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Policy Brief

Prioritising Local Governance: A Sociological Approach to Managing Organized Crime through Local Peace Mediation Processes[1]

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Executive Summary

Drug-trafficking has historically funded armed rebellions in Mali and fuelled inter-ethnic and inter-clan conflicts over control of drug-trafficking routes in Northern communities. The proceeds of drug-trafficking have also financed the local governance of Northern communities in Mali in the absence of effective state governance. Because of community reliance on organized crime for local governance services, the efforts of the 2015 Bamako national peace process to stamp out organized crime using confrontational[2] law enforcement strategies without providing alternative sources of local governance have fuelled Northern grievances against the state.

Transformative approaches to peace mediation conducted at the local level – which use inclusive community-based dialogue and socio-economic development strategies to turn criminal governance into legitimate governance gradually – are required to effectively displace organized crime in Northern communities in the long-term. The security classifications relied upon by peace mediators to manage organized crime through national and local peace processes have limited capacity to inform transformative mediation because they remove organized crime from its socio-political context. This brief argues that sociological concepts and empirical analysis, which places organized crime in its social context and frames organized crime as a problem of local governance, can inform inclusive, transformative local mediation focused on organized crime.

Key Points

- Transformative local level mediation facilitated by third party non-state mediators without an international security agenda is required to develop long-term solutions to crime-related conflicts in Mali.

- Mediators should adopt a context-driven approach to conflict analysis to include a diverse range of local stakeholders affected by organized criminal governance, rather than assume that armed groups or customary leaders are the legitimate representatives of Northern communities[3].

- Sociological empirical analysis and conceptual frameworks, which understand organized crime in its local context as a community response to poor state governance, can inform transformative mediation based on local governance issues and the broad-based inclusion of heterogeneity of local actors.

- The policy of 'confrontation' or 'accommodation' of drug-trafficking communities, currently favoured in national and local peace negotiations respectively, only promotes sustained militarization of drug routes without providing a long-term governance-based solution to the conflict.

Introduction

In 2012, a Tuareg rebellion erupted in Northern Mali for the fourth time since Mali gained independence in 1960. The 2012 rebellion and its aftermath differed from those that came before it in three ways that affected the management of organized crime during the 2015 peace process. Firstly, the Tuareg rebel movements joined forces with the Tuareg Islamist group Ansar Dine to launch attacks against the government in the South, taking control of parts of North and Central Mali. They were eventually militarily overpowered and displaced by three Islamist groups: Ansar Dine, Al-Qaida in the Islamic Mahgreb (AQIM), and its offshoot the Movement for Oneness and Jihad in West Africa (MUJAO). The Malian government requested the French military assistance to combat the Islamist groups, and a UN mission was deployed to Mali to carry out security tasks related to counter-terrorism and counter-narcotics. International security analysis focused on local elite drug-traffickers as a source of funding for Islamist groups in Mali. As a result of the strong international security presence, the 2015 Bamako peace process relied heavily on security classifications of armed groups, including the security-based distinction between political and criminal actors.[4]

Secondly, Northern communities have gradually lost the traditional clan-based leaders who resolved intercommunity tensions over drug-trafficking routes and rents in the North. The new generation of customary leaders is too close to armed groups to play a conciliatory role in the inter-clan disputes in the North. Older customary leaders are also increasingly challenged by the youth in their communities, who join armed groups to bolster their authority[5]. Rivalries between the various Northern communities – Tuareg, Arab, Songhoi, Peulh and other ethnic groups – as well as clans within each of these groups – have been central to the cyclical conflicts of Northern Mali. Without local mediation to pacify these rivalries, the Northern political coalitions that united to negotiate the Bamako agreement began to fragment during the negotiation phase into clan-based groups, contributing to the increasing 'regionalization' and 'clanization'[6] of the conflict in Northern Mali.

Thirdly, local communities have also become dependent on armed groups to perform local government functions such as service delivery, welfare, security and justice provision. Given the strong connection between armed groups, drug-trafficking and local governance provision in the North, the cycle of violence connected to drug-trafficking routes is most effectively addressed by developing alternative sources of local governance for Northern communities[7]. This can be achieved through the revitalization of transformative local mediation in the North focused on inclusive dialogue, reconciliation and socio-economic development.

This brief argues that international security analytical frameworks have limited capacity to inform transformative approaches to organized crime and local governance because the crime-politics distinction[8] removes organized crime from its local context. It argues that sociological concepts and empirical analysis provide the foundation for mediation to transform local governance structures. The key difference between security-based and sociological approaches is that sociologists situate organized crime within local community power structures and understands the problem of organized crime not as an external security threat but as an issue of local governance. Placing organized crime in its social and political context can facilitate the identification and inclusion of customary leaders, youth and women who have a strong interest in the quality of local governance. By framing organized crime as a governance issue, it can inform a negotiating agenda that prioritises local development.

Peace from Above

The deep connections between drug-trafficking, local governance and the funding of Northern rebellion were ignored during the 2015 Bamako peace process. Due to the strong international security influence on the Bamako process, French and Algerian mediators relied on a strict but artificial international security-based distinction between 'compliant' political rebels who were invited to participate in the peace process and 'non-compliant' criminal actors who were made the targets of state and international security action. Criminal activity was also excluded from the political negotiating agenda. The conceptual distinction between the socio-political and criminal realms proved to be of little practical value in the Malian context given the 'hidden' involvement of 'compliant' or 'political' actors in drug-trafficking activities.

It was widely acknowledged during the implementation phase of the Bamako agreement that the signatories of the Bamako agreement – made up of two coalitions of over 15 Northern armed groups - harboured deep ethnic and community-based rivalries over access to drug-trafficking routes. Northern local politics regarding drug-trafficking resulted in the fragmentation of the negotiating coalitions and the renewed outbreak of fighting in the North immediately after the agreement was signed.

The treatment of criminal actors as a security threat external to politics and society led to an inadequate confrontational policy response to drug-trafficking focused on technical state security reform. The priority agenda items of the Bamako process were state security reform and national level political power-sharing. Poor state and local governance, which prompts the emergence of organized crime and armed groups as a source of alternative governance, were a low negotiating priority and the economic development provisions of the agreement are yet to be implemented.

The Bamako agreement bolstered state and international counter-narcotics law enforcement capacity to confront drug-trafficking communities, which only served to exacerbate grievances regarding state military oppression of the North. The security-oriented approach also contributed to further militarization of drug-trafficking routes as armed groups emerged to protect supply routes from state forces. As local drug-traffickers fulfil state governance functions, international labels of criminality also lacked local legitimacy and alienated local communities and local actors from the peace process. The local orders of the North can be unpredictable and brutal but are viewed by many in Northern Malian as preferable to the governance of a corrupt, abusive and neglectful state.

Peace from Below

The implementation of the Bamako agreement has been hindered by the lack of cohesive and consistent local dispute resolution processes regarding organized crimes that have traditionally supported national peace processes in Mali. Local mediations were run by local political elites steeped in knowledge of how drug-trafficking informed local governance and local politics. The 1995 Bourem process, which was credited with saving the 1995 national peace accord, was initiated and pushed forward by village chiefs and civilians who understood the destructive impact of the militarization of drug-trafficking routes on local governance. The increasing connection between armed groups, drug-trafficking and the provision of local governance has reduced the influence of customary chiefs and other local community members. As a result, Northern communities lack the leadership required to pursue a peaceful resolution of drug-trafficking disputes.

The third party non-state mediators have attempted to fill the void in local dispute resolution capacity by facilitating local level mediation that addresses the drug-trafficking issues left out of the international peace process. The Anefis processes (27 September – 14 October 2015, and October 2017) sought to address 'important questions concerning the North's politico-military elite…including issues of trafficking, power-sharing and inter-communal rivalries'. The first community-led process resulted in a 'roadmap comprising a series of measures, including the cessation of hostilities, joint initiatives for inter-communal and intra-communal reconciliation, the exchange of prisoners, the establishment of interim local administrations and the free movement of people and goods' [9] . The second process included influential figures involved in trafficking. They focused on keeping routes for drug-trafficking open to diminish armed competition and theft along the drug-trafficking route in the North.

Critics of the Anefis processes argue its efforts to accommodate organized crime has only produced another layer of exclusive elite pacts between armed groups with questionable local legitimacy, at the expense of broad-based inclusion of the local leaders, youth and women who have a stake in the resolution of drug-trafficking disputes [10]. By ignoring the broader context of local governance, internationally-led efforts to revitalise local mediation processes have merely transferred the apolitical security analytical lens to the local level, producing a technical and transactional peace focused on the regulation of drug-trafficking routes.

Stamping out drug-trafficking through law enforcement interdiction or quelling crime-related violence through the regulation of drug-trafficking routes are only short-term solutions to a problem that is entrenched in the governance of local communities in Northern Mali. Without the development of local governance, communities will continue to support and rely on armed groups, funded by criminal activity, to provide basic services. The agendas and stakeholder engagement strategies of local mediation must evolve from the mere accommodation of armed groups to support the transformation of local governance in Northern communities.

A Sociological Approach: From Security to Local Governance

Security-based concepts have limited to capacity to support transformative mediation to organized crime because they remove criminal actors and criminal activity from the local socio-political context that is the subject of transformative approaches. Sociological methodologies, which analyse problems such as organized crime as a function of their social context, offer a conceptual and empirical foundation for inclusive, context-driven local mediation on organized crime.

Sociologies of organized crime[11] treat organized crime not as a security issue external to conflict societies but as an issue of local governance that is deeply entwined with the socio-political power structures of local communities. Sociological research reveals that the motives for locally-based organized crime is not merely economic, but also institutional, in that organized crime groups can emerge to provide security, justice and economic welfare for communities that are socially and economically abandoned by the state. According to his view, organized crime is not merely a transnational security threat but can be a community-based solution to an absence of state governance. Given the focus on organized crime as governance, sociologies of organized crime provide an analytical frame to inform a transformative negotiating agenda based on the development of local governance.

The 'local' is often treated by analysts and peace mediators as an undifferentiated field of uniform actors and interests, leading to the assumption that the armed groups of Northern Mali are the legitimate representatives of Northern communities[12]. Adopting an empirical sociological analysis of the heterogeneity of actors in a local community allows mediators to identify a diverse range of armed and non-armed stakeholders who have an interest in or are affected by organized crime. Sociological analysis exposes unequal local power structures and grievances along class, gender and inter-generational lines that must be addressed if local governance is to improve. In Northern Malian communities, youth and the lower classes are joining armed groups in increasing numbers to challenge the traditional customary and religious authorities they view as unfair or corrupt[13]. Sociological approaches can reveal these inter-generational tensions, dispel the view that non-armed customary leaders can legitimately speak for their entire community and promote the inclusion of youth in dialogue.

A sociological analysis of organized crime could facilitate the inclusion of the excluded local non-armed leaders of the Bamako process. The social legitimacy of Northern local leaders stems from measured control of deep, socially-embedded historical drug trafficking networks. These leaders have converted financial profits from drug-trafficking into social capital with communities – paying for mosques and buying herds of cattle[14]. Although their authority is increasingly challenged by armed actors and younger members of their communities, they still play a legitimate role in local governance.

Policy Recommendations and Conclusion

The sociological approach of organized crime as local governance paves the way for a more inclusive peace process design. It captures the heterogeneity and complexity of armed and non-armed local actors and interests connected to organized crime in a local community. It allows third-party mediators to move beyond the narrow selection of armed actors to identify and include customary, generational, gender and class-based representatives who have an interest in the management of organized crime from the perspective of local governance and development.

A series of transformative local level mediations based on sociological conflict analysis is the most effective policy response to organized criminal violence in settings similar to the Mali case study, where violence is fragmented and localised, a strong international security agenda can overshadow local priorities in national peace processes, and where organized crime plays a pivotal role in local governance. Mediation at the local level can shift attention away from international security issues and methods of conflict analysis towards context-driven sociological conflict analysis and local priorities regarding the management of organized criminal governance. Local mediation teams can target localised conflicts more effectively and can also be deployed for longer time frames than national peace processes, which are often conducted under significant time pressures.

The introduction of new professional actors should support new sociological approaches to mediation and conflict analysis into the peace process. The appointment of a third-party non-state mediator, who does not have ties to international security agendas, is important to open the peace process up to new analytical frameworks, actors and methods of conflict analysis. Sociologists should be included in mediation teams to support new modes of stakeholder engagement and agenda setting.

Although local mediation is an effective conflict resolution tool in the Malian context, local governance cannot be developed without the funding, policy support and inclusion of state actors in the process. Mechanisms need to be put in place to connect local mediation processes to

the national level and to support dialogue between state and local actors. Experts in sociology could be a useful link between local mediation on organized crime and national peace processes by providing missing information on local power structures and interests at both levels.

About the Author

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End notes

[1] This article is based on field interviews carried out by the author in New York, Geneva and Mali between April and August 2018.

[2] Achim Wennmann outlines three policy responses to organized crime: confrontational law enforcement strategies; accommodation of organized crime; and transformation of organized crime groups in Wennman, Achim 'Negotiated Exits from Organized Crime? Building Peace in Conflict and Crime-Affected Contexts' Negotiation Journal July 2014 pg. 255.

[3] Andrew Lebovitch makes a similar point when discussing 'local orders' outside of the peace mediation context. See Lebovitch, Andrew, 'Reconstructing Local Orders in Mali: Historical Perspectives and Future Challenges' in The Brookings Institute, Local Orders Paper Series No. 7 July 2017.

[4] Interviews with UN officials in New York, April 2018.

[5] Author interviews with local notables and officials in Mali August 2018.

[6] Boutellis, Arthur and Zahar, Marie-Joelle, 'A Process in Search of Peace: Lessons from the Inter-Malian Agreement' New York: International Peace Institute June 2017; provides an excellent in depth account of the national peace processes in Mali.

[7] Vanda Felbab-Brown has come to a similar policy conclusion outside the peace mediation context. To read some of her influential work on Afghanistan see Felbab-Brown, Vanda, Shadi, Hamid and Tikunas, Harold Militants, Criminal, Warlords The Brookings Institute November 2017.

[8] James Cockayne has written extensively on the limits of the politics-crime distinction. See Cockayne, J, 'Chasing Shadows: strategic responses to organized crime in conflict-affected situations', The RUSI Journal, (2013) 158: 2.

[9] Boutellis, Arthur and Zahar, Marie-Joelle, 'A Process in Search of Peace: Lessons from the Inter-Malian Agreement' New York: International Peace Institute June 2017; provides an excellent in depth account of the national peace processes in Mali.

[10] Interviews in Bamako, August 2018.

[11] Many of the influential sociologies of organized crime are based on ethnographic material from Central and Latin America, a region which has also pioneered the application of peace mediation to criminal activity. See Davis, D.E, "Irregular armed forces, shifting patterns of commitment, and fragmented sovereignty in the developing world", Theoretical Sociology, (2010) 39: 37; Willis, G.D, The Killing Consensus: Police, Organized Crime and the Regulation of Life and Death in Urban Brazil, University of California Press, California, 2015.

[12] Interviews in Bamako, August 2018.

[13] Author interviews in Mali, August 2018.

[14] Interviews in Bamako, August 2018.