

---

# Fakes: Crisis in Conceptions of Value in Neoliberal Togo

*Faux: Crise dans les conceptions de la valeur dans le Togo néolibéral*

Nina Sylvanus

---



**Electronic version**

URL: <https://journals.openedition.org/etudesafriaines/17014>

DOI: 10.4000/etudesafriaines.17014

ISSN: 1777-5353

**Publisher**

Éditions de l'EHESS

**Printed version**

Date of publication: 15 March 2012

Number of pages: 237-258

ISBN: 978-2-7132-2348-8

ISSN: 0008-0055

**Electronic reference**

Nina Sylvanus, "Fakes: Crisis in Conceptions of Value in Neoliberal Togo", *Cahiers d'études africaines* [Online], 205 | 2012, Online since 03 April 2014, connection on 06 May 2021. URL: <http://journals.openedition.org/etudesafriaines/17014> ; DOI: <https://doi.org/10.4000/etudesafriaines.17014>

---

## Fakes: Crisis in Conceptions of Value in Neoliberal Togo

Paris, Cité des Sciences et de l'Industrie. June 2010

As I was walking through the different sections of the museum's exhibition on piracy, called *Fakes: Spotlight on Counterfeit goods* I was followed by a group of approximately eight-year-old pirates. They were dressed up in Captain Hook outfits and appeared to be on the museum's official children's tour to explore the mysteries of the counterfeit. In a section entitled *Protecting the Authentic* the "little pirates" were running around the different educational cubes, learning how to distinguish the "fake" from the "real", the "inauthentic" from the "authentic", and the "illegal" from the "legal". Along the way, they were exposed to the legal instruments, as defined by national and international intellectual property (IP) legislations, designed to regulate ownership and authorship. Property rights, they learned from this exposure, were not a fluid condition or a thing whose status could change as it moved through time and space; instead property rights conferred an exclusive status to protect the relationship between objects and their authors and/or owners.

Like me, the children were drawn to a particularly provocative installation featuring a cage in a section called *Fighting the Fake*. The cage contained a collection of global commodities that were attached to heavy metal chains. The "pirates" quickly learned that the cage represented the space at an airport where suspect goods would be kept by customs. Through the tightly knit barbwire, they peeked into the contained space of the law where "fake" Addidas and Nike shoes, Marlboro cigarettes, Peugeot auto parts, Spiderman, and African fabrics were suspended. The disciplinary chains of IP regulation had arrested their movement.

I was surprised to find that African fabrics were among the confiscated selection of global commodities, which the law considered to be illegal. They were long produced in Europe for African markets, initially as copies of Javanese batik cloth during a period when piracy was a standard mercantile practice in the scramble for colonial markets. Today only one European (Dutch) manufacturer continues to produce the "real" African fabric. The Dutch cloth provides the blueprint for Chinese counterfeits as they transit through the Togolese entrepôt-market, one of the region's most dynamic

centers for the traffic in pirated goods and home to one of West Africa's largest textile markets.

"Fake" African fabrics, like "fake" Nike shoes appeared to equally threaten the ability of international property regimes to protect legal authorship and ownership, in their efforts to uphold an international system of regulation. The "Captain Hooks" would find out that the desired goods had been confiscated by French customs to protect citizens-consumers from the "dangerous" material, and prevent moral contamination from piracy. They learned that their pathologies could even be "matters of life and death"<sup>1</sup> as with the case of fake drugs—portrayed as linked up to the world's global shadows and its criminal rhizomes. But my little Captain Hook friends seemed less concerned with the educational message than with their excitement at finding their hero, Spiderman, locked up behind barbed wire. A boy tried to fit his finger through the fence to touch Spiderman; it did not seem to matter to him if Spiderman was "real" or "fake", "authentic" or "inauthentic", "legal" or "illegal", or, by extension "good", or "bad". He began screaming when he couldn't fit his finger through the fence and the teacher scolded him.

The screaming Captain Hook's desire for Spiderman's use-value may have been exacerbated by his sense of insecurity and his confusion about the material world he inhabits—a world which was depicted by the exhibition as being under attack and flush with crisis. Pedagogy appeared as the way to resolve the moral crisis of value, namely by instructing future (good) citizens about (good) consumer choices—choices that would uphold both national and global values—even as consumers continued to be drawn by the enchantment of counterfeit goods.

The anecdote points to the inherent tendency of a system of property regulation to breakdown. As centers of production have shifted under late capitalism so has the dominant mode of production and the ability to dislodge proprietary goods. Jean and John Comaroff (2006: 13) suggest that counterfeits unmask a "conceit at the core of the culture of Western capitalism: that its signifiers can be fixed, that its editions can be limited, that it can franchise the platonic essence of its mass-produced modernity". As dilemmas of regulation have marked the neoliberal moment—*i.e.* its ideology to privilege things over persons (Chalfin 2010)—disjunctures between what the law recognizes as fake and what consumers think of as fake are increasingly exposed. This paper explores such regulatory tensions in the Togolese entrepôt-market where social and geopolitical struggles over who controls the production of values define the practical taxonomies of everyday life. Togolese subjects, I argue, have come to experience the contemporary moment as a crisis in conceptions of value congealed around the notion of fake.

---

1. See the exhibit's official website: <[http://www.cite-sciences.fr/english/ala\\_cite/exhibitions/fake/decouvrir-expo/plan.php](http://www.cite-sciences.fr/english/ala_cite/exhibitions/fake/decouvrir-expo/plan.php)>.

Using the “fakeness” of African wax-prints as a tool to investigate the constantly shifting field in which the social and legal construction of authenticity and counterfeit takes place, my concern is to show how Togolese subjects conduct themselves in relation to “grey” goods by adapting new dispositions and modes of conduct. The emergence of new subjectivities, I suggest is not necessarily destabilizing because they are new, but simply because they establish a new regime of value whose social coordinates are being redefined<sup>2</sup>.

### Legal Assemblages

Before piracy was considered a pathology of the world’s global shadows (Larkin 2008), and, by extension, a threat to global governance regimes (such as WTO), counterfeiting practices were central to Europe’s imperialist project. With the advent of the Industrial Revolution, Europe’s major trading nations exploited the possibilities of mass mechanical reproduction to capture emergent colonial markets. Like Chinese manufacturers today, British and Dutch textile producers leisurely, and, in disregard of local ownership regimes, copied Indian chintz and Indonesian batik for West African markets. The battle to establish monopoly power was played out on the most intimate scale of Europe’s future colonial subjects, the dressed body. Capturing the aesthetic preferences of African consumers, who had long been accustomed to a range of high-quality fabrics from across the globe<sup>3</sup>, however, was a challenging affair. 19<sup>th</sup> century records show the frustration of traders—their failure to discern the mechanisms by which taste and desire were constituted—to predict and accommodate African demand, which appeared to constantly change. Indonesian batik replications, initially

2. Research for this article was conducted in Lomé, Togo, between 2002-2004, March-April 2008 and December 2010. I would like to thank the many people who gave their time for interviews and conversations. While my interviewees consented that their stories be made publicly accessible, I have chosen to conceal their identities. I would also like to thank Charly Piot, Narmala Halstead, Doreen Lee, Annachiara Forte, Paula Lopez Caballero, Antina von Schnitzler and Smitha Radhakrishnan, who read drafts at various stages and gave helpful feedback. I am also grateful to Peggy Levitt for inviting me to present this paper at the Transnational Studies Initiative Workshop at Harvard University.
3. Shipping lists of the Dutch East and West India Companies indicate a cosmopolitan mix of garments that were traded on this coastal stretch, ranging from Chinese silks, Indian calicoes, Arabic linen, etc. (REIKAT 1997: 120). Although many European textiles were traded as part of this cosmopolitan blend, they did not find a receptive market until much later. Indeed, West African consumers desired the more sophisticated, lighter and more colorful fabrics from India, which the Portuguese had traded since the early 16<sup>th</sup> century and whose import the Dutch and English East India Companies formalized by the 17<sup>th</sup> century. Dutch and British concerns with empire-making in South East Asia located the West African coastal stretch within the commercial ecumene of the East Indies trade.

produced for the Dutch East Indies<sup>4</sup>, had special appeal to consumers along the coastal stretch of what is today contemporary Ghana and Togo. The industrial batik was valued for its materiality and distinct aesthetics of imperfection, generated by the mechanical replication process. While Javanese found the irregularities that were imprinted on the fabric objectionable and only suitable for lower class consumption, it had particular appeal to West African consumers precisely for the subtle irregularities that made each yard of cloth distinct.

Structured by its pull for classificatory exclusivity, the fabric's weird "fakeness" was used to establish a set of historical and cultural coordinates that would situate the cloth in a regime of value, which responded to emergent forms of social mobility and desires for distinction. As Dutch manufacturers continued to extract from the rich repertoire of Javanese batik designs, while also modifying them and adding local patterns, the coast's newly emerging elites adopted the industrial copy (relabelled wax-print) during the early years of the 20<sup>th</sup> century. However, only one Haarlem-based manufacturer was able to produce a high-quality wax-print that suited the elite's desire for social distinction, and this despite industrial espionage by Dutch and British manufacturers. In the early 1920s, a Dutch manufacturer (today known as Vlisco) acquired the engraved rollers of the Haarlem manufacturer while a Manchester printer continued to copy the Haarlem designs, over which Vlisco assumed to have obtained ownership rights. A legal dispute over intellectual property rights ensued; devoid of any attempt to regulate previous forms of property theft by establishing ownership rights to Javanese authors, the dispute revealed that a merchant who traded the Haarlem designs had registered them in Britain during the early 1900s rendering the allocation of exclusive property rights impossible.

Concerns with uniqueness and originality emanate from a longstanding historical relationship between modernity and in/authenticity. Simmel's (1950) discussion of fashion captured the social tensions that emerged from claims to individual uniqueness of affluent consumers and subsequent forms of imitation by the lower classes. For Simmel, fashion could only exist because of a constant tension between imitation and (successive) differentiation, *i.e.* the dynamic that produces fashion's perpetual changes in style<sup>5</sup>.

Social theorists of modernity portrayed industrialized societies as being essentially organized around the principles (and insecurities) of mimesis (Adorno 1991; Benjamin 1968, 1986). The dismay caused by mechanical reproduction—mimetic technology in its many forms of fakery, forgery, piracy, etc.—was considered a threat to modern identity. Such concerns

4. In an effort to tap into the lucrative local cloth market, Dutch textile manufacturers designed mechanized roller printing techniques to imitate Javanese batiks. Mass-produced by a machine called *la Javanaise* by the Haarlem Cotton Company the copies did not attain the commercial success the Dutch had hoped for (PICTON 2001).
5. Thorstein VEBLEN (1897) observed a similar dynamic in his discussion of conspicuous dress consumption among the American leisure class of the late 19<sup>th</sup> century.

with disappearing authenticity had already been debated during an earlier age of globalization, namely England's first consumer revolution of the 18<sup>th</sup> century. When a flood of new clothing broke down former distinctions between classes, Lord Earl Chesterfield famously remarked that one no longer knew if the person you would meet in the park was a gentleman or a butcher since he might well wear the same clothes (Brewer *et al.* 1982). The threat posed by the butcher who hides his real, or inner, identity behind a social mask, was significant for the aristocracy whose status had long been protected by sumptuary laws.

Beebe (2010) suggests that "sumptuary law did not disappear with industrialization and democratization, as is generally believed. Rather, it has taken on a new [...] form: intellectual property law" (*ibid.*: 813). If we consider regimes of IP regulation as a modern form of sumptuary regulation, as Beebe recommends, it would suggest that the naturalization of ideas of originality and ownership, which are at the core of IP law, reorganize public life and space, not to uphold society's stratification along class lines as sumptuary laws had it, but rather to enforce boundaries of ownership along forms of consumption-based social distinction. With the advent of IP regulation, no consumer could be prohibited from consuming "above" his or her social class provided that the purchased goods comply with a notion of authenticity that supports claims of authorship (ideas) and ownership (property). By privileging originals over copies, IPR laws paradoxically remain ambiguous with regards to the meaning of originality.

This begs an important question: what are the modalities of regulation for a commodity as ambiguous as these fabrics, which are always already half fake and half real? And how does the law deal with a commodity's multiple-layered histories whose claims to authorship and ownership are deeply entangled in the project of modernity and its own deceptions? In Togo, the concept of authenticity as original expression makes little, if any sense. Instead the distinctions between authentic and fake that define proprietary goods in Togo are much more fluid and part of a changing field in which the construction of what counts for authentic and fake are socially defined and always contested. As I mentioned above, proprietary goods matter a great deal to urban subjectivities in their desires for social distinction, but Togolese do not require legal language to distinguish between real and fake. Rather, to command this system of distinction, which involves great skill and knowledge to deploy it effectively, is much more refined than the restricted legal categories of property regimes concede.

Instead of relying on the brand-form, and its authorized labels<sup>6</sup>, Togolese consumers distinguish fabrics based on acquired fabric reading mechanisms,

---

6. Togolese, unlike their Ivorian neighbors, did not rely on the brand label as a form of distinction or as prove of authenticity. Togolese would often report their discontent for Ivorian women who displayed the Vlisco label on their outfits, which was considered vulgar and a *faux pas* that marked a person's inability for full societal membership.

a regime of authentication that ranks the fabrics according to quality and origin on a scale of value<sup>7</sup>. To talk about this scale of valuation Togolese use the generic terms *tschiganvo* and *tschivi*. The former (*tschiganvo*) refer to the material significance and important social and monetary value of wax-printed cloth, also called *grand pagne*<sup>8</sup>. By contrast, the term *tschivi*, refers to fabrics whose social significance matters much less as reflected in its inferior quality and monetary value (*petit pagne*). Dutch wax-cloth was the kind of *pagne* material most women are on the lookout for to participate in the competitive play of status and identity performance. The Dutch Vlisco cloth ranked highest in women's evaluations, followed by English, Ivorian, Ghanaian and Nigerian wax-prints. The monetary value of these fabrics corresponded to their ranking on the aforementioned scale. Following the devaluation of the franc CFA in 1994, prices for *tschiganvo* ranged from as much as 35,000 CFA<sup>9</sup> for six yards<sup>10</sup> of Vlisco, via 25.000 for English to as low as 17.000 for the Nigerian material.

The social practice of dressing up—knowing how to identify what is first, secondary and tertiary quality, what is new and how to wear it— involves financial means as well as consumer consensus about what constitutes value as the necessary condition for the reproduction of social hierarchies (Bourdieu 2001). Mastering practices of “knowing” and valuing when dressing up is crucial for Togolese women concerned with expressing an urbane identity status, what many of my interlocutors have come to call *élégance cultivée*. In stark contrast to the overt display of wealth through conspicuous *tschiganvo* fashions, refined or cultured elegance involves a more subtle inconspicuous form that is understood only by those sufficiently cultivated. Not all upwardly mobile women dispose of the necessary cultural capital to participate in such practices of distinction. However, until the late 1990s, most Togolese women possessed a number of *tschiganvo*.

In southern Togo, it has been a standard practice to judge a husband-to-be's aptness to provide his future bride with a selection of *tschiganvo* designs, which is carefully evaluated by the bride's family upon his presentation of the dowry<sup>11</sup>. Even if the husband-to-be is of modest origin, he must provide a few *tschiganvo* while the rest of the cloth wealth can be complemented by lowly *tschivi* (*petits pagnes*). *Tschivi* are printed cottons

7. Jane GUYER (2004: 21) has called this, “ranking on a common scale” in the context of monetary transactions in Atlantic Africa.

8. The term *pagne* (from the Portuguese word *pano*) refers to a length of cloth that is either worn wrapped around the waste (a wrapper) or hand-tailored into a variety of styles ranging from simple outfits to the most fashionable and extravagant designs used to claim and perform a number of identities.

9. 1,000 francs CFA is approximate to US\$ 2.

10. The standard measure of cloth required to make a hand-tailored outfit is of 6 yards.

11. Composed mostly of what is commonly referred to in Togo as “classical designs”, namely those designs, which had provoked the aforementioned legal dispute between Dutch and British manufacturers earlier in the past century.

produced in Europe, but their manufacture technique is inferior and its iconographic repertoire distinct from *tschiganvo*. During the 1980s, however, copies of *tschiganvo* designs appeared in the *tschivi* segment. By legal standards, these copies were pirates as they misrepresented the relationship between an object and its author. Yet consumers did not evaluate them as fake or inauthentic, but rather counterfeit *tschivi* helped reinforce the value of *tschiganvo*. The social regulation of these legally non-authorized copies placed them into a space of legitimacy as they passed through local valuation and (re)qualification processes. In this process, the counterfeit reinforced what Simmel (1950: 343) called the “attraction of the ‘genuine’” and their “genuine fakeness” reinforced the “uniqueness of the original” (Comaroff & Comaroff 2006: 13).

This system of value formed a stable, albeit not static, regulatory regime that remained in place “until shift[s] in political value[s]—from dictatorial-patrimonial to neoliberal—(Piot ND) came to reorder social and economic values”.

### Emergent Forms of de/Regulation

As Lomé became a shell of its former self, with its infrastructures in ruins and sweeping laissez-faire governance<sup>12</sup>, the political regime consolidated its power by focusing on the Lomé free port whose administration came under the control of Eyadema’s son, Kpatcha Gnassingbé. In marketing the port, and its neighboring free trade zone, as “flexible” host to the worlds’ global shadow<sup>13</sup>. Scholarship concerned with the criminalization and privatization of the African state has identified Togo as a “shadow” or “smuggling state” (Bayart *et al.* 1999: 20), whose “lucrative returns inhere in actively sustaining zones of ambiguity between the presence and absence of the law” (Comaroff & Comaroff 2006: 5)<sup>14</sup>. John and Jean Comaroff (*ibid.*: 10) have argued that while postcolonies have little use to the official economy despite their extractive value, they are “able players in twilight markets fostered by liberalization”. As Togo has become disembedded from the official world economy its entrepôt-market has morphed into an especially “able player” in the attraction of grey goods<sup>15</sup>.

12. With Togo’s vanished reputation of political and economic stability, many foreign investors and companies abandoned Lomé leaving an urban landscape of vacant office buildings and disused luxury hotels behind.

13. The region’s “official” trade transits through Ghana’s high-tech port of Tema, the region’s poster child of “successful” neoliberal reform (CHALFIN 2010).

14. In his overview of the West African drug trade, Stephen ELLIS (2009: 183) includes the late Eyadéma and his involvement in drug trafficking.

15. The prefiguring of Lomé in legal debate and global trade is significant. Indeed, the historical formation of the Togolese state is deeply entangled in various forms of illicit trafficking, which go back to the early colonial period when German Togoland made Lomé the “official” center of contraband with the neighboring

When Eyadéma died in 2005, power struggles and *laissez-faire* governance were further entrenched, such that political and economic regulations were quasi suspended. The controversial instalment of the young Faure Gnassingbé by the military and its subsequent “official” election through a “strangely refracted conception of the Spirit of the Law” (*ibid.*: 24), was by and large marked by uncertainty<sup>16</sup>. Although the state’s retreat from market regulation provided fortunes to some—especially the extended family clan—prices for basic necessities have been in perpetual fluctuation. With seemingly all registers of value in flux, and without any structures of accountability in place, anxieties over material purchases whose *real* value may only be revealed after the moment of transaction, came to define how Togolese experienced the shift in political and economic values as I explore below.

The neoliberal state’s interest in using its maritime frontier, the Lomé free-port, as a courting strategy for Chinese investments and development aid, initiated by the late Eyadéma and instantiated in ever more flexible forms since the dictator’s death, defined the family clan’s agenda. Since 2005, Togo’s “new” regime has received millions of US dollars in the form of development loans from China<sup>17</sup>.

In opening the nation’s vast entrepôt-market to Chinese products, the small West African nation became a major hub for mass-produced counterfeits of popular consumer goods. While “official” customs regulations (amounting to 53%) were applied to European imports to fill the (empty)

---

Gold Coast. The illicit trade came to an end with the beginning of World War I when Togoland was divided into two League of Nations mandates, administered by France and Britain (this status changed with the disappearance of the League of Nations; the mandates become UN Trust Territories in the aftermath of World War II). Togo then figured at a crossroads position that was reinforced by a less constraining legal system specific to the mandate territory. This position was further strengthened via a particular power balance that allowed for synergies between Togo’s colonial administrations, European trade companies and local commercial elites.

16. A constitutional amendment was made that retroactively rubberstamped the transition of power to clear Faure to rule until 2008 as his father’s legitimate constitutional successor. The succession regime was eventually forced to step down and hold “free” elections. Despite oppositional uprising and electoral irregularities, Faure Gnassingbé was officially elected president a few months later with 60% of the vote.
17. Togo’s official website, which recently received \$25 million from China’s Exim Bank for an e-government project to be implemented by the Chinese telecom giant Huawei, praises and promotes China. The glossy website, whose chief concern it is to stage Faure Gnassingbé in his relentless battle to reform Togo (the fight against drug trafficking, crime and corruption figure centrally), constitutes a clever twofold façade. By officially upholding international regulation, such as IP or various UN-sponsored anti-trafficking projects, it provides “accountability” and neoliberal reform (namely the privatization of Togo’s financial sector) to the international community while promoting China’s hegemony in the restructuring of African markets.

national treasury, a lax regulatory regime was used for Chinese imports as a high-ranking officer at the Lomé port explained to me in December 2010. When I asked him if there was a standard “un-official” regulatory process involved with regards to Chinese imports, he explained that “regulation” was determined on a case-by-case basis. In principle, this process depended on volume and product category, but he was quick to point out that it really depended on the different kinds of networks that are mobilized for each regulatory transaction (Guyer 2004).

As one of the many private *transitaires*, brokers, who shape the temporalities of customs clearance and their transaction costs, explained to me, a series of strategies are available to negotiate special tariffs and facilitate the clearance process of grey goods, which can take as little as a day and as long as several months. The maritime frontier, for sure, has emerged as a productive site of entrepreneurship. Because China-trade networks had so dramatically spread and multiplied, another custom’s officer explained that it had become nearly impossible to “really know what is going on” within the physical space of the Lomé free-port. For sure, the expansion of rhizomatic forms of power has made the Togolese entrepôt-market a particularly attractive site for grey goods.

### Elusive Regimes of Value

As Togolese began to experience the new products that transitioned through its port in unprecedented volume, consumers felt overwhelmed. They experienced the oversized market and its new agents as a threat—for counterfeits demystified long-held proprietary goods whose signifiers had been stabilized. Togolese across class divides felt they had been tricked out of their agency, an anxiety that generated various degrees of panic among consumers (who did not have sufficient knowledge to negotiate the market’s new material forms). During this crisis traders were accused of misrepresenting value by cheating their fellow citizens into a deceptive relationship with potentially “dangerous” products, or for selling an identical item at different prices. Chinese-produced batteries were reported to “die” after a few hours, skin-lighteners were said to irreversibly damage skin, and fabrics could become dangerously inflammable (Sylvanus 2009). If things *kpayo* (fake or *faux*) had been around for long, namely from Nigeria<sup>18</sup>, Chinese pirates were considered malicious as they undid peoples’ abilities to discern value. As Kodjo, a young moto-taxi driver explained: “They attract your eye, and you’re seduced by its magic price only to later discover it’s *kpayo* and

---

18. Over time Togolese consumers had established mechanisms to differentiate and “know” Nigerian goods by ordering and ranking them according to quality. With things *chinois* the task of “knowing” and valuing was much more complex and related to the massification of Chinese goods.

you've been tricked." Since the purchase of his Sanya motorcycle two years ago, Kodjo had been spending a significant amount of his monthly income on repairs of his machine. The Togolese predicament was experienced much like post-oil boom Nigeria's "politics of illusion" (Apter 1999: 299)—when the "signifiers of value" were detached from the value of oil, and the signs of bureaucracy (official documents, stamps, etc.) were magically transformed into Baudrillardian "floating signifiers" whose value was masked and only revealed when the victims of confidence schemes emerged.

Similarly, when floods of counterfeit wax-cloth entered the market without any apparent form of regulation, they provoked competing responses among consumers state actors and traders, which I describe in more detail below. The fabric pirates disrupted long-held consumption patterns, for wax-prints are central vehicles through which social relations are produced and reproduced. When fabric pirates entered the market in seemingly unlimited disguises, qualities and price ranges, consensus about what constituted true value, or who controlled it, became nearly impossible to establish. If the "free-market" had liberalized the sphere of consumption, anxieties over fabric purchases generated dilemmas of a new kind.

As fake Dutch wax cloth appeared under various disguises and labels ("Real Dutch", "Genuine Dutch", "Made in Holland", "Real Vlisco", or "Genuine Amsterdam"), value was no longer located in the fabric itself, long-held mechanisms of distinction were disabled and so were the necessary conditions for social reproduction. Panicked citizens formulated discourses in which China came to hold demonic status as Togolese came under its hegemonic order, namely its copying power. Togolese subjects came to experience the nation's gradual disembodiment from the official world economy on the most intimate scale, their dressed bodies.

As the redistribution of wealth became much more unequal and middle-class civil servants began to experience salary shortages while prices for basic necessities increased, class disparities spiralled and affected the majority of the population. Citizen-consumers felt dispossessed of their "rights" to stable material forms<sup>19</sup> and began to formulate regulatory discourses akin to IP rhetoric. Elizabeth Vann (2006) has noted that despite the global enforcement of IP laws there is significant variation in the ways in which nations-states and consumers understand the notion of property regimes in which legitimate goods have authors and un-authored goods are called pirates. Vann further notes that this disconnect is also apparent when we consider different forms of classification that identify the proprietary relationship between authorship and ownership and the terms people use to talk about these qualifying links.

Although Togolese consumers had never relied on IP mechanisms as a regulatory device, and had not evaluated fabrics with regard to the concept

---

19. And, by extension, of membership in the official world economy.

of originality but instead depended on their own cultural competence and used the market as ordering principle. In joining Western institutional fears over China's copying power<sup>20</sup> in its ability to expose proprietary goods, Togolese citizens voiced a desire for the law to regulate the uncontrolled flows whose "floating signifiers" were disrupting local orders of social reproduction. Consumer protest demanded the intervention of the state to handle infractions—for Togo not only nominally acknowledges international IP law (via its WTO membership), but also has a national IP legislation. The state, however, was reluctant to intervene and appeared to deliberately remain ambiguous as presidential delegations made repeated trips to Beijing actively courting Chinese development aid.

### Branding the Nation<sup>21</sup>

The battle over property regulation took on a new form in 2007 when a faction of the extended family firm invested in the promotion of a new fabric brand. Using the appeals of ownership and heritage, the campaign played with recent consumer desires for regulation. A gigantic publicity program accompanied the launching of "Wax Nana-Benz". Commercials were broadcasted into consumer homes during prime time TV and jingles ran on Nana-FM, Lomé's most popular radio station among women listeners. In addition, a series of provocative billboard ads fashioned the visual landscape of the city and incited Togolese women to dress *à la mode* with the slogan: "our mothers' pagne-fabrics are our heritage". At the billboard's center, two models in haute-couture wax-print outfits framed the catchy slogan. But the women were not just randomly posing in their provocatively short Wax Nana-Benz outfits, they were posturing as warriors armed with both spear and shield and ready to defend whoever had attacked the nation's heritage. The ads defying *mise en scène* promoted notions of fashionable pride and claims over heritage. Nearby, yet, distant dreams of a prosperous nation were mobilized and cleverly intervened in Togo's crisis of representation where reliable signifiers (of truth-value) had been displaced by Chinese counterfeits. The branding of the Nana-Benz image as a symbol of "stability" appeared to mobilize an affective attachment to an era when Togo was

20. Laikwang PANG (2008: 120), who interrogates China's stigma as "bootleg capital of the world", refers to China's different historical tradition of creative authorship in which the work of copying holds a central position. Drawing on William ALFORD's (1985) study on the absence of a Chinese IP tradition, PANG (*ibid.*: 123) notes that "the entire [Chinese] intellectual and artistic tradition is a public domain, and the notion of intellectual property is alienating".

21. I do not aim to contribute to the emergent, critical literature on nation-branding (COMAROFF & COMAROFF 2009) that interrogates how efforts to commodify national essences for imagined, foreign consumers animates new political idioms on the local stage.

known as West Africa's "little Switzerland", a prospering nation of finance and trade couched in a distinctly female façade<sup>22</sup>. In Togolese imaginaries, the Nana-Benzes are viewed as having built the nation—for their role in the financing of the nationalist movement during the late colonial period, and for lending their signs of power, their Mercedes Benz cars, to the young postcolonial nation during international events. The billboard ad played with these tropes of a "strong" (female) nation, putting on display a pedagogy project for reclaiming those cultural signifiers that had been displaced, and demystified by Chinese pirates.

The promise of relocating value and of granting ownership rights to citizen-consumers was a powerful message of interpellation for Togolese who felt dispossessed of their rights. The brand's CEO, a Togolese entrepreneur, who had no connections to the Nana-Benzes and whose financiers she kept anonymous, commented on the cultural ownership rhetoric of the brand. In an interview, she explained that Wax Nana-Benz' designs, identical copies of Dutch designs, weren't subject to IP regulation for they were "the heritage of the Togolese people, which our Nana-Benzes have created" (*Amina* 2008: 66). Her rhetoric further attributes ownership rights to Togo's Nana-Benzes for they had not only made the popularity of the designs, but they had actively co-designed them with the Dutch. She further explained that the Chinese had no "rights" to claim ownership of the Dutch designs since the latter's success had been the labor (and genius) of Togo's Nana-Benzes. It was time, she clarified, to reclaim the intangible heritage<sup>23</sup> of the Nana-Benzes, whose "work" she declared as national intellectual property.

In absence of state intervention, as requested by recent consumer protest, Togolese subjects were attracted by the brand's ownership discourse as an alternative response to what many of my interlocutors called "the China problem". Wax Nana-Benz did not hide that it produced its fabrics in China, instead it made the Chinese site of production its locus of value, reclaiming authorship at its source to control its signifiers. Togolese should be their own authors, and decide the terms of reproduction. Playing with the specter of the foreign, the colonial Dutch and the neo-colonial Chinese,

---

22. If this period was indeed marked by affluence, stability and female entrepreneurship, behind its modern façade lurked Eyadéma's authoritarian regime. When the General Gnassingbé Eyadéma came into power in 1967 after a military coup with his single ruling Rally of the Togolese People (RPT) he used the lucrative textile trade as a façade for its political authority. His regime worked as a "gatekeeper" (COOPER 2002) to these women's activities by providing them with trade licenses, low turnover taxes and the region's lowest re-exportation taxes, and a particularly interesting foreign investment code that would turn Lomé into a booming trade hub during a period when most of its neighbors faced political instability. In return, the textile elite offered political subordination via public appearances with the president and the chairing of the feminist wing of the one-party rule.

23. Ironically this term itself is part of an internationalist question around property and its ownership through UN ideas about heritage and intangibility.

the brand's appeal interpellated Togolese citizen-consumers to reclaim their national identities and assert full membership as subjects in their own rights.

When I asked women of different age groups about the new fabric in late 2007, the younger ones felt particularly attracted by the provocative cuts and style of the models' outfits. Blessing, a twenty years old waitress, commented upon the appeal of the billboards by drawing attention to the models and their outfits, "they're sexy, we all want to look like them... we are proud to be Togolese you know, and it's true that the *pagne* [wrapper, wax-cloth] is part of our heritage... those outfits, they are a great combination of tradition and modernity, it's the same cloth our mothers and grandmothers wear, and I will wear when I'm married and have children, but right now I want to wear those sexy skirts". If part of Blessing's desire to be like those light-skinned fashionable models<sup>24</sup>, her aspiration to participate in the play of fashion as a form of self-presentation also expressed her desire as a consumer-citizen to claim membership rights during times of economic hardship and on going crisis. For if Wax Nana Benz offered that possibility she would become a loyal customer.

Chanel, a twenty-three years old hairdresser, whose narrative reflected Blessing's desire for fashion and national belonging, added critical detail. When I asked her if she had actually purchased the fabric, she said that she and her girlfriends were planning a trip to the market "I need to touch the fabric, to see if it's *really* as beautiful as it looks in the ads". Chanel's expression of suspicion is significant and reflects consumer anxiety over things *kpayo*. For touch and sight are different things. If the fabric's bright colors attracted the eye of (young consumers) did its actual materiality hold the promise?

Consumers in 40s and 50s were also intrigued by the new fabric and its glossy metadiscourse. Patience, owner of a small *café-bar* (*buvette*) for instance described that she was drawn yet confused by the ads. She initially thought that perhaps the Nana-Benzes had created their own label, and she was excited about the possibility of purchasing a fabric that she "could trust". Patience's desire to re-inscribe her social location onto a stable material form in reaction to the ephemerality of things *kpayo* initially favored the introduction of the WNB brand in its appeal to rely on classificatory exclusivity. As women of Patience's generation were interpellated by the new fabrics' possibilities they were also suspicious of the brand's metadiscourse, which reminded them of Eyadéma's nationalist rhetoric of the 1970s<sup>25</sup>. When Patience purchased her first WNB fabric, she recalls she was

24. The use of skin-brightening soaps and lotions are popular among young urban women in Togo as is the desire for *métisse* children or the fantasy to be like those light-skinned *femmes fatales* of the popular Brazilian, Mexican (and most recently Indian and Korean) telenovelas, which Lomeans follow with great attention.

25. Inspired by his dictator friend Mobutu Sese Seko, the Eyadéma regime interpellated his subjects to change their Christian names to "authentic" Togolese names

very happy with it. It was not cheap, much cheaper than the Dutch original of course, which she could no longer afford, but she felt good about the quality-price equation. She recalls that when she wore it for the first time, people complimented her on the brightness of the colors, and she was happy that even after she had washed the garment the colors had remained intact unlike those Chinese copies that had flooded the market. For a few months WNB was a bestseller among fashionable Lomeans, both young and old until the quality began to decline as its price increased. Consumers, who had begun to “trust” the new label, initially assumed that a manufacturing problem had caused the fabric flaws. As wax prints of superior quality and lower price appeared in the market, consumers realized that WNB was nothing but capitalist excess, a brazen simulacra, a copy of a copy, produced in the same factory by the same workers under a different label.

Consumers’ sense of betrayal was profound. Not only had they been financially deceived, but also, they had been stripped off their “rights”—their desires for stable material forms to perform distinction and forms of (national) belonging in times of severe economic and financial hardship. When it became apparent that a faction of the extended family firm was lurking behind the brand’s publicity façade, their sense of betrayal was further deepened. It was rumored that Faure Gnassingbé’s sister’s advertising agency had designed WNB’s aggressive marketing campaign<sup>26</sup>. What had unmasked the “authors” compelling meta-discourse, which cleverly drew on the affective relationship between commodity form and concept<sup>27</sup> while benefiting from its semantic ambiguity, was their ineptitude to control the fabric’s commodity chain. For they not only lacked basic market knowledge, such as quality-price mechanisms, but most importantly they failed to understand the specificity of the commodity whose value and circulation they tried to control. As I discussed earlier, wax-prints have a long history of having identity imprinted on them, and occupy a special segment in the Togolese “world of goods” (Douglas & Isherwood 1996). Because they serve to uphold, reproduce and refashion identity in the pragmatics of the everyday (and possibly the future), the scam of WNB was quickly exposed.

---

(like Eyadéma himself, who changed his first name Etienne to Eyadéma) and dress in “African attire”. Moreover, the regime manipulated this discourse as a political tool to promote Eyadéma’s Kabyé group as superior in “race” while drawing on an invented vertical versus horizontal descent of *togolité* (TOULABOR 1986). *Togolité* reinforced colonial oppositions between an advanced South and an inferior North, which were turned into ethnic divisions between northerners and southerners that would violently erupt during Togo’s unsuccessful transition to democracy in the 1990s.

26. For sure its publicity channels passed by former state communication agents, such as the private TV chain that diffused the commercials and whose director was a former minister of information (hence the diffusion of power).
27. For a discussion on the affective dimensions of branding, see J. and J. COMAROFF (2009: 10), who have described branding as “creating an affective attachment to a named product, to both its *object*-form and to the *idea* of an association with it”.

The brand owner's speculative appetite was cut short by the workings of the new market, that is, its distinctive temporalities that would constantly introduce new fabrics. As novel, superior quality, counterfeits of Dutch designs materialized in the market so did a series of brand labels. Indeed, Lomé's enterprising cloth merchants began pursuing the appeals of branding as initiated by WNB though enacted more successfully<sup>28</sup>.

## Licensing

Togolese were overwhelmed by the new possibilities and limits of consumption the new fabric market provided. Although the new fabrics offered consumers who had long been excluded from the exclusive cachet of wax-print fashions with a much cheaper alternative, the same consumers simultaneously experienced the new market (namely its temporalities) as restraining. The incessant surge of new copies, and their elusive quality, inevitably displaced that which consumers had just become used to. This seemingly permanent flow made it difficult, if not impossible, for traders and consumers to stabilize fabric values in order to rank them according to quality (color, design precision, texture), which required both time and knowledge.

Market knowledge was always incomplete, as new, superior-quality, copies would lurk around the corner and boldly deflate the value of its predecessors. Even if the quality of these pirates continuously improved and if copies created an ambiguous space of relation between the "original" and the secondary, tertiary, etc. status of the copy, they did not acquire the power over what they were a copy of (*i.e.* the exclusive cachet of Vlisco). Instead, in relation to these unregulated, inferior copies, the Dutch fabric reinforced its status as superior original and, by extension, as a stable material form *tout court*.

As Togolese wholesalers recognized consumer desire for stable materialities to uphold longstanding forms of social reproduction (*e.g.* dowry) and to claim and express identities, they stepped into the regulatory gap of the free market by exploring the legalities of IP. Togo's membership status in the African Intellectual Property Organization (OAPI) facilitated this undertaking such that by 2010 several Togolese traders had registered trademarks with the Cameroun-based IP organization. This was not a cheap affair. Patience, who holds exclusive ownership rights over several brands explained, "this is the only way to make money in the market these days".

Patience was one among a small number of enterprising wholesalers in the Lomé market, who travelled to China every other month to supervise

28. Prior to WNB, only one Chinese manufacturer had registered its brand (Auden) as a registered trademark. Other Chinese manufacturers during the early 2000s pirated established wax-print brands (trademarks and labels) such as Vlisco (Holland), ABC (England), Nichemtex (Nigeria), ATL (Ghana), GTP (Ghana), Uniwax (Côte-d'Ivoire).

the production process of the two factories that produced her fabrics. I had spent many hours in her shop over the past few years observing and chatting with Patience about her business. Following the success and ultimate fiasco of Wax Nana-Benz in 2008, she had considered creating her own trademark using the appeals of branding to market her fabrics in order to more effectively control distribution and to instill consumer loyalty, and, by extension, to restore consumer agency. Patience had a particular feel for market trends and understood consumer desire for what I referred to earlier, following Guyer (2004: 21), as “ranking on a common scale”. Since the free-market was resistant to auto-regulate itself and to provide a common, scale of valuation, Patience worked hard at creating a fabric that offered an attractive, affordable, and stable material form. Unlike the owners of Wax-Nana-Benz, which had since disappeared from the market, she had solid market knowledge and knew exactly who (manufacturers, wholesalers) was producing what (qualities, designs, etc.) and where (factories), and what designs and colors were in fashion. In addition to her market expertise, Patience had a particular sense for identifying future trends.

Before she would register a new trademark with OAPI, Patience carefully monitored Vlisco’s new design collections. In response to counterfeiting, the Dutch manufacturer had repositioned its marketing strategy—from manufacturer to fashion house—by launching four yearly collections in an attempt to reduce the production time necessary for Chinese counterfeits to arrive on the market<sup>29</sup>. Before Patience would copy or rework a Vlisco design, she would wait to see which designs did well on the market, *i.e.* in what colors a particular design “worked”; what the important coloration details of the design’s background were, namely the aforementioned marbling and bubbling effects whose intensity or size she would sometimes modify. The labor<sup>30</sup> she invested into crafting a new fabric, which in addition to careful market monitoring required sending samples via DHL to her Chinese manufacturer as well as managing the production process at the factory by regularly visiting the manufacturing facilities. This was not an easy task, for it required skill, vision, important financial means, and time.

Because this process was incredibly time-consuming, Patience’s ability to launch *her* copied Vlisco designs in the Lomé market was deferred as “fast copies” had already penetrated the market. Fast copies, I suggest, are copies that require minimal research and monitoring and that have a relatively short “life span”. Such copies are the first to arrive on the market, where they benefit from their temporal “firstness”, because they provide

---

29. With the launching of its new collections, Vlisco, not only shifted its image from manufacturer to fashion house, but it also instantiated the brand’s image as the superior, “true original”. Since, the company has spent a great deal of money to protect its brand and image culture, and, in the process, has repeatedly used the appeals of “authenticity” as its chief marketing strategy.

30. Patience worked fourteen-hour days on a seven-day week basis.

the only available cheaper alternative to the original. But as fast copies are quickly overturned by superior copies that shorten the life-span of the former, wholesalers who specialize in this market segment can only exploit such copies for a restricted period of time. Although Patience was taken a higher risk than distributors of first, secondary and tertiary copies, because her designs would arrive so late on the market, she speculated on the innovativeness of her copies. For Patience did not just bluntly copy Vlisco designs, but she added her own ideas and creativity that extracted the power of the original in ways that the fast copy could not; for bold and fast copies are essentially representations of what they are a copy of.

Several of the Vlisco designs that Patience had reworked became best-sellers in the Lomé market where they assumed an authority of their own and an aura independent of the superior original. The licensed copies—whose ambiguous assemblage of being half real and half fake recalls the industrial batik I discussed earlier—were distributed under the labels Jolie Wax and Diamond Wax. Responding to consumer desire for stable material forms (and, by extension, classificatory exclusivity), Jolie Wax and Diamond offered a *real* alternative to consumers who could no longer afford the costly Vlisco. The language consumers used to talk about the new brands came to reflect this shift. Togolese no longer spoke of *kpayo* or *faux* (fake), instead they used the terms “*petit chinois*” (“small Chinese *pagne*”) or “*chinois*” (Chinese *pagne*) to talk about what I have called fast copies; the generic terms *tschiganvo* or *tschivi* were rarely employed and instead consumers used the actual brand names, Jolie, Binta, Diamond, Hitarghet, Phoenix, etc. to rank the different materials on a common scale of “Chineseness”. The production of the latter enabled consumers to adapt new modes of conduct and dispositions to navigate the boundaries between licensed and unlicensed copies with relative ease and urban savvy.

The peculiar juncture of the revaluing of values on a common scale and Patience’s enterprising story raises important questions regarding the slippery definition of originality and cultural innovation. Was copying a design that was owned by Vlisco but whose color had been changed an infringement of international IP law? Were the modifications Patience added to the background of the design, whose proprietary rights belonged to Vlisco, an infringement or did these innovations have an originality of their own that potentially held legal rights of their own?



In closing I would like to return to the Parisian exhibition on counterfeits with which I began this paper. Recall the pedagogical initiation of the Captain Hooks into property rights for a moment. In my opening description, I suggested that the children were essentially instructed to become

good (future) citizen-consumers, who would uphold the moral and legal values of the nation. The cultural exhibit staged some of the pressing moral dilemmas of property regulation characteristic of the contemporary moment, namely the technological collapse of private and public domains that have brought on new and infinitely complex emerging legal “grey zones” between originality and ownership. The exhibit made a case in point of such legal grey zones via the French fashion industry.

The children learned that as fashion designers borrow ideas from the past and the present, it is difficult to legally protect the originality of their creations. In fact, the law acknowledges that there is no original artistic and industrial creation or invention in the ontological sense, because all creations and inventions are already to varying degrees an imitation of something else (an idea or a form). IPR law, thus, does not protect the (ontological) original, but rather those inventions, patents, designs, and logos that creators (or owners) register among national or international IPR institutions<sup>31</sup>. But fashion designs fall under what is called a “low-IP equilibrium”, making it difficult to protect actual clothing or fashion designs. Even Louis Vuitton, one of the most prominent copied fashion brands, whose legal department aggressively pursues counterfeiters cannot always effectively protect the brand’s registered trademark, the “Toile Monogram”. As Vann (2006: 288) remarks in the context of the legal status of name-brand knock-offs, that “although unwitting buyers are sometimes victims of these goods, many others are willing participants in the traffic in grey-market and counterfeit goods”.

The willingness of consumers to participate in the legal grey zones of the 21<sup>st</sup> century by purchasing fake Louis Vuitton bags on ebay and of using music and video file sharing as the dominant form of cultural consumption, has raised new questions about the slippery legal definitions of what counts as property and, by extension, how to redefine originality, authorship and ownership. As courts struggle to define the meanings of “originality” it has become increasingly difficult to determine what counts as copy and, by extension, how to legally pursue counterfeits<sup>32</sup>.

---

31. The exhibit explained that pattern and design are titles of ownership (issued in France by the National Industrial Property Institute) that grant exclusive right to the “appearance of a product characterized in particular by its lines, its outlines, its shapes, its texture or its materials”; intellectual property, by contrast, concerned “all authors’ rights to their creations” including both artistic and literary as well as industrial property (inventions, innovations); and, finally, that counterfeiting consists of “any reproduction or transposition of an original work without the permission of its author” <[http://www.cite-sciences.fr/english/ala\\_cite/exhibitions/fake/glossary](http://www.cite-sciences.fr/english/ala_cite/exhibitions/fake/glossary)>.

32. To resolve such regulatory dilemmas, the exhibit appeared to suggest that when legal means were exhausted only the morality of individual citizen-consumers could help upholding the social contract.

This raises a number of questions. Can the power of the original, the idea behind the work and its material or immaterial manifestation, ever be fully extracted? Were the illicit copies the cultural exhibit provocatively staged in a cage that signified a customs space copies that purposefully mislead consumers into buying a false representation? In other words, was Spiderman, who one of the children desired so much that he attempted to force his fingers across the barbwire, merely a false representation, or did its representation assume the character and the power of the superior original? Similarly, what if the fake wax-print that was kept in the same cage as Spiderman held Patience's signature and was a Jolie-Wax? If so, on what grounds of IPR infraction was the Jolie-Wax fabric confiscated by French customs? Historical ironies abound, didn't the fabric's material assemblage, namely its layers of originality that were always already half fake and half real, expose a conceit at the core of modern IP law as a form of sumptuary regulation?

*Department of Sociology and Anthropology, Northeastern University, Boston.*

## BIBLIOGRAPHY

ADORNO, T.

1991 *The Culture Industry: Selected Essays on Mass Culture* (London: Routledge).

ALFORD, W.

1985 *To Steal a Book Is an Elegant Offense: Intellectual Property Law in Chinese Civilization* (Culture Industry: Selected Essays on Mass Culture: Stanford University Press).

AMINA

2008 February, 453: 66.

APTER, A.

1999 "IBB=419: Nigerian Democracy and the Politics of Illusion", in J. COMAROFF & J. COMAROFF (eds.), *Civil Society and the Political Imagination in Africa: Critical Perspectives* (Chicago: University of Chicago Press): 267-308.

BAUDRILLARD, J.

1994 *Simulacra and Simulation* (Ann Arbor: University of Michigan Press).

BAYART, J.-F., ELLIS, S. & HIBOU, B.

1999 *The Criminalization of the African State* (London: Hurst).

BEEBE, B.

- 2010 "Intellectual Property Law and the Sumptuary Code", *Harvard Law Review* 123 (4): 809-889.

BENJAMIN, W.

- 1968 "The Work of Art in the Age of Mechanical Reproduction", in W. BENJAMIN & H. ARENDT (eds.), *Illuminations* (New York: Harcourt): 219-253.  
 1986 "On the Mimetic Faculty", in W. BENJAMIN (ed.), *Reflections. Essays Aphorisms Autobiographical Writings* (New York: Schocken Books): 333-336.

BOURDIEU, P.

- 2001 *Language and Symbolic Power* (Cambridge: Harvard University Press).

BREWER, J., MCKENDRICK, N. & PLUMB, J. H.

- 1982 *The Birth of Consumer Society* (London: Hutchinson).

CHALFIN, B.

- 2010 *Neoliberal Frontiers: an Ethnography of Sovereignty in West Africa* (Chicago: Chicago University Press).

COOPER, F.

- 2002 *Africa Since 1994: The Past of the Present* (Cambridge: Cambridge University Press).

COMAROFF, J. & COMAROFF, J. L.

- 2009 *Ethnicity* (Chicago: Chicago University Press).

COMAROFF, J. & COMAROFF, J. (EDS.)

- 2006 *Law and Disorder in the Postcolony* (Chicago: Chicago University Press).

DOUGLAS, M. & ISHERWOOD, B.

- 1996 [1979] *The World of Goods* (New York-London: Routledge).

ELLIS, S.

- 2009 "West Africa's International Drug Trade", *African Affairs* 108 (431): 171-196.

GUYER, J.

- 2004 *Marginal Gains* (Chicago: Chicago University Press).

JAMIESON, M.

- 1999 "The place of Counterfeits in Regimes of Value: An Anthropological Approach", *The Journal of the Royal Anthropological Institute* 5 (1): 1-11.

JOHNS, A.

- 2009 *Piracy: The Intellectual Property Wars from Gutenberg to Gates* (Chicago, IL: University of Chicago Press).

LARKIN, B.

2008 *Signal and Noise: Media, Infrastructure, and Urban Culture in Nigeria* (Durham: Duke University Press).

PANG, L.

2008 "'China Who Makes and Fakes': A Semiotics of the counterfeit", *Theory, Culture, and Society* 25 (6): 1171-140.

PICTON, J.

2001 "Colonial Pretense and African Resistance or Subversion Subverted. Commemorative Textiles in Sub-Saharan Africa", in E. OKWUI (ed.), *The Short Century. Independence and Liberation Movements in Africa 1945-1994* (München: Prestel): 159-164.

PIOT, C.

2010 *Nostalgia for the Future. West Africa after the Cold War* (Chicago: University of Chicago Press).

PIOT, C.

s.d. "Hedging the Future", unpublished.

REIKART, A.

1997 *Handelsstoffe. Grundzüge des europäisch-westafrikanischen Handels vor der industriellen Revolution am Beispiel der Textilien* (Köln: Rüdiger Köppe Verlag).

SIMMEL, G. (edited by Kurt Wolff)

1950 *The Sociology of Georg Simmel* (Glencoe: Free Press).

SYLVANUS, N.

2009 "Commerçantes togolaises et diables chinois. Une approche par la rumeur", *Politique africaine* 113: 55-70.

TOULABOR, C.

1986 *Le Togo sous Eyadéma* (Paris: Karthala).

VANN, L.

2006 "The Limits of Authenticity in Vietnamese Consumer Markets", *American Anthropologist* 108 (2): 286-296.

VEBLEN, T.

1897 "The Economic Theory of Women's Dress" and "Dress as an Expression of Pecuniary Culture", in K. P. JOHNSON, S. J. TORNTORE & J. B. EICHER (eds.), *Fashion Foundations: Early Writings on Fashion and Dress* (Oxford-New York: Berg): 129-136.

## ABSTRACT

Togolese subjects, the paper argues, have come to experience the contemporary moment as a crisis in conceptions of value congealed around the notion of fake. As commodities have become increasingly volatile as stable material forms in post-colonial Togo (and elsewhere), the paper suggests that disjunctures between what the law recognizes as fake and what consumers think of as fake are increasingly exposed. By using the “fakeness” of African wax-prints as a tool to investigate the constantly shifting field in which the social and legal construction of authenticity and counterfeit take place, the paper shows how Togolese citizen-consumers and traders conduct themselves in relation to “grey” goods as they redefine the practical taxonomies of everyday life.

## RÉSUMÉ

*Faux: Crise dans les conceptions de la valeur dans le Togo néolibéral.* — Cet article montre comment les Togolais en sont venus à vivre l'époque contemporaine comme une période de crise dans les conceptions de la valeur, concrétisée autour de la notion de faux. En considération du fait que les biens de consommation sont devenus de plus en plus volatiles en tant que formes matérielles stables dans le Togo post-colonial (et ailleurs), cette analyse suggère que des disjonctions entre ce que la loi reconnaît comme faux et ce que les consommateurs conçoivent comme faux, tendent, là, à se produire de manière croissante. En utilisant la “fausseté” des tissus africains en tant qu'outil pour étudier le champ en constante évolution dans lequel la construction sociale et juridique de l'authenticité et de la contrefaçon ont lieu, l'article examine comment les citoyens-consommateurs togolais et les commerçants se comportent par rapport à une telle “zone grise” des biens de consommation, en même temps qu'ils redéfinissent les taxonomies pratiques de la vie quotidienne.

*Keywords/Mots-clés:* West Africa, Togo, fakes, materiality, neoliberal, ownership, value/Afrique de l'Ouest, Togo, faux, matérialité, néolibéral, propriété, valeur.