CORRUPTION, GENDER AND SMALL-SCALE CROSS BORDER TRADE IN EAST AFRICA: A REVIEW

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SUMMARY

Small-scale, cross-border trade is critically important to livelihoods and food security in East Africa, but bribes, harassment and violence remain a serious problem. This paper critically and systematically reviews a growing and diverse literature on small-scale, cross-border trade, corruption and gender. The aim is to synthesize and assess the current state of knowledge, highlight progress and gaps, and assess the potential of anti-corruption programs to address the needs of traders, lowering bribes and reducing harassment and violence. We found that research is drawing on diverse methods, leveraging ubiquitous cell phones and focusing on trader networks, their gendered interactions with state border actors. More work could focus on state actors and their internal interactions, including the police. Questions remain around what determines how bribes function, the norms around them and their levels as well as how well trader associations, civil society and formal and informal platforms for dialogue between traders and border government actors work to improve conditions. Understanding how traders choose between formal and informal pathways and how dynamics around how these different pathways interact is also critical. We see a growing variety of anti-corruption strategies drawing on the accumulated knowledge, as well as some experimentation in approach, with some successes.

RECOMMENDATIONS

Higher level institutional reforms that clarify and reduce rules and tariffs and streamline procedures together with incremental, gender sensitive bottom-up formalization are the most likely to have positive impacts on traders and trade and avoid negative consequences. More work needs to be done on police reform tailored to border areas and better interventions are needed to address small-scale, cross-border traders and gendered trade dynamics within anti-corruption programs. Overall, more interdisciplinary multi-methods research and dialogue between policy, research and traders is needed to address ongoing challenges in addressing bribes and harassment at East Africa's borders.

INTRODUCTION

Small-scale, cross-border trade is critically important to the well-being of many households and communities, particularly in Africa's borderlands. Taking advantage of regulatory and commodity price differentials, small-scale traders cross borders to buy and sell a variety of manufactured and agricultural goods. In the process, they create an important dispersed distribution system that plays into regional food security while helping to sustain their families and educate their children (Afrika & Ajumbo, 2012; Brenton et al. 2013; Titeca & Kimanuka, 2012, World Bank, 2020). While exact statistics are hard to find, estimates suggest that the volume of small-scale, cross-border trade is significant (Bensassi et al., 2019; Golub, 2015; Lesser & Moise-Leeman, 2009; UNCTAD, 2019). Further, cross-border trade constitutes the primary source of income for these small-scale traders and is central to livelihoods, including for those who produce traded goods, wholesalers, moneychangers, transporters and their families (Brenton et al., 2013; EASSI, 2012; Titeca & Kimanuka, 2012). One study estimates that small-scale cross-border trade is a source of income for 43% of the African population (Afrika & Ajumbo, 2012).

Given the clear significance of small-scale, cross-border trade in Africa, research on the sector has grown. This paper systematically reviews the academic and policy literature on corruption and gender within small-scale, cross-border trade[1] for East Africa and, where necessary, draws on interviews to fill in gaps about ongoing research. The paper explores progress and gaps in the state of knowledge and assesses whether anti-corruption programs address the needs of small-scale traders.

In this review, we follow Brenton and Soprano in making an important distinction between ''small-scale'' and ''informal'', as ''informal'' can be easily conflated with "illegal'' (2018). They note that using the term "informal" to characterize this trade as a whole "inaccurately reflects the reality of trade flows on the ground, as traders may indistinctly use both formal and informal crossing channels depending on a variety of factors, such as the value of their consignment, the length of the queue and costs at the border, or the mood of the individual official on duty" (Brenton & Soprano, 2018; fn 1). Small-scale traders must be distinguished from larger scale, politically connected traders involved in transnational smuggling networks that move high value goods like coffee (Kuhanen, 2017). This can be complicated to some degree by that fact that some small-scale traders carry goods for larger traders who engage these traders as transporters to avoid taxes. However, this does not include the vast number of small-scale, cross-border traders. Many small-scale traders pass through formal borders, trade legal goods and attempt to follow legal procedures (Titeca & Kimanuka, 2012). Meagher correctly warns against mischaracterization of small-scale border trade, pointing to cases where problematic discourses of "violence and criminalization" have been inaccurately applied to describe largely peaceful economic exchange by small-scale, predominantly female, cross-border traders in West Africa (2014).

It is important to ask how small-scale, cross-border traders - the majority of whom are women - perceive their trade and negotiations with state actors, who are primarily male. Particularly important is how traders choose to move through either formal border control involving multiple actors, including police, customs officials, revenue authorities, plant inspectorate and standards bureau or use informal *panya*[2] routes. It is important to ask how they view different transactions along the trading journey, decide to pay or refuse to pay bribes or formal fees, and what they think about state and policy reforms and which of these they envision as most helpful to their work. We see a growing number of surveys, interviews and focus groups with traders to get at such questions. We also explore the extent to which gender

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[1] The East African Community, consisting of Kenya, Uganda, Tanzania, Rwanda, Burundi and South Sudan, defines a small-scale trader as one who trades goods worth under 2000 USD, although a great deal of variation exists in the value of goods traded under this amount.

[2] Panya is a mouse in Swahili connoting the smaller, less beaten and formal pathways.

dynamics are addressed in research on corruption in small-scale, cross-border trade. At the very end of our review, we compare what we have learned about small-scale trade, gender, and corruption with predominant anti-corruption approaches. The aim is to explore how well informed these approaches are in addressing the problems of corruption facing small-scale, predominantly women, traders. We conclude with some directions for future research and policy exploration.

METHODS

Our review began with a search for articles written over the last two decades in English on corruption and cross-border trade in Kenya, Uganda, Tanzania and East Africa in EBSCO and SCOPUS, the two most comprehensive social science databases combined with Anthropology Plus and EconLit. The search was conducted in English with initial key terms outlined in Table 1. From there, we conducted a methodology search also in English and through the Global Integrity Anti-Corruption Evidence Digital Library[3]. Through this search, we examined another twenty studies that explored methods in fieldwork relating to corruption and anti-corruption techniques. This included the use of monitoring, participation, and information and communication technology (ICT).

At a second stage, we refined the search to the specific themes of gender, technology, police corruption, and border official corruption in East Africa, focusing primarily on Kenya, Uganda and Tanzania. Pertinent reviews, studies, theses, books and articles were identified, and we also explored the references in the papers we found. We were very aware that recent policy work was available in grey literature and were sensitive to the fact that excellent unpublished work is conducted by African scholars often found in thesis work and other forms and made efforts to include and refer to this important work which was found via references in papers or through more basic searches using Google.

[3]This library was created by Global Integrity as part of its Anti-Corruption Evidence Programme and is available at https://library.globalintegrity.org.

inclusion criteria	Articles or publications from academic literature, theses and reports that incorporate the Key Terms.
exclusion criteria	Papers written in languages other than English. Studies focusing on gender unrelated to trade. Papers published before the year 2005. Exclude Newspaper Articles.
key terms	Initial: corruption, cross-border trade Methodological: ICT, information communication technology, phone, monitor*, report* Thematic: gender, police, border official, revenue authority, technology Geographic: Africa, East Africa, Kenya, Uganda, Tanzania
electronic databases	SCOPUS, EBSCOHost Global Integrity Anti-Corruption Literature Database.
quality criteria	Since this review draws on diverse studies, methodologies and disciplines, a single quality criteria were not established. Resources were appraised and selected if they were deemed credible and applicable.

RESULTS AND DISCUSSION

We found a growing body of work consisting of over 165 articles with the vast majority focussed on the institutionalized nature of corruption in the form of networks and norms, bribes and harassment with growing work on how all these aspects, and the experience of small-scale, cross-border trade is gendered. Concern with gender is especially strong within policy circles working on reducing barriers and improving conditions for small-scale cross-border trade including anti-corruption efforts.

RESEARCH METHODS TO STUDY CORRUPTION AND SMALL SCALE, CROSS-BORDER TRADE

Studying corruption within small-scale, cross-border trade dynamics with its diverse informalities and complex set of actors and interactions presents many methodological challenges. However, we see a variety of approaches as well as experimentation. We also find some innovation in research approaches to better understand the patterns, transactions and exchanges involved in small-scale, cross-border trade and growing involvement of a variety of disciplines and cross-disciplinary approaches. Some periodic and continuous monitoring exists that involves capturing data about goods crossing different borders. The Ugandan Bureau of Statistics, for example, conducts periodic surveys, as does the Rwandan government. Multilateral institutions like the World Food Programme, Famine Early Warning Systems Network (FEWS-Net), and the Eastern Africa Grain Council also do continuous monitoring of agricultural commodities

and their prices (Lesser & Moise-Leeman, 2009; World Bank, 2020; FAO, 2021; Raton, 2021). Such monitoring provides useful information on the types of goods traded, location, quantities, prices and the overall scale of this trade. This tends to be of much interest to state regulators who wish to tax border trade and is also of importance for monitoring food security. However, it cannot tell us in much detail about the processes and transactions around this trade especially when the focus is on formal border crossings.

ETHNOGRAPHIC WORK

To dig deeper into the complex dynamics of cross-border trade, a number of valuable studies have emerged that rely on political economy and anthropology with extended on-the-ground observations and interviews in different regions (Dobler, 2016; Nugent & Soi, 2020; Titeca, 2012; Titeca & Kimanuka, 2012; Twijnstra et al., 2014). Twijnstra et al., for example, conducted fieldwork spanning five years (2010-2015) including in- depth interviews and focus group discussions to explore how traders negotiate taxes at several border posts between Northern Uganda and South Sudan. Emerging from this work is a focus on "practical norms" and "the actual rules that govern the actions of public actors" at the border (2014; 382, 2016). This work emphasizes how traders negotiate "taxes" with border officials, noting how this "hinges on the historic, geographic and cultural (informal) institutional context as well as their mutual embeddedness in political and community ties" (2014: 383). Practical norms around extraction (formal taxes vs. bribes) appear to be co-produced by traders and officials in a context of weak state authority, and these norms may ultimately undermine or reinforce the aims of formal state rules and also shift depending on changing political economy dynamics.

A key focus of this more ethnographic work is on patterns of interactions that are conceptualized as networks. Twijnstra et al. distinguish between "networks of accumulation," which involve politically connected traders that often deal with regional and global trade and higher level state actors with power over customs points, and "networks of survival" made up of local cross-border, small-scale traders who often share life with local customs officers and engage in more localized trade. Dobler similarly distinguishes between what he calls "green" or more localized trade that relies on footpaths, "grey" trade using roads and railroads, and "blue" trade linked to transport corridors connected to airports and seaports and hence global trade (2016). The different scales of trade and the power dynamics around them are thus reflected in the transport mode involved in the trade. Small-scale, cross-border trade tends to be associated with "green" and "grey" trade linked to local and regional scales but sometimes connected to supply chains that reach global levels, such as when traders deal in small quantities of Chinese goods.

A key aspect of this work is a focus on patterns of repeated interactions between socially-embedded actors and the connectivity between formal and informal realms, interactions which are seen by these scholars as involving culturally- and socially-embedded networks. These are conceptually distinct from simple market transactions that are often the focus of more economics-driven research. Rarely are these networks "mapped, formally described or modelled" (Walther, 2015; 604) and at times, different networks can be conflated (Meagher, 2014). Practical norms produced within different networks are also not the same; hence work taking this approach tends to emphasize the need for close attention to political economy as well as how border areas differ. In this regard, Khadiagala notes the "two contrasting spatial trajectories dominating East Africa; frontiers of insecurity and borderlands of economic prosperity" (2010; 273). Trade in these different regions may have different characteristics, including more potential illegality in places with particularly weak and contested state authority.

THE RISE OF SURVEYS

Another body of work which tends to focus on "borderlands of economic prosperity" engages primarily with traders using surveys as a useful tool. Such surveys are harder to conduct in areas that might be called "frontiers of insecurity" like in Northern Uganda and Southern Sudan (Titeca, 2012) and hence are often applied in "borderlands of prosperity". Researchers who have increasingly turned to surveys of traders themselves are able to get their stated perspectives, disaggregated by sex, on corruption, harassment, and other issues of concern and this starts to reveal more gendered and class dynamics and hence the varied experiences of small-scale traders. Tyson, for example, gave a questionnaire to one hundred small-scale traders, 60% of whom were women, at places of work such as marketplaces on market days near the Busia border crossing between Kenya and Uganda (2015, 2018). She asked whether they were solicited for bribes and if so, if they complied. Titeca and Kimanuka conducted surveys at four border points between the Democratic Republic of the Congo and Uganda, as well as Rwanda and Burundi, asking questions about bribes, including the norm of "informal taxation" (2012). In 2018 the Ugandan Bureau of Statistics conducted a baseline survey under the auspices of the Great Lakes Trade Facilitation Project which asked about trader experience with incidences of harassment, including solicitation or payment of bribes, intimidation, verbal attack and physical contact (Uganda Bureau of Statistics, 2019).

An ongoing challenge noted by researchers using surveys, who are most often situated in the economics or policy realms, is figuring out a representative sample for small-scale, cross-border traders (Hadley & Rowlatt, 2019). Some researchers have been able to conduct a baseline through systematic sampling of traders across different markets in Busia (Siu, 2020; Wiseman, 2020). Wiseman's recent work is an innovation in that she collects high frequency (every two weeks) panel data from mobile phone surveys, which enable a more dynamic view of how corruption and trade conditions adjust with changing conditions at the Busia border (2020). Titeca and Kimanuka used a method of random sampling - every 50th trader at the border (2012).

RANDOMIZED CONTROL TRIALS

More recently, some researchers from within economics are turning to randomized control trials (RCT) to study small-scale, cross-border traders, gender and corruption (Croke et al., 2020; Wiseman and Sadoulet, 2018). Croke et al. published the results of their impact evaluation of a training program for cross-border traders and officials at the border of Rwanda and the Democratic Republic of Congo. The goal was to conduct an RCT with 628 traders (314 take the training and 314 in control) to test the impacts of training on procedures and taxes with the idea that if traders, seen mostly as individual entrepreneurs, were empowered with information, they would be better able to refuse bribes. The study chronicles the challenges of conducting such studies without first building strong bonds trust that researchers in the ethnographic tradition work hard to do (Titeca, 2012);

traders gave false names and were often untraceable, and many did not do the training (Croke et al., 2020). The findings suggest that many women traders got "up at dawn" to cross the border before 7:30am when they learned that border officials arrive at 7:30am, reducing their interactions and hence their bribes and potential violence. The connection between training, information acquisition, and bribe reduction remains unsubstantiated: this is the focus of another RCT in progress (Wiseman and Sadoulet, 2018). While RCTs have been considered the "gold standard" by economists, this notion has been intensely critiqued (Bédécarrats, et al., 2020), and some argue that for RCTs to be effective, they must be paired with careful ethnographic work (Buntaine, 2019) suggesting the need to move towards more interdisciplinary approaches (Golub, 2015).

THE UTILITY OF CELLPHONES

The rise of cellphones and the possibility of crowdsourcing information also provides new ways to collect data on corruption and border experiences from traders themselves. Phones may allow traders to report incidences in real time, which also makes it easier to conduct larger-scale studies, including RCTs and surveys. Of course, some traders, especially women, may not have phones. A gender gap exists in phone ownership in low- and middle-income countries; women are 10% less likely than men to own a mobile phone and of those that do, 23% fewer women than men use mobile internet (GSMA, 2019). A class gap also exists with wealthier traders owning smartphones and the poorest traders without any phone at all. Phone use is increasing as costs of phones and services drop, although significant variation in phone access and service costs exists across East Africa (GSMA, 2019).

Increasingly ubiquitous cellphones have led to innovative digital platforms that provide traders with information and, in the process, also collect important data. One such platform in East Africa is Sauti Africa, a social enterprise that has developed a phone-based application to provide traders with essential information about prices, exchange rates, and border procedures and also to collect data from traders who use it (Hadley & Rowlatt, 2019). They note in general that gathering data on small-scale traders by looking at how they interact with different platforms and entities can open up new insights (Hadley & Rowlatt, 2019). Sauti Africa also has been working overtime to actually build networks with traders, gain their trust and advocate for them and is increasingly able to support and engage in research through its platform.

CORRUPTION WITHIN SMALL-SCALE, CROSS-BORDER TRADE

Corruption at borders is a longstanding global problem. With face-to-face, frequent interactions between traders and customs officials, who have discretionary powers and are sometimes located far from central oversight, customs transactions tend to be vulnerable to varied forms of corruption (Jancsics, 2019; McLinden & Durrani, 2013). Two main and sometimes interrelated forms of corruption tend to exist at customs: theft from misreporting and bribes (Widdowson, 2013; Yang, 2006). Bribes can involve "speed money" or petty bribes traders pay to bureaucrats to get around hurdles as well as facilitate and speed up processes (Ang, 2020). They can also involve collusion in tax evasion, for example, when a customs official takes a bribe to misreport goods traversing the border, a process which can also lead to smuggling or more serious illegal trafficking (Titeca, 2012). In addition, borders are also areas that are under police surveillance and control, with the police able to access opportunities to extract bribes and participate in illegal activities; yet, much focus on corruption at borders is on customs officials (Chene, 2018).

When looking at small-scale trade in East Africa, the most common form of what would be considered border corruption involves bribes, although as noted earlier some of these payments may be understood by the traders somewhat differently depending on institutional context and practical norms. These payments, sometimes called "kitu kidogo" (something small in Swahili) are linked to three main and different purposes; 1) to speed up, facilitate or get service at the formal border 2) to avoid penalties from using an informal route or 3) as a bribe to avoid paying a tax. Not paying a tax is often complicated by lack of clarity or understanding of the system of tariffs; as one Ugandan trader put it: "she felt like she was walking in the dark" (Titeca and Kimanuka, 2012: 8). However, complex and changing tariff regimes means high levels of uncertainty exist on the ground among both traders and officials (Akaezuwa et al., 2020; Titeca and Kimanuka, 2012) which can enable the use of kitu kidogo to manage this situation and keep trade going. Using an informal or panya route is also often a response to a formal border that tends to block rather than facilitate trade and to high, complicated or unclear tariffs and procedures on goods (Titeca and Kimanuka, 2012; World Bank, 2020). Payments to evade legal consequences of using informal routes might be seen as facilitating trade that supports livelihoods, including for those taking bribes. It is thus important to understand how different categories of small-scale, cross-border traders experience and understand various types of extraction and exchange and what they consider coercive corruption (that leads to significant costs and often induces fear) compared to collusive corruption or informal "fees" that might be accepted and even seen as helpful (Sequeira & Djankov, 2014).

TRADER JOURNEYS: CUSTOMS VS PANYA ROUTES

A trader's journey through a formal crossing point involves confronting several actors, including police, customs officials, revenue authorities and, if carrying agricultural goods, plant inspectorates or, if manufactured goods, a standards bureau. The process also involves paperwork and costs, although work in trade facilitation has meant that small-scale traders are often exempt from some taxes. Figure 1 illustrates the first border process for a small-scale Ugandan trader importing agricultural and manufactured goods into Kenya.

Border Process for small-scale traders (<2000 USD) in EAC Countries
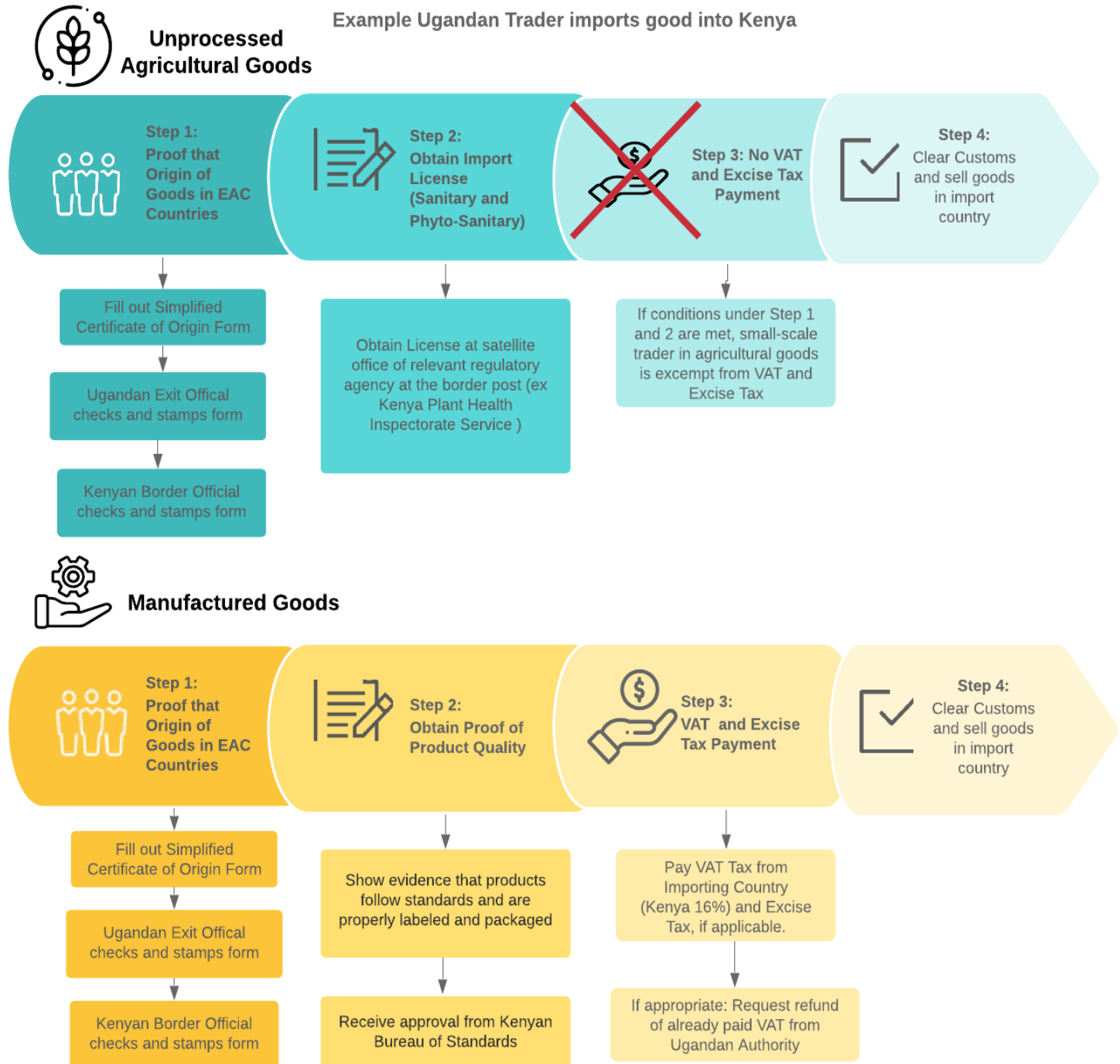#### Example Ugandan Trader imports good into Kenya

Unprocessed Agricultural Goods

Step 1: Proof that Origin of Goods in EAC Countries

Step 2: Obtain Import License (Sanitary and Phyto-Sanitary)

Step 3: No VAT and Excise Tax Payment

Step 4: Clear Customs and sell goods in import country

- Fill out Simplified Certificate of Origin Form
- Ugandan Exit Offical checks and stamps form
- Kenyan Border Official checks and stamps form

Obtain License at satellite office of relevant regulatory agency at the border post (ex Kenya Plant Health Inspectorate Service)

If conditions under Step 1 and 2 are met, small-scale trader in agricultural goods is excempt from VAT and Excise Tax

Manufactured Goods

Step 1: Proof that Origin of Goods in EAC Countries

Step 2: Obtain Proof of Product Quality

Step 3: VAT and Excise Tax Payment

Step 4: Clear Customs and sell goods in import country

- Fill out Simplified Certificate of Origin Form
- Ugandan Exit Offical checks and stamps form
- Kenyan Border Official checks and stamps form

Show evidence that products follow standards and are properly labeled and packaged

Receive approval from Kenyan Bureau of Standards

Pay VAT Tax from Importing Country (Kenya 16%) and Excise Tax, if applicable.

If appropriate: Request refund of already paid VAT from Ugandan Authority

Figure 1: Process at the Kenyan/Ugandan Border for Small-Scale Traders of Agricultural and Manufactured Goods Based on http://meac.go.ke/wp-content/uploads/2018/02/EAC-Book-2.pdf

The trader's journey often begins with the purchase of tradable goods at a market, the choice of transportation and the gathering of relevant identification documents, including proof of origin within the East African Community (EAC) via a simplified proof of origin of goods form, ID, and relevant receipts. At the border, traders then need to fill out the applicable forms and receive approval from authorities like the Plant Health Inspectorate (unprocessed agricultural goods) or the Bureau of Standards (manufactured goods). Small-scale traders that trade in unprocessed agricultural goods are exempt from domestic taxes, whereas those who trade in manufactured goods will have to pay a value added tax (VAT) and in some cases an excise tax for manufactured goods, depending on the good. The main difference in procedures lies in agricultural traders not being subject to excise tax or VAT. Wealthier traders often work through customs brokers or other third party operators who typically manage the relationship between customs and traders; these brokers help traders clear goods by preparing documents, calculating pay, and facilitating communication between the traders and government authorities (Fjeldstad et al., 2020; Lesser & Moise-Leeman, 2009; Ng'asike et al., 2020).

Bribes or "facilitation fees" can start when long lines form at the formal border and can continue along the way as traders make it through relevant offices to pass hurdles and get documents stamped (see Figure 1). Indeed, the degree of waiting has been associated in sociology with power, with long waits associated with powerlessness (Schwartz, 1974). Speed money in the form of bribes is often seen to serve the purpose of facilitating economic activity in the face of onerous bureaucracy. This form of corruption can be a tax on citizens that most severely impacts poorer traders, who may have fewer resources to pay for facilitation (Ang, 2020; Mbate, 2018; Tyson, 2015). Further, this also can constitute evasion of regulations for consumer health, safety and environmental protection and of taxes needed for services, taxes that also bring in a dynamic of accountability (Lesser & Moise-Leeman, 2009).

In the case of small-scale traders, waiting and informal and formal costs at customs can incentivize traders to "exit" in the form of taking panya routes that Dobler calls "green trade" (2016). These routes involve skirting formal borders, sometimes risking dangerous terrain. This often involves paying "facilitators" and transporters who help with the crossing and also bribes to law enforcement. Given that the police on both sides of the border know about these well-established routes, traders routinely encounter them - and sometimes other security personnel - who target them for bribes. Since this happens outside of official spaces and traders are technically in the wrong for avoiding official posts, these traders are highly vulnerable to coercion and abuse.

Evidence from current studies in Kenya at the Busia border clearly point to the police as the most likely to ask for bribes (Klopp et al., 2021; Sauti East Africa, n.d.; Tyson, 2015; Wiseman, 2020) and the most feared in general (Klopp et al., 2021). Yet, the role of police in border corruption in East Africa is understudied. Whether bribe systems operate between key government actors like the police and revenue authorities is important to better understand. The Kenya Revenue Authority, for example, partners with the police to boost revenue collection (Kolgi, 2011), and some studies suggest collusion between police and customs (Nugent & Soi, 2020) as well as various brokers and customs officers (Tyson, 2015). If this collusion exists through informal networks, as was found at the Northwestern Uganda border (Titeca, 2012), its precise nature and extent within different government agencies at different borders merits more attention.

GENDER, CORRUPTION AND SMALL-SCALE CROSS BORDER TRADE

The vast majority of small-scale, cross-border traders, especially in "borders of prosperity", are women who encounter and engage with predominantly male police and other security personnel, border officials, money changers, transporters and brokers. Although disaggregated statistics are often not available, border officials including police are overwhelmingly male. For example, less than 20% of the police force is female in Kenya and Uganda (PeaceWomen, 2015; UN Women, 2012). Most studies typically cite a figure of around 70% to 90% of the trade being conducted by

women, depending on the border (Siu, 2020; Titeca & Kimanuka, 2012; Wiseman, 2020; World Bank, 2015, 2020). This configuration, along with gender dynamics within East African societies where women still face many barriers, discrimination and low status, sets up a number of complex gender dynamics around borders that also genders the experiences of payments/bribes and harassment (EASSI 2015).

Given the problems women face in terms of access to capital, they often are on the smaller end of the small-scale trade operating on foot or using a motorcycle or bicycle transporter (East African Community & Collaborative Centre for Gender and Development 2006, Titeca and Kimanuka 2012, UNDP, 2020). They are engaged less often in prosperous businesses and are more often in what has been called "survivalism" (Titeca and Kimanuka 2012: 18). A 2017 survey of cross-border traders in Tanzania, Malawi and Zambia revealed that 47% believe that informal cross border trade is the only livelihood option for them in their area (UNCTAD 2019.)

Gender may also influence route choice. Those who deal more with perishable agricultural produce tend to operate with smaller quantities with smaller profit margin, and face more problems in accessing trade information about border procedures. Many therefore prefer to avoid cumbersome and time consuming transactions and interactions with officials at formal crossings (Bensassi et al., 2019, Siu, 2020, UNCTAD, 2019, Ruiter et al., 2017; Akaezuwa et al., 2020; EASSI, 2015; Maleko, 2008). Some research suggests that these factors lead many women to take informal routes. This, of course, makes them more vulnerable to punishment like goods confiscation and some kinds of predation including police asking for bribes and sexual harassment or "sextortion" (Ruiter et al., 2017; Akaezuwa et al., 2020, Balongo & Parshotam 2020, World Bank 2020, Jacobson & Joekes, 2019). Interestingly in the case of Ugandans crossing into Kenya, Siu finds men are more likely to choose informal routes and she attributes this potentially to higher bargaining power and better networks for men who can manage the informal negotiations along the way (Siu, 2020: 18). More dangerous and longer routes associated with informal pathways also are a problem. In one survey women complained about the hard work carrying loads long distances, which can be exacerbated by informal routes; in contrast, men were more able to use bicycles, lessening the load, while women walk or hire transporters and middle men that become more costly (Titeca and Kimanuka 2012; 15).

Further, the gender division of labor in the household including in relation to caring for children, the sick, and elderly tends to fall on women, giving them heavy double duties and making cross-border trade more challenging and waiting very costly. Formal borders, when they lead to longer waits, can lead to hardships for women with their many responsibilities linked to their roles in the household (Akaezuwa et al., 2020). Overall, more research is clearly needed to fully unpack the gender and class dynamics around the choice between formal versus informal border routes in different locations.

Some argue that border officials target women because of their lack of knowledge of trade rules and procedures which leads to less bargaining power (Ruiter et al., 2017). Studies on the Busia border between Kenya and Uganda suggest that women on average pay more bribes per unit of traded goods than men (Wiseman, 2020). Even if traders know their rights and the formal crossing process, as we have noted, many choose to use the panya routes and pay "informal taxes" as part of the accepted cost of taking this option (Maragia, 2020, 2020; Ruiter et al., 2017; Siu, 2020; Titeca & Kimanuka, 2012). Interestingly, practical norms between traders and officials around these payments may vary; in the Uganda-DRC borderlands small amounts of food carried by women are informally "taxed" more lightly or not at all, mirroring formal borders (UNDP 2020). Just as some officials allow trade in small amounts of food to go without extracting a tax, formal or informal, some traders appear to recognize how the informal payments supplement small salaries of police officers and note that "everyone needs to eat food" (UNDP 2020: fn 66).

This suggests that the system of bribes that enables small-scale, cross-border trading through panya routes is accepted as a system of practical norms that facilitate trade. Indeed, as Nugent and Soi note with regard to the Busia crossing, an observer on the Kenyan side of the border will see vehicles lined up to cross the formal border and a steady stream of people walking and riding bicycles or motorcycles on their way to the market in Uganda via informal routes (2020: 446). It is important to note that this widely accepted system generates specific hazards for women when confronted with security personnel including serious gender-based violence (Ityavyar, 2013; Jacobson & Joekes, 2019).

Men may also face harassment and can also face serious violence (Titeca and Kimanuka, 2012). This may be because men may not be as willing to accept harassment from officials as it clashes with their own sense of their status; "a man cannot tolerate that from another man". Some women may have developed stronger negotiating skills having to deal with these kinds of situations in society more broadly (Titeca and Kimanuka, 2012; 35). Here it is interesting to note that cross-border women traders tend to be older and may be able to leverage some elevation in status conferred on them from age, marriage and motherhood, but this also suggests strong barriers against young women entering the trade and high startup costs and need for mentorship. More established and wealthier women traders may also engage in complex relationships with male brokers, police and customs officials to facilitate their work, and it is important to explore these class differences among women possessing different amounts of wealth (Howson, 2012).

Overall, a growing body of work is delving into answering the question of how border experiences including corruption, harassment and violence are gendered and a growing amount of work, particularly policy work, is explicitly centered on addressing gender dynamics within small-scale, cross-border trade. It is clear that well-documented gender inequalities in East African society mediating status and access to capital, land, information and technology come into play within small-scale, cross-border trade, as do historical gender divisions of labor that put women squarely at the center of agricultural production and trade in East Africa (Ekechi & House-Midamba, 1995). Despite this work, much more remains to be understood especially in terms of how to support traders and combat corruption, harassment, and violence in a way that addresses these gender inequalities and women's and men's specific experiences (Goetz, 2007; Hossain & Musembi, 2010; Jacobson & Joekes, 2019).

RECOMMENDATIONS FOR ANTI-CORRUPTION EFFORTS

A wide array of anti-corruption recommendations has emerged in the literature to support small-scale, cross-border traders with a focus on interventions that lead to incremental, gender-sensitive voluntary adoption of formal procedures and routes by shifting incentives and making these attractive. These vary from interventions at the regional, legislative level to localized interventions, like mediating platforms and surveillance cameras. What is also noticeable is that anti-corruption commissions in the region do not appear to play a role and, despite the prevalence of police as a key player in the extraction of bribes and harassment, recommendations within the small-scale, cross-border trade policy literature do not directly address this aspect. Instead, as also was noted, the bulk of interventions focus on customs procedures and support for traders and their associations. Below some of the key anti-corruption recommendations in the literature are highlighted and the evidence for them based on the review of research is examined.

SIMPLIFYING TRADE RULES AND PROCEDURES, STREAMLINE AND AUTOMATE TRANSACTIONS AND TARIFF REDUCTION

The most common focus of reform involves simplifying trade-related regulations and requirements to reduce formal trade transaction costs (Afrika & Ajumbo, 2012; Balongo & Parshotam, 2020; Lesser & Moise-Leeman, 2009; UNCTAD, 2019). As a recent World Bank report notes, "a high ratio of small-scale, cross-border trade relative to Customs-recorded trade can point towards problems in the 'formal' trade channel, such as overly strict regulatory requirements, high taxes (and bribes), or long border-crossing times, that drive traders to avoid official import or export declarations'' (World Bank, 2020; 6). Sui's study at the Busia and Malaba borders did indeed find a negative association between VAT and export restrictions and choice of going through formal customs (2020). We also see that as borders closed or increased restrictions related to COVID-19, traders perceived that the amounts of bribes extracted at the Busia and Taveta borders increased on informal routes (Klopp et al., 2021; Wiseman, 2020). As Wiseman notes "an equilibrium between costs and bribes extracted across formal and informal routes", and it is critical to understand interdependencies between formal and informal routes (2020: 19). Overall, clear evidence seems to suggest that high-level reform that produces more clarity, simplification, less waiting and lower fees would be helpful to traders. Decreasing the costs at formal crossing points may also serve to bring down the bribe amounts at informal crossings, creating a benefit for all traders.

ONE STOP BORDER POST

One of the main global efforts to streamline and simplify trade regimes and processes involves the One Stop Border Post (OSBP), reforms that are heavily supported by donor funds (Nugent & Soi, 2020). The OSBP does not change the need to go through the different processes but only co-locates the agencies and aims to facilitate cooperation. The OSBP can take many forms globally, but in East Africa it typically involves juxtaposed facilities that house personnel from different agencies in one space (Nugent and Soi, 2020). While legislation setting up the OSBP in the East Africa Community does not explicitly mention reducing corruption as an aim, the reduction of transactions and the open design of the OSBP are expected to reduce corruption as well as speed up transactions

Given that these OSBPs have been around for some time, a number of studies have explored their impacts including on wait times and corruption (Tyson, 2018; Siu, 2019; TradeMarkEastAfrica, 2017; Nugent and Soi, 2020). Overall, this research suggests some substantial reduction in time saved crossing the formal border (Siu, 2020; TradeMarkEastAfrica, 2017, 2019; Tyson, 2018). Traders viewed the changes positively, although low skill workers suggested they caused a reduction of jobs involving manual transportation and handling of goods (Tyson 2018: 568). Nugent and Soi suggest that the customs officials at the OSBP in Busia are aware of the need to lure more people through their formal processes competing with informal routes (2020). Siu finds that in Busia and Malaba this does not appear to be happening; according to her survey data, many traders were reluctant to shift borders and the overall impact of OSBP on formalization is ambiguous, suggesting other interventions may be necessary to encourage more use of formal borders (2020).

It is important to note that the OSBP reforms were initially designed with large-scale traders in mind ("grey" and "blue" traders in Dobler's categorization), and hence do not specifically target small-scale, cross-border traders who have small quantities and use other means including motorcycles, bicycles or walking (Parshotam & Balongo, 2020). Some corrections have been made to improve functioning for small-scale cross border traders like providing trade information desks that give special attention to those who are not literate or otherwise need help. More work needs to specifically examine how OSBPs could be better tailored to the needs of small-scale traders including being more gender-sensitive. For example, increasing gender parity among those working at the OSBP and the more open and transparent design could also reduce sexual harassment (Akaezuwa et al., 2020)

Some argue agencies at the border posts still need to do more to harmonize inspection processes, simplify the various documents and forms required to cross, and create more locations to obtain EAC-related information (Balongo and Parshotam, 2020; Muluvi et al., 2012). Efforts to modernize the processes by which these border posts function has proven to be a challenge (Nugent & Soi, 2020). For example, electronic data has not replaced older, manual practices but has rather added another layer of complexity in some cases (Nugent and Soi, 2020). Odhiambo found that these challenges in modernizing, specifically with the Kenya Revenue Authority, stem from an organizational resistance to change, not a lack of institutional pressure or lack of skills (2015). This resistance, of course, including the continued use of paper even with automation, may be linked to the ways these systems might make taking bribes more challenging.

IMPROVE HOW COMPLAINT MECHANISMS WORK AND THE USE OF PUBLIC DATA

A number of institutional complaint mechanisms exist that are made available by country governments and regional organisations like the East African Community (EAC). Traders are often expected to report to physical complaints offices, although increasingly reporting is done via the internet, phone or social media. For example, the Kenya Revenue Authority has complaints mechanisms available via Twitter and Facebook as well as phone and the EAC allows what are called Non-Tariff Trade Barriers to be reported online or by phone[4].

These options are often underutilized for a variety of reasons. A study by the Ethics and Anti-Corruption Commission in Kenya found that ignorance, fear of victimization, "lack of proper facilitation" and fear of authorities are the main reasons why individuals do not report occurrences of corruption (Ethics and Anti-Corruption Commission, 2013). Many traders do not know these mechanisms exist (UNDP, 2017). Traders who do know about the formal complaint processes rarely report incidents due to the low rates at which the complaints are actually addressed (Oiro et al., 2017; Akaezuwa et al., 2020) and the time commitment needed to travel to report them (UNDP, 2017). In interviews, traders "highlighted the need for their harassment reporting to translate into consequences" (Ruiter et al., 2017).

To address these challenges, recommendations include facilitating public education to create more awareness of processes in place (UNDP, 2017), enacting harsher punishment for corruption offenders, and decentralizing services to make them more accessible (Ethics and Anti-Corruption Commission, 2013), perhaps by establishing national emergency helplines (USAID, 2012). Some also argue for installing surveillance cameras, enhanced lighting and separate bathroom facilities at the border posts as other important upgrades (Akaezuwa et al., 2020; Ityavyar, 2013; USAID, 2012). It might be noted, however, while surveillance at customs might help provide evidence needed to deter corruption, officials often learn to evade cameras, and this intervention may lead to more extraction on informal routes to offset losses at the border.

Even when complaint mechanisms are in place and accessible, however, it is unclear how agencies actually act on reports. Such data is generally not made public. Sauti Africa does get reports on its platform that vary from allegations of extremely serious human rights violations to concern, but also praise, for certain border officials, but actual follow-up on problems requires legal support (Interview with Sauti CEO Mary Rowlatt, 2019). Even with such legal support, substantial evidence is required to prosecute officials successfully, and this is not easily acquired; providing pro bono legal support especially for women is one recommendation to address this (Akaezuwa et al., 2020). Pursuing cases can also be risky. Indeed, in a recent Afrobarometer survey for Kenya which asked "in this country, can ordinary people report incidents of corruption without fear, or do they risk retaliation or other negative consequences if they speak out?" over 80% of those surveyed answered in the negative (Afrobarometer, 2019). Overall, without evidence of impact, incentives for reporting are often minimal. It is also worth reiterating that the police who are supposed to enforce the law have consistently been shown to be the worst culprits in both harassment and bribe extraction in places

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[4] See for example, the website https://www.tradebarriers.org/ntb/non_tariff_barriers

like Kenya and Uganda[5]. Given their access to instruments of violence and impunity, traders can fear reporting them, and this once again ties into the problem of police reform that tends to be neglected.

Finally, we noted that some traders acquiesce to bribery to avoid the consequences of using informal routes and, as these routes remain attractive, this payment may be widely accepted. For example, a Kenyan trader who uses an informal route asked "who are you reporting to? And what are you reporting? You are the one who wants to pass. You cannot report anything because it will look like you are reporting yourself. It's a normal thing to give that bribe" (Interview with Kenyan Trader, Malaba, 2019). Still, if improving complaints mechanisms serves to improve formal border crossings, this could in theory bring bribes down including at the informal crossing, although the interactive impacts are complex, and this needs more research.

SUPPORT STRONG ASSOCIATIONS AND PLATFORMS FOR ENGAGING GOVERNMENT

A number of recommendations urge supporting small-scale, cross-border trade by establishing associations for advocacy and to facilitate dialogue amongst stakeholders (Afrika & Ajumbo, 2012; Ellis et al., 2007; Ityavyar, 2013; Karaki, 2016; Sauti East Africa, n.d.; UNCTAD, 2019; USAID, 2012). Many cross-border traders join traders' associations to reduce information asymmetry with officials and to create a community (Mbo'o-Tchouawou et al., 2016; Karaki, 2016). Some traders organize informally and create their own networks, but well-established, formal associations do exist although they tend not to organize nationally. These established associations act as liaisons between the traders and authorities as well as between the traders themselves. However, members typically include men and larger-scale women traders; small-scale women traders rely on informal self-help groups, a gender and class imbalance that needs addressing (Mbo'o-Tchouawou et al., 2016). Associations can partner with government agencies to get information and training (EASSI, 2015) as well as act as platforms for traders to voice interests and needs and to inform policy (Karaki, 2016).

These organizations could also follow up on complaints and help push for action (Sauti East Africa, n.d.) which in turn, could encourage more traders to speak up. It is interesting to note that these associations might also be important players during elections given the prevalence of trade within border communities, but this, along with the role of elected representatives, appears to be unexplored. In addition, forums that include trader association representatives and bring all actors together to discuss problems, like the Joint Border Management Committees on the Busia border, could help create more public accountability. Finally, civil society organisations like EASSI and social enterprises like Sauti Africa all play important roles. Overall, much more research might be done around these forms of civil society and the ways that they might be able to reinforce stronger accountability mechanisms and improve trader experiences while also bolstering official state revenue which ideally leads to improved service delivery.

TRAINING AND ACCESS TO INFORMATION: BREAKING ASYMMETRY

One critical intervention promoted by numerous policy actors from the World Bank to Sauti Africa involves education and improved access to information about procedures through training, and more visible and clear information at customs and on cell phone platforms like Sauti Africa (Sauti East Africa, n.d.). As previously noted, a number of studies are emerging to explore the impacts of these interventions (Croke et al., 2020; Wiseman & Sadoulet, 2018) but evidence does not yet exist that this can help reduce bribes and harassment although it may facilitate trade. Note that this intervention relies on improving clarity around procedures and tariffs at the national government level with clear communication to the local level. At some borders, officials are often uncertain about rules and tariffs and this contributes to heavy reliance on discretionary power (Titeca & Kimanuka, 2012).

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[5] Although it is interesting that on the Kenyan side the police seemingly take their orders from the District Police Station and not from the KRA compared to the Ugandan side where the URA formally cooperates with the police more closely (Nugent & Soi, 2020).

BUILD MARKETS AT BORDERS

One new approach to addressing the bribes and delays at borders is to create well-managed cross-border markets. This would allow traders to avoid going through customs procedures of two countries and hence, in theory, reduce corruption. The feasibility for such a market is currently being explored as a possibility for Busia by TrademarkEastAfrica. However, as previously noted, trading networks are complex and distributed which means many traders are still likely to look for opportunities at different markets and cross the border.

CONCLUSIONS

Overall, a very rich and methodologically varied body of research around corruption, gender and small-scale, cross-border trade in East Africa exists and is growing. We see increasing experimentation around diverse research methods and expanding interventions designed to facilitate this trade, address gender inequalities and improve collection of state revenues through a growing number of anti-corruption strategies. Given the complexity of corruption within small-scale, cross-border trade, it is clear that a multi-methods, interdisciplinary approach is important (Golub, 2015) along with more critical dialogue between research and policy.

With the profoundly gendered nature of cross-border trade, it is encouraging to see more work taking up a gender lens, including an exploration of how the experiences of bribery, harassment, and network operations can differ significantly between men and women, as well as on how anti-corruption programs might take these into account. More research might pick up from this body of work to better explore the gender dynamics around the different kinds of networks and interactions that mediate trade across different borders.

Interestingly, a disproportionate amount of the research on small-scale, cross-border trade was conducted at the Busia Kenya-Uganda border crossing, presumably due to a relative ease of access and also because of its longstanding economic importance (Khadiagala, 2010; Soi & Nugent, 2017). This suggests the need to focus more detailed research at other less-studied borders in the region and conduct more systematic cross-border comparative studies (Dulo 2011) that recognize the influence of varying levels of security and prosperity.

A great deal of recent research focuses on the perspectives of the traders themselves and how they build networks and interact with state actors; less survey and ethnographic work, especially in "prosperous borderlands," focusses on state actors, including customs officials, and explore how they act among themselves in networks with other actors like brokers or transporters. Some work has involved interviewing customs officials (García Mora & Sabrina, 2013; Titeca & Kimanuka, 2012) and focuses on how customs responds to changes like automation or reorganisation of procedures (Odhiambo, 2015; Polycap, 2017). More work needs to be done to understand how customs officials and other actors like brokers and transporters interact at different borders and the extent to which they build varied networks and how these function.

Another gap appears to be the failure to look more carefully at associations, policy networks and the platforms, both informal and formal, by which traders voice concern and confront government officials. Anti-corruption activists point to these as important, but they remain understudied within the academic literature. Anti-corruption commissions in the region seem absent, perhaps suggesting their lack of effectiveness or their primary focus on other forms of corruption taking place in larger urban areas. Most critically, despite the well-established prevalence of police as a key player in the extraction of bribes and harassment, and the concern that traders as well as local government officials have around

this, current literature and policy work fails to directly address this problem; work needs to be done on how police reform might be specifically tailored to different borderlands. More prosperous borderlands with minimal security problems might move towards a more open model and be less securitized (Dulo, 2011).

Differing frames for understanding small-scale, cross-border trade appear to lead to different approaches to studying corruption and gender within it. More market-oriented development paradigms tend to view small-scale, cross-border traders as individual entrepreneurs or small businesses fighting against a bureaucratic, overly extractive state. Hence, the tendency of scholars working within this frame is to study individual interactions with customs officials with a focus on interventions at the individual level, such as more information or training for traders and automation and simplification of procedures at customs, efforts that aim at changing the power dynamics within what are characterized largely as principal-agent interactions. Yet we have seen that traders organize collective action and complex networks exist that go beyond market transactions and individual encounters with officials although much remains to be better understood. For example, despite the fact that the police are overwhelmingly the biggest culprits who ask for bribes, harass and instill fear, normative systems have developed around giving them, along with other officials, bribes to facilitate cross-border trade outside of formal crossings.

Alternatively then, traders are often conceptualized not as individuals engaged in market transactions but as highly socially-embedded and engaged in collective fiscal disobedience and networked border governance (Meagher, 2014; Titeca, 2012; Twijnstra et al., 2014). In this view, traders collude through networks with state actors, like police and border officials in order to facilitate trade, undermining state border control. In this case, such networks -and the payments linked to them- might solve the problem of how to enable bottom-up economic exchange and regional integration that supports livelihoods and brings more prosperous borderlands (Khadiagala, 2010; Meagher, 2014; Twijnstra et al., 2014). This is a case of "everyday corruption solving a problem" (Marquette & Peiffer, 2018). However, as we have seen, this depends heavily on the specific borders and networks involved; it is possible to overstate networks of cooperation when in fact many interactions may be coercive and riven with unpredictable dangers as well as violence (Jacobson & Joekes, 2019).

These contrasting theoretical tendencies often rely on different methodologies. Historically-grounded ethnographic approaches with many interviews and longer term fieldwork tend to produce more focus on patterns and systems of networks and exchanges, which involve practical norms and "informal payments" that work to support cross border trade, a trade that in many cases has long historical genealogies and spans communities divided by relatively recent borders. In contrast, more economics-focused literature that tends towards surveys and RCTs often conceptualizes individual traders as business people and entrepreneurs with corruption seen as a principal-agent problem. These approaches tend to ignore patterns of interactions and practical norms as well as collective action that traders engage in to address systemic problems. However, approaches that look at how patterns of bribes are entrenched or functional can overemphasize collusion and practical norms when evidence is clear that traders often perceive a great deal of coercion and dissatisfaction with many interactions, especially with the police.

Overall, an overly micro view can also lead to smaller scale interventions (training, information circulation) that can be important but fail to address bigger questions about broader state reform. This can include stronger accountability mechanisms or police reform that might lower the number of interactions where bribes are asked by officials and perhaps the amount asked, although corrupt actors often adapt in counter-intuitive ways such as the police on the West African highways who appeared to increase bribes they extracted with an increase in salary (Foltz & Opoku-Agyemang, 2015). This speaks to the need for holistic interdisciplinary and multi-methods approaches and collaborations in order to grasp the full complexity of small-scale, cross-border trade. This is critical to develop interventions that really work to improve conditions for traders and deliver services to border communities with revenues from trade. For as we have seen, no doubt at all exists about how important small-scale, cross-border trade is to the well-being of large numbers of people in the region.

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