

Drugs and violent crime in southern Africa

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The truth is that the illicit drug industry is a symptom of unresolved social problems which generate guerrillas, paramilitaries, drug traffickers and white-collar crimes.

Prof. F Thoumi (2005)¹

Drugs and crime are inextricably linked, but the relationship is not straightforward. Persons may commit crime while under the influence of drugs, (but) they may also do so to fund their drug use.

United Nations (2009)²

Introduction

This article is based on an overview of experiences in southern Africa in the last two decades. It discusses links between the trafficking of illicit drugs and violent crimes. These may be regarded as crimes that promote conflict or that are part of conflict. Literature on the global nature and dimensions of the trafficking and consumption of illicit drugs is vast and regularly updated, but is not necessarily matched by a discussion of how drug markets impact on individual and community security.

This article is concerned with the violent secondary activities that are collateral but axiomatic to drug trafficking. It is inspired by the belief that highlighting links between them may inform more effective and sustainable policies and measures to reduce the influx and trafficking of drugs.

The discussion begins with an overview of the illicit drugs that are encountered in southern Africa, before exploring prominent dimensions of the relationship between the trafficking of illicit drugs and violent crime. This is followed by a discussion of the factors which impact on the link between drug trafficking

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1 Thoumi, Francis. 2005. "Drug policies, reforms, and Columbo–American relations". In Guizado, Álvaro Camacho (Ed.). *Drug trafficking: Perspectives from Europe, Latin America and the United States*. Available at http://www.drugpolicy.org/docUploads/Drug_Trafficking_Europe_Latin_America_United_States.pdf; last accessed 4 April 2011.

2 United Nations Office on Drugs & Crime. 2009. *World Drug Report*. New York: UNODC.

and violent crime, and concludes with some suggestions on interventions to reduce the violent crime which emanates from the trafficking of illicit drugs.

Southern Africa stretches from Mauritius in the east to Angola in the west, and from the Democratic Republic of the Congo in the north to South Africa in the south. The area in question includes Tanzania, which also straddles East Africa. The composition of the Southern Africa Development Community (SADC) approximates the geographical expanse of the subregion.

Socio-economic development, measured in terms of conventional indicators, is unevenly spread through the subregion. However, all SADC member countries share certain fundamental features, including an overwhelming dependence on exported primary commodities, a low manufacturing base, and relatively high levels of social destitution. The colonial heritage, which forms the backdrop to an almost interminable state of transition in most of the subregion, manifests itself in the “unresolved social problems which generate guerrillas, paramilitaries, drug traffickers and white-collar crimes” referred to above. With a few exceptions, all parts of southern Africa are familiar with guerrillas, paramilitaries and white-collar crimes. The illicit drug industry has sought to explore and exploit opportunities in communities already ravaged by these challenges to establish its trafficking routes and markets. Its exploits sometimes precipitate violent interpersonal conflict within the industry as well as with external actors. The conflict impacts on the social, political and economic spheres in which it occurs. This article is premised on the assumption that all violent interpersonal conflict is criminal – or, at least, that such conflict precipitates crime. It also assumes that the capacity to produce or reproduce crime of significant proportions is greater where organised networks are involved.³ Such networks are inclined to resort to violent and ruthless ways of advancing and protecting their interests. Crime, in turn, imposes pressure not just on criminal justice mechanisms, but also on other spheres important to development, such as the cost of doing business, security systems, economic productivity, education, and local government.

Illicit drugs encountered in the region

There is not much dispute as to the main problematic illicit drugs in the region, although there may be disagreement as to the relative magnitude of harm attributable to each type of drug. Cannabis is the most common, probably followed by Mandrax, then cocaine, heroin, hashish, crystal methamphetamine (usually known as *tik*) and ecstasy. Also known as *marijuana*, cannabis is the only drug which is locally cultivated – all others being either imported from elsewhere or manufactured in drug laboratories.

3 Aning, Kwesi. 2009. *Organised crime in West Africa: Options for EU engagement*. Stockholm: International Institute for Democracy and Electoral Assistance.

Cannabis has been grown in mountainous Lesotho for centuries. It is currently also produced in parts of Malawi, South Africa, Swaziland, Zambia and Zimbabwe. There is controversy as to the proportion of output consumed within the region compared with what is exported beyond it.

The impact of cannabis exchange transactions on violent crime does not appear to have been substantially documented. The little that is known is derived from anecdotal cases from other parts of the world.⁴ These indicate that much of the violence is associated with measures to either evade detection by law enforcement agencies or to protect production from theft by competitors or opportunistic thieves.⁵ Producers equip themselves with firearms of various types and strength, or with machetes and knives. The link between cannabis consumption and aggressive behaviour, leading to violent predatory crime, is better established. Violence, aggression, and criminal offences such as robbery and housebreaking are common among adolescent substance users.⁶

Mandrax has been circulating in southern Africa since the early 1980s, having originated from south-east Asia. There have been changes in the modes of Mandrax procurement over the years, partly in response to demand and partly to evade greater police vigilance. Much of the Mandrax encountered in the region in the last decade has been locally manufactured in drug laboratories. The same can be said of the amphetamine-type stimulants tik and ecstasy. Cocaine is smuggled to southern Africa from production sites in South America through various strategies and routes. Heroin and hashish predominantly have south-east Asian origins, in many cases Afghanistan, India, Myanmar or Pakistan. These countries are still considered to be the foremost producers, with Afghanistan and Myanmar the leading sources of opium.

What is the relationship between the trafficking of illicit drugs and violent crime?

About a decade ago, Shaw noted that southern Africa had gradually become “not only a transit point for the movement of illegal commodities, but also a

4 See “Drugs production causing violent crime”. *Guardian Unlimited*, 10 August 2010; available at http://www.policeoracle.com/news/Drugs-Production-Causing-Violent-Crime_25860.html; last accessed 3 November 2010.

5 Parry, C. 1997. “The illegal narcotics trade in southern Africa: A programme for action”. Unpublished paper presented to the South African Institute of International Affairs, Johannesburg, 6 June 1997.

6 Mohasoa, Irene. 2010. “Substance abuse among male adolescents”. Unpublished MA dissertation, University of South Africa, Pretoria, pp 34–35.

growing consumer of these products”.⁷ Illicit drugs were prominent among the commodities referred to.

Around the same time, Dr Charles Parry of the South African Medical Research Council observed that the illicit drugs trade –⁸

... has the potential for significantly destabilising South African society and further community-initiated confrontation with drug dealers and traffickers is viewed by many as a necessary catalyst for government action.

His remarks may have been prompted by the extended sequence of confrontations between civilian vigilantes and drug merchants that were common in urban South Africa in the mid-1990s. They typically pitted two vigilante groups – People Against Gangsterism and Drugs (PAGAD) and People Against Drugs and Violence (PADAV) – in confrontation with alleged drug dealers. Numerous conflicts occurred, some degenerating into shoot-outs that attracted significant public attention, especially in Cape Town and Port Elizabeth. While they graphically portrayed the dynamics that precipitate violence attributable to drug trafficking, such occurrences do not represent the complete spectrum of conflict-raising points in this sphere.

The point of departure should perhaps be to define *drug-related violent crime*. This may be characterised as crime caused or encouraged by the production of illicit drugs, or by the influence of such drugs, or as the commission of acts of violence in order to support the drug habit or to gain control of or run drug markets.

It has been argued that an unintended but foreseeable consequence of the prevailing pervasive and repressive prohibition regime was to make trading in certain drugs highly profitable.⁹ In addition, prohibition ensures that transactions are highly secretive and fraught with danger. Traders are jittery and inclined to avert the risk of arrest by resorting to corruption and violence.¹⁰

The initial potentially conflict-laden point is that of production. Conflicts that may be associated with the production of imported drugs are beyond the scope of this article. As pointed out above, some cannabis production territories are certainly aggressively protected from prying eyes, including those of law enforcement. Natural defences, such as mountainous terrain, tend to be

7 Shaw, M. 2001. “Towards an understanding of West African criminal networks in Southern Africa”. *African Security Review*, 10(4).

8 Parry (1997).

9 Laniel, L. 2001. “Drugs in Southern Africa: Business as usual”. *International Social Science Journal*, pp 407–414. Available at <http://laniel.free.fr/INDEXES/PapersIndex/issj169ENG.pdf>; last accessed 4 April 2011.

10 United Nations Office on Drugs and Crime. 2009. *World Drug Report*. New York: UN.

utilised as part of the protection in countries such as Lesotho and Malawi. The greater potential for violent crime, however, stems from the involvement of organised crime networks in the procurement and exchange of cannabis. The use of drugs as currency is still as prominent today as it was several decades ago. Cannabis is used as a means of payment for other commodities, some of them illegally acquired. It is in this respect that —¹¹

... drugs have become part of a regional dynamic involving arms and stolen goods, especially cars and rustled cattle. Here drugs spread in the region by hooking on highly localized illegal; predatory activities, which frequently require arms to be carried ...

The exchange of a consignment of cannabis for two or more head of cattle is not uncommon, as is the exchange of several consignments for a pick-up truck. The conflict connected to the exchange occurs in the acquisition of the cattle or the vehicle in a violent manner – frequently with the use of firearms. The link between the drugs acquired and the violently procured commodity is not tenuous.

The link between drugs and violence is frequently highlighted as being intrinsic to the drug distribution system.¹² Part of the reason is the escalation in the level of resources and technical skills required to operate and maintain supply lines between sources and markets. This is particularly the case in respect of the hard drugs. Lone operators can hardly survive for long, let alone thrive, in the serious drug marketing circles of southern Africa. Organised crime networks dominate. In order to dominate the industry, or geographical marketing areas, these networks use violence and corruption in equal measure to manage risk. In urban South Africa, the use of violence by drug syndicates is strategic rather than haphazard or compulsive. Frequently, it has been used in order to settle disputes among rival distributors or with buyers. So-called drug turf battles in Cape Town tend to occur seasonally, ahead of expected upswings in the market.¹³ Part of the preparation for turf battles is significant armament. Some of these battles are continued in prison, if the protagonists are arrested and convicted. This contributes to a fairly dangerous prison environment. Prison gangs have been a feature of the penal system in several countries for a long time, mainly because of overcrowded facilities that make prison management a nightmare.¹⁴

11 Laniel (2001:409).

12 Fagan, J. 1993. "Interactions among drugs, alcohol, and violence". *Health Affairs*, 12(4):65–79.

13 In Cape Town, turf wars usually peak with the approach of the main tourist season, namely October–March.

14 Kinnes, Irvine. 2000. "From urban street gangs to criminal empires: The changing face of gangs in the Western Cape". *ISS Monograph No. 48*. Pretoria: Institute for Security Studies.

The conflicts linked to illicit drugs, in the form of violent confrontations between community activists/vigilantes and drug dealers/drug lords, although connected to the criminal drug subculture indirectly, are also intricately linked to it. Mauritius and South Africa have encountered the spectre of the vigilantism that was common in the mid-1990s, but it continues to linger – albeit on a low scale.

PAGAD was formed in 1995 as a community anti-crime group fighting drug trafficking and organised violent crime on the Cape Flats, a sprawling network of suburbs in Cape Town, South Africa. It mobilised a membership that was predominantly Muslim in religious orientation, and included an armed wing called the G-Force. In August 1996, PAGAD organised a series of marches on residences identified either as belonging to drug dealers or as drug distribution outlets. One march resulted in a known drug dealer being shot dead and his body burnt. From then on, PAGAD engaged in incidents that became progressively more violent and that drifted further and further away from PAGAD's initially proclaimed mandate. PAGAD became more militant and assumed an overtly political outlook, denouncing the South African Government for being too close to Western countries, especially the United States Government. Between 1996 and 2000, no fewer than 24 drug lords were murdered, with their deaths attributed to PAGAD's secretive G-Force.

The spiral of violence unleashed by vigilante activism prompted drug dealers to unite in a formation called *The Firm*, which also engaged the services of an outfit of thugs that committed heinous acts of violence against PAGAD members. Following a series of violent activities between the police and PAGAD as well as acts of terrorism attributed to PAGAD, the state clamped down on the group. It turned out that PAGAD had been appropriated by elements that had a political agenda against the government. The fate of PAGAD mirrors that of similar community-based security formations in Nigeria, for example, where the Bakassi Boys vigilante group in the south-east were “hijacked by opportunistic political officials engaged in power struggles between the state and federal governments”.¹⁵

In Mauritius, the Hizbullah Party was implicated in executions of drug dealers in their homes in the late 1990s.¹⁶ More recently, in South Africa, there have once again been intermittent, unstructured expressions of violent reaction to drug trafficking, and the police are perceived to be incapable of effectively dealing with these reactions in some urban localities in South Africa. Such reactions have taken the form of mob-justice-type destruction of residences suspected of being used in marketing drugs.¹⁷

15 Meagher, K. 2007. “Hijacking civil society: The inside story of the Bakassi Boys vigilante group of south-eastern Nigeria”. *The Journal of Modern African Studies*, 45:89–115.

16 Unpublished internal report, Institute for Security Studies, Pretoria.

17 Incidents have been reported in Eldorado Park, Gauteng Province, and Cape Town.

A subset of conflict witnessed in drug marketing networks in South Africa pits 'floor-crossing' gangsters – that is, gangsters switching allegiances from one organised crime network to another – against their former comrades in vicious battles. One outbreak of hostilities in late 2006 started when a gang boss who had quit The Americans gang, and had joined a rival formation, escaped with a wound to his right shoulder after two men shot at him on a Wednesday morning in the street as he was taking his three children to school.¹⁸ This led to a string of reprisal attacks in the criminal underworld.

An intriguing question is whether the illicit drug industry in southern Africa has linkages to other political conflicts or to terrorism. As noted above, PAGAD was eventually implicated in acts of terrorism. In fairness, PAGAD maintained throughout that such acts were committed in its name by persons who were either rogue elements or impostors. No direct link can be drawn from the implication or association of PAGAD in terrorism to illicit drugs. Moreover, PAGAD itself was never implicated in trafficking drugs.

Insurgent organisations have allegedly been involved in smuggling drugs such as Mandrax into the southern African region from the mid-1980s.¹⁹ In the words of Biswas, –²⁰

[o]ne critical problem arising out of the confluence of two major narco-producing and trading regions – the Golden Crescent and the Golden Triangle – is the cementing of a diabolic relationship between insurgent groups, arms dealers and narco-terrorists. Such a relationship is quite common with the groups operating in the region. Although not all the insurgent groups engage in narco-production or narco-trafficking, it has nevertheless been found that all of them have regularly taxed and extorted money from the traffickers, while providing protection to the latter for conducting trafficking in drugs.

With the end of the Cold War, benefactors to these organisations – such as China, Cuba, France, the Soviet Union, and the United States – disappeared. As a result, such organisations found themselves with funding deficits, and –²¹

... were forced to find alternative sources of funds to remain militarily relevant ... [I]nvolvement in drug trafficking and other criminal activity became a priority as an independent source of revenue.

18 The prominent gangster was Igshaan "Sanie" Davids of The Americans gang.

19 Biswas, A. 2001. "Small arms and drug trafficking in the Indian Ocean region". *University of Mumbai Centre for African Studies Working Paper No. 4*. Available at http://www.mu.ac.in/arts/social_science/african_studies/biswaswp.pdf; last accessed 20 February 2011.

20 (ibid.:4).

21 See the cursory statement in the dispatch of the International Crime Threat Assessment at <http://fas.org/irp/threat/pub45270chap1.html>; last accessed 20 February 2011.

This kind of pressure is alleged to have motivated large-scale participation in diamond smuggling by the Angolan rebel movement União Nacional de Independência Total de Angola (UNITA), for example. While there are anecdotal indications that some insurgents were involved in smuggling illicit drugs into the SADC region, there is no evidence of such acts being sanctioned by or committed in the interest of any organisation. It is unlikely that the region has cases similar to that of Peru's Sendero Luminoso, or Colombia's Fuerzas Armadas Revolucionarias de Colombia (FARC).²²

Drug merchants might deploy violence as a method of securing avenues for laundering the proceeds of drug trafficking. The regime of measures adopted across the region to detect and combat money laundering, if comprehensively implemented, introduce a new risk – of asset seizure and arrest. The thrust of such measures is to target proceeds of drug trafficking so as to hit traffickers' profits. In the wake of the implementation of laws against organised crime, some drug dealers have lost property to the state. This has triggered a search by drug dealers for further innovative methods of concealing proceeds. Their favourite outlets are in the food sector (restaurants), entertainment industry (gambling, football clubs and nightclubs) and panel-beater operations. In one recent case,²³ the owner of a panel-beating business was approached by a former acquaintance who has since become part of a drug syndicate. In return for refurbishing and retooling his premises, he was asked to allow his accounts to be used by the syndicate to push through some of its funds, on a 'no questions asked' basis. The lawful business conducted by the panel-beaters would then camouflage the infusion of proceeds from drug trafficking. The owner of the panel-beating operation refused to accede to the request – a response that was not well-received by the syndicate. The situation could have degenerated into violent conflict were it not for the intervention of a religious peer.

The illicit drug industry has been connected to the commercial and public transport sectors for many years in several countries in the subregion. The movement of illicit drugs across borders tends to follow the well-beaten trade routes, with the distinction that consignors, transporters, brokers and distributors do not declare consignments. Cannabis and cocaine smuggled into and through Namibia are usually transported by long-distance truck drivers acting as agents of principals in Angola, Namibia or South Africa.²⁴ There is a strong suspicion that some of the drivers deal in drugs as a way of earning extra income.²⁵ Drivers that 'moonlight' in this way face the risk of

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- 22 Gootenberg, P. 2005. "Talking like a state: Drugs, borders, and the language of control". In Van Schendel, W & I Abraham (Eds). *Illicit flows and criminal things*. Bloomington, IN: Indiana University Press.
 - 23 The case occurred in Cape Town, South Africa.
 - 24 Unpublished internal report, Institute for Security Studies, Pretoria.
 - 25 Interviews with the Namibian Police suggest they believe this.

being blackmailed or threatened if they should decide to withdraw, in a similar manner to state officials that allow themselves to be corrupted by smugglers.

The commuter taxi industry in Lesotho, Malawi, Mozambique and Swaziland has also been a prominent intersection between drugs and markets. Such taxis provide a means by which to transport contraband from points of supply to markets rapidly, and in a relatively inconspicuous manner. Infrequent interceptions point to an established route for the transportation of drugs from production areas such as Nkota Nkota to commercial centres such as Blantyre and Lilongwe in Malawi by commercial trucks and commuter minibus taxis.

Nowhere is the utility of such transportation more graphically illustrated than in South Africa, which has the largest number of taxis in the region. With origins that date back to the early 1900s, the commuter taxi industry has grown to nearly 200,000 vehicles countrywide today. Over the years, it has been afflicted by lawlessness and violence. After numerous conflicts within the industry in the Western Cape Province, and many run-ins with the authorities, the Premier of the Province commissioned an inquiry into the spectre of violence in the industry in 2005. Advocate Dumisa Ntsebeza of the Cape Bar chaired the Commission. A strong link “between taxis, drugs and organised crime” emerged, according to the Commission, and they pointed to evidence that showed —²⁶

... a link with drugs and organised crime in that taxi drivers are used to cart drugs, sometimes sell drugs at the ranks, cart prostitutes to customers, and generally provide attorneys’ fees to people that have been arrested for particular crimes.

The inquiry also found that taxi associations set up ostensibly to bring order to the taxi industry²⁷ “operated like the Mafia, with the power to extort money and murder their opponents”.²⁸

The cash-spinning potential of the commuter minibus taxi business offers a convenient method to launder proceeds of drug trafficking. Involvement in the minibus industry can provide the explanation required for the sudden acquisition of wealth that might otherwise arouse suspicion. Because of its enormous value to the illicit drug industry, the commuter taxi industry is of particular sensitivity to the drug dealers that are involved in it.

26 Republic of South Africa. [Forthcoming]. “The Commission of Inquiry into the Underlying Causes of Instability and Conflict In the Minibus Taxi Industry in the Cape Town Metropolitan Area”. Unpublished, p 112. The Commission was set up by Premier Ebrahim Rasool, and is also referred to as the *Ntsebeza Commission* after its Chairperson.

27 At the time of the inquiry, there were no less than 150 countrywide.

28 Republic of South Africa [Forthcoming].

The use of hit squads to impose dominance over routes is an intermittent practice in the taxi industry.²⁹ The resulting violence has spawned an arms race within the industry, causing the loss of many lives in 'taxi wars' over the years. In this regard, the Ntsebeza Commission observed the following:³⁰

The older, more experienced owners are usually responsible for selecting the targets, planning the logistics, recruitment of the hit men and collecting monies to pay for the services of the hit men.

In 2001, Jackie Dugard found that there was not a single urban area in South Africa that had not experienced a taxi war in recent years.³¹

At the social level, there are indications that the recurrent xenophobic tension, which occasionally manifests itself in actual conflict, as occurred on a countrywide scale in South Africa as recently as May 2008, may be linked to perceptions about the role of non-nationals in drug trafficking and related crime. Numerous surveys have revealed that such perceptions are prevalent in two influential sectors: the media, and the police service. Negative stereotypes abound, as the events preceding and surrounding the xenophobic violence in May and June 2008 showed. At various stages, the influx of illicit drugs into South Africa has been blamed on Angolans, the Chinese, the Congolese, Indians, Nigerians or Zimbabweans. Media articles that suggested the widespread involvement of foreigners in criminal activity, including drug trafficking, stoked the flames of xenophobic attacks in certain localities.

What factors impact on the nature and extent of the relationship?

Numerous factors appear to have a bearing on the link between illicit drugs and violent crime. Comparisons may be drawn between illicit drugs and conflict diamonds, although the latter are a subsector of a legitimate industry. The key comparable factors are as follows:

- *The high value of illicit drugs:* Combined with the worsening socio-economic conditions, their high value sustains the attraction of drugs to significant numbers within the region. As drug trafficking is not regulated, the participation of ever-increasing numbers of people offers opportunities for their exploitation by organised criminals and elite players in the industry. The criminalisation of drug marketing helps to maintain the high value of illicit drugs. At the same time, the poverty of

29 Dugard, Jackie. 2001. "From low intensity war to Mafia war: Taxi violence in South Africa (1987–2000)". *Centre for the Study of Violence & Reconciliation: Violence and Transition Series*, Vol. 4, May.

30 (ibid.).

31 (ibid.).

many consumers of drugs prompts them to engage in violent crimes in order to buy drugs.³²

- *The involvement of organised crime syndicates and networks in the supply and distribution chain:* Whether the stage concerned is upstream, in transit or at the point of destination, organised crime networks introduce the element of violence into the chain. These networks consider the use of violence as important in ensuring that contracts are honoured. Juan Carlos Garzon, after a study of drug networks in Brazil, Colombia and Mexico, observed “If a drug dealer sells a poor quality product, his punishment may go beyond exclusion from the market ... his punishment could be death”.³³
- *The escalation in drug production, which dates back to the mid-1980s:* This has increased supply-side pressure to open new markets and to muscle existing suppliers out of their ‘territories’. In southern Africa, four related activities have occurred almost simultaneously. The first is the diversification of smuggling methods: traffickers have become quite imaginative in coming up with new methods to evade detection.³⁴ The second is the increase in the local production of some drugs. Notable among these is crystal methamphetamine (tik). Hubschle sums up developments as follows:³⁵

[T]raditionally ingredients for tik, such as ephedrine, have been imported into South Africa from Asia and the final product is made in factories and then distributed to gangs in the Western Cape ... A growing trend, however, is that tik is produced locally from household ingredients, such as bleach. The increasing involvement of gangs producing their own tik means the product is more readily available and gangs no longer rely on foreign connections.

The third development is the regular shifting of routes. In a region littered with numerous entry points into the region and multiple crossing points between various countries, it is relatively easy to constantly change routes. The fourth activity is resorting to several innovative techniques to launder the proceeds of drug trafficking.

- *The coexistence of illicit drugs with localised predatory criminal activities in the region:* Southern Africa is already afflicted by predatory violent crimes such as motor vehicle theft, armed robbery, and cattle rustling.

32 There are regular incidents of robbery of cell-phones, wallets and computers in the neighbourhood of the author’s office, attributed to drug trafficking.

33 Garzon, Juan Carlos. 2008. *Mafia & Co: The criminal networks in Mexico, Brazil and Colombia*. Washington, DC: Woodrow Wilson International Centre.

34 Drugs are concealed in human hair (which is ‘bathed’ in liquid cocaine), shirt collars, motor vehicle panels, fuel tanker ‘false bottoms’, hollowed out Bibles, and vehicle tyres.

35 Hubschle, A. 2010. *Organised crime in Southern Africa: First annual review*. Cape Town: Institute for Security Studies.

The symbiotic connection between motor vehicle theft, armed robbery and drug trafficking has been particularly noticeable in Botswana and Zimbabwe, for example, where stolen vehicles are used as getaway vehicles in armed robberies and to smuggle and transport drugs.³⁶

- *The false implication of immigrants in drug trafficking:* This may partly be attributed to desperation, and partly to propaganda, and has been quite damaging to the social integration of migrants in Botswana and South Africa.
- *The continued minimal regulation of the commuter taxi industry in much of the region:* This continues to open up the industry to infiltration by drug-dealing organised crime syndicates and networks.

What can be done to reduce violent crime emanating from drug trafficking?

Reducing violent crime precipitated by drug trafficking cannot be achieved in isolation from tackling drug trafficking itself. While it is surrounded by considerable emotions, crime reduction appears to be an area devoid of comprehensive, creative initiatives at the subregional level. On account of public denunciation of drug consumption having converged, there is no shortage of political will to make an impact. It appears that, at the very least, the efficacy of existing strategies and measures should be periodically reviewed. The destruction of cannabis plants as a way of curtailing supply, which is regularly done in Lesotho, is only marginally effective, as some plantations are not easy to reach and the process requires substantial resources for the volumes involved. Where successful, curtailing supply in this way decimates the livelihood of thousands of subsistence farmers without offering them any other sources of income.

The destruction of drug laboratories has had substantial success in South Africa, but the picture in other countries is not so positive.³⁷ The sustainability of the strategy is bound to be tested in the long term. As Burris points out, what is more likely to succeed is an approach that moves away —³⁸

... from a primarily criminal-justice policy based on zero tolerance towards a public-health based system dedicated to reducing dangerous consumption, evidence-based prevention, harm reduction and drug treatment services.

The SADC Protocol on Combating Illicit Drug Trafficking, which was adopted in 1996, sets out to encourage action amongst member states that is both

36 (ibid.:47)

37 According to South African Police Services figures, an average of 45 laboratories have been destroyed each year since 2006.

38 Burris, Scott (2009); cited in "What alternative to the war on drugs?". Available at <http://www.scoop.co.nz/stories/GE0902/S00073.htm>; last accessed 4 April 2011.

concerted and based on three major elements: demand reduction, supply reduction, and international cooperation.

Existing literature makes various proposals on optimal methods to claw back the reach of illicit drugs. The first is to shrink the markets for illicit drugs by focusing on demand-side activities. Drug-related violence should be seen for what it is: a phenomenon ancillary to drug consumption. The 2009 World Drug Report by the United Nations Office on Drugs and Crime (UNODC) has noted a fall in the demand for illicit drugs in quite a few areas of the globe. Drug markets need to be identified, and the factors that sustain the profitability of each of them mapped out.

South Africa's National Drug Master Plan targets the youth and communities for demand-reduction initiatives. The youth are to be –

- motivated to refrain from drug abuse
- given the facts and warned of the risks through the school system
- assisted to develop the skills and attitudes to resist drug misuse, and
- given access to a range of advice, counselling, treatment, rehabilitation and after-care services.

Communities should be protected from the health risks and other damages associated with drug misuse, including the spread of communicable diseases, related injuries, and premature death; and the families of drug abusers should access advice, counselling and support services.

Demand-reduction strategies should be based on the review of criminalisation policies, so that where changes can be made, e.g. in the area of decriminalisation of cannabis consumption, they are made. There is evidence that most drug consumption in the region involves cannabis. Suggestions to decriminalise tend to prompt knee-jerk revulsion as the perception is that this would worsen rather than ameliorate crime connected to drug consumption. While there is a strong belief that it might reduce challenges connected to trafficking, there is an apprehension that legalised consumption would precipitate higher levels of violent crime. In rebuttal, it is arguable that legalisation would open the way for managed consumption, as is the case with drugs like alcohol. It may also free up resources to be used against the harder drugs.

The second strategy is to identify and track the sources of funding of illicit drugs. Research by Shaw, among others, has shown that there is a growing consumer market in southern Africa.³⁹ The region is not just a transit territory, which implies the local residence of some importers and merchants. Invariably, they will develop an identifiable investment presence in the form of assets. The most common routes by which drugs enter and exit from the region are well known, as are the manifestations of participation in drug trafficking.

39 Shaw (2001).

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The sources by which smuggling is funded are not so well known, however. In cases involving drugs smuggled in from beyond the region, financial investigations to determine who funds the criminal enterprise, and how and to whom the merchandise was distributed, should be assisted by information from the growing portfolio of asset seizures.

The third strategy is to reorganise the systems of documenting crime in police records in order to capture information on conflict crimes connected to illicit drugs. Quite a few policing agencies retain a *Drug-related crimes* category in their records. This conceivably covers a broad range of crimes that could include theft, robbery, smuggling, assault, money laundering and even kidnapping. It is suggested that there be sub-descriptions that capture details to reflect the illicit drug–collateral crime connections.

The fourth strategy is to regulate the commuter taxi industry more effectively so as to wean it from elements of organised crime. Part of the process should be to improve transparency and accountability in this industry through registration, regular audits, and taxation. Regular audits and taxation may well have a disciplinary effect.

The fifth strategy is to engender greater public confidence in the efficacy of law enforcement, through more visible and abundant policing in currently under-resourced urban communities. There is merit in making more use of community policing forums, and involving organised civil society in strategic planning and law enforcement. The objective would be to minimise the resort to civil vigilantism that unfortunately characterises community responses to crime in under-policed communities. The use of military units in combating the violently resilient drug networks in Latin America appears to be an equally undesirable state-sanctioned alternative form of vigilantism.