtual or simply palpable (electronic, non-visible- biometric identification and control, or electronic devices set to track flows of goods or persons such as tracking financial transactions, spywares of all kind). Brunet-Jailly (2011,3) reiterates Etienne Balibar's suggestion that borders are "vacillating, multiplied and reduced to their localization, thinned out and doubled, no longer the shores of politics but the political itself" thereby concluding that according to growing amount of literature, there is a need for a new interpretation of borders that goes beyond our territorialist, geopolitical, intellectual, and policy backgrounds.

A further look into Brunet-Jailly (2011) border studies literature suggests that the "ideal" border is an internalized and invisible (biometric) border. He opines that the search for a new security normality of the state-citizen-subject would be internalized by individuals and be a locus of a generalized and particularized

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5   A march refers broadly to the medieval European term for any kind of borderland as opposed to a heartland. More specifically it refers to a border between two realms. Rulers of marches were refered to as Marquess or Marchioness depending on one's gender.

identity based on language, ethnicity and religion. Internal controls are prominent zones of transit as well, populations wait for entry or exit where individuals negotiate their rights. Where trade and exchanges across borders are beyond possible control, natural and cultural controls create limits as neither nuclear disasters, satellite images nor public health scares can be stopped at the border.

Brunet-Jailly (2011, p. 3) interrogates further Balibar's "un-localized vacillating borders" concept and cites hisclaim that "*they no longer allow superimposition of sets of functions of sovereignty, administration, cultural control or taxation*" and reasserts what other experts say concerning the inability for borders to work for people and things in the same way anymore nor for people "equally" (Balibar, 2002; Mechlinski, 2010). He illustrates the vacillating borders and multi-sectoral security by citing the European Neighborhood Policy since 2004 and the EU Security Strategy of 2008 and draws parallels between the Westphalian style bordering through walls of North America and the "negotiated security with neighbors" style in Europe.

Timothy Mechlinski looks at borders in a different way, he opines that borders are socio-economic, political and cultural formations at which border crossers negotiate, in cultural and economic terms, with security agents. He claims that they are assumed to be both formulations of state power, and lived experiences of those crossing them. He emphasizes Aristide Zolberg's concerns about the treatment of borders in migration theory when he remarked: "*In retrospect, it is quite strange that classical migration theory altogether ignored borders and their effects.*" He further stressed that Zolberg's complaint brought to light, the detachment in terms of reality, between migration theory and the border when it was launched in the post Victorian period by E.G. Ravenstein (1885, 1889) when he expounded his principles of migration in the post Victorian period through to the mid-twentieth century.

While Everett Lee (1966) addressed the importance of physical barriers (like the Berlin Wall), immigration laws, and the cost of transportation as possible obstacles to migration. Neither his, nor any other classical models of migration and mobility actually explains *how* borders do this. These migration models conceptualize borders as one of the factors included in the larger cost-benefit analysis potential migrants make: they are one of the "intervening obstacles" which complicate the simple calculus of factors at the areas of origin and destination. It was only with the Marxist critique of earlier models, particularly influential in the 1970's, that migration scholars began to recognize the role that

states play in enforcing and defining borders that define and delimit international migration (Zolberg, 1989), and many such studies discussed the role borders play in maintaining global inequalities (Burawoy, 1976; Emmanuel, 1972; Nett, 1971; Carruthers and Vining, 1982). With the emergence of social capital theories of migration, the idea that networks help migrants cross potentially dangerous borders became salient as well. Still, insufficient empirical work has been done on the role of borders in migration studies specifically, and relatively little is known about the social processes of border crossing (Singer and Massey, 1998). In consequence of this lack of critical attention to the border in migration studies, it is important to look to other fields of study for the predominant thinking about the border today.[6] Even though scholarly work on borders has proliferated since the 1970's (Flynn, 1997), attempts to define the border have been as fruitless as they have been tireless (Alvarez, 1995).

Understanding African Borders

Reviewing Mechlinski's work from 2010 gives a broader understanding of African borders. Based on the input above and other scholarly border studies research it is obvious that there is no clear consensus on how to theorize the border (Alvarez, 1995). Roger Rouse's (1991) post-modernist view sees the border as a sensitized area where two or more political systems and referential codes come into continuous confrontation. In his conceptualization, the border itself is proliferating in many countries in which we see the constitution of multiple other borders (Rouse, 1991). Gille and O'Riain (2002) contend that the border is not only a space of hybridity and mobility, as some literature of diaspora and identity has seen it, but is constructed by surveillance (Lugo, 2000; Heyman, 1995). The border that delimits the territory of a particular nation-state at the same time proliferates processes of selection and qualification that determine who can and cannot enter, leave, or remain.

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6   This is not to say that scholars and activists in other arenas have not recognized the salience of borders and border crossings for migrants. In the European context in particular members of the TERRA network work on the issues that asylum seekers, refugees, and other forced migrants face when entering and travelling in the European Union. Non-governmental groups, like MIGREUROP write critically on the trend towards border fortification in Southern European countries.

As Timothy Mechlinski points out, Alvarez (1995) locates in the border a space of "contradiction, paradox, difference, and conflict of power and domination in contemporary global capitalism and the nation state, especially as manifested in local-level practices" that "graphically represent the conflict and contradictions of our increasingly hierarchically organized world" (Alvarez, 1995, 447). Fabian (1993), describing these conflicts in power, argues that migrants must engage in an intricate, perhaps dangerous, game of tricks and irregular payments, and that crossing borders is a rite of oppression and humiliation, discomfort and anxiety (see also Stephenson, 1993). These ideas do not seek to conceptualize the notion of borders per se, but are simply concepts about one or another aspect of borders. None seeks to integrate an explanation of how borders function for states and border crossers with why they play the role they do.

French Marxist and political philosopher Etienne Balibar, developing a notion of borders, characterizes them as hegemonised, polysemic, and heterogeneous (Balibar, 2002). An individual country's borders are hegemonised because they are not only located at the level of that particular country, but for a border to be accepted it must be validated by other countries as well. They are polysemic in that, as tools of state control, borders have to triage entrants based on their social status, so different social classes experience borders differentially. This occurs even though nation-states have attempted to standardize the border and codify their operations over the past two centuries. Lastly, he notes how borders incorporate many heterogeneous functions, serving at the same time socio-economic, political and cultural formations. Balibar contends that borders are actually relocated and un-locatable, existing not purely at the territorial transition from one nation-state to the next, but also at the locations and non-locations where decisions are made about who can and cannot move from one nation-state to another. Therefore, for Balibar (2002, p.77), borders are "negotiations" that occur between the person crossing and the institutions and individuals on the "other side" that either hinder or facilitate the crossing, entailing serious human consequences: "a life-and-death question for a large number of human beings".

Research on the borders of Africa has a unique set of interconnections. Zlotnik (2003, p.1) writes, "movements in Africa [continue] to be colored by the continent's history of colonization where the colonial powers imposed arbitrary borders that often divided people belonging to the same tribal or ethnic group". Certain scholars of African borders recognize that they serve other purposes and tend to study the political, economic, social and cultural relations and practices occurring around them in borderlands (Asiwaju, 1984; Asiwaju and

Adeniyi, 1989; Simon, 1996; Nugent, 2002; Flynn, 1997; Lentz, 2003; Brambilla, 2007). Intellectual commentary emanating out of this varied research discourse in various disciplines, consequentially have proven somewhat contentious in some instances (Fridy, 2004). However, these border studies in Africa, as asserted by Mechlinski (2010, p.97), "have focused on 1) the irrelevance or cultural inappropriateness of borders for people in the region, or 2) on cultural responses to the borders by those ethnic groups split (or united) by 'arbitrary' colonial borders that persist in the independence era".

Even though most political scientists are in agreement on the arbitrary formations of African borders (Asiwaju, 1984), there is disagreement on whether or not the imposition of these borders during the colonial period is the causal factor in the many international conflicts that beset the continent. Ottaway (1999) and Touval (1969) maintain that the way in which Africa's current political boundaries were delimited has led to few negative consequences; others such as Bayart (1996) disagree. Jeffery Herbst (1989), however is of the opinion that colonial ethnographers provided a reasonable response to the challenges posed by demographic and ethnographic structure of the continent thereby debunking the "arbitrary question" of African borders.

Relating to the 'arbitrary question' of Africa's borders, experts such as Michele Fieloux (1981) have long argued that partitioned groups, like the Lobi who live in the intersection of modern day Ghana, Burkina Faso, and Côte d'Ivoire, function today as they did prior to the colonial era. Aderanti Adepoju (1996, p.16) exemplifies this further with instances in Western and Eastern Africa, where ethnic groups in neighboring countries recognize borders as "theoretical structures" with regard to their mobility. Mechlinski (2010) asserts that many border studies researchers see modern African borders as permeable, rendering them as irrelevant in practice (Englebert, Tarango and Carter, 2002). He also states that many migration scholars studying Africa such as de Haan, Coulibaly and Piche (1996) and Martin (1991) among others make reference to the relative ease with which migrants cross international borders and the lack of relevance borders have for them.

Anthropologists and historians of the borderlands have revised some of the conclusions of the literature mentioned above. Some of the most recent literature in this area describes that the border is a meaningless structure for borderlanders as posited by earlier ethnographies (Miles and Rochefort 1991; Nugent 2002; Flynn 1997). In Mechlinski's (2010) study he also observes that there is a clear differentiation between the 'real' Lobi people on the Burkina Faso side of the border and the Lobi people on the Ivorian side of the border. He made similar observations as well with the Nafana people living between the borderlands of Ghana and Cote d'Ivoire where individuals readily identify their nationalities. Nugent (2002) and Herbst (1989) also discovered that scholars underemphasized the amount of thoughtfulness that colonial administrators took when demarcating Africa's boundaries and frontiers.

From this brief review it is clear that empirical studies into Africa's borders have focused primarily on the border in terms of its role in the lives of borderlanders. Lentz (2003), however reminds us that long distance traffic tends to be controlled at border post; that is, borders in Africa are differentially permeable to different groups. Thus, confirming Balibar's assertion of polysemic borders. Yet the scholarly focus on borderlanders as Mechlinksi (2010, p. 99) opines "obscures the way in which borders in Africa affect and are affected by migrants and travelers covering longer distances." He illustrates that, traders using road transportation to take goods to other countries may not be aware of the local region's geography, language, or customs and therefore cannot pass unchecked as easily as through secretive routes. He further states that taking into account the high volume of long distance movement in West Africa, both historically and in the present day, and the high percentage of these movements made by public transportation, the number of people crossing borders in West Africa at official police posts is significant.

Understanding Border Crossings in West Africa

The experiences of border crossings in Africa have received limited attention in the literature so far in comparison with the strategies and experiences of borderlanders who are often assumed to cross borders effortlessly and without inhibitions. Concerning border crossings, Mechlinski (2010) theoretically posits that 1) borders are both polysemic and heterogeneous (confirming Balibar (2002)); 2) borders incorporate a variety of roles, and operate as socio-

economic, cultural and political formations as they link areas with distinct levels of development, political orientations towards the entrance of foreigners, and ethno-linguistic and religious groups. He stresses that out of these, the socio-economic function of African borders has received most attention. Citing the case of the Benin-Nigeria border, where local residents serve as intermediaries between traders and the state working on touchy, however, mutually beneficial relationships (Flynn,1997).

He further suggests that borders are political formations; serving as tools of state power which is largely being enforced by security agents that "oppress and dominate" border crossers (Fabian, 1993, p. 50). States use their borders to designate their sovereignty (Mechlinski, 2010; Brunet-Jailly, 2011). For example, some states collect records of entries and exits, documenting where people have been and where they are going, as in the case of Ghana. However, this characterization of the border "largely fails to see the responses and resistance of border crossers to these practices" as Mechlinski (2010,p. 103) observes. He furthermore emphasizes that border crossers' discreet movements "are as much political as state policies". He also observes that, the actions of agents could be subversive as they flout official state regulations in favour of personally exchanged gains, thereby granting those technically not allowed to cross borders, or mobility control checkpoints unofficial clearance to do so, making some "extra pocket money."

Finally, cultural practices play a role in the functioning of borders. Borders are centers of negotiations, not simply areas where policies and practices are (im)perfectly and (non)uniformly enforced (Balibar, 2002). Those crossing, and the people who are manning the borders which are being crossed, employ a variety of cultural as well as economic strategies to "negotiate" these interactions (Mechlinski, 2010). In essence border crossers who are skilled enough and familiar with the cultural engagement, like joking with them in a way they appreciate or supplicating to them in a way deemed culturally befitting, getting border guards to agree to their way or even pay smaller sums. Singer and Massey (1998) refer to these interactions as a game, with rules that both parties understand. Mechlinski (2010) concludes by saying that, African norms of reciprocity and resource exchange also inform the ways in which transportation workers intervene on their passenger's behalf.

Since we have considered the concepts of borders and border crossings, a review of the literature of cross-border mobility, eventually leading to a deeper regional integrative process, is worthy of deliberation.

Anthony Asiwaju (2003, p. 543) states that for effective regional integration to occur it requires the "devaluation" of the limiting purposes of the borders of linking participating sovereign states. He calls for the "elimination of the border as a barrier" and rather for it to serve as a bridge. He further stresses that this will serve as a litmus test for the partaking sovereign states because it will seek to reveal their commitment to the regional integration project. This is illustrated by the elimination of the restrictive controls at the internal frontiers of the European Union following the signing and entering into force of the Schengen Agreements, border crossers in the EU now move across the Schengen area seamlessly.

Over the past decades, experts have continued to explore the main driving forces behind cross-border integration processes (Van Houtoum, 2000). Walther (2009) noted that the two fundamental dimensions widely acknowledged are the "institutional" and the "functional" dimensions. Perkmann (2007) and Brunet-Jailly (2006) both identify and further classify these two dimensions into *policy-driven (political/institutional) integration* and *market-driven (economic) integration* respectively. Though varied terminology has been employed to describe these two forms, they maintain their characteristic dynamic features and have been well documented (Walther, 2009). The institutional, integrative dimension employs the preparedness of actors to co-operate beyond national borders. Regarding this viewpoint, Martinez (1994) reveals that cross-border regions could be assessed on the basis of "ignorance" to one of "cooperation" by recognizing the stages of co-existence, interdependence and integration. The functional dimension, on the other hand, can be analyzed as the form and intensity of relations between social and economic actors (Walther, 2009). In West Africa, the distinction between borders as "institutions" and borders as "processes" is particularly important as noted by Olivier Walther (2009, p.36). Asiwaju (2000) and Bach (1999) note emphatically that cross-border regions are very much integrated from a functional perspective; however, they seem to lack the local or regional institutions, able to promote cross-border integration from an institutional perspective. This dichotomy is not only limited to West Africa as confirmed by the research. However, it is aggravated by two factors as typified by Bach (2008) and Walther (2009, p.1) Implementation of border policies are usually contrary to national interests and not really supported by strong supranational institutions; 2) International relations are sabotaged

through the illegal or exploitative informal practices engaged in by commercial and other political actors on both sides of the border.

It is the scope of this study to review the processes of cross-border mobility in West Africa through the critical role open and unobstructed borders play, in the achievement of this goal. Furthermore, it is written to make a significant contribution to the existing literature on cross-border interaction.

Theoretical Framework

The following section states the theoretical and conceptual frameworks of the research and the basic theories that will be used to test the enumerated hypotheses which will be considered hereafter. In this section the theoretical concepts of liberal intergovernmentalism, new regional theory and constructivism will be explored. These theories are essential to assist in the examination of the effects of the various factors, which facilitate cross-border contact with the potential to increase exchange of goods and services between border crossers within an open border set-up, thereby resulting in a more consolidated regional integration process in West Africa.

Based on the thesis title: *The ECOWAS area without internal borders: Lessons from EU cross-border mobility*, the presumed effect of this study is an *"ECOWAS area with open borders"* which serves as the dependent variable. On the other hand, the question to be asked is, "What factors contribute to this presumed effect?" This study seeks to examine the factors (independent variables) that contribute to the presumed effect namely;

    a. Cultural similarities, notably religious orientation and language

    b. Political values, in particular ideology and processes

    c. Media with concentration on proliferation and shared-sources

    d. Shared regulatory environment

    e. State-to-state economic interconnectivities

    f. Volume of trade

Thus, before we look into the theoretical foundations, the general theory of this thesis can be stated in three parts;

1. Factors such as culture, political values, media interaction, shared regulatory environment, and economic interconnectivity may lead to cross-border contact.

2. Cross-border contact may lead to an increase in trade volume.

3. This increase in trade volume may lead to a consolidated regional integration process

The general theory is presented below in a diagrammatic form to illustrate the concept:

Figure 3: General Theory of Research
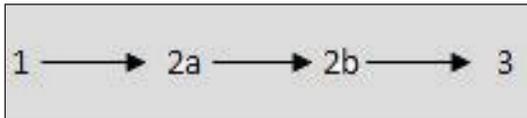
Source: Author's creation based on Theoretical Framework

Figure 4: General Theory of Research
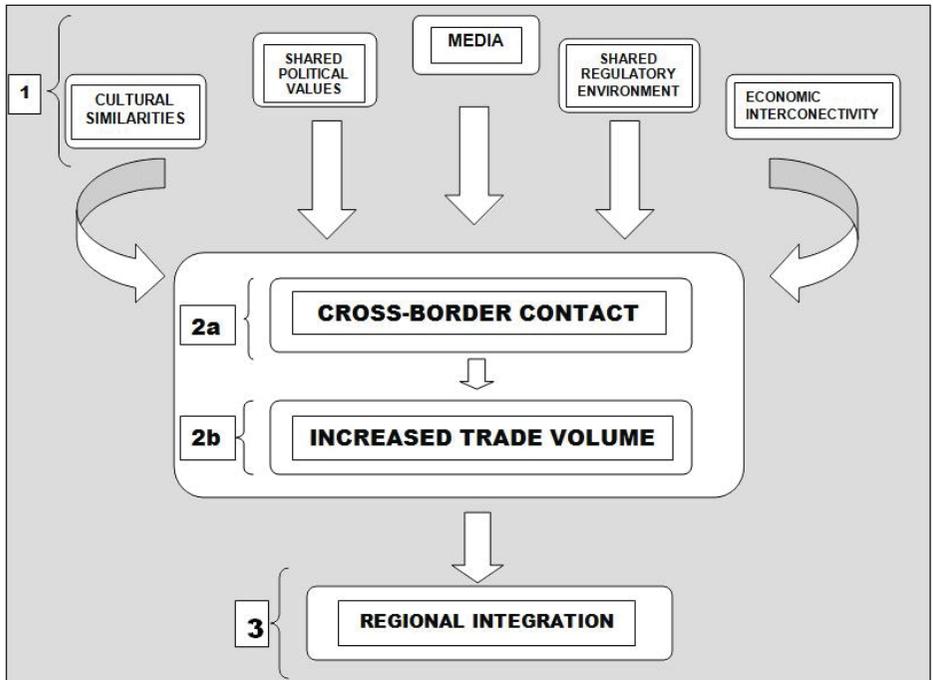
Source: Author's creation based on Theoretical Framework

The theoretical basis of this research is founded on the three theories indicated previously, namely liberal intergovernmentalism, new regional theory and constructivism. Ben Rosamond (2000, p. 198-201) defines Liberal Intergovernmentalism as a variant of intergovernmentalism developed in the work of Andrew Moravcsik. Demands for integration arise within processes of domestic politics whereas integration outcomes are supplied as a consequence of intergovernmental negotiations. Supranational institutions are of limited importance to processes of integration.Rosamond goes on to define the concept of Constructivism as an increasingly influential theoretical approach in contemporary International Relations. It begins from the premise that the world is social rather than material. Actors' interests and identities are not 'given'. Rather, they arise in situations of interaction and are thereby socially constructed. This means that stable patterns in international politics are the consequence of shared understandings among actors about their environment, their respective roles and so on. Olivier (2010) explains the third considered

theory in this research, 'New Regionalism Approach' in the following manner, *"integration is conceptualized as a multidimensional and socially constructed phenomenon, wherein cooperation occurs across economic, political, security, environment and other issues. It involves not only state actors but also private industry and civil society"* (Olivier, 2010, p.131).

With my consideration of the theoretical basis for this research it would be expedient to take into account the hypotheses that this research seeks to draw on typologically from the three theories stated above.

The eleven hypotheses under study include the following:

H1: States with increased cross-border contact are most likely to be close trading partners

H2: States that have close economical relationships are more likely to pursue regional integration

In terms of reflecting on the key drivers of cross-border contact the other hypotheses are;

H3: Countries with similar religious orientations are more likely to experience greater cross-border contact

H4: Countries with similar linguistic orientations are more likely to see increased cross-border contact

H5: Countries with shared political values in terms of political ideology are more likely to see increased cross-border contact

H6: Countries with shared political values in terms of political institutions are more likely to see increased cross-border contact

H7: Countries with a diverse and free media presence are more likely to have cross-border contact

H8: Two Countries that have the same media source with a significant audience in both, are more likely to have increased cross-border contact

H9: Two Countries that have similar regulatory environments are more likely to have cross-border contact

H10: In states that have a very close trade relationship with neighboring states their border regions are more likely to be highly connected in terms of cross-border mobility

H11: States that share a common border will see increased cross-border interaction in border regions

Research Design and Methodology

In conducting this research, employed a qualitative research design which was focused, holistic and inductive in reasoning. One sought to examine some theoretical underpinnings of European integration in general to establish the basis of the hypotheses laid forward and used the historical case study approach to serve as a research strategy in understanding the link between free movement of persons, open borders and regional integration.

The theoretical foundations of liberal intergovernmentalism, new regional theory and constructivism has been explained theoretically from the view point of their major proponents and the case study of the Benelux-Schengen Process regarding free movement of people and travel documents has been presented.. The historical case study approach used in this research is a combination of the historical analytical approach and case study tools available in qualitative research design methodology which seeks to express comprehensively the occurrence of an event or phenomenon. This main approach uses a historical case record to prospectively or retrospectively analyze an established measure under study i.e. to examine events of the past to understand the present or anticipate potential future occurrences. A vital case is characterized as having a strategic relevance to the general research problem in question. Thomas (2011, p.511-521) implied a definition as: "Case studies are analyses of persons, events, decisions, periods, projects, policies, institutions, or other systems that are studied holistically by one or more methods. The case that is the *subject* of the inquiry will be an instance of a class of phenomena that provides an analytical frame - an *object* - within which the study is conducted and which the case illuminates and explicates."

Case Study of the Benelux-Schengen Process

Freedom of Movement and the Travel Documentation in the Benelux-Schengen Process

The Benelux region exhibited a functional model system of free movement of persons which can serve as an example of collaboration for other Regional Border Integration efforts. Over the years the Benelux countries have taken a liberal outlook towards human mobility. In assessing this position, the earlier efforts of co-operation to reduce obstructions to the free movement of persons in Belgium, Luxembourg and the Netherlands which led to the Schengen Process, merit examination.

History and Development[7]

Over the past 60 years, Europe has undergone a shift from a region of net emigration to one of net immigration. During this time, a progressive lessening of restrictions on labor mobility between certain European countries has taken place.

In a way, this opening up of borders was a return to the past. Prior to the start of World War I in 1914, there were virtually no border controls or restrictions to labor mobility across the continent. During the war, however, the crossing of borders by foreigners began to be considered a security concern, and it was at this time that passports and visas were introduced in Europe.

Then in the 1950s, when Europe was beginning to recover from the devastation of World War II and experiencing a period of intense economic growth, labor mobility was again encouraged. Because the lack of skilled workers was seen as a threat to the economy, freedom of movement of qualified industrial workers was included in the treaties founding the European Economic Community (EEC), the predecessor of the current European Union, in 1957. During the 1980s, EC Member States began to debate whether border checks between countries could be eliminated entirely, or whether free movement should only

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7   The updated history and development component of this write up is a mixture of ideas espoused by Koikkalainen (2011), and Gelatt (2005),

apply to EC nationals, leaving those visiting from outside the community subject to passport and visa checks at each national border.

Given the slow movement on the issue, a handful of Member States opted to push ahead and, independently of the European Community, create an area without internal border controls.

The Benelux countries (Belgium, Luxembourg, and the Netherlands) had already established a common passport area in 1970. After protests by truck drivers upset by border-crossing delays between France and Germany, the two countries signed a bilateral agreement in 1984 to eliminate controls along their common boundary.

On June 14, 1985, France, Germany, Belgium, Luxembourg, and the Netherlands met near the little town of Schengen in Luxembourg to sign the Schengen Agreement. The agreement called for the elimination of all passport and other checks between participating countries and established a single external border. However, the provisions of the agreement were not put in place until a later date. At that time, the Schengen area was viewed as a sort of laboratory, testing the creation of a common passport area before expanding Schengen to the entire EU.

While the original intent of eliminating border controls was to facilitate the movement of citizens from participating countries, it was not possible to eliminate border checks for these travelers while still maintaining checks for travelers from outside countries. Therefore, the concept of free movement was expanded to allow free travel of outside visitors within the Schengen area. Eliminating border controls for these outside visitors created the need for careful coordination on who would be admitted through external borders to travel freely within the Schengen area.

In 1990, the five countries (France, Germany, Belgium, Luxembourg, and the Netherlands) signed the Schengen Convention, intending to put the common area into practice.

The convention included several provisions on visa and border policies. Regarding short-term visas (less than 90 days), the convention outlined the need for a common policy on the movement of persons and arrangements for the granting of visas, as well as provisions for uniform visas to allow travel throughout the Schengen area. Long-term visas (exceeding 90 days) were to

remain under national competence. While there would be no internal border controls, external borders were to be subject to uniform principles, but remain in the scope of national powers and legislation.

Other countries soon signed onto Schengen, beginning with Italy in 1990, Portugal in 1991, Spain in 1992, Austria in 1995, and Finland, Sweden, and Denmark in 1996.

Norway and Iceland had long been part of a Nordic passport union with Finland, Sweden, and Denmark, so although neither Norway nor Iceland is a member of the EU, both joined the Schengen area in 1996 to preserve this union.

Discussion of Results

Open Borders in a Comparative Space (EU and ECOWAS): Lessons and Hypothesis

Up to this point, one has reviewed the concept of open borders by referring to the free movement process in the Benelux – Schengen Process in the EU. The goal is to situate the European experience as a useful starting point for a comparative analysis of open-borders and free movement leading to a deepened regional integration process; not to say the least; because the case of Benelux-Schengen arguably provides the most fitting representation of this phenomenon anywhere in the world. Furthermore, this does not imply that the EU experience must serve as the ultimate role model for other regional experiences however in this particular instance; I draw lessons to fit the West African experience.

Somewhat, due to the prominence of regionalism and regional integration processes and initiatives around the world (Kühnhardt, 2010) we will focus on the hypotheses of this research as they relate to open borders, border crossings and free movement.

The hypotheses draw on (liberal) intergovernmentalist, constructivist and new regionalist theories and relate to the effects of open borders and cross-border mobility on regional integration, in terms of a) Economic effects b) Political-legal effects and c) Cultural effects.

Factor Effects of Open Borders and Cross-border Mobility on Regional Integration

Two major criteria for distinguishing cross-border mobility (whether international or national borders) are; the implementation of free movement rules at the regional level and the responsiveness and commitment of states sharing a common border to the idea of open borders. For example, studies reveal the implementation of the free movement protocols of ECOWAS, took five to ten years to be implemented by Member States (Touré, 2014) whereas in the Benelux scenario it took only three years after inception (1961-1963) to implement the free movement component of the treaty. To illustrate: The example of the responsiveness and commitment of bordering states in the case of Benelux exemplifies three states fully committed to responding to the needs of their people for cross-frontier cooperation and to remove all barriers to mobility, particularly labor mobility. Regarding the ECOWAS members states, commitment has been proven by the signatory states to the free movement protocols, however, Member States' responsiveness has been incremental and slow due to largely political suspicions of the governments of bordering states (either based on electoral reasons or political interference) and instability in terms of national economies, conflict and security and more recently public health concerns.

Accordingly, assessing the hypotheses based on the various factors reads as follows:

Economic Effects

H1: States with increased cross-border contact are most likely to be close trading partners.

It is assumed that the motivation of cross-border interaction is to gain mutual benefit of the resources available. Nitsch and Wolf (2009, p.19-28), show that borders do have an effect on cross-border trade because they are related to economic fundamentals. Their results reveal "a remarkable persistence in intra-German trade patterns along the former East-West border". However they continue that the removal of the political barriers of borders does not automatically lead to increased trade, but rather the impact of the border on trade is basically linked to economic fundamentals.

In effect, one expects that the removal of internal borders may lead to increased cross-border activity between countries in the ECOWAS region resulting in Member States becoming close trading partners, however it will take about a generation, as predicted by Nitsch and Wolf (2009) for the impact to be felt since it depends on the economic foundations and differentials that may exist among states. Hypothesis 2 predicts the following;

H2: States that have close economic relationships are more likely to pursue regional integration

Since economic integration preferences are a major driving force in the dialectical discourse for regional integration, expects that the Member States in the ECOWAS region will seek a deeper and more homogeneous regional integration as they construct a closer economic union in order to facilitate the process. This hypothesis is followed by:

H10: In states that have a very close trade relationship with neighboring states their border regions are more likely to be highly connected in terms of cross-border mobility.

Note that hypothesis 10 overlaps partly with hypothesis 1. But one also expects that the border regions, which are the first point of interaction, will see a high level of interconnectivity in terms of cross-border mobility. Carpentier's (2012) analysis of the cross-border local mobility between the Belgian-Luxembourg border, within the European context of Benelux, revealed that strong differentials on both sides of the border, in terms of wages and rent, have stimulated cross-border linkages between the two countries for more than twenty years. These cross-border movements at the border regions, whether involving daily activities, such as journeys to work, or life cycles, such as moving home, are indicative of the influence of the border on spatial and socio-economic interactions. After considering the economic effects, the attention is turned to the political andlegal effects.

Political-Legal Effects

H5: Countries with shared political values in terms of political ideology are more likely to see increased cross-border contact

The prominent statement "no integration without democracy" (Kühnhardt, 2010, p. 443) underscores that shared political values can influence integration across borders and trigger a degree of homogeneity across adjoining border regions of neighboring states even though it may seem farfetched. Kühnhardt (2010, p.443) asserts in this statement, "there has always been overt consensus that European Integration could only have happened among democratic European countries" implies the mutual relevance of a political ideology, in this case democracy, has played an immense role in the regional integration process. Arguably, that has led to the easing and subsequent removal of border controls, ensuring citizen and labour mobility among bordering states. This leads to hypothesis 6.

H6: Countries with shared political values in terms of political institutions are more likely to see increased cross-border contact

Linked to hypothesis 5, this is exemplified simply in the cooperation that existed between the monarchical and parliamentary systems of the three Benelux countries. The political framework is also supported by a legal-regulatory regime, which leads us to consider hypothesis 9.

H9: Two countries that have similar regulatory environments are more likely to have cross-border contact

Common regulatory policies among states that share common borders are likely to ease the processes of human mobility, work and establishment across the borders in the other neighboring destination country. In relation to this is hypothesis 11;

H11: States that share a common border will see increased cross-border interaction in border regions.

Borders are also political constructs as alluded to by Mechlinski (2010). When states share a common border it is expected that cross-border interaction will take place whether formally or informally. This likelihood, however, is more in border regions due to the historical, cultural or ethno-linguistic similarities they may share.

This leads us to consider the hypotheses on the socio-cultural context which is essential for the functionality of a cross-border area in terms of regional integration.

Socio-Cultural Effects

H3: Countries with similar religious orientations are more likely to see greater cross-border contact

Network Governance researches reveal that religions engage in cross-border activities with actors traversing distinct geographical areas (Laguerre, 2011). This has led to cross-border mobility of clergy, religious teachers, seminarians and laity. Since religious orientation serves as an expression of culture, it is expected that cross-border areas with vast similarities in religious practices or oriented toward certain religious practices will see greater cross-border contact. Embedded in the socio-cultural context is hypothesis 4, which addresses linguistic concerns.

H4: Countries with similar linguistic orientations are more likely to see increased cross-border contact

In border regions where there is commonality in the ethno-linguistic communication of cross-border peoples, the likelihood of obstacles to cross-border mobility can be minimized and predicted. Borders are sites of negotiations (Balibar, 2002) so those crossing and being crossed employ a variety of cultural strategies to "negotiate" these interactions (Mechlinski, 2010). In shaping cultural and ideological viewpoints, the media plays a unique role.

H7: Countries with a diverse and free media presence are more likely to have cross-border contact

The globalizing effect of the media may have an informal transnational impact in the shaping of ideas and preferences. When countries have a liberalized and diverse media space it is expected that its citizens gain a notion of the "other" and look to encounter them (Kühnhardt, 2010).

H8: Two Countries that have the same media source with a significant audience in both, countries are more likely to have increased cross-border contact

Hypotheses 7 and 8 share some similarity, however the consideration here is a shared media source. The field of mediated cross-border communication[8] provides evidence of how this phenomenon can trigger transformation processes such as cross-border contact and interaction between bordering nations.

Conclusion

"We live in a world of lines and compartments. We may not necessarily see the lines, but they order our daily life practices, strengthening our belonging to, and identity with, places and groups, while - at one and the same time - perpetuating and reperpetuating notions of differences and othering." (Newman, 2006, p.143)

In this discussion paperthe literature on borders, mobility theory, African borders and border crossings in West Africa have been reviewed. By doing so, a setting for the generation of 11 hypotheses towards understanding open internal borders and cross-border activity comparatively in the context of a regional integration process has been provided. Commencing with a summary of the definitions of the (liberal) intergovernmentalist, constructivist and new regionalist theories and laying out a conceptual framework, the research is supported by the three theories. Furthermore, it is posited in the European context of the Benelux-Schengen Process in the EU. In the concluding section, the hypotheses are discussed in a comparative perspective, however, mainly using European contextual examples due to the prevailing research. The first three hypotheses considered namely (H1, H2, H10) relate to the economic effects, the next four hypotheses namely (H5, H6, H9, H11) deal with the political-legal effects and the third set of four hypotheses (H3, H4, H7, H8) focused on the socio-cultural effects. The set of hypotheses can be classified as a preliminary attempt to analytically frame the relationship between open borders, border crossings and free movement, as well as regional integration by considering the factors that lead to the causality of the relationship. In this invitation for further studies

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8   Mediated cross-border communication is an academic field in communication studies and refers to any mediated form of communication in the course of which nation state or cultural borders are crossed or even get transgressed and undermined.

beyond the context of the EU and ECOWAS a need arises in the literature to further study this relationship conceptually, theoretically, empirically and ethnographically. Ethnographically, lessons could be drawn if this relationship is adapted to further research in the West African context and other regional integration perspectives such as the Latin American experience.

The policy implications of this study calls for the careful consideration of West African border policy makers (at the Member State level or the ECOWAS level) to the different approaches to border security in the region. Evidently, each member country has a unique way of policing its borders which influences how people cross and its ultimate effect on the integration process in the region. Also a harmonized approach to border security could eliminate some of the delays cross-border commuters go through, based on a principle of mutual recognition and solidarity. If a careful cost-benefit analysis is conducted on the economic impact of delays in crossing borders in the region, a uniform way of structuring borders could minimize delays due to irregular and sometimes unnecessary border checks as result of the variability of the borders in West Africa.

Despite the ECOWAS free movement protocols, which call for the elimination of physical and tariff barriers to the movement of citizens of the economic community, and allowing temporary resident permits for any person crossing from an ECOWAS country to another, the unsatisfactory process of implementation of these protocols with respect to car mobility and and custom checks on persons who go shopping across borders must be remedied otherwise it hampers the ideal of 'open borders'.

The removal of the numerous internal mobility checks on transnational roads which seek to inspect documents of persons traveling, seek to contradict the very concept of open borders. Also from the Benelux-Schengen experience we can learn that changing the travel documentation required could be beneficial to the citizens and persons resident in the region.

To conclude, open borders and free movement policies have opportunities, strengths, weaknesses and threats, however for the internal borders of West Africa to be removed, it requires an extensive and innovative process which considers numerous overlapping factors which will take a period of painstaking deliberate research and consultation among all actors and stakeholders to resolve. In the meantime, it must be stated that the opportunities far outweigh the negativities based on the comparative experience of other regional

integration processes like the EU, which has largely prioritized open borders. The commitment to this process by Member States of ECOWAS cannot be understated, however the timeliness and responsiveness for implementing these legally binding political agreements can be strengthened by deeper regional integration processes.

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