

## **THE COST OF WAR AND THE PRICE OF PEACE: The political economy of crime and conflict in sub-Saharan Africa**

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There is a direct link between ongoing conflicts in Africa and a growth in criminality on the continent. What is termed criminal in most societies is defined by the state. In Africa, by contrast, particularly in societies undergoing conflict, these boundaries have often blurred, and the state has become an active participant in lawlessness. The use of the term 'criminal' here then is in the broadest possible sense, meaning activities that are generally considered to be illegal in most societies.

A propensity for the state to engage in criminal activities is the result of its institutions being the primary focus of those in search of wealth and power. The African state, long before the current wars raging on the continent, became a tool for the accumulation of personal wealth. The post-colonial state remained weak and had limited reach into society and local community. Ordinary citizens in many cases continued with their lives unfettered by state controls, seeing few of the benefits of having a state at all. The overall result is an overlap between criminal activities and the institutions of the state itself with a parallel strengthening of local forms of community, including ethnic identities. Coupled with an absence of state control and policing and the collapse of post-colonial economies, people increasingly could be required to engage in lawless activities to survive.

Ongoing conflicts on the continent have acted as a catalyst for these developments. In the post Cold War world, most of the conflicts in Africa are aimed less at any defined ideological outcome and more at simple resource accumulation. Wars in Africa today are often characterised by a vicious cycle: the protagonists target resources to accumulate wealth, these resources are used in turn to sustain ongoing conflicts. Most notably, given the glut of weapons on world markets in the aftermath of the Cold War, guns are easily and cheaply available. The presence of large numbers of firearms on the continent will continue to enhance opportunities for, and increase the violence associated with, lawlessness.

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While the conduct of war itself has enhanced the opportunities for crime, it is in its aftermath where great danger lies. Post-conflict societies on the continent are likely, given the conditions spawned by wars, to be vulnerable to higher levels of crime, and in particular, violent crime. This is because war has reduced economic opportunities (or centralised these around a small elite), undermined the rule of law, resulted in weak states with little enforcement capacity, and ensured cheap and easily accessible firearms. Parallel with these developments has been the growth over the last decade in global organised criminal activity able to exploit opportunities in Africa.

Acting against these factors may have important implications not only for hastening the end of conflict on the continent but on the nature of any post-conflict society and attempts to rebuild state authority in parts of Africa. This is as true of those societies that have not been beset by recent conflict but border on those that have. Despite the importance of this project, policy options seem relatively limited, not the least of which is because such initiatives may threaten some African elites. Weak states, with weak (or misused) systems of law enforcement and low levels of legitimacy, are poorly placed to turn the tide. What can be done however is an international effort to further limit the flow of arms to the continent; the linking of law enforcement projects more clearly to current efforts at peace and peace building; a concentration on external support for regional as opposed to national crime control strategies, given porous borders and the potential for local instruments of law enforcement to be used by the state for its own ends; and, given the dearth of information, a concerted effort to understand current criminal changes on the continent, including the nature, extent and *modus operandi* of emerging criminal groups.

### **Have baggage... will travel**

African states were not, at least initially, the creation of Africans. Colonialism defined the boundaries of the states themselves with little regard to ethnic allegiances (although these in themselves should not be regarded as static entities). The institutions of state which were bequeathed did not (nor indeed, given the nature of colonialism, could not) replicate those of the metropolitan power. In essence, they were bureaucratic structures designed for control and taxation of subjected peoples -- the European theory of the time on the limitations of the power of the state were never factored into the African colonial equation.<sup>1</sup>

Nor did the divide and rule policies of the colonial governments bring with them strong conceptions of nationhood. Indeed, the colonial state relied more on the exploitation of local divisions to ensure control than any attempt to overcome 'difference' in order to create feelings of allegiance to the centre. Tied to this were the creation of economies designed to export a limited number of mostly raw materials and foodstuffs to the

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<sup>1</sup> Richard Cornwall, 'The collapse of the African state', in Jakkie Cilliers and Peggy Mason (eds), *Peace, Profit or Plunder? The Privatisation of Security in War-Torn African Societies*, Pretoria, Institute for Security Studies, 1999.

metropolitan powers -- the colonial state itself playing a key role in this process of extraction and transfer of wealth.

The African state that was inherited by the new rulers in the post-colonial era became then the primary arena for competition, power and influence over the distribution of resources. Ironically, while the control of the state at the centre became the path to wealth for African elites, local forms of community and allegiance remained the dominant political reality for ordinary people, given the limited penetrative power of the state. These local allegiances were often seen as a threat to African rulers and attempts to marginalise, control or incorporate regional or ethnic groups politicised local identities.

State structures, perhaps given their weakness, were built around the personalities of individual rulers. The Cold War sustained many of these individuals and states (and in some cases opposition groups) through superpower patronage -- the United States support for Mobutu's Zaire is probably the best, but certainly not the only, example. These conditions fuelled years of war and instability on the continent in which the roots of many of today's current conflicts are to be found.

The end of the Cold War saw a loss of interest in, and patronage of, many African states. Indeed, this was initially a positive development -- most notably the fall of the Berlin Wall was the direct precursor to the first secret negotiations between the African National Congress and the apartheid state in South Africa. Elsewhere on the continent other harsh and cruel regimes were overthrown and new political forces unleashed.

The end of the Cold War had another profound impact -- it facilitated the rearming of the continent. While clearly super power competition ensured that Africa had been well armed before -- the Angolan War, for example, saw full scale conventional engagements between standing armies -- the degree to which the end of the Cold War has allowed small arms to be easily (and cheaply acquired) is beyond precedent on the continent. This is the result of two inter-connected factors -- one occurring in Africa, the other in Eastern Europe.

In Africa itself, the ending of long standing Cold War engagements, meant that surplus weaponry became more easily available. Here, for example, South Africa reaped a grim reward -- arms infiltrated into Mozambique to supply Renamo by South African military intelligence made there way back to the country, particularly to the province of KwaZulu-Natal, fuelling vicious political, communal and criminal conflicts. In South Africa it has been known for AK-47s to be bought for as little as R60 (\$10) on the Mozambiquan border in northern KwaZulu-Natal.

After the dissolution of the Warsaw Pact, international arms markets were filled with surplus weaponry. Much of this was of East European origin, where given economic constraints in the post-communist era, weapons factories continued to produce at the same level as before. In addition, in order to meet treaty requirements and bring in much needed hard currency, there has been a need to dispose of stockpiles. Reducing the supply

of arms in Europe has paradoxically increased their availability and reduced their price in Africa.<sup>2</sup>

In Angola, for example, UNITA has been able, despite sanctions against it, to continue to purchase weapons. While sanctions have had some impact on the guerilla movement's conventional capability, it appears to have had little effect on the organisation's ability to acquire small arms.

The influx of new weapons, and the availability of those from older conflicts, is one of the most serious issues affecting Africa today. It is clear from the conflicts on the continent over the last decade that automatic weapons have upgraded conflicts and increased the scale of their lethality.

The impact of these developments is not confined to single states. Porous borders across the continent mean not only that it is a comparatively simple to smuggle weapons into any country, but also that these can easily be transferred elsewhere. Even a relatively strong state such as South Africa has only had a limited impact on the smuggling of weapons over its borders to Angola. Equally, weapons have filtered out of the combat zones to which they have been supplied. For example, weapons from the ongoing conflict in Somalia have made their way to many parts of East Africa, increasing levels of serious crime.

The issue of limiting the flow of arms and ammunition to protagonists in the various African conflicts and seizing those circulating freely must rate as one of the key challenges essential to reducing levels of violent conflict, and in the longer term, crime. The easy availability of weaponry means for many protagonists that it is easier to fight than to talk -- it is clear that some conflicts have continued simply because one or both of the protagonists believe they can destroy the other on the battle field rather than seek compromises at the negotiating table. Any prospects for democracy are dramatically undercut when a plurality of political groups have the capacity to initiate large scale violence to increase their hold on, or chances of acquiring, political power.

### **Plunder and profit**

African wars are now seldom, if ever, fought on ideological grounds. While conflict has multiple causes, the accumulation of resources through war remains a necessity for many protagonists, not only to line the pockets of their leadership but to fund the conduct of war itself. A recent publication of the International Committee of the Red Cross concludes: "This lack of international support [brought about by the end of the Cold War] has not led guerilla movements to conclude that they should stop fighting: it has just made them realise that their war economies have to change completely. They have moved from relying on political assistance from abroad to a more business-orientated approach. The crucial competition for resources no longer presupposes the seduction of a powerful

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<sup>2</sup> See *Report of the Panel of Experts on Violations of the Security Council Sanctions against UNITA*, United Nations, March 2000, point 39.

protector... it is more a question of skill in controlling the local resources and obtaining access to markets".<sup>3</sup>

This is true of Angola where the prospects of a peaceful solution are undermined by the desire of both parties to the conflict to control the country's lucrative resources, most notably diamonds. In turn the control of the country's natural resources enables both parties to fight on -- UNITA through the control of diamonds, the MPLA government through the control of oil.

In Liberia, as the Secretary General's report on conflict in Africa has noted, "many of the protagonists had a strong financial interest in seeing the conflict prolonged" as the warring factions targeted the control of diamonds, timber and other raw material. Acquiring these resources gave them the means to sustain the conflict, reducing the willingness of the parties to compromise. In turn, a key motivation of those who seized power in May 1997 in Sierra Leone was the acquisition of natural resources and the looting of Central Bank reserves.<sup>4</sup> The vicious cycle of war and accumulation is clear too in Somalia: "[Y]oung men who were being drawn into the warlord militias were living better than they had ever lived before, given that many of them had been nomadic herders in the bush. This dramatic improvement in lifestyle would have been impossible to maintain if there were peace and stability".<sup>5</sup>

The decline of ideological wars in Africa has in certain cases removed the justification for not looting the resources of the state. A prominent member of UNITA has suggested that before 1990 the pilfering of resources on both sides of the conflict in Angola was contained given that ideological differences between the opposing sides gave combatants and their leaders a clear vision to fight for. Now there is no such compunction: "The elites of both sides [recognised that] by keeping the government in a state of perpetual conflict, they could amass immense personal fortunes. The government elite... ensure that all of the country's vast oil reserves pass through their hands. A lot of this money is siphoned straight into offshore bank accounts."<sup>6</sup> This in a country where just under eighty percent of people do not have access to health care facilities and seventy percent do not have access to safe and clean water.<sup>7</sup>

It is in such a context that the boundaries between the state and illegal activity begin to blur. In most societies it is the instruments of the state which determine what is considered to be legal and illegal. In parts of Africa this has become unclear, with the

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<sup>3</sup> Jean-Christophe Rufin, 'The Economics of War: A new theory for armed conflicts', *Forum: War, Money and Survival*, ICRC, Geneva, March 2000, p. 24.

<sup>4</sup> Report of the Secretary-General, *The causes of conflict and the promotion of durable peace and sustainable development in Africa*, 1998, point 14.

<sup>5</sup> Andrew S Natsios, 'Humanitarian Relief Intervention in Somalia: The Economics of Chaos', in Walter Clarke and Jeffrey Herbst (eds), *Learning from Somalia: The Lessons of Armed Humanitarian Intervention*, Boulder, Westview Press, p. 85.

<sup>6</sup> Anna Richardson, 'Selling Angola by the barrel', *Sunday Independent*, Johannesburg, 19 March 2000, p. 13.

<sup>7</sup> United Nations Development Programme, *Human Development Report 1999*, Oxford, Oxford University Press, 1999, p. 148.

state itself engaging in what would normally be considered to be illegal activities, so that those groups who control its instruments ensure that they are used for profit.<sup>8</sup>

The weakness of the African state and the causes of war have been much analysed. But, the debate on the extent, nature and impact of the continent's new political economy of crime -- the blurring of the lines between legitimate business, the institutions of the state and an emerging criminal underworld -- remain little understood.<sup>9</sup>

Resource accumulation, the desire for profit and a breakdown between what is considered legal and illegal by state actors, has ensured that protagonists to conflicts are vulnerable to outside influence. This occurs in many forms: international arms merchants wanting to profit from arms sales or business corporations seeking to acquire mining or other concession to exploit natural resources. The result is often complex payoffs and protection fees and an overlap between legal and criminal activity.

This is not occurring in a vacuum. An important parallel development has been the growth in transnational criminal activities during the 1990s. The last decade has seen unprecedented developments in criminal activity that spans national borders. This is the result of a complex inter-relationship between a number of factors. At the most basic level it is an unhealthy outcome of the ongoing process of globalisation -- improved trade, communication and finance links have made the world a smaller place, not only for licit but also for illicit activities.<sup>10</sup>

The trafficking in arms, which has already been discussed, is a good example. The transfer of armaments into and between states in Africa is not only the result of the activities of legitimate arms dealers. The transfer of weapons relies on sophisticated criminal groups who have identified markets and are delivering the goods. Southern Africa, for example, has developed over the past number of years an increasingly sophisticated network for arms smuggling. Most insurgency groups, and indeed some governments, may prefer to deal with underworld contacts, where no paper trail is likely to be left.

In effect, Africa is increasingly a new target for criminal activities.<sup>11</sup> This is encouraged by the openings and opportunities made possible through those engaged in armed conflict, who seek to fund war through the exploitation of natural and other resources. In this process, links are established with external criminal groups and new networks of

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<sup>8</sup> See Jean-Francois Bayart, Stephen Ellis and Beatrice Hibou, *The Criminalisation of the State in Africa*, Oxford, James Currey, 1999.

<sup>9</sup> For a detailed development of this theme, see James H Mittelman and Robert Johnston, 'The Globalization of Organized Crime, the Courtesan State, and the Corruption of Civil Society', *Global Governance*, No 5, 1999.

<sup>10</sup> Phil Williams, 'Emerging Issues: Transnational Crime and its Control', in Graeme Newman, *Global Report on Crime and Justice*, United Nations Office for Drug Control and Crime Prevention, Oxford, Oxford University Press, 1999.

<sup>11</sup> See Phil Williams and Doug Brooks, 'Captured, Criminal and Contested States: Organised Crime and Africa in the 21<sup>st</sup> Century', *South African Journal of International Affairs*, Vol 6, No 2, Winter 1999, pp. 81-100.

lawful and criminal activity forged -- again, an important defining feature being the cross-over between legal and illegal operations.

In the Democratic Republic of Congo (DRC), for example, individuals such as prominent Zimbabwean businessman, Billy Rautenbach, have been granted concessions. Rautenbach, who is closely connected to the Zimbabwean government, secured the concessions after the intervention of senior Zimbabwean officials. Rautenbach, while controlling scores of legal companies, has been implicated in various criminal activities. President Laurent Kabila has now personally revoked the concessions after allegations, among other things, that profits were skimmed off into a fictitious legal entity and that some mined minerals simply disappeared.<sup>12</sup> A case is currently being built against Rautenbach by South African law enforcement authorities for wide-ranging criminal activities.

If high levels of conflict, sustained by the plunder of the continent's resources, are creating new conditions for the growth of criminal activities and networks, the securing of peace suggests new challenges.

### **(Limited) policy options**

Achieving peace in conflict ridden societies relies on two pre-conditions -- the one internal and the other external. The experience of both South Africa and Mozambique, two of the continent's negotiated settlement success stories, suggests that these conditions acting concurrently are essential in bringing about a negotiated settlement.

Internally, continued conflict must be perceived by both protagonists as no longer being in their interest. This is unlikely to occur when the resources are available to continue to sustain the conflict and the costs of compromise uncertain. In short, to end conflicts through peaceful means, both parties must see it in their interests to negotiate. Key to peacemaking is to identify those issues which undercut this resolve. In Angola, for example, the personal options available to Savimbi himself should peace be achieved is one of such factors.<sup>13</sup>

Externally, there must be a unified international consensus which pushes and supports both parties as they attempt to search for peace. This includes, where appropriate, denying parties both the instruments for war and legitimacy in the international community for making it. On its own, as the case of Angola clearly shows, international pressure cannot bring peace and may in fact reinforce the resolve of parties who do not see it in their interest to negotiate and have the resources to sustain the conflict.

It is possible that undercutting the causes and impact of criminality on the continent may facilitate or form part of such preconditions. For example, an international effort around

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<sup>12</sup> See Ivor Powell, 'Congo breaks off deal with 'Africa's Napoleon'', *Mail and Guardian*, Johannesburg, 17-23 March 2000, p. 5.

<sup>13</sup> See *Angola: Jaw-Jaw or War-War*, SAIIA Intelligence Update, No 8, 2000.

restricting arms to the conflict may not only make conflicts less attractive to internal participants by weakening their hand, but could also ensure greater external consensus as to the key leverage points, the halting of the flow of arms being one, to achieve peace. In effect, efforts at limiting the connections between criminal activity and conflict will undermine for many protagonists the financial and other imperatives of engaging in conflict in the first place.

In addition, and notwithstanding these impacts, an analysis of post conflict societies suggest that crime control interventions made in the course of the peace process may enhance the prospects for post-negotiated settlement governance. Options for intervention in this regard are however are relatively limited. Four broad and inter-locking focus areas are suggested for intervention. Debate is required on exactly what policy alternatives are available in each. They are as follows:

- *A concerted effort to highlight and reduce the problem of arms trafficking on the continent:* The Fowler Report<sup>14</sup> on sanctions busting against UNITA in Angola, for all its problems, does go some way in highlighting this problem. More importantly, it suggests that the causes of the problem, and therefore its solution, is not an exclusively African one. At least part of the reason for the availability of weapons is, as has been argued, the glut on the world market and the need for countries, particularly in Eastern Europe, to acquire hard currency through arms exports. Whether or not it is possible, as Fowler suggests, to link the halting of arms production or sales to European Union membership, however, remains to be seen. Fowler suggests, among other recommendations, the establishment and maintenance of a data base detailing arms transfers on the continent.
- *The linking of law enforcement projects directly to efforts at peace and peace building:* Attempts at peace building must take into account the necessity for rebuilding the agents of law enforcement and their legitimacy. This remains as one of the greatest challenges confronting peace efforts in post-conflict societies. Surprisingly, there has been comparatively little debate on the refocusing and rebuilding of the nature of policing on the African continent. This is long overdue. Peacekeeping missions are designed primarily to keep the protagonists apart and are by definition limited to particular time periods. The longer term prospects of such societies depends on an early and continuous investment encouraging support for the rule of law. A recent assessment of peace-building efforts in Somalia suggests that one of the key failures was to rebuild policing in the country and in the isolated cases where this was done "having a functioning police and judiciary eased the security burden on [the military]... Having a secure law and order environment encourages renewal of economic activity".<sup>15</sup>

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<sup>14</sup> *Report of the Panel of Experts on Violations of the Security Council Sanctions against UNITA*, United Nations, March 2000.

<sup>15</sup> Interview with Australian military officer quoted in Martin R Ganzglass, 'The Restoration of the Somali Justice System', in Clarke and Herbst, *op. cit.*, p. 27.



- *A heavy emphasis should be placed on regional policing initiatives:* There are two good reasons why there should be a focus on encouraging regional policing projects. First, much of the most serious and organised crime in Africa ignores national borders and is a threat to multiple states. Second, police agencies in many countries are poorly developed and have few skills. Regional initiatives will allow sharing of limited resources and skills and the accessing of foreign skills and support. In southern Africa regional arrangements, while still having a long way to go, have achieved some notable operational successes. In particular, donor funding should aim to encourage and develop regional policing projects. In the longer term, the creation of regional police units to work on particular problems should not be excluded.
  
- *Undertake a continent wide assessment of criminal networks and trafficking routes:* There is not enough information and analysis currently available to determine the nature and extent of the problem of crime, and particularly organised crime on the continent. What is clear however from those indicators that are available is that the problem is a significant one that has the potential to get worse. In South Africa the nature and extent of organised crime was simply not understood until a detailed countrywide threat assessment was conducted. Importantly, such an assessment is providing some insight into which criminal operations can be easily disrupted and what areas can be targeted to undercut the operations of organised crime groups, many of whom also operate in the region. In the African context, such an assessment should be jointly agreed upon and jointly conducted with outside expertise being brought in where necessary. Such an exercise would immediately point to those areas where resources should be focussed to achieve maximum impact.

The necessity and importance of these interventions is clear when the causes and impact of crime in post-conflict societies is examined in greater detail. Such interventions as outlined above may have an important ameliorative effect on post-conflict societies by immediately highlighting and impacting upon issues central to the governance of societies with a history of violence.

### **Losing the peace?**

Societies in conflict have the propensity to give rise to criminal societies once 'peace' is achieved. In the absence of immediate opportunities for formal employment (and grievances as to their absence) old networks used to sustain conflicts turn to crime.

It is no coincidence in South Africa that those areas of the country which experienced the highest level of political conflict -- parts of KwaZulu-Natal and the townships to the east of Johannesburg -- now have one of the highest levels of syndicated criminal activity. Again, the blurring between what is legitimate business, what is the work of government or political parties and criminal activities is the result. In the town of Nongoma in northern KwaZulu-Natal, the seat of the Zulu royal house, criminal groups engaged in protection rackets and the smuggling of arms are closely inter-linked with local

politicians, local chiefs, the police and taxi operators. The result is new networks of control and influence strong enough to influence national and provincial politics.<sup>16</sup>

What is surprising in the case of South Africa, where the state is comparatively strong, is the speed with which criminal activity grew after 1990 and the current difficulties with eradicating the problem as the instruments of the state slowly realign to confront the challenge.

A number of characteristics apply to societies recovering from conflict which make them vulnerable to higher levels of crime and disorder. These include:

- *Established networks to smuggle contraband:* Networks established during times of conflict to smuggle weapons or other necessities of war are easily converted to channels for the smuggling of drugs, contraband or stolen goods. In South Africa, old gun smuggling routes now smuggle cars, drugs and other contraband, while the general availability of weapons and the weakness and corruptibility of the police opens the way for criminal activity.
- *Few opportunities for legitimate economic activity:* The immediate post-war environment may contain few opportunities for involvement in the formal economy ensuring that there are few alternatives but to engage in crime. “Young men with guns were the principal source of most of the violence in Somalia: they had no jobs and could find cheap weapons in local markets... The best way to make up for the absence of a job was a weapon, a traditional symbol of manhood in nomadic culture and a now a source of income as well”.<sup>17</sup>
- *Former combatants with military training:* The presence of large numbers of ex-combatants who have easy access to weapons and few other skills than the conducting of warfare provides a ready source of recruits for criminal activity. In a recent survey in Mozambique, for example, a substantial proportion of drug trafficking networks were run by ex-combatants.<sup>18</sup> Some combatants may already have been involved in criminal activities during the conflict as a means of survival, or to supplement their incomes, and so turning to crime is a relatively easy step.
- *Control by local strongmen of distinct geographic areas:* The immediate post-conflict environment may see certain areas occupied and controlled by local groups or strong men. Such areas have the potential to become springboards for crime, almost impenetrable to external actors. When the state is very weak or non-existent such areas are effectively local fiefdoms that may require the conducting of criminal acts to finance military activities. The clearest example of this is Somalia where local warlords assume control over specific communities and geographic entities in the

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<sup>16</sup> Mark Shaw, *Crime and policing in Nongoma, KwaZulu-Natal*, Monitoring Report, Secretariat for Safety and Security, November 1999.

<sup>17</sup> Natsios, *op. cit.* p. 85.

<sup>18</sup> United Nations Office for Drug Control and Crime Prevention (ODCCP), *The Drug Nexus in Africa*, Vienna, 1999, p. 101.

absence of state control. Ironically, the weakness of the state and the lack of resources may make such a context unattractive to organised crime who make similar cost-benefit calculations as legitimate business. However, local warlords who are predominant in a number of other places, particularly if the control access to valuable resources, maybe a more attractive proposition.<sup>19</sup>

- *Wars and state actions generate a disrespect for the rule of law:* Ongoing conflicts on the African continent and state involvement in criminal activities has meant that few citizens believe that the law is worth respecting. In fact, engaging in criminal activities may be seen as a right, an attempt to 'redistribute' wealth from the rich to the poor. For example, Nigerian drug dealers interviewed for a recent study "view the black market [and criminal activities] as the only way to redistribute wealth from the north to the south, arguing that mainstream commercial channels are effectively occupied".<sup>20</sup>

The presence of such issues in post-conflict societies highlights the dangers to governance and stability that is and will be faced by governments emerging from a violent past. In turn, however, new threats are emerging which threaten to link with factors outline above, creating conditions that African law enforcement agencies, weakly developed and often orientated towards the provision of security to only a limited number of citizens, are ill placed to confront.

### **New threats, old problems**

Such conditions and the developments which result from them are serious enough for the state in which they are immediately present, but the growth of criminal activities may impact much more widely. It is possible that states effected in this way could become substantial exporters of criminal activity. While the case of Nigeria does not fit neatly into the category of post-conflict societies under discussion in this paper, the past decade has seen the country become a major exporter of crime.

Nigeria also demonstrates another characteristic of the development of organised crime -- the importance of ethnic linkages. Drug trafficking by Nigerian criminal groups is largely perpetrated by Ibos. This is the result of a complex intermix of factors, but central to these is the group's increased alienation since the Biafran War and the limited number of economic opportunities available from the mid-1980s -- Nigeria dropped 46 places in the World Bank poverty rating between 1982 and 1992.<sup>21</sup>

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<sup>19</sup> For a detailed overview of the phenomenon, touching on many of the issues covered in this paper, see Paul B Rich, 'Warlords, State Fragmentation and the Dilemma of Humanitarian Intervention', *Small Wars and Insurgencies*, Vol 10, No 1, Spring 1999; and, Alice Hills, 'Warlords, Militia and Conflict in Contemporary Africa: A Re-examination of Terms', *Small Wars and Insurgencies*, Vol 8, No 1, Spring 1997.

<sup>20</sup> Ted Leggett, 'The Sleazy Hotel Syndrome: Housing Vice in Durban and Johannesburg', *Crime and Conflict*, No 18, Summer 1999, p. 16.

<sup>21</sup> *Ibid.*, pp. 51-16.

The importance of ethnic networks to organised crime, which is true not only of Nigeria but of most criminal groups in the former Soviet Union, Sicily or elsewhere, suggests that the propensity among Africans, who often have strong allegiances to local and home networks, to use this as a organising principle for criminal activity is strong. South Africa, ironically because apartheid tried to exploit ethnic differences, and the liberation movement subsequently strongly de-emphasised these, may have less of a problem in this regard.<sup>22</sup>

One overall indicator of criminal activity on the continent is the growth of the drug trade in the recent past. The importance of the continent as a transit point between Asian and Latin American suppliers and markets in Europe and North America is growing. The comparative advantage of African syndicates is because they are “segmentized, decentralized and flexible communities”<sup>23</sup> -- in effect, they are more likely to resemble loose networks than the hierarchical criminal structures present elsewhere in the world. Apart from these trafficking activities, there is a growing drug market in all the major cities of the continent for heroin and crack. While drug violence (excluding South Africa, where there is an entrenched problem of urban gang warfare in the Western Cape) has not been a dominating feature, easy saturation of the relatively small hard drug market on the continent suggests this may soon be a feature.<sup>24</sup>

In most regions of the world there are generally two precursors for violent criminal activity -- the ease with which guns are available and the smuggling of narcotics. In Africa the presence of a large number of weapons and the growth of the drug trade suggests that a nexus between these factors may stimulate higher levels of urban violence outside of South Africa cities where it now most clearly manifests itself.

The nature of current conflicts in Africa have given rise to conditions which, notwithstanding their resolution, suggest that in the longer term African societies will be highly vulnerable to criminal activity -- encouraged both by local conditions but also by external linkages. The challenge on the continent in the next decade will be a difficult one -- more complex than resolving peace between two relatively easily identifiable factions. The search for peace in many of the current conflicts risk ignoring these factors. Rebuilding and development of much of the continent will be difficult if not impossible if such activities do nothing but create greater opportunities for criminal groups.

The vulnerability of societies emerging from conflict to high levels of criminality has important implications for state authority in sub-Saharan Africa. Most clearly, the vulnerability to crime will not only impact upon those societies that have suffered directly from conflict, but will have important fall outs for others on the continent. This is particularly so given the porous nature of national borders and the subsequent ease of movement between states.

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<sup>22</sup> See Mark Shaw, 'State Responses to Organised Crime in South Africa', *Transnational Organized Crime*, Vol 3, No 2, Summer 1997.

<sup>23</sup> Bayart, *et. al.*, p. 11.

<sup>24</sup> See ODCCP, *op. cit.*

Societies engaged in or emerging from war in the current African context seldom have legitimate police agencies willing and able to enforce the law. African law enforcement is generally highly militarised with the function often shared with the army. Policing remains inherently colonial -- the provision of 'firefighting' responses to problem areas rather than the maintenance of close and ongoing relations with citizens. As a UN report on African drug control notes: "[African] law enforcement institutions must often resort to costly and inefficient 'search and seize' interventions such as roadblock inspections, neighbourhood raids and border checks -- their role as a non-present deterrent is often marginalised because of poor credibility."<sup>25</sup>

While legal instruments (implemented in many cases after international pressure) are in place to fight criminal activity, including organised crime, this is often not matched by effective capacity within police agencies themselves. The growing sophistication of organised crime on the continent has in general not been paralleled by an increase in the sophistication and skill of the police. Indeed, targeting such threats may not be the key aim of the police at all: "The management of security in at least a substantial number of African states is in practice essentially 'private', in that such security as exists is primarily designed to protect the lives, power and access to wealth of specific groups and individuals who control the state."<sup>26</sup>

For political elites in some African countries therefore effective and impartial law enforcement may be more of a threat to the established order than something to be welcomed. Few serving members of African governments have been indicted for unlawful activity. For ordinary citizens, however, police officers are one of the most visible extensions of the state. Inefficient and corrupt law enforcement undermines the view of ordinary people of the instruments of the state as a whole. The credibility and legitimacy of policing agencies is thus a key factor in ensuring their effectiveness. This remains one of the key challenges facing the police in most of the countries of sub-Saharan Africa. "Ultimately", one leading analyst has concluded, "the security of fragmented African societies can only come from within, through the creation by domestic actors of some framework of order that enables them to survive, and with any luck develop, in some reasonably peaceful way".<sup>27</sup>

## Conclusion

Ongoing conflict on the African continent has spawned conditions conducive to the growth of criminality. This may have important long term implications not only for countries attempting to resolve internal conflicts, but also for those around them, some struggling with the maintenance of often fragile democracy. The prospect of a growth in crime, in particular organised crime, in Africa must be seen as a threat to the medium to

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<sup>25</sup> *Ibid.*, p. 96.

<sup>26</sup> Christopher Clapham, 'African Security Systems: Privatisation and the Scope for Mercenary Activity', in Greg Mills and John Stremlau, *The Privatisation of Security in Africa*, Johannesburg, The South African Institute of International Affairs, 1999, p. 24.

<sup>27</sup> *Ibid.*, p. 45.

long term stability of the continent. Failure to confront the problem of crime being spawned through Africa's conflicts will mean that, in the longer term, the price of peace will exceed the cost of war.

Factors such as the availability of weapons, the existence of networks to smuggle contraband, the presence of ex-combatants with little hope of incorporation into the formal economy and the growing trade in narcotics in many African cities are clear indicators of the extent that the threat could assume. It would be unfortunate should peace be achieved in a number of current conflicts and then post-conflict states be undermined by the inability to halt lawlessness.

In most cases, states emerging from conflict will be ill prepared to confront these problems. Effective and legitimate law enforcement is the first steps towards strengthening the institutions of the state and preserving democratic freedoms. What will be essential in the longer term is to map out a crime control strategy for the continent as a whole. This is not a problem that can be solved by the interventions of the law enforcement agencies of a single state.

The temptation is to pay these problems lip service. In effect, to argue that an end should first be negotiated to ongoing conflicts. This ignores the fact that more effective systems of regional law enforcement may be an important part in weakening criminal and smuggling links to the those engaged in conflict. And, while the extent of the problem is currently unclear, although indications are that it is reaching serious proportions, early interventions may have an important longer term preventative effect. Equally, building effective systems of regional law enforcement and co-operation will not be achieved overnight. This should begin in states not affected by conflict and state breakdown to limit the damage from those that are.