



*Figure 1: Made with Microsoft Copilot*

# A TOUGH TUSK –THE PERSISTENCE OF THE 1989 IVORY BAN: DIS- COURSE ANALYSIS

Discourse Analysis on the persistence of the  
1989 CITES Ivory Trade Ban – why Zimbabwe's  
CITES CoP-19 proposal was denied

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## 2 Introduction

Elephants are majestic creatures. With some human-like behaviour and capacities, this impressive animal is most often found on the African continent, where the species *Loxodonta africana* (African Elephant) is present. Elephants are not only highly popular after due to their characteristic traits, but their tusks consist of a valuable natural resource. Ivory has thus been a popular and expensive raw material, used to produce various, luxurious products, which resulted in a mass poaching of the African elephant, that saw the population decline from 1,3 million in 1979 to only 600,000 in 1989 (Lemieux & Clarke, 2009). With the establishment of CITES in 1974, a foundation was created to protect the elephant by regulating ivory trade. In the following years however, the downwards trend could not be halted, resulting in more drastic measures implemented in 1989 (Padgett, 1995). The prohibition of ivory trade, also called „The Ivory Ban “, has ever since sparked controversy between the member states. A later proposal from Southern African states to allow these nations limited trade, which saw their growing numbers of elephant as a threat, was denied (CITES, 2022). Conducting a discourse analysis, this paper aims at identifying different actors and discourse coalitions on why the 1989 ivory ban has, although disputed, been largely persistent and even reaffirmed up to today. (And if Zambale should join CITES)

## 3 Methodology

Discourse Analysis tries to retrace the ways in which actors think and give meaning to a phenomena (Utrecht University, 2024). It is a trusted method when it comes to answering the “why-question” in policy analysis. Discourse analysis assumes and emphasizes that the way people communicate about issues is not merely neutral and non-biased, but rather a result of their personal understanding. Discourse analysis can thus be used to reconstruct ideas, perceptions and actions taken by a certain party (group) (Utrecht University, 2024). Bringing together different perspectives, this method can illuminate controversial and interlaced issues. Discourse analysis does, in comparison to other political analysis methods, not have a standard procedure. Its layout, design and results thus very much depend on what the author wants to focus on (Utrecht University, 2024).

### 3.1 Deconstructing Arguments

To analyse discourses, underlying arguments should first be operationalized and deconstructed. Only then will it be possible to distinguish the actors’ different beliefs. We therefore apply Toulmin’s structural model of argument. It contains six elements, of which the two latest are optional. The output of the model is a *policy claim*, which stems from the *policy relevant information* and is induced by one or several *warrants*. These warrants are supported by *backings*. A *qualifier* can indicate the truthfulness of the policy claim, and a *rebuttal* may weaken the argument. The Toulmin model is a trusted approach to break down perceptions into their fundamentals. (cf. Van Herten & Runhaar, 2013)

### 3.2 Identifying Discourse Coalitions

In discourse analysis, coalitions are identified to group similar discourses. A discourse coalition is a group of actors advocating the same side of an issue, sharing similar interests and perceptions. Discourse coalitions make use of resources to back their claim. A selection of the most important resources include *legal power (lobbying)*, *public opinion and media*, *knowledge* and *financial resources*. The group with the more powerful resources, also called the dominant coalition, thus usually controls the policy process. (cf. Van Herten & Runhaar, 2013)

## 4 Results

Applying the methods mentioned in Chapter 3, we proceed to present our findings. First, key events are identified and listed. In a next step, the actors involved in these events were extracted, discourse coalitions identified and Toulmin's model applied. We then go on to conclude on our research question on why the 1989 ivory ban has, although disputed, been largely persistent and even reaffirmed up to today.

### 4.1 Timeline: Key events

The African elephant, which has his home in the sub-saharan countries, has been victim of the growing popularity on ivory, often also referred to as “white gold”. Its heavy ivory tusks were the reason for the massive poaching which they were subject to in the 1970s and 1980s. In 1974, the CITES (Convention on International Trade in Endangered Species) was founded (CITES, 1973). CITES approached the regulation of the population of endangered species with so called appendixes. Strict trade rules applied to animals listed in CITES, hoping to minimize inducements in illegally poaching elephants. However, the responsibility for the implementation of this policy always lies in the hands of a scientific and management entity within a party/nation (CITES, 1973). Originally, the African elephant was mentioned in appendix III (Species that are protected in at least one country) and moved to appendix II in 1977. (not necessarily threatened with extinction, but in which trade must be controlled to avoid utilization incompatible with their survival) (CITES, 2023). However, the export of processed ivory was still allowed with a governmental permit. This allowed so called entrepôt states to “launder” ivory by exporting processed products, untraceable back to its origin (Padgett, 1995). Due to this loophole, these measures implemented couldn't stop the number of on the African continent from plummeting. In 1989, the total population had decreased by almost 800'000 elephants within 10 years, with Eastern African countries like DRC, Tanzania and Kenya experiencing the strongest decline. It was only with the elephant being listed in appendix I of CITES in that same year, meaning a complete trade ban, that saw the *Loxodonta Africana* recover and saving elephants in eg. Kenya from extinction after implementation (Lemieux & Clarke, 2009). Illegal poaching, however, remained an issue in certain areas, with the elephant population in the DRC continuing to decrease remarkably (Biggs et al., 2017).

Even though a consensus on saving the African elephants from extinction existed, not all CITES parties were in likeing of the ivory ban. Already implementing strict measures against illegal poaching of elephants and trading of ivory (Ncube, 1995), Botswana, for example, saw an increase in their elephant population by 30'000 in the pre-ban period (Lemieux & Clarke, 2009). In 1997, the elephant population of Botswana, Namibia and Zimbabwe got transferred back to appendix II (with annotations) and one-off sales of the ivory stockpile was granted. In 2007, also South Africa's elephants got listed back in appendix II (with annotations) (CITES, 2023). In 2019 these nations handed in a proposal to loosen the restrictions on appendix II, which would have allowed extended trade on registered ivory stockpile. However, this proposal was rejected by CITES at the CoP19 (CITES, 2022).

## 4.2 The „Ivory Ban Remains Necessary“ coalition

The fear of a possible elephant extinction resonated deeply with *many pro-animal-NGOs, public media* and in *western culture*. Politicising the issue, many *impactful CITES-parties* joined the discourse coalition. These actors all considered the stay-in-place of a total trading ban as a necessary measure to save the African elephant from extinction. Figure 2 sees Toulmin's model applied to this discourse coalition

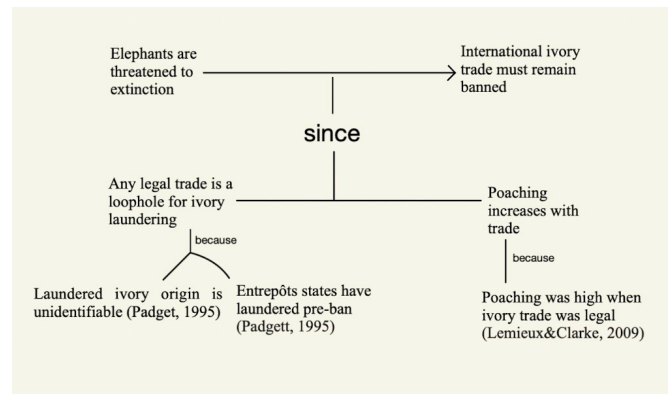


Figure 2: Toulmin's model applied to the pro-ban coalition

As the figure shows, different warrants supporting the policy claim were identified. Whilst elephants are also a valuable touristic resource for regional actors, other actors mainly advocated the ban for different reasons. The issue also became politicised in the western states. Governments as well as public opinion leaned strongly towards an elephant-protective policy, as these partly human-like mammals raised a lot of empathy with the people (Padgett, 1995). This reinforced a belief that all ivory is automatically unethical to consume. Also, the fear of opening a loophole for poachers by reallowing extended trade in some countries was a crucial factor in the argumentation of the pro-ban coalition. Not listed in the Toulmin model due to a lack of sources, but also very much possible is that some CITES parties with elephants saw the real-allowance of trade in only some countries as unfair towards themselves and opposed the CoP19-proposal due to frustration of not being able to efficiently fight illegal poaching in their own territory.

## 4.3 The „Regulated Trade“ coalition

Seeing their successful efforts of keeping elephant population at a stable level undermined by overharsh trade restrictions and thus being denied important financial resources to do so (Padgett, 1995), a *coalition of Southern African* states led by Zimbabwe, undertook the effort of gaining more freedom in ivory trade by handing in a proposal at CoP-19. Convinced that these harsh restrictions weren't for the long-term good of neither the elephant nor the regions, some *scientists* took sides with these parties (Padgett, 1995) Figure 3 sees Toulmin applied.

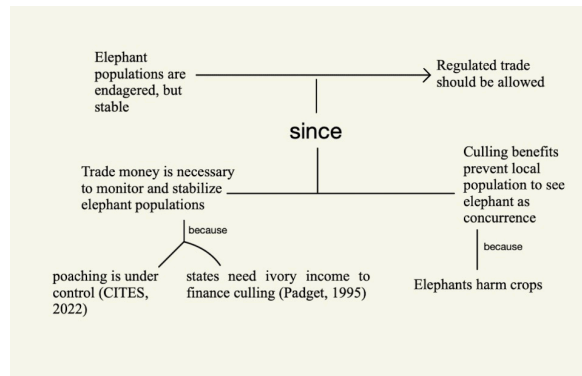


Figure 3: Toulmin's model applied to the anti-ban coalition

As figure shows, also two warrants were identified backing the claim of the anti-ban coalition. The money generated by the sale of ivory stockpiles was an important income for many Southern African states, used to control the quickly growing elephant populations by culling, which, in big numbers, were a threat to the local rural population as well as to the ecosystems in general (Padgett, 1995). The local population also benefited from these measures, as they were often supplied with elephant meat from the cullings. This ensured that the people would continue to see the co-existence with elephants as a positive and not just a danger trampling over their crops. Also, research assumes that even under more flexible ivory trade conditions, these states would be able to keep their elephant population at healthy levels (Lemieux & Clarke, 2009).

#### 4.4 Conclusion: The Power of the Elephant

As we have now identified discourse coalitions and have deconstructed arguments from both pro- and anti-ban coalition, we can now develop why the 1989 ivory ban has been persistent and even reinforced at CoP19. The coalitions argue out of different perspectives, prioritising different issues and factors concerning the ivory ban. This can be explained by differing circumstances and experiences in efforts to keep the elephant population stable. While most Western and Eastern African Nations historically struggled with uncontrollable poaching and fear a comeback of an illegal ivory market if any trade loophole might be opened, the Southern State coalition relied on extreme measures to protect their population from illegal poaching. However, none of these state coalitions alone was powerful enough to dominate the discourse. It was only with the involvement of animal-friendly NGOs who highly valued the human-like empathy of elephants, that the power has shifted to one side. They managed to transmit this message to the public in the western countries, so that the issue became politicized. Ivory has ever since been seen as unethical, preventing a neutral discussion and self-reinforcing the un-touchability of the ivory trade ban. Even though most scientists argued towards more flexible trade for the Southern states, their message didn't get across. This also highlights a structural weakness in CITES, with member states tending to favour global normative majorities over local management realities.

## 5 Discussion

Using proven methods to conduct a discourse analysis and analysing the events leading to the ivory ban and its persistence until up to today, important aspects were identified. The denial towards the Southern African state coalition to loosen their trade restrictions on the African Elephant wasn't just out of mere protest, but rather due to different historical experiences and, the differing role of the elephant (tourism vs. threat) and ethical values. These incentives did not always align, but were similar enough to form a discourse coalition, being, with many powerful CITES states in favour, more powerful. However, due to limited sources, our paper might

not capture the whole scope of events – important actors might be missing. Also, the application of a Toulmin model might oversimplify and flatten diversity within a discourse coalition. Also, by keeping the paper compact, the dynamic component of discourses was neglected. For future research, we would recommend to also keep track of how opinion change over time and looking at the debate on different scales – something, which would have been doable with a stakeholder analysis or a policy theory reconstruction. Zambale, as an assumably elephant-rich Southern African country, should thus carefully evaluate the financial and societal importance of culling against the benefits of joining CITES

AI Statement: Chat GPT/Microsoft Copilot used to browse and check sources and correct grammar/spelling, without changing language.

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