



# Rethinking organized crime in Africa

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## Abstract

Much of the existing research on organized crime in Africa has emphasised its development and proliferation from state and security perspectives. Such research often relies upon inflated facts for captivating public attention, is fuelled by sensationalist media reports and draws from conceptualisations that give an incomplete picture of the significance of illicit activities, both for the state and their role in enabling and sustaining people’s livelihoods. In contrast, this special issue proposes that more empirical research and analysis is needed to reveal the disjunctures between state and on-the-ground perceptions. Greater attention to a bottom-up vision of illicit activities can demonstrate how defining and understanding these practices through such binary terms as legal/illegal does not necessarily indicate how those engaged in them perceive them. Through bringing together a range of contributions from different disciplinary, theoretical and empirical perspectives, this special issue explores the space between official, policy-driven narratives of crime and the realities of the everyday nature of these practices, in a bid to rethink and challenge the ‘organized crime’ lens through which these activities are increasingly framed.

**Keywords** Organized crime · Transnational organized crime · Africa · Research · Ethics · Methods

Over the last fifteen years, Africa’s role in the illicit trade of goods and people has become a central concern for international policymakers (Cockayne and Williams 2009; Brachet 2016; Sandor 2016). Indeed, dominant understandings of these activities in Africa have traditionally relied upon depictions from outside, especially Western-derived concepts, such as ‘organized crime’ or ‘human trafficking’, which have shaped and influenced new restrictive legislations, including on migration and the trade in medicines (Brachet 2018; Klantschnig and Dele-Adedeji 2021).

Much of the existing research on organized crime in Africa as elsewhere has emphasised its development and proliferation from state and security perspectives (e.g. Mazzitelli 2007, Shaw 2015). Such top-down views often rely upon inflated

facts for captivating public attention, are fuelled by sensationalist media reports and draw from the paradigms of ‘failed’, ‘weak’ or ‘narco’ states that appear to explain the rise of organized crime (Green and Chabal 2016; van Schendel and Abraham 2005). In fact, these conceptualisations give an incomplete picture of the significance of illicit activities, both for the state and their role in enabling and sustaining people’s livelihoods.

This special issue proposes that more empirical research and analysis is needed to reveal the disjunctures between state and on-the-ground perceptions. Greater attention to a bottom-up vision of illicit activities can demonstrate how defining and understanding these practices through such binary terms as legal/illegal or licit/illicit does not necessarily indicate how those engaged in them perceive them. Studying the governance of illicit economies through an attentiveness to the local, often ‘hidden’ or underrepresented narratives of those engaged in them, provides valuable insights into the blurred boundaries between legal and illegal practices and how they operate.

Critical analyses of the core concepts applied when studying illegal activities and organized crime are required in order to better understand these activities, and how state powers seek to define and address them. Through bringing together a range of contributions from different disciplinary, theoretical and empirical perspectives, this special issue explores the space between official, policy-driven narratives of crime and the realities of the everyday nature of these practices, in a bid to rethink and challenge the ‘organized crime’ lens through which these activities are increasingly framed.

This special issue and its articles grew out of a series of discussions at a research meeting at the University of York in 2017, which were continued and deepened through a UKRI-funded project on the ‘Hidden narratives of transnational organized crime in West Africa.’ The project culminated in a workshop on ‘Rethinking Organized Crime in Africa’, where many articles in this special issue were presented.

## Does organized crime exist in Africa?

Recent works by critical criminologists, critical migration and border studies, as well as security scholars, have started to problematise the notion of ‘organized crime’ and ‘crime’ more broadly (Van Schendel and Abraham 2005; Hillyard and Tombs 2007; Carrington et al. 2016), however, few have done so in African contexts (Ellis and Shaw 2015; Titeca 2019). In a 2015 article, Stephen Ellis and Mark Shaw posed the provocative question ‘Does organized crime exist in Africa?’, questioning the utility of the concepts such as ‘organized crime’ or ‘mafia’. Despite these questions, there has been a steady outpouring of reports on organized crime and especially transnational organized crime on the continent over the last 15 years. The majority of these reports can be considered as grey literature, i.e. prepared or funded by governments, international organisations, thinktanks or by journalists (UNODC 2010, 2013, 2022; Cockayne and Williams 2009; Bird 2020). Their policy-driven and at times sensationalist approach to the topic has largely been uncritical of state-defined concepts

such as ‘crime’ and ‘organized crime’, as well as the law enforcement data they use. Only a small share of these studies can be classed as academic.

How has organized crime in Africa been studied academically so far? Earliest studies in the 2000s have been quite similar to official crime threat assessments produced by the likes of the UN Office on Drugs and Crime (UNODC 2010, 2013). Most of these studies aim to survey the different types of organized criminal activities, such as drug trafficking and human trafficking, and then not unsurprisingly conclude that African states are unprepared for these new ‘additional challenges’ (Mazzitelli 2007: 1071). These studies, in line with official reports, often argue that the novel transnational nature of organized crime facing African states could only be addressed by strengthening the weak state and improving international cooperation, especially in the field of criminal justice (Gastrow 2003, 2011; Mazzitelli 2007; Shaw 2014).

A major problem with these studies is the data used. Many of them rely on problematic sources, such as government and international organisation reports, law enforcement statistics, online databases and the news media. They rarely use fieldwork-based data, such as ethnographic or interview materials, and hence provide assessments based on questionable data and debatable analysis. The effect of Libya’s collapse on weapons smuggling in the Sahel is a good example. Numerous analysts have described a ‘proliferation of arms’ and related arms trafficking but rarely provided specific figures or detailed information (Strazzari 2014). The illegal trade and trafficking of weapons in the region has been overstudied, yet never been properly documented. The article by Luca Raineri and Francesco Strazzari in this special issue also addresses this data problem in the field of drug trafficking research, highlighting how little we really know.

Beyond such assessments based on poor or no data, some studies based on fieldwork have started to explore the actual nature and organisation of organized crime and its links to the state. Concerns about the ‘transnational, ‘organized’ or ‘disorganized’ nature of criminal activities are very much part of the staple of organized crime scholarship globally. So, it is not surprising that various studies on Africa have also sought to classify crime organisationally, for instance along a continuum from local mafia groups to criminal networks to powerful criminal enterprises (Shaw and Reitano 2019). Others have also highlighted the local organisation of transnational organized crime (Titeca 2019). These studies have helped to differentiate and clarify the roles that organized criminal activities play in different African contexts. Yet they have often remained committed to an alarmist and ahistorical concern with organized and especially transnational organized crime, as a new and destabilising force to African states and societies.

There have also been a few important alternative views, especially based on ethnographic fieldwork (Vigh 2017; Titeca 2019). For instance, Henrik Vigh’s work with young men involved in the cocaine trade in Guinea-Bissau shows how these illicit and morally contentious activities were not only perceived as threats to the state and society but that they also generated livelihoods for some and provided opportunities to ‘care through crime’ (Vigh 2017). Using a similar approach, Judith Scheele describes the historical and socioeconomic context of Saharan trade and smuggling, situating transnational and sometimes illicit activities in the context of

established local dynamics and family networks (Scheele 2012). We will consider these alternative methodological views again below, but it is worth noting here that a few other in-depth and historically grounded studies on criminalised activities, such as cross-border smuggling and wildlife trafficking in West and Southern Africa, have come to similarly nuanced conclusions as Vigh and Scheele without using the contentious concept of ‘organized crime’ (Hübschle 2017; Brachet 2018; Gallien and Weigand 2022).

Returning to Ellis and Shaw’s (2015) question about the existence of organized crime in Africa, they argue that the use of this Western-centric and contested concept in Africa seems futile – an assertion that most contributions in this special issue would surely agree with and a point that Corentin Cohen’s article makes very clearly in relation to the use of the term ‘mafia’ in the Nigerian context. In line with scholars of organized crime elsewhere, Ellis and Shaw argue that organized criminal activities always need to be understood in their local historical environment instead (Levi 2012; Paoli and Beken 2014). They argue that in many African contexts this is a particular style of collusion between criminal enterprises and the state, the former seeking protection for their illicit activities (Ellis and Shaw 2015). While their argument on state-crime collusion has been debated elsewhere (Mustapha 2002; Carrier and Klantschnig 2012, 107–110), it is the limitations of the Western-centric ‘organized crime’ concept in the African context that the contributions to this special issue also highlight.

In sum, academic and fieldwork-based studies on organized crime in Africa are rare and critical discussions of the topic are even rarer, as policy and grey literatures still dominate the field. These literatures show little criticality of concepts used and little consideration for the views of the ones involved in activities labelled as ‘organized crime’ or ‘transnational organized crime’. This special issue’s aim is to directly address these critical conceptual and empirical gaps.

## The rise of TOC

While the Western-centric concept of ‘organized crime’ appears to have little analytical value in the African context, its salience in policy discussions and practice is nonetheless significant. Organized crime has become a staple of crime policy discourse on Africa of late and especially its transnational version, TOC, has gained significant traction in policy and academic debates. TOC has made its way into major UN publications on the topic (UNODC 2010, 2013, 2022) and it has also been discussed in its most important organs, such as the UN Security Council, which is regularly briefed on the impact of organized crime in Africa, especially drugs and human trafficking. For instance, the Executive Director of the UNODC recently alerted the Security Council that ‘organized crime, facilitated by corruption, is perpetuating instability, violence and poverty’ in West Africa.<sup>1</sup>

<sup>1</sup> <https://press.un.org/en/2022/sc14761.doc.htm>.

The term ‘transnational organized crime’ has gained significant traction across policy fields. It is no longer the preserve of actors and institutions focused solely on crime policy such as the UNODC, but has been taken up across a range of thematic areas. In the context of drug trafficking, the Organization of American States (OAS) has a Department against Transnational Organized Crime since 2016, and the Biden administration ordered the creation of the United States Council on Transnational Organized Crime in 2021. The discourse of transnational organized crime also appears in a range of publications by institutions such as the International Organization for Migration (IOM), which collaborates with UNODC and runs some of its own programming directly (IOM 2022). The discourse of TOC is widespread and adopted by organisations with diverse agendas, mandates, and stakeholders.

The spread of the idea of TOC and related terms such as ‘mafia’ has real policy effects, especially in the cases examined in this special issue. The great majority of African states have ratified the 2000 Palermo Convention, which defines TOC as a global problem, even if the definition of the concept itself remains unclear in the treaty. Beyond the Convention, the African Union has included TOC in its Peace and Security Architecture and its Peace and Security Council has issued several statements about the threat of TOC and its potential links to terrorism, as Catherine Kelly describes in her article in this special issue. There have also been major related legislative changes in several states on the continent, such as Niger’s 2015-036 law criminalising the transport of migrants, whose origins and impact are discussed in Philippe M. Frowd, Elodie Aparad and Ini Dele-Adedeji’s article.

Aside from the TOC Convention, where do ideas on organized crime emerge from, and how do they spread in the African context? Organized crime has been shown to have its roots as a policy concept in the US and has been exported to other states at least since the 1980s under the US administration of Ronald Reagan (Woodiwiss 2004; Paoli and Beken 2014). American law enforcement organisations, such as the Drug Enforcement Administration, then helped to spread it through its international cooperation work, including in West Africa, since the mid-1980s (Andreas and Nadelmann 2008; Klantschnig 2016). The 2000 TOC Convention, with its emphasis on the transnational nature of organized crime has given this process further momentum.

How does the idea gain traction? One such way is in the priorities of international donors, as reflected in projects such as the European Union-funded ENACT initiative, which aims to produce knowledge and capacity for the implementation of the TOC Convention, as well as the emergence of consulting groups, most notably the Global Initiative Against Transnational Organized Crime (GITOC). Donor funds that promote the TOC agenda have also included programmes that do not naturally have a criminal justice dimension, such as the EU-funded project on ‘Drugs and related Organized Crime in Nigeria’ or the EU-funded regional capacity building project on medicine quality and role of TOC in the supply chain in East and Central Africa.

In fact, the ‘conveyor belt’ through which these global ideas on TOC and its terminology spread are diverse. Legal changes through the TOC Convention and their local ratifications have been backed up by North American and EU law enforcement cooperation with African agencies, as well as by UN technical assistance on

the more legal level. These efforts at capacity building have received financial support, which has turned recipient states into strategic actors in the framing of TOC threats and in managing solutions. Regional organisations such as the G5 Sahel, ostensibly a counter-terrorism institution, have also taken up the language of TOC in defining the threats they counter. This is very clearly an appeal to the prevailing discourse around crime and associated threats. Several articles in this special issue address these dynamics, such as Frowd, Aparad and Dele-Adedeji's contribution, which also highlights the local appropriations of the terminology and shows how the fight against TOC ended the Niger government's tolerance towards migration-related activities on its territory. While trans-Saharan mobility constituted a great source of income for a large part of the country, the authorities decided to establish a new legal framework that criminalises the transport of migrants, thus prioritising the international 'securitisation' agenda over the local economy. So, the 'conveyor belt' is not simply controlled from the outside but also by local political actors.

Why does the rise of TOC in policy circles matter? Without overcompensating and underestimating the novelty of certain forms of criminal activities, taking a TOC view means that specific approaches to social and policy problems are prioritised. Chief among them is the securitisation inherent in the notion of TOC, particularly its supposed challenge to state and society, that necessitates a criminal justice or even military response. These repressive responses often come at the expense of public health approaches, for instance in the drug policy field. Furthermore, locally harmful organized criminal activities are ignored, which might not be of concern to donors in the US and EU, such as corruption, corporate crime or so-called illicit financial flows from Africa to western banking institutions. This is highlighted in Etannibi Alemika's work on the impact of organized crime on local governance, as well as in the interview with him in this special issue (Alemika 2013: 30–31). Some non-criminalised harms perpetrated by corporations or by states, for instance in the name of fighting organized crime, are by definition excluded as well. In fact, it is the state's response to TOC, be it anti-drug trafficking or anti-human smuggling operations, that are often locally perceived as more harmful and violent than the criminalised activities themselves.

### **Studying the illicit: Ethics, embeddedness, and research methods**

Research on the politics and practices around TOC in Africa must address the deeply socially embedded nature of the phenomena under study, whether these are smuggling, trafficking, social organisations, or law enforcement. The preceding phenomena raise questions about research (and personal) ethics as well as methods. The first ethical question is around the use of the concept of TOC itself, which we have discussed extensively above. The spatial and organisational assumptions built into this term come with certain benefits, to be sure: we gain a shorthand to capture what are complex and interlinked forms of illicit practices. Yet the risks are considerable. One of these is the risk of distraction that the emphasis on *transnational* places. Such a framing risks obscuring what are often highly localised forms of illicit practice. Many actors featured in the articles published as part of this issue highlight just this, that crime is very often highly localised and contextual. This relates to the risks

of the question of *organized* which can technically refer to small group activities within the banner of ‘organized crime’ but which is mostly used to refer to a range of social structures around illicit practices. There are also benefits to distinguishing ‘organized crime’ from other forms of illicit behaviour, especially where dense and hierarchical institutions with deep social ties and norms are involved (e.g. ‘mafia-style’ crime). The other side of the coin is that the level of organisation may be in the eye of the investigator — in every sense of the term — and an analytical imposition rather than a description of reality. Many of the cases studied in the special issue, be they confraternities or migrant smuggling operations, are more informal than may appear. Finally, the problematic emphasis on *crime* may not only overestimate the rigidity of the legal/illegal and licit/illicit boundary and perceptions (Van Schendel and Abraham 2005), but also perpetuates a state-centric concept that has no ontological reality (Hillyard and Tombs 2007). Examining laws, social harms, social (dis)approval, and actors’ own self-perceptions may yield completely different assessments as to the degree of social acceptability or ‘criminality’ in play.

How do we mitigate the potential risks of adopting the discourse of TOC? First, TOC and related notions such as ‘mafias’, as well as the political and policy agendas linked up with them need to be questioned in research, as the contributions to this special issue do. Second, research methods and data sources are crucial here as well. Researchers may wish to prioritise methods that focus on studying the social and doing so from the ‘bottom-up’. This means a greater engagement with human research participants, more time spent negotiating ethical protocols, and more complexity around what counts as ‘data’ yields many analytical benefits. It may reduce reliance on government data which may be incomplete or politicised, such as drug seizures which can be massaged in one way or another to serve a particular political purpose (Thoumi 2005). We also gain insights on the sociality of illicit activities such as smuggling (Sanchez and Antonopoulos 2023), and the ways what can be described as ‘criminal’ from a bird’s eye view is much murkier when seen at ground level. Similarly, accounting for epistemic uncertainty — such as the circulation of rumours, or conflicting accounts of crime — is essential, as Cohen’s contribution in this issue does. The study of rumours can be critical because they also play important roles in attempts to de/legitimise political actors (Klantschnig and Carrier 2018). This is not only a call for a messier form of social science, but also an argument for inductive approaches which may challenge some of the shorthand (like ‘TOC’, ‘mafia’ or ‘trafficking’) that shapes policy and practice.

What other forms of analysis and study are possible around TOC? What might they yield? There are considerable obstacles to accessing data about TOC, as official statistics may be unreliable or unrecorded, or subject to political machinations. This is at the heart of the argument by Luca Raineri and Francesco Strazzari about drugs in this special issue. This is foreshadowed by Ellis and MacGaffey (1996) who highlight the risks of relying on official statistics and argue that there is merit in what they call ‘anthropological’ methods. In general, they argue for a greater degree of triangulation but also the positioning of micro- and macro- level analyses in their political-economic context. This is in line with the argument against ‘top down’ approaches to studying drugs put forward by Cohen and Klantschnig (2022) in their introduction to a special issue of *Politique africaine* on ‘moral landscapes’ of drugs in Africa. They



propose to look at drugs and prohibition ‘from below’, by using moral discourses as a way to go beyond state-centric perspectives and to emphasise the views of individuals and local populations. Bencherif (2021) in the same special issue does exactly this by exploring local narratives on the social acceptability of wealth gained from drug trafficking in Niger and Mali. Gallien (2021) suggests that, faced with the illegality of activities under study, (non-)enforcement of the law becomes a significant factor that researchers must contend with. Gallien argues that the blurry reality of illegality — often shaped by social acceptability — can shape the way one frames interview questions as well as how one interprets the politics around enforcement.

Accounting for the embeddedness of phenomena labelled as TOC, and adopting ‘bottom-up’ research methods can also cut against prevailing ideas of ‘Africa’ and African states and societies as particularly vulnerable to threats such as organized crime, as many recent policy reports and statements have done (e.g. Shaw and Reitano 2019). This helps to highlight problematic narratives of Africa as a passive continent especially susceptible to these ‘new’ and often external threats. Instead, it is important to stress the great diversity of regional, national and local contexts of debates and practices of illicit activities, something that has been acknowledged in some organized crime research (Ellis and Shaw 2015; Titeca 2019) but rarely been done in practice. The article by Precious Diagboya in this issue is a good example of exploring these different local and international views of human trafficking. In general, the range of contributors in this special issue is also tailored, as much as possible, towards reflecting this ethos: we were able to include a diversity of authors in terms of geographical location, gender, methodological focus, and career stage.

## Structure of the special issue

The contributions to this special issue include six original research articles as well as an interview and an afterword. Corentin Cohen’s piece on Nigerian confraternities focuses on media and state framings of organized crime, in the absence of clear and reliable data on these groups, and how it came to produce a simplistic ‘Nigerian mafia’ theory. Luca Raineri and Francesco Strazzari also focus on knowledge production around the contested category of organized crime, and they develop a critique of the quantitative approach to data on drugs in Africa. They argue that data is typically poor but most importantly the political framing of drug trafficking (by anti-trafficking agencies in Nigeria, Senegal, and Mali) shapes the ways measurement operates.

The article by Philippe M. Frowd, Elodie Apard, and Ini Dele-Adedeji examines the social context around migrant smuggling in Niger, with a particular emphasis on the gap between illegality and social acceptability of smuggling in and around Agadez. They reprise many of the questions of knowledge generation in terms of the production of illegality, but also highlight the social embeddedness and personal narratives of smugglers. Costa, Baez-Camargo, Kassa, and Lugolobi examine how the illegal wildlife trade (IWT) in Uganda is structured by informal networks and pay particular attention to social understandings of crime. They emphasize the flexibility of informal networks and the opportunistic (rather than fully organized) nature of the IWT.



Catherine Kelly's article interrogates the idea that interventions against TOC may be excessively guided by military and law enforcement approaches. Like many of the pieces preceding it, the article highlights questions of political economy and how state responses can tip the scales in potentially damaging and harmful ways. Kelly argues for more rule of law-based and multi-sectoral, as opposed to militarised, approaches to TOC. Precious Diagboya's article addresses similar policy-related and normative questions, in this case, on the politics and ethics of studying human trafficking in Edo state, Nigeria. Diagboya's article responds directly to some of the definitional questions around TOC that animate the special issue, notably the mismatch between researchers' and participants' understandings of terminology such as 'human trafficking'. The article disentangles the question of crime and its degree of organisation on one side, and the perceptions of criminality on the other. It pays close attention to the ethical aspects of research funding and research positionality, drawing directly on rich fieldwork observations.

The research articles are followed by two more reflexive pieces. The first is an interview by the special issue editors with Professor Etannibi Alemika, a long-standing expert on organized crime based at the University of Jos, Nigeria. In this very open-ended conversation, Alemika gives some historical perspective on the emergence of 'organized crime' as an ongoing concern, and describes some of the earliest transnational linkages around drug and other smuggling markets in Africa. Alemika also discusses the political economy of organized crime, gaps in data, and competing definitions of TOC. The special issue concludes with an afterword by Jörg Wiegratz and Eva Magdalena Stambøl, who further reflect on the political economy of anti-TOC policies. They also emphasise the criminogenic nature of capitalism as a crucial dimension that has been ignored in existing research on organized crime in Africa. Wiegratz and Stambøl conclude the special issue with a set of important under-explored questions for future research, especially on corporate crime and harm and their links to TOC in Africa and globally.

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## Declarations

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