The West African Drug Trade in Context of the Region's Illicit Economies and Poor Governance

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Thank you. I am delighted to address today's gathering on the nature of the drug trade in West Africa and the region's context of violent conflict, illicit economies, and poor governance in which the current drug trade has emerged.

The Context of Illegal Economies and Political Institutions in West Africa

Today, we are focusing on the emergence of drug trafficking – especially cocaine from South America en route to Europe – through West Africa. The level of traffic has increased dramatically over the past decade, especially the past five years, so much so that various policymakers and academics are talking about a drug epidemic in West Africa.[1] Driven by the newly intensified demand for cocaine in Western Europe, the shrinking demand for cocaine in the United States, and the pressure on cocaine smuggling from interdiction operations in the Caribbean, the level of trafficking through West Africa has increased to a quarter of Europe's annual consumption, with seizures increasing from 1.2 tons in 2005 to 4.3 tons in the first seven months of 2007.[2] By some measures, 50% of non-U.S.-bound cocaine goes through West Africa which comes to about 13% of global flows.[3] With some countries, such as Guinea-Bissau, appearing to be overrun by drugs and significant political instability, coups, and assassinations linked to organized crime and the drug trade in the country, analysts worry about the threat the drug trade poses to the rule of law, political stability, and the quality of governance in the region.

However, many of these institutional conditions already exist in West Africa and predate the emergence of the current intense drug trafficking through the region. Neither illicit economies nor the drug trade are new to West Africa. Indeed, almost immediately after its independence (and often predating it), the region has been characterized by a variety of illicit economies and their deep integration into the political arrangements and frameworks of the countries in the region. Much of the political contestation in the region has focused on getting access to the state in order to control rents from various legal, semi-illegal, or outright illegal economies -- such as diamonds (Sierra Leone, Liberia), gold and other precious metals, stones, and timber (Liberia, and Sierra Leone), oil (Nigeria), and fishing (often conducted illegally and

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[1] See, for example, James Cockayne and Phil Williams, *The Invisible Tide: Towards an International Strategy to Deal with Drug Trafficking Through West Africa* (New York: The International Peace Institute, October 2009); and Joseph Kirschke, "The Coke Coast: Cocaine and Failed States in Africa," *World Politics Review*, September 9, 2008.

[2] United Office on Drugs and Crime (UNODC), *Cocaine Trafficking in West Africa*: *the Threat to Stability and Development* (Vienna: UNODC, 2007).

[3] Author's interview with USG counternarcotics official, August 2010.

destructively by international fleets from outside West Africa). Illicit diamond mining – often linked to politicians and tribal chiefs in Liberia – vexed the departing British colonial officers as early as the 1950s.[4] Contestation over rents from these economies fueled much of the fighting in Sierra Leone in the 1990s and early 2000s, for example-- giving rise to the concept of "greed" wars, supposedly not motivated by political grievances, but mainly by economic interests. In this conceptualization of violent conflict, the distinction between insurgents and criminal actors became highly blurred.[5]

Nor is the drug traffic new to the region. Nigerian organized crime groups have been important players in the drug smuggling business since the 1970s, emerging as key suppliers of "mules" (human traffickers) for the illegal trade from South Asia to the United States and sometimes being credited with inventing the "swallow" method of drug smuggling in which couriers swallow drugs in condoms and transport them across borders in their bodies.[6]

Although the current drug trade is intensifying numerous undesirable effects – such as, corruption, predatory behavior of political elites, political instability, weakening of law enforcement and rule of law -- and potentially can even fuel military conflict and terrorist activity, it would be erroneous to assume that such conditions and linkages between violence and illicit economies are new to the region. Rather, governance in West Africa has for decades been characterized by predatory and rapacious behavior on the part of the governing elites and minimal institutional development, from law enforcement and justice to social services. Governance has often been based on very narrow, parochial – tribal, clan, even only family – interests to which collective interests are subordinated.[7] The prevalence of inadequate representation – for example, tribal structures which fail to access the post-colonial, official government structures – often means that the collective interests are frequently not even formulated and articulated.

Political contestation has centered on taking over the state to capture rents. The state would then define (or redefine) what constitutes illegal economic behavior and selectively issue exemptions from law enforcement and prosecution to families, friends, and its network of clients. Such political arrangements have been so pervasive that some scholars have talked of the state in West Africa as a "mafia-like bazaar, where anyone with an official designation can pillage at will…"[8]

Fearing internal coups and yet facing little external aggression even in the context of very porous borders, many ruling elites in West Africa after independence systematically allowed their militaries and law enforcement institutions to deteriorate.[9] To the extent that police forces – both street cops and anti-organized crime units – have been fostered at all, they have mainly

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[4] See, for example, William Reno, "Understanding Criminality in West African Conflicts," *International Peacekeeping*, 16(1), February 2009: 52.

[5] See, for example, Collier Paul and Anke Hoeffler, "Greed and Grievance in Civil Wars," October 21, 2001, http://econ.worldbank.org/files/12205_greedgrievance_23oct.pdf; Michael Ross, "What Do We Know about Natural Resources and Civil War?" *Journal of Peace Research*, 31 (3), 2004: 337-356; and Jeremy Weinstein, *Inside Rebellion The Politics of Insurgent Violence* (New York: Cambridge University Press, 2007).

[6] See, for example, Stephen Ellis, "West Africa's International Drug Trade," *African Affairs*, 108(431), 2009: 171-196. Elsewhere in Africa, the drug trade has long routes as well, be it cannabis cultivation in Morocco, qat cultivation in East Africa, or the production of methamphetamines and other synthetic drugs, such as mandrax, in South Africa.

[7] William Reno, "Clandestine Economies, Violence, and States in Africa," *Journal of International Affairs*, 53(2), Spring 2000: 433-459.

[8] George B.N. Ayittey, *Africa in Chaos* (New York: St. Martin's Griffin, 1999): 151.

[9] Joel Migdal, *Strong Societies, Weak States* (Princeton: Princeton University Press, 1988): 13-41.

served as political tools to be used against political opposition and personal protection forces of ruling elites. Both law enforcement and the justice systems have been especially underdeveloped, underinstitutionalized, and corrupt -- the former often highly rapacious, with police chiefs in many West African countries being appointed directly by the president and dependent on his support and patronage for resources, promotion, and the job itself.[10] Overall, police forces are vastly undertrained and underresourced for tackling either street crime or organized crime. Even during the 2000s -- in post-conflict settings in some of West Africa's countries -- the institutional well-being of military and police forces continues to be of extremely low priority for current governments that often remain preoccupied with the threat of coups and thus choose to organize police and military forces predominantly as badly-resourced personal protection units for political leaders.

When the international community and government agencies of the United States, such as Africom, seek to build up counternarcotics and counterterrorism forces in West African countries, they thus often face the following twin problem: On the one hand, the lack of vetting oversight and monitoring capacity inherent in the international actor's limited presence on the ground in West Africa and limited intelligence capacity may not prevent the newly built-up anti-organized crime units from themselves morphing into better trained, better equipped, and far more competent drug traffickers or becoming perpetrators of internal coups. On the other hand, the newly trained units, especially if they develop some institutional capacity and independence from their patrons at the top of the national governments, may be seen by ruling elites as potential threats, and ruling elites may actively seek to undermine them.

That said, some progress in improving law enforcement institutions, including counternarcotics and anti-organized crime, has been registered in West Africa, often under surprising circumstances. For example, much of the strengthening of Nigeria's anti-organized crime units took place under the military dictatorship of Sani Abacha, and Abacha and his appointed top law enforcement officials were committed to fighting drugs. In fact, government officials abroad and analysts often point to Nigeria's police reform as a bright success in West Africa. Yet, the political context and the motivation of the ruling elites, including the temptation to use anti-drug campaigns as a mechanism to weaken political opposition, need to be factored into such analyses and into consideration of the effectiveness, sustainability, and side-effects of such policies.[11]

Anti-corruption bodies have largely been very weak, often serving as yet another mechanism for purging domestic opposition instead of for cleaning up deficient institutions. Anti-corruption drives have often registered little systematic effects and durability, including in Nigeria whose notorious corruption continues to be robustly and pervasively entrenched more than a decade after the end of the Sani Abacha regime.

Instead of bureaucracies and institutions, the state has fostered an extensive system of patronage to coopt political friends and buy off enemies, i.e., unofficial governing structures that William Reno has dubbed the "shadow state".[12] To the extent that sound policies are at all adopted at the top levels of the government – not a frequent phenomenon - the patronage system

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[10] See, for example, Jean-Francois Bayart, Stephen Ellis, and Beatrice Hibou, *The Criminalization of the African State* (Oxford: James Currey, 1999) on the relationship between law enforcement and drug trafficking in West Africa. For a somewhat contrasting view, see Gernot Klantschnig, "The Politics of Law Enforcement in Nigeria: Lessons from the War on Drugs," *Journal of Modern African Studies*, 47(4), 2009: 529-549.

[11] See, for example, Klantschnig; and Obi N.I. Ebbe, "The Political-Criminal Nexus: The Nigerian Case," *Trends in Organized Crime* 4(3), Spring 1999: 29-59.

[12] William Reno, *Corruption and State Politics in Sierra Leone* (Cambridge: Cambridge University Press, 1995).

bewilders and perverts implementation of the policies, with clients at all levels of the government and throughout the political system seeking exceptions from the rules.

At the same time, the state's use of power to protect (and even generate) illegal rents and failure to provide rule of law have had a highly destructive effect on legal economies – discouraging foreign investment outside of shady rentier economies and undermining the emergence of non-rentier legal economies. Some countries in West Africa hardly have any legal economies at all – most of Guinea-Bissau's legal economy, for example, consists of cashew nut exports. The revenues are thus highly limited and the vulnerability of the country's economy to external shocks and international market-price fluctuations is great.

Overall, many countries in West Africa have been characterized by poor governance, intense corruption, poor leadership, burning ethnic and tribal conflicts, and great poverty and social marginalization with very large unemployment and few opportunities for social advancement. It is thus hardly surprising that in this context illegal economies and criminal behavior are often seen as legitimate undertakings to provide for one's livelihood. According to some reports, when drug trafficking planes land on Portuguese-built air strips on islands off Guinea-Bissau coast, villagers unload the planes, police and the military protect the operation, and government officials collect the crates of cocaine.[13] Elsewhere, such as in Nigeria, people often say since the drug trade involves willing sellers and willing buyers at every stage of the chain, it is essentially a legitimate form of commerce.[14] Thus, those who sponsor illegal economies, including the drug trade, and disburse their proceeds to their clients often accumulate substantial political capital and acquire legitimacy with local social groups.[15]

It is important to emphasize that despite some overall common characteristics of West African countries, their political arrangements and institutions; patterns of economic (under)development, and integration of illegal economies into political setups are not uniform. There are great differences in political institutionalization, the quality of governance, economic performance and potential and overall state-building trends. Ghana is not Sierra Leone; Liberia is very different from Nigeria. The countries sometimes also experience divergent trends --- with some of those previously most affected by predatory rentier behavior and wars over economic rents, such as Liberia, showing some important progress in managing their resources and combating illegal economies. Liberia, for example, has achieved notable improvement – at least in terms of policy input – in its regulation of illegal logging.

Such differences also show up in the countries willingness to combat the drug trade. Guinea-Bissau, for example, has emerged as a major drug haven, where both the country's elite and larger society has either deeply participated in the drug trade or been indifferent to its growth. On the other hand, Guinea-Conakry's military junta in 2009 made fighting drugs a high priority, putting on show trials – some may say kangaroo trials – for drug dealers, especially those who also happen to be part of its domestic opposition.[16]

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[13] Vivienne Walt, "Cocaine Country," *Time*, July 9, 2007: 22.
[14] Ellis: 178.
[15] See, Vanda Felbab-Brown, *Shooting Up: Counterinsurgency and the War on Drugs* (Washington, DC: The Brookings Institution, 2009).
[16] For details, see, for example, Michael McGovern, *Testimony at the Hearing of the African Affairs Subcommittee of the Senate Foreign Relations Committee: Confronting Drug Trafficking in West Africa*, June 23, 2009.

A Quick Overview of Previous International Conflict Mitigation and Anti-Crime Efforts in the Region

As already mentioned, illicit economies have greatly fueled conflicts in West Africa. Brutal and vicious civil wars in Sierra Leone and Liberia in the 1990s, for example, became associated with conflict diamonds and conflict timber, often spilling over into neighboring countries. In Nigeria's oil-rich, but impoverished Delta, the insurgency group MEND has profited from siphoning off oil from the pipelines.

Yet it would be a mistake to see the illicit economies as simply funding the rebels. In many of the West Africa conflicts, there has often been a blurred line between the state and the official political system on the one hand and the rebels and the illegal economy on the other. Prominent politicians and even military officers have often been directly linked to the rebel groups, sponsoring, funding, and supervising them and the exploiting new lines of access to the various rentier economies to improve or redefine their political status, power base, and expand a network of clients.[17] Even in places like Nigeria, for example, MEND has had powerful patrons among the country's military officers and politicians who have encouraged its oil bunkering (oil theft).

With some notable exceptions, the international community does not have a great record in helping to mitigate violent conflict in West Africa. Great Britain's military forces finally helped to end the vicious civil war in Sierra Leone, but many conflicts in the region continue to be only suppressed at best, with root causes not having been addressed and grievances, such as ethnic tensions and inequitable access to resources, continuing to simmer.

An important component of the international community's intervention and conflict mitigation strategies in the region has been an effort to address the illegal economies and conflict resources to eliminate the sources of violence. Various schemes to "legalize" illicit rents, such as blood diamonds and conflict timber, including for example the Kimberley certification process for diamonds and various log tracking schemes and monitoring of timber custody chains, have thus been devised. The efficacy of preventing the leakages of such resources into illegal supply and of assuring that they do not feed military conflicts varies substantially from place to place and from one commodity and licensing scheme to another. It is debatable whether such licensing schemes have stopped illicit flows or merely redirected them and the visibility and shape of their illicitness. Some even suggest that the licensing schemes serve mainly to whitewash West's (often the primary consumer) conscience.[18]

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[17] See, for example, David Keen, *Conflict and Collusion in Sierra Leone* (Palgrave Macmillan, 2005); and Jimmy D. Kandeh, "The Criminalization of the RUF Insurgency in Sierra Leone," in *Rethinking the Economics of War: The Intersection of Need, Creed, and Greed,* Cynthia A. Arnson and I. William Zartman, eds., (Washington, DC: Woodrow Wilson Center, 2005): 84-107.

[18] For a range of view on the efficacy of these various diamond and timber licensing schemes in West Africa, see, for example, Tim Hughes, "Conflict Diamonds and the Kimberley Process: Mission Accomplished – Or Mission Impossible?" *South African Journal of International Affairs*, 13 (2), Winter-Spring 2006: 115; Lydia Polgreen, "Diamonds Move from Blood to Sweat and Tears," *New York Times,* March 25, 2007; "Still A Rebel's Best Friend," *Economist*, 381 (8503), November 11, 2006; Alice Blondel, "Logs of War" *Monde Diplomatique,* January 2004, http://www.globalpolicy.org/security/natres/timber/2004/01logsofwar.htm; "Down in the Woods," *Economist*, 378(8470), March 25, 2006.

Putting aside the question of how robustly such licensing schemes have reduced the size of the illegal economies in West Africa, they have had a limited effect in helping to end military conflicts in the region. Often they were only adopted by international bodies and national governments in West Africa once military conflict had ended. It yet remains to be seen how robustly regimes such as the Kimberley Process will help prevent the reemergence of military conflicts in the region. Overall, the political will of external actors to end conflict and eradicate crime in West Africa has been far more limited than the will to preserve their political power and access to illegal economies. Local actors' capacity to subvert the intentions of the international community and circumvent the design of anti-crime regimes has often also proved significantly greater than the international community's efforts. In the absence of fundamental changes in the countries' political arrangements and significant improvements in governance, reforms in the security sector, including police reform, for example, have often been quickly undone after the departure of the interveners.[19]

At the same time, many demobilized fighters and their leaders have regrouped and continue to exploit both the legitimized licensed resource economies and their illegal off-shoots and other criminal rackets. The ability to access these economies during war and in the post-war period has allowed their patrons to accumulate such levels of political capital that many of the "rentier warlords" have managed to be elected to the parliament and appointed to government positions in places such as Liberia and Sierra Leone. In other places, such as Côte d'Ivoire, the former "rentier warlords" have preserved extensive unofficial power.[20] Some of the former warlords have transformed themselves into legitimate politicians and businessmen, in a process not fully dissimilar to the legitimation process of "aristocratic warlords" in Europe several centuries ago or of various economic barons in the United States in the 19th and early 20th century. The West African variety, however, often has far bloodier and brutal records than their historic U.S. counterparts. For rank-'n'-file combatants and criminals, former as well as continuing participation in military rebellions and illicit economies sometimes has enabled them to achieve a previously unknown level of social status (and notoriety) and challenge the social distribution of power and access, often until then exclusively dominated by tribal elders.

It is thus a significant and often inappropriate leap of analysis to make the assumption that "the drug trade epidemic" in West Africa will necessarily challenge political stability and threaten the existing governments and power of ruling elites. To the extent that external drug traffickers make alliances with internal outsiders – former or existing rebels not linked to the official system or young challengers who seek social mobility in an exclusive system -- the traffickers will develop a conflictual relationship with the state, and political instability may well follow. To the extent that the governing elite captures the rents, a symbiosis between external (and internal) drug traffickers and the ruling elites may develop. Drug traffickers will enjoy a sponsored safe-haven; and while democratic processes and institutional development of the county will be threatened, political stability and the existing political dispensation may well be strengthened.

Similarly, the intensification of the drug trade in West Africa results in the emergence of a nexus with international terrorism, which is highly contingent on local conditions and the terrorist group's skills. To some extent, international terrorist groups are already present in West Africa. Some of the cocaine smuggling operations in West Africa have been linked to

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[19] For details, see, for example, Reno, *Understanding Criminality in West Africa.*
[2020] See, for example, William Reno, "Illicit Markets, Violence, Warlords, and Governance: West African Cases," *Crime, Law, and Social Change,* 52, 2009: 313-322.

Colombia's FARC. Al Qaeda in Islamic Maghreb has profited at least on some occasions from North Africa's drug smuggling and West Africa's assorted smuggling enterprises, such as in Mali and West Sahara.[21] Analysts also worry about al Qaeda's possible emergence in Nigeria's violent and sectarian-torn north. Indeed, the presence of intense street crime and even organized crime sometimes pulls terrorist and belligerent groups into a particular locale, both by allowing them to offer themselves as protectors to the population against the deficiencies of the states and the predatory behavior of criminal groups and by tempting belligerent groups to make alliances of convenience with criminal groups for profit, access to illicit logistical chains, or for the sake of joining forces against a common enemy, the state.

But such a crime-terror nexus is far from stable or necessarily inevitable. Indeed, such relations are often characterized as much by violent conflict between the criminal organizations and the terrorist groups as by cooperation. Moreover, how successfully outside terrorist groups navigate new territories depends on their intelligence capacity, their cultural and human terrain awareness, their understanding of the complex relationship between official politicians and governing elites and illegal economic networks no less than such understanding by outside interveners' influences their success in conflict mitigation and crime and terrorism suppression. For example, until the emergence of domestically-grown al Shabab in Somalia, al Qaeda Core very much struggled to use Somalia's territory to its full potential and found the Somali clan rivalries as confounding and counterproductive as the Salafi agenda.[22] The level and shape of law enforcement against illegal economies critically influence the tightness of the crime-terror nexus, often inadvertently driving the two actors together.

Some Overarching Policy Recommendations for Combating the Drug Trade in West Africa
I. It is unrealistic to expect that outside policy interventions in West Africa can eradicate all organized crime and illicit economies or for that matter of all the drug trade. The priority for the United States and the international community does need to focus on the most disruptive, dangerous networks: those with the greatest links or potential links to international terrorist groups with global reach and those that are most rapacious and predatory to the society and equitable state and most concentrate rents from illicit economies to a narrow clique of people. These two criteria may occasionally be in conflict and pose a difficult dilemma. In addition to considering the severity of the threat posed to the international community and to the host state and society by such drug trafficking or organized crime groups, the estimated effectiveness of policy intervention with respect to each type of groups needs to be factored into the analysis of such policy choices.

It is important to realize that indiscriminate and uniform application of law enforcement – whether external or internal – can generate several undesirable outcomes: First, the weakest criminal groups can be eliminated through such an approach, with law enforcement inadvertently increasing the efficiency, lethality, and coercive and corruption power of the remaining criminal groups operating in the region. Second, such an application of law enforcement without prioritization can indeed push criminal groups into an alliance with terrorist groups – the

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[21] See, for example, Heba Saleh, "Islamist Militants Rise Again in Algeria," *Financial Times*, September 1, 2008; and International Crisis Group, *Islamist Terrorism in the Sahel*: *Fact or Fiction*, Africa Report No. 92, Dakar/Brussels 2005.

[22] Ken Menkhaus and Jacob Shapiro, "Non-State Actors and Failed States: Lessons from Al Qaida's Experiences in the Horn of Africa," in Anne Clunnan and Harold Trinkunas, eds., *Ungoverned Spaces: Alternatives to State Authority in an Era of Softened Sovereignty* (Stanford: Stanford University Press, 2010): 77-84.

opposite of what should be the purpose of law enforcement and especially outside policy intervention in West Africa (and elsewhere). Both outcomes have repeatedly emerged in various regions of the world as a result of opportunistic, non-strategic drug interdiction policies.

II. The international community and the United States need to engage with West Africa in law enforcement, counternarcotics, and counterterrorism operations with extreme caution. A do-no-harm attitude and careful evaluation of the side-effects of policy actions need to prominently figure in policy considerations.

There are multiple dangerous risks in rushing to action in West Africa.

First of them is the danger that with minimal presence of the United States and the international community on the ground, U.S. or internationally-trained law enforcement forces will "go rogue" and the international community will only end up training more capable drug traffickers or coup forces.

Second, there is a not-insubstantial risk that some governments in West Africa will come to see international counternarcotics aid as yet another form of rent to be acquired for their power and profit maximization, in the same way that they had often seen anti-Communism or counterterrorism aid. Such funds can be diverted for personal profits; or worse yet against domestic political opposition, and undermine institutional development and effective and accountable governance in the region.

Third, building up law enforcement capacity and intervening against illicit economies in West Africa may often been perceived by local populations as antagonistic to their interests.

The United States and the international community can reduce these dangers through several guiding principles.

First, international assistance should be carefully calibrated to the absorptive capacity of the partner country. In places where state capacity is minimal and law enforcement often deeply corrupt, an initial focus on strengthening the police capacity to fight street crime, reducing corruption, and increasing the effectiveness and reach of the justice system may be the optimal initial interventions. Only once careful monitoring by outside actors has determined that such assistance has been positively incorporated, will it be fruitful to increase assistance for anti-organized crime efforts, including advanced-technology transfers and training. Careful monitoring of all counternarcotics programs -- including their effects on the internal political arrangements and power distribution within the society and their intended effects on the power of criminal groups and their links to terrorist groups -- needs to be consistently conducted by outside actors.

Second, the international policy package needs to include a focus on broad state-building and the fostering of good governance in West Africa. Policy interventions to reduce drug trafficking there and to suppress any emergent crime-terror nexus can only be effective if there is a genuine commitment and participation by recipient governments.

III. This broader institutional package, within which law enforcement and counternarcotics aid should be couched, should include:

a) The development of police forces that are responsive to their citizens' concerns, including street crime, and accountable to their citizens;

b) The strengthening of the capacity, transparency, and accountability of the recipient country's justice system; and

c) A complementary focus on economic development that generates employment and social opportunities for the vast impoverished and marginalized segments of society in West Africa. The goal of such programs should be to make sure that crime and illicit economies are not the only employment opportunity and hence perceived as legitimate. Such an approach will best reduce the political power of emerging domestic traffickers in West Africa and help mobilize the community's cooperation with law enforcement.