

Introduction

The ‘Love of Liberty’ Divided Us Here?

Liberia’s official seal¹ captures competing contexts colliding and comingling (Figure I.1). It consists of a shield with an idyllic image of a passenger ship seen from the shore approaching new territory. An invisible, straight line connects the ship with an inviting palm tree jutting out of the earth. Its beak carrying a scroll conveying peace and freedom, a white dove hovers on the horizon. Beaming rays from a half-exposed sun appear in the background to complete the allegory of newness and discovery. In the foreground of the shield, on lush, green grass, lie a shovel dug into the earth and a plough representing the dignity of hard labour primarily from subsistence agriculture. Above the shield is a scroll proudly proclaiming Liberia’s national motto: *The Love of Liberty Brought Us Here*. This pictorial symbolises Africa meeting its diasporas, yet it depicts the exploits of only a small fraction of Liberia’s population at independence in the mid-nineteenth century – black transatlantic migrants² who championed civilisation, Christianity, and commerce as their triple heritage – and even less so now, almost 200 years later in a twenty-first-century post-war period.

¹ Liberia’s seal, motto, flag, anthem, awards, and Declaration of Independence were subjected to scrutiny during a National Symbols Review Project in 2014. Its purpose was to fashion an all-inclusive political identity by revamping elements of the national symbols in order to facilitate unity and reconciliation. Nevertheless, the exercise was futile as no recommended revisions were ever implemented.

² I refrain from using the misnomer ‘Americo-Liberian’ throughout this book because free blacks who migrated to Liberia from the United States prior to 1868 were denied American citizenship and, therefore, could have not been considered ‘American’. ‘Americo-Liberian’ also erroneously conflates all settlers who migrated to Liberia so instead I employ ‘black settlers’ or ‘black migrant settlers’ interchangeably because they encompass the full range of settlers, including West Indian and Congo River basin migrants.



Figure I.1 Liberia's official seal

Source: Ministry of Foreign Affairs, Republic of Liberia

From its inception in 1847 as Africa's first black republic, Liberia became a prime location for the convergence of a multitude of disparate actors, including repatriates from the United States, recaptives from the Congo River basin in Central Africa, emigrants from the Caribbean, and sixteen ethno-linguistic groups³ already occupying the territory. Currently, this fusion has metamorphosed to involve a wide spectrum of domestic and diasporic actors comprising homeland Liberians, returnees, and former refugees, amongst others. While the 'love of liberty' signalled varied encounters between settlers and indigenes and their negotiations over land ownership, political participation, identity, and belonging in the nineteenth century, twenty-first-century concerns about citizenship and all its trappings were made manifest in a contested dual citizenship bill which lingered in legislative limbo from 2008 to 2018. Given that dual citizenship was the first contemporary policy mechanism specifically introduced in Liberia to address diasporic claims, this book deploys it to evaluate the country's long-standing attempts at constructing a unique brand of citizenship that is totalising, tactical, and timeless. In confronting how multiple subjectivities intersect to make or mar citizenship, *Development, (Dual) Citizenship and Its Discontents in Africa* explores what I call the political economy of

³ I refer to these groups subsequently as 'indigenous' or 'indigenes' because they inhabited the territory that is modern-day Liberia before nineteenth-century black migrant settlement.

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belonging to Liberia. This is a transactional system in which socio-economic transformation invariably depends on the provision of privileges/protectations in exchange for the fulfilment of duties/obligations, and vice versa.

Citizenship has been tangentially mentioned in the literature on Liberian state⁴ consolidation, nevertheless this is the first study to examine domestic and diasporic constructions and practices of Liberian citizenship across space and time and their myriad implications for development. By 'development' I do not mean mainstream pursuits of free-market capitalism, a singular quest for economic growth, or the privileging of Western whiteness and modernity; rather, I am referring to an alternative, emancipatory process whereby people's experiences of poverty, power, privilege, and progress are constantly mediated to effect change (Pailey, 2020). In essence, this book examines how structural transformation is conceived and contested by local, national, and transnational actors from the so-called Global South, with an emphasis on the country (Liberia) and continent (Africa) of my birth. It blends analysis of historical policy changes on citizenship with that of contemporary public discourse on dual citizenship to investigate how struggles over Liberian citizenship, in particular, have impacted development policy and practice in the country.

In so doing, I make three major contributions to scholarly and policy debates about citizenship as a continuum of inclusion and exclusion, and development as a process of amelioration for some and degeneration for others. First, given that identities, practices, and relations between people transform in the aftermath of violent conflict, I draw on the rich oral histories of over 200 interviewees in the capital cities of Liberia (Monrovia), Sierra Leone (Freetown), Ghana (Accra), the United Kingdom (London), and the United States (Washington) to develop a new model for conceptualising citizenship in the context of post-war emigration states. Second, I use political economy analysis to frame contestations around citizenship as sites where state-building, nation-building, and peace-building processes converge. And lastly, by

⁴ When I refer to the 'Liberian state' in this book, I specifically adopt Christian Lund's (2006) notion of the 'state' as an ensemble of individuals and institutions exercising public authority, that is, structural power that is validated and recognised at multiple levels (Pailey, 2017a). Thus, I do not conflate the 'state' with 'government' because I believe the 'state' entails more than government.

underscoring the citizenship practices of domestic development actors as central to socio-economic change, I offer a postcolonial critique of the neoliberal framing of diasporas and donors as *the* panacea to post-war reconstruction.

My study demonstrates that interpretations of Liberian citizenship differ according to the lived experiences and socio-economic positions of Liberians at home and abroad, and ultimately influence their development practices, or lack thereof, as well as their rejection or endorsement of dual citizenship. Using Norman Long's (2001) actor-oriented analysis framework – which argues that actors respond to development-oriented policy prescriptions and interventions based on their 'life-worlds' (lived experiences) and 'social locations' (socio-economic positions) – I illustrate how historical and contemporary factors such as conflict, migration, and post-war recovery have simultaneously configured and reconfigured Liberian citizenship across space and time thereby influencing the introduction and postponement in the passage of dual citizenship legislation. Throughout this book, I maintain that citizenship has always been contested in Liberia, from its establishment as an experiment in black diasporic solidarity and self-rule to its current status as a site of rival post-war agendas. Invoking the compelling analysis of Liberian historian Clarence E Zamba Liberty (1977: 101–202), who argued that the most accurate account of nineteenth- and twentieth-century national life in Liberia sits somewhere between lauding and lamenting black settler 'ethnic elitism' – what he calls 'righteousness' and 'deprivation' narratives, respectively – I contend that what lies beneath twenty-first-century claims for and against dual citizenship is an evolving political economy of belonging to Liberia over the *longue durée*.

From Settler State Formation to Post-war State-building

Liberia's history has been characterised by migration, conflict, exile, and return, thus facilitating new configurations of citizenship across space and time. The country was initially established in 1822 as an outpost for free blacks and the formerly enslaved primarily by the American Colonisation Society (ACS), an association of influential whites who espoused abolitionist and deportationist ideals; yet it pre-dates black migrant settlement (Kieh, 2012a: 168; Burrowes, 2016a: 22, 24–27; Burrowes, 2016b). Seeking increased autonomy from the

ACS and fearing British and French territorial encroachment, Liberia declared itself independent in 1847 and was thus the first African state to devise legal norms around membership and belonging. Despite gradually representing an amalgam of black identities and cultures (West African, West Indian/Caribbean, Central African, and North American), it adopted a ‘hegemonic’ framework of citizenship with restrictive pre-requisites such as private property ownership (Liberty, 1977: 273–274; Burrowes, 2004: 69). Modelled after the United States’ initial conferral of citizenship on white male landed gentry, citizenship in nineteenth-century Liberia reflected a settler male ethos which excluded most indigenes, non-Christians, and women of both indigenous and settler orientation. Fearing racial inequalities borne by slavery in the United States and Caribbean, settlers further embedded in Liberia’s Constitution a ‘Negro clause’ barring all non-blacks from obtaining citizenship.⁵ Not until a century after state formation would Liberians – defined as ‘Negroes’ or of ‘Negro descent’ – generally be considered citizens, further illustrating that citizenship in Liberia has historically been a tool of marginalisation in the same way that post-independence citizenship laws across Africa have been wielded to disenfranchise. The nature of Liberia’s black settler state formation precluded nationalism and did not lend itself to national identity consolidation (Pailey, 2014c). Unlike African countries that underwent fierce nationalist struggles against colonial rule, Liberia was declared the first black African republic nearly a century before independence movements began in earnest in the continent.

It was ruled consecutively from 1878 to 1980 by the True Whig Party (TWP), an oligarchy of descendants of black settlers (Guannu, 1989; Dunn, 2017). Before President William VS Tubman, Liberia’s longest serving head of state, introduced an Open Door Policy in 1947 to court foreign investors, there were demands to incorporate indigenous populations and women fully into the citizenship mainstream (Kieh, 1992: 39, 42). In an erosion of government–citizen relations, however, Open Door mortgaged Liberia’s rubber, iron ore, and forest reserves without value addition to primarily large-scale Euro-American multinationals while transforming the country into ‘an export enclave for raw

⁵ Currently, Liberia and Sierra Leone are the only two countries in Africa that have ‘Negro’ clauses although Sierra Leone’s 2006 Dual Citizenship Act enables non-‘Negroes’ to naturalise.

materials' and exploited labour (Kieh, 1992: 39, 42). Tubman introduced the Unification and Integration Policy in 1946, subsequently universalising citizenship for people of 'Negro descent' for the first time in a decidedly failed attempt to construct a nation within a state (Dunn, Beyan & Burrowes, 2001: 341). Elite Liberians travelled abroad for vacation, business ventures, and higher education during this period, but rarely did they remain outside of the country for long stints until Tubman's successor, William R Tolbert Jr, was assassinated in a 1980 coup. Rumoured to have been an orchestrated plot by the US Central Intelligence Agency (CIA) during the height of Cold War rivalries, the coup was led by a twenty-five-year-old indigenous master sergeant in the Armed Forces of Liberia (AFL), Samuel Kanyon Doe, and it toppled TWP hegemony.

Doe's military regime lasted until elections in 1985 which were largely viewed as fraudulent, entrenching his power in an arbitrary institutional arrangement. For many, Doe signified the beginning of an indigenous political renaissance because, among other reforms, he abrogated a 'hut tax' that had effectively made indigenous hinterland inhabitants subjects of the Liberian state without granting them full citizenship rights (Dunn, Beyan & Burrowes, 2001: 170; Dunn, 2009: 173). Yet, his grip on power declined over time. When an attempted coup in November 1985 was rumoured to have been supported by Liberians abroad, a wave of emigration ensued with large numbers of Liberians leaving the country fearing reprisals (Dunn, Beyan & Burrowes, 2001: 275; Dunn, 2009: 146). This fundamentally reconfigured Liberian citizenship making it transnational for the first time in the country's history.

Liberian exiles in the United States led by future head of state Ellen Johnson Sirleaf as well as Amos Sawyer, who would later become Interim Government of National Unity (IGNU) president and Governance Commission (GC) chairperson, lobbied against Doe's autocracy through the Association for Constitutional Democracy in Liberia (ACDL) but their cries for regime change fell on deaf ears. These political elites in large part would eventually support⁶ Charles Taylor, a counter-revolutionary with political ambitions who trained in Libya and launched an armed rebellion in 1989 from neighbouring

⁶ In 2009, Sirleaf testified before the Truth and Reconciliation Commission (TRC) that the ACDL donated US\$10,000 to support Taylor's insurgency against Doe.

Côte d'Ivoire, therefore, prompting another wave of emigration. From 1989 to 1997, more than 200,000 Liberians were killed and between 500,000 and 750,000 internally displaced; in the first year alone, as many as 700,000 fled the country primarily to Côte d'Ivoire, Ghana, Guinea, Nigeria, and Sierra Leone. It is not clear how many Liberians returned after elections in 1997 brought Taylor to power. From 1997 to 2003, he ruled with authoritarian flair, involving Liberia in Sierra Leone's armed conflict thereby provoking two militias to agitate between 1999 and 2003 for his ouster. Liberians once again fled the country for safety, followed by a Comprehensive Peace Agreement (CPA) in August 2003 in Accra, Ghana, with Taylor exiled at the invitation of the Nigerian government. On 26 April 2012, he was eventually convicted on eleven counts of war crimes and crimes against humanity for aiding and abetting rebels during Sierra Leone's war.⁷

From 2003 to 2005 an interim government was established to pave the way for elections in 2005 after which Liberia's and Africa's first female head of state, Ellen Johnson Sirleaf, assumed the presidency in 2006. From 2003 onwards waves of return migration to Liberia grew in magnitude with post-war reform efforts in security, economic revitalisation, governance and the rule of law, and infrastructure and basic services eliciting renewed hope in a country once considered the 'heart of darkness' (Williams, 2006; Government of Liberia, 2008a). Despite its multilayered post-war challenges, Liberia underwent significant transformation during Sirleaf's two successive terms from 2006 to 2018 which created an enabling environment for diasporic return and re-engagement. Nonetheless, her neoliberal economic model of development and overreliance on returnee experts deepened inequalities and fomented resentment (Pailey, 2017a; Pailey, 2017b). Coupled together, recovery and return migration complicated relations between Liberians of different lived experiences and socio-economic backgrounds hence replacing unresolved nineteenth-century fissures between settlers and indigenes with twenty-first-century rifts pitting returnees against their homeland counterparts (Pailey, 2007b). In post-war Liberia the amalgam of different identities has transformed with homeland Liberians, returnees, and diasporas all vying for a stake in development. At the centre of this convergence are questions about citizenship, essentially

⁷ Taylor was given a fifty-year jail sentence on 30 May 2012 and after losing an appeal was transported to a British prison to serve his time.

who belongs to the nation-state and who can legitimately participate in its reconstruction.

Dual Citizenship and Attempts to Reconstruct Liberian Citizenship

Citizenship in Liberia remained contentious even as I finalised this book in late 2019. For instance, there was a noticeable contradiction⁸ between Article 28 of the country's 1986 Constitution – which affirms the right of Liberians by birth to retain Liberian citizenship indefinitely and entitles Liberians by ancestry to Liberian citizenship on the condition that they renounce their birthplace nationality upon reaching adulthood – and Sections 22.1 and 22.2 of its 1973 Aliens and Nationality Law, which automatically revoked the legal citizenship status of Liberian-born nationals of 'Negro descent' who naturalised in, declared formal allegiance to, entered into the armed forces of, voted in the elections of, or formally renounced Liberian citizenship in a foreign state (Government of Liberia, 1973; Government of Liberia, 1986). Modelled after the 1952 US Immigration and Nationality Act, the Aliens and Nationality Law of Liberia was never amended up to mid-December 2019, with some arguing that it failed to contend with contemporary realities.

For example, Section 20.1 of the Law stated explicitly that only those of 'Negro descent' born in Liberia could be citizens and only those born abroad whose fathers were citizens of Liberia during the time of their birth and resided in Liberia before their birth could be granted citizenship at birth. It also maintained that children born abroad to Liberian citizen fathers would lose their Liberian citizenship unless they resided in Liberia before the age of majority (eighteen) or took an oath of allegiance to Liberia between the age of majority and twenty-three. Many protested

⁸ Although Liberia's revised Constitution was adopted in a July 1984 referendum following a constitutional review process and officially came into effect in January 1986, the reviewers neglected to reconcile the apparent inconsistencies between the Constitution and Aliens and Nationality Law on matters of citizenship. In 2012, Sirleaf commissioned a Constitution Review Committee to review and make recommendations for amending the 1986 Constitution based on a series of national consultations with Liberian citizens. Three years earlier, in 2009, the president had established a Law Reform Commission through Executive Order No. 20, which appears to have had overlapping functions with the Constitution Review Committee.

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that the Law was anachronistic and overtly exclusionary because it defined citizenship along racial and gender lines thereby explicitly discriminating against non-blacks and women. Others reasoned that annulling the citizenship of a natural-born Liberian without due process was unconstitutional, as evidenced by a 2010 lawsuit filed in Liberia's Supreme Court and won on 23 December 2019 by US-based legal expert Alvin Teage Jalloh.⁹ Responding to increased pressure from what appeared to be a strong transnational tide, Liberian lawmakers introduced a dual citizenship bill in 2008 to reconstruct markers of citizenship.

In their Proposed Act to Establish Dual Citizenship for Liberians by Birth and Background, four senators from Liberia's fifty-second Legislature, namely Cletus Segbe Wotorson, Sumo G Kupee, Jewel Howard Taylor (the ex-wife of Charles Taylor subsequently elected vice president in 2017), and Abel Massalay, endorsed amendments of Sections 20.1 and 22.1 of the Aliens and Nationality Law not only to enable Liberian citizen women to pass on citizenship to children born abroad but also to grant dual citizenship to Liberians by birth who naturalised abroad (or had aspirations to naturalise) as well as to those born abroad of Liberian parentage, respectively (Government of Liberia, 2008c). Two questions ultimately underpinned the proposed legislation, and, by extension, this book: why was it introduced in 2008 and why was its passage suspended for a decade? It is worth noting here that although Liberia's fifty-fourth Legislature under President George Opong Weah endorsed referendum Proposition #1 in October 2019 based on a Dual Citizen and Nationality Act of 2019,¹⁰ which reflected the general principles of the 2008 bill while placing additional restrictions on the political participation of would-be dual citizens, analysis in this book focuses on the latter because it was the first of its kind and had

⁹ Jalloh's case was not in pursuit of dual citizenship, per se, but rather a lawsuit interrogating Sections 22.1 and 22.2 of Liberia's 1973 Aliens and Nationality Law, which, he argued, violated Article 20(a) of the 1986 Constitution guaranteeing due process. The Supreme Court decided in December 2019 that only Section 22.2 of the Law contravened the Constitution.

¹⁰ The proposed constitutional amendments based on this bill were summarised as Proposition #1 for consideration in a late 2020 national referendum (Government of Liberia, 2019b). Nevertheless, members of the House of Representatives swiftly rescinded in mid-October 2019 their prior approval, leaving the dual citizenship proposition in limbo.

a much longer lifespan of ten years (Government of Liberia, 2008c; Government of Liberia, 2019a; Government of Liberia, 2019b).

According to chief sponsor of the 2008 proposed legislation, then senator Wotorson, the premise of suggesting amendments to the 1973 Aliens and Nationality Law was to respond to the needs of Liberians who emigrated as a result of intermittent armed conflict:

[A] lot of them [Liberians abroad] had to change their lifestyle, accept the dictates from a strange country for survival. In some countries it meant you had to become [a] citizen of that country to enjoy the benefits . . . But in taking that involuntary stance it qualified them for disqualification of their citizenships in their own country [Liberia] which, I believe, is unfair.¹¹

Though the 2008 bill recommended broad sweeping changes with major implications for reconfiguring the meaning and practice of Liberian citizenship, its first iterations were low on substance and did not explicitly define the privileges and obligations of would-be dual citizens. This opened it up to targeted attacks because by categorically extending rights without explicitly extracting responsibilities, the bill neither ‘transnationalised citizenship’ fully (Gamlen, 2006: 5–6) nor conformed entirely to Liberia’s political economy of belonging. Despite unequivocal support from many Liberians abroad about the potential benefits of dual citizenship – with a number of outliers here and there – for the most part those at home remained less convinced, argued then senator Taylor:

Liberians here [in Liberia], a lot of them are not working. They’re unemployed and they feel as if Liberians coming from the diaspora who have had all of these opportunities want to come and take their space.¹²

As acknowledged by Taylor, there were (and still are) concerns that dual citizenship would represent a zero-sum game for those based in Liberia, further impinging upon their already limited access to political, economic, and social opportunities. Given backlash against the postponed 2008 bill, a barrage of assertions followed about the potential positive outcomes of dual citizenship if adopted, chief among which

¹¹ Interview in Monrovia on 6 March 2013. I would later find out through two interviewees in Monrovia that Wotorson’s alleged reason for sponsoring the proposed bill was to enable his US citizen children and American grandchildren to legally inherit his accumulated wealth and property in Liberia.

¹² Interview in Monrovia on 6 March 2013.