

Article

Resistance Against the World Bank-funded Kwabenya Landfill Project in Accra:
The Battle of the

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Agyemankata Community for Environmental Justice and Against Eviction



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Abstract

The article reconstructs the successful struggle of the Agyemankata community against the Kwabenya landfill project in Accra, Ghana, which lasted from 2001 to 2010. Situating itself in the literature on displacement, it asks which factors led to this success. Investigating the correspondence and newspaper articles regarding the resistance, we conclude that the main factors include an uncompromising stance against relocation and compensation coupled with a principled refusal to be coopted; an active media and communication strategy focused on the rule of law, democracy, human rights, and environmental protection; and the support of independent experts. The article further argues that the authorities made mistakes that played into the protesters' hands.

Keywords

Ghana, protest movement, development-induced displacement, environmental justice, World Bank Inspection Panel

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Introduction

"We are not prepared to live by any refuse dump"

 Agyemankata Residents Association, in a letter to the landowner from June 29, 2001

The quote above contains the core of the struggle of the Agyemankata community: they fought against imminent displacement by a development project constructing a landfill site in their neighborhood and for the right to a healthy environment. Agyemankata is a suburb of Kwabenya, which is located in the Ga East District in the Greater Accra Metropolitan Area. In this article, we reconstruct their struggle in the theoretical context of development-induced displacement (DID), democratic accountability, and environmental justice. We begin by briefly discussing the literature on this struggle and outlining our research question. In the next section, we will present our methodology and data before chronologically describing the struggle and various landmarks in it. We will then present the factors that we deem responsible for the success and discuss how the empirical findings can be linked to the theoretical debates on displacement and legitimation strategies, the World Bank Inspection Panel, and environmental justice.

The literature on environmental justice is concerned with inequalities in the exposure to environmental degradation and, in particular, hazardous waste, in ways that disproportionally affect poor and marginalized communities. Among others, the work of African American scholar Robert D. Bullard on the siting of waste facilities in the United States and their effects on Black communities has been groundbreaking in conceptualizing this approach, pioneering and empirically grounding the concept of environmental racism (Bullard, 1996, 2000, 2001). Building on Bullard, the concept of "just sustainabilities" encapsulates the necessity to conceptually link sustainability and equity (Agyeman, 2003; Agyeman, 2013). The tension and specific injustice are identified by Agyeman when claims of sustainability are decoupled from questions of equity animate and inform the resistance analyzed in this article. In the Ghanaian context, academic literature on environmental justice and waste usually deals with the scrap market in Agbobloshie (Akese & Little, 2018; Amuzu, 2018), where the burning of electronic waste from the Global North to recover valuable metals and the resulting severe emissions result in serious ecological damage, as well as severe, measurable health hazards in Agbogbloshie and its environs (Dodd et al., 2023). Yet, there are also a few other works on waste facilities and waste distribution in Accra and Ghana (Baabereyir, 2009; Baaebereyir et al., 2012;

Boadi & Kuitunen, 2005), but the only work focusing specifically on the planned Kwabenya landfill site is from Martin Oteng-Ababio (2011a, 2011b, 2014). However, his study is concerned with the effective and efficient implementation of the landfill and gives policy recommendations to "minimize ... the culture of resistance the project suffered" (Oteng-Ababio, 2011a, p. 178). This corresponds to what the literature on DID regards as a management-oriented approach (Dwivedi, 2002, p. 730): one which is concerned with the sensitization of the planners to local problems and desires, so that a fair resettlement can take place, but which ultimately remains a top-down perspective with the goal of implementing the project. In contrast to that, our research adopts a movement-oriented approach (Dwivedi, 2002), focusing on the rights of the affected persons, whose ultimate goal is the self-determination of the community. Our research question in engaging with the struggle of the Agyamankata community against the project is: Which factors led to its success?

Relevance of the Agyamankata Community Experience

The decade-long protest can be seen to offer insights along different axes of the conflict: as a struggle over land use, as well as the question of who has the authority to claim "the greater good" and "development" as a just rationale for allocating land in a context of competing uses in urbanizing spaces. The involvement of not just the district authority, however, but also the Department for International Development (DFID), the governments of Ghana and the United Kingdom, and the World Bank and its Inspection Panel raises both the stakes of this case and its complexities. The experience of the Agyemankata community shows how a local social movement strategically responded and communicated with institutions and interests ranging from local district councils to chiefs, African and Western governments, as well as the World Bank itself. Answering the research question about success factors of this local agency takes on significance beyond the local, regional, and, indeed, even the continental context, given that the Agyemankata community launched one of very few successful struggles against a World Bank project, where the World Bank's own Inspection Panel, an accountability structure built into a multilateral development institution, was used and marshaled strategically to protect and project local environmental justice claims in ways that persevered against national and international interests claiming to advance a "greater common good." Since in the entire existence of the Inspection Panel, only five cases achieved a termination of the project opposed, the Agyemankata case warrants closer inspection. In addition, the experience holds relevance for a number of theoretical approaches, as we will show in the following sections.

Theoretical and Methodological Framework

We deploy theoretical lenses developed in the context of social movement theory to identify key dynamics of the Kwabenya case and to answer the research question. We bring the case study into a theoretical dialogue with three theoretical approaches for which the Kwabenya case holds relevant insights, namely, DID, democratic accountability, and environmental justice.

Research on social movements in Africa has repeatedly asked the question if and to what extent theoretical concepts derived from Western or other non-African contexts hold relevance for social movement research in Africa (Branch & Mampilly, 2015; Larmer, 2010). Engels and Müller (2019) identify four main theoretical lenses developed in theories of social movement research, mostly based on empirical data from the Global North. The first lens, resource mobilization, looks at the organizational structures and accumulation of resources, such as funds, personnel, organization, and external support that social movements require. Importantly, they point to the fact that a lack of material resources is seen as at least partly addressable by marshaling other resources such as volunteering time and social capital. The second concept, political opportunity structures, highlights the dynamic of globalization and international critical discourses as well as civil society networks as one key external influence, while in many national contexts, periods of increased democratic opening have occasioned opportunities for increased protests. The third theoretical approach, framing, analyses how actors present issues through discourse and practices to mobilize, call for collective action, and propose and legitimize specific solutions. The fourth approach focuses on collective identities developed since the 1980s and deployed as a critique of both the resource mobilization and political opportunity structures. The approach pays attention to the result of the internal negotiation process, where members develop a common perspective. The outcome is not just shared goals but also shared identities. The authors proceed to critique the claims of "post-materialist values" associated with some Western theorizing, by citing African social movements such as Senegal's Y'en A Marre or the

Niger Delta's Movement for the Survival of the Ogoni People (MOSOP) as being strongly committed to democratic accountability and environmental rights, as well as material causes such as youth employment and repartitions for past environmental harms.

These lenses notwithstanding, the authors stress the importance of the local context for any social movement and call for researchers to analyze African social movements that are "at least at first glance, less familiar" in their forms of mobilizing and organizing. While Engels and Müller (2009) hold that theories derived from Western contexts are not automatically or inherently ill-suited to analyze African contexts, an undue universalization of Western experiences is problematic. Therefore, while the lenses outlined above have analytical purchase in African contexts, it is argued that analyzing African social movements also enables an identification of their limitations and holds opportunities to amend the theoretical approaches of social movement research everywhere. We believe that the Kwabenya case offers theoretical insights precisely because it is addressing a very local concern over a long period of time, while having to straddle a number of local, regional, national, and international contexts and organizations, political logics, and framings to be able to reach all relevant decision makers, let alone achieve their goal. The demands this places on the Kwabenya movement offer rich insights of relevance for and beyond this particular case.

Using a case study design and a qualitative analysis approach incorporating a broad range of sources, we reconstruct the events and the struggle on the basis of roughly 350 letters, emails, documents, and newspaper articles concerning the Kwabenya landfill and the protests against it. These sources were triangulated with a field visit to the site and four semi-structured interviews with people highly involved in the project or the protests and selected via purposive sampling, from the Agyemankata community, the Centre for Housing Rights and Evictions (COHRE), the Inspection Panel, and a World Bank consultant. We also consulted the scarce literature on the protest against the Kwabenya landfill, consisting of the investigation report of the World Bank Inspection Panel (2009), earlier studies (Oteng-Ababio, 2011a; Ziai, 2016a), and a doctoral thesis (Baabereyir, 2009, pp. 212–216). This allowed us to first set up a chronology of important events and actions regarding the project and the resistance against it. Subsequently, we identify the factors which, in our assessment, led to the successful outcome of the struggle. Finally, we will put the empirical findings in dialogue with the literature on different theoretical contexts relevant to the Kwabenya protest.

The Local Context

The Kwabenya area on the outskirts of Accra, Ghana's biggest city and political and economic capital, follows the typical pattern of peri-urban sprawl, with waves of settlement, where artisans and informal workers establish a first (peri-)urban presence and housing, followed by middleclass residents, salaried employees working as teachers, clerks, etc., who set up housing otherwise not affordable on more expensive city lands. In this peri-urban space, they benefit from their ability to enter into deals with local allodial owners, in this case, a Ga chief tasked with safeguarding a collective indigenous land title. Having such residents is of value for the allodial land owners, as they will not only act as a buffer against more brazen land grabs and pay customary land "rents" but also campaign for infrastructure services such as electricity, tarred roads, and water to be expanded to the area (and maintain and expand dirt roads in their absence). Overall, their comparative class privilege, as well as their position in the relatively privileged "lower middle" of social and economic hierarchies, makes them attractive and resourceful but not too powerful second-wave residents for both allodial owners and prospective middle-class neighbors, all of whom are engaging in a complex multilevel chess game of urbanization.

It is important to note that in Kwabenya, as in other Ghanaian periurban zones, neighborhood associations formed by residents do straddle class lines in ways that include first- and second-wave residents on account of their physical proximity and shared interest around security, infrastructure provision, and formalization or protection of their land titles. The core organizers of the Kwabenya protest, however, hailed from the second-wave residents as described above. Their agency unfolds in a political context marked by the aftermath of Ghana's fourth democratic dispensation, a process started by long-time military leader J. J. Rawlings in the late 1980s, culminating in a new constitution and democratic elections in 1992. This led to the reemergence and strengthening of critical civil society actors as well as press freedom, both of which were critical factors for the Kwabenya community's agency.

Chronology of Events

In 1991–1992, a new landfill site was planned in the Greater Accra Metropolitan Area by the Accra Planning and Development funded by the United Nations Development Program (UNDP) and UN-Habitat

(Oteng-Ababio, 2011a, p. 174). In 1993, Kwabenya was selected as the site for the new landfill on the basis of a study for the Waste Management Department of the Accra Metropolitan Assembly (AMA) (Oteng-Ababio, 2011a; MLGRD, n.d., 3f). In 1999, the AMA registered the proposal for the new landfill at Ghana's Environmental Protection Agency (EPA), an Environmental Impact Assessment was carried out, and a Provisional Environmental Permit was given (letter by EPA, July 12, 2001). The enabling works (including an access road) for the Kwabenya Landfill Project (KLP) began, funded by the British DFID, with £6.5 million (MLGRD, n.d., p. 4). However, the outdated plans had not taken into account that many people had moved to the peri-urban area in recent years, part of a long-running and growing trend of the continuous growth of Ghana's capital and largest city. Two years later, the enabling works were completed (MLGRD, n.d., p. 4). The Agyemankata community learned about KLP in 2001, through the newspaper, and wrote protest letters to AMA, EPA, the landowner/traditional authority, the President, and DFID. It engaged in demonstrations (including in newspaper offices), protests, and blockades, which effectively stopped the project for a while (Daily Graphic, October 31, 2001). Vice President Aliu Mahama visited the site and was also met with protests (Ghanaian Times, November 2, 2001). In 2002, DFID ceased funding, although only £3 million had been spent, officially because of a shift from project financing to direct budget support (Oteng-Ababio, 2011a, p. 174).

In 2003, the World Bank took over and agreed to finance the completion of the project through the second Urban Environment Sanitation Project (UESP 2) with a budget of \$62 million. Its stated objective was "to improve urban living conditions in regard to environmental health, sanitation, drainage, vehicular access, and solid waste management in a sustainable fashion, with special emphasis on the poor" (World Bank, 2013, p. 3). The KLP was positioned as a major part of the solid waste management component. A consultancy named Environ Engineering and Management Consult was contracted for an environmental and social assessment and resettlement framework (MLGRD, n.d., p. 4). The conflict continued and tensions rose in 2004, when there were attacks on Mayor Blankson and AMA staff (and their vehicles) during visits to the site and when demonstrations of the Agyemankate community took place at the World Bank office in Accra (MLGRD, n.d., p. 5; Ghanaian Times, May 12, 2004). In a meeting on February 27, the community members informed the Bank staff that there had been no consultations with the community (only the landowners) and were assured that due process regarding consultations and compensation would be ensured.

A technical advisory committee on the KLP was inaugurated to address the concerns of the community and oversee implementation, but the Agyemankata community rejected the invitation to participate and insisted that the project meant they had to be forcefully relocated from lands they had paid for (Press Release, June 22, 2004). In 2005, the conflict continued, with pressure arising from the fact that the Oblogo dumping site was nearly full (*Daily Graphic*, October 14, 2005). In 2006, men who were to demarcate the boundaries of the KLP were stopped by community members.

In early 2007, a police force of 200 men entered the village to support the work of the survey department staff, which marked the houses to be demolished with red paint, giving the inhabitants one week to vacate their homes. This could be seen as a reaction to the earlier announcement by the World Bank that noncompletion of the Kwabenya landfill would mean losing the \$10 million allocated for it (letters of the Agyemankata community to the World Bank President, January 7 and 16, 2007). At the same time, the Ghanaian government used the Executive Instrument (a legal mechanism for expropriation) to declare the area to be "land required in the public interest," dispossessing the owners but allowing for claims of compensation (MLFM, 2007).

In the same year, the COHRE, a Geneva-based international NGO, cooperating with the Agyemankata community, filed a claim on its behalf at the accountability mechanism of the World Bank, the Inspection Panel (IP). The claim specifically criticized violations of Operational Policy 4.12 on Involuntary Resettlement, as there had been no meaningful consultations and participation of the community and no resettlement plan (COHRE, 2007). The Executive Board of the World Bank followed the IP's recommendation to investigate the case, and the IP members, led by chairperson Werner Kiene, visited the KLP site in February 2008 to listen to all the stakeholders. The IP report published in 2009 ascertained a violation of the Bank's policies (notably OP 4.12 on Involuntary Resettlement) and lent significant institutional support to the protesters (Inspection Panel, 2009). Protests and demonstrations did not stop in 2010, and on 14 September of that year, the AMA Chief Executive informed the World Bank of the discontinuation of the KLP, giving the following reasons: more encroachments, further development of structures and buildings, including electricity high tension lines, threats of law suits because of nonpayment of compensation, intensified agitations, and the necessity of security for implementing the project (World Bank, 2011, Annex 5).

Winning the Battle

There are countless battles of people protesting against displacement by development projects and hardly any of them have been won. So, how was it possible in the case of the Kwabenya landfill? How did the Agyemankata community manage to defeat a project which, according to the AMA's repeated statements, was "perfectly legal" and the "only solution" to Accra's imminent waste crisis? According to the World Bank, "the construction of the Kwabenya Sanitary Landfill facility for Greater Accra (...) was dropped due to strong public opposition to the location of the site" (2013, p. 6). This is certainly correct, but can this diagnosis be refined on the basis of the empirical material that we have studied? What were the crucial conditions and circumstances? On the basis of a systematic analysis of the documents available, we identify three factors.

Persistent and Militant Rejection of Relocation and Negotiations

"We are not prepared to accept any compensation or relocation" (letter of Agyemankata Residents Association to Nii Tetteh Ankamah II, chief and land rights holder, June 29, 2001). In this oft-repeated statement, the spokespersons of the Agyemankata Residents Association have from the outset emphasized their uncompromising stance against any kind of relocation and compensation in numerous open letters, press releases, and interviews given to newspapers. While in many comparable cases the protesters at one stage settle for compensations, realizing that victory against the state and international financial institutions is very unlikely,² the Agyemankata community was persistent in this rejection over many years.

It is difficult to say whether this position resulted from an overoptimistic assessment of the odds of defeating such a project, or from determination and desperation, or was merely a clever strategy. And while it seems remarkable that the whole community was united in this stance and did not fall prey to the usual divide-and-conquer strategies, a closer look reveals that this was only partially the case. When in 2007, after six years of struggle, the police had invaded the village, the Executive Instrument had been signed and the formal dispossession of the land by the state was imminent, parts of the community seemed to falter. By 2009, 700 stone crackers and 81 landowners had registered with the Land Valuation Board (*Ghanaian Times*, November 5, 2009), that is, they had apparently left the ranks of the militant opponents to relocation

and were willing to accept compensation. Yet, even at that stage, the Agyemankata community reaffirmed its position in a letter to the World Bank of November 9. So the leadership or the spokespersons of the community were able to maintain the image that at least the majority of the community had not shifted their position and were firmly opposed to relocation and rejected being bribed into accepting the project.

The militant, uncompromising stance manifested itself in the violent rhetoric of the statements of the Agyemankata community (at least in the early period, when Asiedu Aomako was chairman of the community). including threats to "let the blood flow" (Metro Lens, May 12–18, 2004) the next time AMA officials entered the village. References to Ghanaian anticolonial resistance, religious, and proverbial metaphors were a frequent feature of their strong-worded public statements and press releases. Occasionally, this rhetoric was indeed backed up by militant practices, including vandalizing cars and throwing stones (Ghanaian Times, May 13, 2004) and chasing AMA or World Bank staff out of the village (letter to the World Bank, May 27, 2008). While this was received mostly negatively by the media (not to mention AMA and the World Bank), it has certainly contributed to the prevention of even the semblance of an agreement with the community. And this did play a role in the success of the struggle for the following reason: while the community had turned down several offers to negotiate over the years (like the invitation of the chairman to a meeting with the Minister of Local Government in 2001, or the participation in the Technical Advisory Committee on the Kwabenya landfill site in 2004), the refusal to talk to the authorities on the project gained a new significance after the World Bank had taken over the funding, because, according to the World Bank procedures on resettlement (OP 4.12), consultation of the affected persons is mandatory. The outright refusal of the community to talk to World Bank staff or consultants, or even a civil society organization and a mediator that the AMA had hired, made it impossible to claim that consultations had taken place. Any attempt to do that (and there were several) was immediately refuted by the community and taken up by the press. At this point, the uncompromising stance is linked with two other factors: an active media and communication strategy and involvement of independent experts.

Active Media and Communication Strategy Invoking Widely Recognized Values

The Agyemankata community's victory has to be seen against the backdrop of a widespread media coverage of their actions and demands,

which was the result of regular press releases, press conferences, open letters, and interviews given to journalists. There were some negative media reports after the violent incidents and when the Oblogo dump site became full, which gave space to voices alleging that "a few people were holding the country to ransom by preventing the Kwabenya landfill site from being developed" (August 8, 2005). Yet, in general, press coverage was mostly favorable, and this was the result of the protest movement's active media strategy invoking values which were accepted and recognized by the large majority of the population. The community engaged in strategic communication marked by contextual code switching and a situational poetics drawing on references to Ghana, the Bible, anticolonial struggle, as well as the targeted use of Akan and Ga proverbs, signaling the community's erudition in different registers, each of relevance to their struggle (see below). Across all these contexts, we would argue that the following frames were most decisive.

First, the frequent invocation of the rule of law presented the protesters as law-abiding citizens and defenders of the constitution as opposed to the authorities who were bending laws in their favor. Already in their press conference of November 7, 2001, they argued that Regulation 7(2) of the State Lands Act of 1962 makes it mandatory to notify the owners or occupiers of the land before any entry for inspection, survey, or valuation, and that Article 20(2A) of the 1992 constitution makes it mandatory that compulsory acquisition of the land by the state be accompanied by prompt payment of fair and adequate compensation to expropriated owners. As this had not happened, they concluded: "the constitution is violated." This argument was reiterated many times over the following years. At times, it was coupled with the challenge to AMA to take the community to court if they really had a right to take the land, pointing out that no Executive Instrument had been signed. At times, this was combined with the pointed question of who had been paid how much compensation and how exactly the £3 million given by DFID had been spent if no money had been invested in informing and consulting the community (e.g., Press Release, December 16, 2005). Occasionally, there were claims that those pushing forward the project were not acting in the nation's interest but in their own and misappropriating state funds (open letters to State Security Council, April 16, 2002, and AMA Waste Management, September 9, 2005).

Of course, it could be noted that the protesters themselves were not always as law-abiding as they presented themselves, and not only because of the vandalized cars. While they had decried the dispossession as illegitimate because of the lack of an Executive Instrument, the fact that the EI was employed in 2007 did not alter their stance in the least.

But the point is that the invocation of the rule of law toward the public seems to have been quite successful. Parts of the press were siding with them and describing the invasion of police officers in early 2007 as a "Terror move" (*Evening Tribune*, March 27, 2007).

Other widely accepted frames invoked regularly by the protesters' public articulations were environmental protection and property rights: "[w]e are determined to protect our environment and our property and go to any length" (open letter to the World Bank Country Director, September 6, 2004). The frame of human rights was also employed: from 2007 onward, the slogan "Housing Rights are Human Rights" can be found at the end of letters and statements.

Another interesting frame invoked is democracy. As the protesters defined it, democracy is not compatible with intimidating or forcibly evicting people who have legally leased the land on which they live and with breaches of procedure by those in power (*Daily Graphic*, March 18, 2002; open letter to State Security Council, April 16, 2002; open letter to AMA Waste Management, September 9, 2005; open letter to President Kuffuor, March 24, 2006). Tellingly, democratic norms are also evoked in communication with donor agencies in pointing out that "if Ghana is now a democratic country ruled by democrats then the landfill must be sited far away from where human beings are living and working with their families" (Agyemankata Kwabenya Community Letter to DFID office via UK High Commissioner to Ghana, July 23, 2002). While not denying the legitimacy of both modern (AMA, Mayor, Vice President) and traditional political institutions (Chief, Elders) per se, it seems to be conditional on a line of action in accordance with the will of the people in order to maintain legitimacy (Press Release, July 29, 2004). Here, a concept of grassroots democracy becomes visible, which is not uncommon to African traditions and African political philosophy (Comaroff & Comaroff, 2011, ch. 5; Wiredu, 1995). Other correspondence states clear expectations regarding due democratic process: "[t]he days some people's utterances became laws are over. Democracy has no place for impunity" (letter to the Director of the Accra Survey Department, May 2, 2006).

Communication Strategy Across Registers: Symbolic Deference and Substantive Defiance

Evoking widely held values to project the legitimacy of a given cause might be common sense, but it acquires complexity when the different communicative contexts that the Agyamankata community had to address

are taken into account. To appreciate the intricacies of the community's communication, it is key to observe how they utilized different registers of speech, each with distinct frames of reference. A close reading reveals an adaptive poetics of contextual reference-switching, of mixing, at times playful, at times heady, but always strategic. While invoking the above frames, the community's communication is also alluding to global hierarchies as they manifest in development cooperation: the injustice of siting a landfill next to a human settlement for the benefit of those who live further away is equated with global hierarchies in which poverty and environmental destruction in the Global South is the flip-side of Western and local elite's privileges. This contextualization of the conflict also evokes colonial and racial hierarchies. This mirrors what is a key feature of Bullard's analysis, for example, in statements such as (letter to the Director of the Accra Survey Department, May 2, 2006):

The Kwabenya Landfill will serve as an example to other departments and our donors to follow rules/regulations for the nation's progress but not to exploit us. The Accra Metropolitan Assembly helped the white man:

- To breach our own constitution we are told to protect. Article 202a of the 1992 constitution.
- To violate the 1962 state Lands act Rew, 7(2) be) 230.
- To construct a landfill in our bedrooms.

Even if the claim that the AMA "helped the white man" understates AMA's agency in the matter (it seems to us it is rather DFID and World Bank helping AMA build the envisioned landfill), the communication strategy successfully taps into the registers of anticolonial struggle. The community's public communication evokes the absurdity of placing garbage "in people's bedrooms" and states fatalistically that "in Africa it is done." Such contrasts are playing on the perception that in the guise of development, populations in the Global South are treated differently—placing the local issue in a broader pattern of inequality. In doing so, the Kwabenya community actors perform exactly the kind of "joined up thinking" that Bullard (2001) conceptualizes as necessary to think together sustainability, environmental justice, and equity. Criticizing DFID financing in a letter to the Prime Minister Tony Blair (letter to the Prime Minister Tony Blair, 24 July 2002), the community states:

All these problems were caused by B.D.FI.D. because their out fit (*sic*) did not see to it that the right thing was done before loans were disbursed. Even the Land was not documented (...) because our old men came to them cap in hand. In democratic country (*sic*) projects are not imposed on the people but

rather they are made part of it to succeed. (...) Counting on your discernment in this important issue which involves human lives as landfills are hazardous. But here in Africa the experts are constructing one in the midst of human beings.³

Some of the bluntest language is reserved for Taysec, a construction company based in Accra, accused of destroying cropland when creating preparatory infrastructure for the landfill. Evoking Akan and Ga proverbs as well as stating that "Bob Marley of blessed memory once said we quote chase those crazy BALD head out of town unquote." Records of community members repelling attempts to construct landfill project infrastructure show that this was not an idle quote. Neither is this the only reference that portrayed their actions as a local struggle fitting into a broader pattern of anticolonial resistance (letter to the head of Accra Survey Department, May 2, 2006): "Time is ripe for Agyemankata community to resist the oppressors' rule and liberate themselves from mental slavery." The letter goes beyond symbolically fusing Bob Marley's lyrics with those of the Ghanaian national anthem. It also links the resistance of the community to their constitutional rights and evokes a key anticolonial poetics:

We have the right to good health. We have the right to protect our environment from diseases and vermin. 1992 constitution Article 41 (K). A Landfill is dangerous and environmentally unfriendly. The constitution permits us to protect our environment and to preserve it. Leave us alone and bring the executors of the Kwabenya Landfill to justice. Girdle your loins we are prepared to die for the proposed Landfill if anybody comes here to survey the site. "Yen ara asaase ni." (ibid.)

Unpacking this heady mix of constitutional, biblical, and anticolonial references is instructive: The letter begins with the community informing the director "that men numbering about ten came here on 26th and 28th day of April 2006 to survey and demarcate the boundaries of Kwabenya Landfill. We have stopped them. We can identify them and we know them. We have removed all the pegs they mounted." They continue with a pointed question: "Why is the demarcation done under the cover of darkness?" From invoking their constitutional right to a clean environment coupled with a plea for justice and due process, the statement moves to a biblical phrase signaling the community's readiness to prevent further surveying and defend their cause—even with their lives. It concludes with an invocation of the first line of "Yen ara asase ni." Composed in the 1920s by anticolonial educationist and musician Ephraim

Amu, the song is often referred to as the informal anthem of Ghana. It translates as "This is our own, native land," but is far from a simplistic invocation of binary patriotism, as it also critically addresses internal hierarchies, divisions of class, and proximity to Western resources as they permeated colonial society. As the song decries those who are too close to colonial power, its invocation forces its readers in the survey department to acknowledge their position of power and ask themselves if they will follow the admonition of the song to instead act in the overarching communal and national interest.

Elsewhere, the anticolonial references are more direct. They invoke Nana Yaa Asantewaa, the female Asante authority who led the 1900–1901 war against British colonial forces, challenging male complacency and colonial cooptation (Aikins 2009; Boahen, 2003). Other letters end with exclamations such as "down with imperialism" (letter to the Managing Director Taysec Accra, November 29, 2002).

Such blunt language is repeatedly tempered with a symbolic deference and contextual code switching. In a letter to a Ga chief involved in the matter, the appropriate greetings and appellations frame a message that can otherwise only be described as politely defiant, while in letters to other local actors, the undersigned Chairman of the Agyamankata community refers to himself as Opanyin, that is, a respected Akan elder with a defined role in indigenous Akan governance systems.

The community thus deftly and strategically navigates a context in which a multiplicity of normative and political orders operate and overlap (Aikins, 2016) by communicatively code switching and creatively combining various registers of formal speech, including proverbial and idiomatic expressions that are a key part of formal communication in Akan and Ga indigenous political orders (Aikins, 2016) as they invoke ancestral wisdom coalesced into notions of justice, legitimate decision-making, and, at times, conflict resolution. In doing so, they evoke practices of consensus-oriented, rule-based indigenous decision-making, evoking a fundamental set of values underlying legitimate decision-making, as analyzed for both Akan and other African political philosophy and indigenous practice (Comaroff & Comaroff, 2011, ch. 5; Wiredu, 1995).

Support by Independent Experts: The World Bank Inspection Panel

The IP of the World Bank is an independent entity charged with supervising the World Bank management's actions and ensuring compliance

with its safeguard policies. It was established in 1994 as a reaction to the international civil society campaign against the Narmada Valley development project displacing hundreds of thousands of people in India, which the World Bank continued to fund even after the independent Morse Commission had advised not to. Civil society mobilization led to a hearing in the US Congress, which then finally pressured the World Bank into establishing an accountability mechanism where affected persons can file claims against Bank-funded projects, activating the IP which then investigates the case and reports to the Executive Directors of the member states (not the World Bank President or management) (Clark et al., 2003). The IP became involved after the COHRE, an international NGO, filed a claim against the KLP in 2007, on behalf of, and in cooperation with, the Agyemankata community (COHRE, 2007). Its report confirmed the asserted violation of World Bank procedures regarding Involuntary Resettlement and other regulations: "meaningful consultations (...) did not take place with those living nearest the proposed landfill (IP 2009, xviii)," the environmental and social assessment was "inadequate (xx)," the project proceeded without a resettlement action plan (xxi), management failed to adequately inform the affected population (xxv), and overall there was a "lack of adequate supervision" (IP, 2009, xviii).

The IP report was a significant factor in the success of the struggle in two respects. First, it lent public support to the claims of the protesters from the position of an external, independent expert panel perceived as nonpartisan. This support was recognized and reproduced by the media (e.g., Daily Guide, July 22, 2010; Bozzo, 2010), legitimizing the position of the protest movement. Second, the IP report highlighted the breaches of WB procedure and ensured that the KLP could not go on without consultations with the community, which were prevented by the militant refusal of the community to cooperate. Thus, the one alternative in the form of participation and co-optation of persons resisting the project did not work here. The other alternative, the use of force, was made very difficult by the sympathetic public opinion and by the seal of approval issued by the independent expert panel, indicating that the protesters had some reason to protest. The media strategy had successfully cast doubt on the legitimacy and lawfulness of a forced eviction. The IP involvement tipped the scales in public opinion and made sure that the World Bank (in contrast to its earlier practice) now abided by its rules, which prescribed consultations which were impossible given the community's unrelenting refusal to negotiate over their relocation. Thus, the combination of the uncompromising stance of the protest movement, its successful and active media strategy, and the support of the IP led to the defeat of the KLP.

In this respect, we also need to mention two circumstances that played a favorable role for the protests against the development project. First, the media strategy of the Agyemankata community capitalized heavily on the mistakes made by the authorities, particularly the breaches of procedure regarding the acquisition of the land and the mistaken assumption that talking to the chief and not to the affected persons was enough, but also the possible misappropriation of funds intended for the information and consultation with the community. A second point is also emphasized by Baabereyir (2009, p. 213), who, on the basis of fieldwork in Kwabenya, concludes:

The strong civil society response to the proposed landfill project at Agyemankata is an interesting one considering the general lack of civil society mobilisation in the country. That this largely poor urban fringe community has been able to mobilise against a World Bank sponsored landfill project can be attributed to the presence of environmentally concerned elites among the inhabitants who have enlightened the people on the implications of hosting a waste facility and mobilised them to stand against the landfill project.

Thus, possible generalizations of the Kwabenya landfill case have to take into account these specific circumstances.

Connecting Empirical Results and Theoretical Debates

So how can we link the results of the successful struggle against the Kwabenya landfill with the theoretical debates on environmental justice, DID, accountability, and the IP? Regarding the first theoretical context, we can take the first three characteristics of Bullard's (2001, pp. 153–155) environmental justice framework as an operationalization of the concept. The first one reads: "The environmental justice framework incorporates the principle of the 'right' of all individuals to be protected from environmental degradation" (p. 153). This right is precisely the right demanded in numerous statements of the Agyemankata community, such as "[h]ave we not the right to reject the disposal of someone's waste in our backyard?" (open letter quoted in *Daily Graphic*, January 28, 2003); "[w]e have resolved to protect our environment from being polluted" (open letter to the Minister of Local Government, September 11, 2004); "[i]n your well built mansions you keep the environs clean (...). It is generally known that land fills are located in places where the

disadvantaged in society live (...). Will [the authorities] accept a bowl of rubbish in their backyard?" (open letter to Minister of Local Government, March 11, 2005). In these statements, the criticism of the unequal distribution of waste is obvious.

The second principle is: "[t]he environmental justice framework adopts a public health model of prevention (elimination of the threat before harm occurs) as the preferred strategy" (Bullard, 2001, p. 154). This was the model that the Agyemankata community demanded regarding the possible health hazards arising from the landfill site, in opposition to the assurances that a sanitary landfill would pose no danger to their health (*Enquirer*, January 15, 2007).

Similarly, the third principle is: "[t]he environmental justice framework shifts the burden of proof to polluters/dischargers who do harm, discriminate, or who do not give equal protection to racial and ethnic minorities, and other 'protected' classes" (Bullard, 2001, p. 154). Querying whether the rich were prepared to live near a dump site, the Agyemankata community demanded equal protection of their environment and their health and not to be treated as second-class citizens (*New Nation Times*, March 13, 2007; open letter to Minister of Local Government, March 11, 2005). As the principles correspond to the demands of the Agyemankata resistance movement, we find that Bullard's framework, despite having been developed in an entirely different social and political context, is applicable to our Ghanaian case study very well.

We now turn to our second theoretical context. Regarding the literature on DID (De Wet, 2006; Dwivedi, 2002; McDowell, 1996; Seabrook, 1993), it has been argued that there are three typical strategies with which projects leading to forced evictions are being legitimized: (a) inevitability of progress, modernity, and "development"; (b) the greater common good (positive aspects outweigh the negative); and (c) property rights, rule of law, and social order (Ziai, 2019, pp. 8–12). Can this model be applied to the case of the Kwabenya landfill as well?

The acting Director of the Waste Management Department of the AMA, Ben Mensa Laryea, argued (*Daily Graphic*, October 31, 2001) that the protesters were wrong because (a) everything was legal and compensations would be paid (the reference being to property rights); (b) the speculations about health hazards were untrue, blockades would cost tax-payer's money, and the project would take care of the city's refuse for two decades (greater common good); and (c) the landfill would employ state-of-the-art technology and was "the best to be constructed in our country" (which can be interpreted as a an invocation of progress, although there

was no explicit mention of inevitability or national "development"). A slightly more explicit reference to inevitability as a legitimation strategy can be found in newspaper articles which reflect what it takes the community to "accept the need to have the project go on" (*Ghanaian Chronicle*, November 9, 2001). The landowner argues that the project is "in the national interest which must be embraced wholeheartedly" and will create employment (greater common good) but also that the land had legally been leased to AMA and no "amount of incitement" would "deter the landowners to back down" (property rights) (letter by Nii Tetteh Ankamah to the Agyemankata community, September 18, 2003). The property rights frame is also visible in the designation of the protesters as "squatters" by AMA (*Lens*, May 18, 2004).

Thus, while the frames of "greater common good" and "property rights" can be encountered regularly in the legitimation of the KLP, the third frame is, surprisingly, largely absent. It can be assumed that this is because a landfill is, to most people, less an epitome of progress, modernity, and "development" than a dam or a road or a power station. It is certainly not the case, because the discourse of "development" has lost momentum in Ghana: We find invocations of "the nation's progress" also on the side of the Agyemankata community (open letter to the World Bank Country Director, March 10, 2004; open letter to Ga District Assembly, October 22, 2003), and equally of "development" in the line "[y]ours in development of Mother Ghana" (open letter to Police Inspector General, January 27, 2007; see also Aikins, 2021, p. 246).

Coming to the last theoretical context, the academic debate about accountability and the Inspection Panel, we can see that recent research is less enthusiastic about the emancipatory potential of the IP and often stresses its limits, in particular regarding the inability to give binding recommendations and monitor progress after the investigation is finished (let alone to stop projects), its bureaucratic obstacles and delay mechanisms, the weakening of World Bank safeguard policies in recent years in the light of competition from the Asian Infrastructure Investment Bank and the New Development Bank, and in general the relatively small proportion of affected persons who actually benefits from its interventions (AKLIHRC, 2017; Kim, 2011; Pereira et al., 2017; Schäfer, 2022; Sovacool et al., 2018), in contrast to the earlier studies in Clark et al., 2003). In our assessment, these criticisms are all justified. Nevertheless, the case study of the Kwabenya landfill case serves as a strong reminder that in communities with a high degree of mobilization, determination, and unity, the IP can support the struggles of affected persons, possibly in a decisive manner and shift the balance of power so that resistance movements may indeed stop a development project and prevent displacement.

What do these insights mean for debates in the context of social movement research? And how do these debates elucidate or obscure our ability to answer our research question, namely which factors contributed to the success of the Kwabenya community? The longstanding local action as well as the wide ranging local, national and international communication and correspondence of the Kwabenya community showcase their ability to mobilise other resources in lieu of monetary funding. They Invested considerable time into a decade long engagement with multiple national and international stakeholders and succeeded in mobilising a relevant part of the community to stand together, even against offers and attempts to weaken community cohesion. In terms of political opportunity structure, the movement clearly utilised the many local, national and international institutional mechanisms open to them, including the Inspection Panel process itself, as well as support from specialised international NGO. A strategic and contextual framing of the issue proves a key point, in that the Kwabenya community is able to utilise frames taken from the environmental justice discourse, from participatory development, but also from civic mobilisation for independence nationalism as well as indigenous notions of collective responsibility. All of these frames are used strategically and concurrently, depending on the context of communication. Both in their framing and in their usage of political opportunity structures then, the community showcases a specific multi-level agency best conceptualised by evoking the wits of the Akan trickster Ananse who uses contextual cunning to outsmart far more powerful opponents, including by using their own declared values against them.

Conclusion

Based on extensive empirical material, the article has reconstructed the successful battle of the Agyemankata community against the KLP in Greater Accra. From a critical and movement-oriented perspective, we have identified three interrelated factors which were crucial for the success. The first factor was an uncompromising and, at times, militant rejection of resettlement, forestalling even negotiations about resettlement, which included the nonparticipation in committees and consultations. The second factor was an active media strategy which sought to win over public opinion by appealing to widely accepted normative frames, particularly to the rule of law and the Ghanaian constitution, repeatedly pointing out breaches

in procedure by the Ghanaian authorities, but extending strategic framing around issues of environmental justice, differential treatment of Africans, and due process through correspondence with DFID, the UK government, and the Word Bank. The third factor was the support from independent experts from the World Bank Inspection Panel, whose investigation confirmed some of the accusations made by the community. This, on the one hand, increased the sympathy the community had in public opinion and, on the other, made sure that the World Bank had to abide by its policies of mandatory consultations of the affected persons—which was prevented by the uncompromising stance mentioned above.

Our research is informed by and in turn offers insights for three theoretical contexts, namely the research about environmental justice, developmentinduced displacement (DID) and the Inspection Panel (IP), and contributes to these debates in the following ways: The principles of the environmental justice framework of Bullard are shown to be applicable also in other geographical regions and types of struggle. In the debate about DID, we find that the legitimation strategies of the "greater common good" as wel as property rights and rule of law have been invoked by those promoting the project, while the narrative of inevitable progress, modernity and 'development' mostly was not. We explain this by the nature of the infrastructure project in question, arguing that landfills obviously are less fitting symbols for the type of social change associated with these concepts. In the context of the IP we argue that despite the justified criticisms that the IP acts as a progressive fig leaf which covers only a tiny fraction of the World Bank's projects, it can in fact make a difference for affected persons if they manage to mobilise support and fight against these projects.

Our analysis of the Agyemankata case however underscores the crucial role of strategic local actors that remain organized over long periods of time, steadfastly refuse any participation in consultations, and engage in targeted communication with a variety of actors ranging from local authorities and chiefs to private companies, development agencies, and foreign heads of state, to the IP itself. Their steadfast resolve remains the head cornerstone on which the identified success factors rest.

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Notes

- Of course, the concept of environmental justice has been productively employed in other regional and thematic contexts such as climate change (e.g., Shiva, 2008).
- 2. See, for example, the Bujagali Falls project in Uganda (Ziai, 2016b).
- 3. While this righteous indignation is one side of the story, it is important to point out that, elsewhere, the community makes the argument of land not being documented in a tellingly different context: just like the proverbial West African trickster, Ananse, who uses cunning to outsmart stronger opponents, the community states that the land on which they have built is also not documented, the explanation given to the British addressee being: "[t]his is Africa."

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