



# **Narcotics and Crime: A Challenge to South African National Security (2006-2018)**

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Mini-dissertation

Submitted in partial fulfilment of Master of Security Studies from the Department of Political Science at the University of Pretoria

December 2018

## ABSTRACT

*South Africa has a serious organized crime, narcotics trafficking and corruption challenge. South Africa, a nation suffering from high levels of crime, is the Southern African hub for drug trafficking. Many of its security officials are plagued by corruption and linked to criminal syndicates, such as drug traffickers. Therefore, a relevant question needs to be explored: Does South Africa exhibit characteristics of narcostatization? The term narco-state itself is a contentious concept, but levels of narcostatization provided by David Jordan will be used as a model to explore the question. The research explores South Africa's narcostatization levels from 2006 to 2018, with the corruption of South African security sector as a unit of analysis. Based on reports, books, journals and newspaper articles, it is evident that occupants in high ranked positions in the South African Police Service (SAPS) has been affected by corruption with criminal syndicates. An example being the criminal relationships of former National Police Commissioner, Jackie Selebi. The purpose of this exploration is simply to understand how the challenges of governance, rooted in narcotic trafficking, impact the security sector and citizens of the state. Finally, it is explorative because there is minimal literature that claims South Africa is a type of narco-state, and the assumption is that it is not one. Nonetheless, the effects of narcotics and narco-trafficking have negative consequences for South African national security.*

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# 1. CHAPTER ONE: INTRODUCTION

## 1.1 RESEARCH THEME

The illicit trade of narcotics and its intersecting problems of crime and corruption in the security sector are assessed as national security threats in countries such as Colombia, China and the United States of America. It should also be considered a national security threat to South Africa. In the case that these problems are intertwined, a political culture of unaccountability and (corrupt) drug money is penetrated in the political system, the process of narcostatization becomes difficult to reverse. These challenges were previously viewed as social ills but since the end of the Cold War, Security Studies has broadened and widened its conceptual framework. Narrowly defined, security was understood through a military lens as threats were categorized as externally driven. However, since 1994, internal threats have become increasingly legitimized in security agendas, especially since the 1994 United Nations Development Programme's conceptualization of human security. Threats to the state and its individuals have shifted from old inter-state wars to 'new wars', where transnational external and internal security issues include corruption, crime and drug trafficking (Hough *et al* 2008: 44).

Drug trafficking and other effects of illicit narcotics have the potential to kill and ruin the health of a substantial number of individuals and increase the number of profit-seeking criminals. Additionally, it requires a coordinated response to deal with the produce and consumption of these illicit narcotics as well as the transshipment countries (Jojarth 2009: 1). As a transshipment zone, these characteristics are a serious security issue in South Africa, where there is significant drug abuse and high levels of criminal enterprises and political corruption. If drug producers and profiteers are unchecked, the highest level of narco-trafficking and narco-corruption can lead to a narco-state. This is defined as a country that experiences an economy of illicit drugs that influences its political system, or potentially in the case of South Africa: narco-corruption in the security sector.

In 1996, President Nelson Mandela admitted for the first time that crime in South Africa "was out of control" (Rotberg & Mills 1998: 1). Subsequently, South Africa has securitized crime and drugs, which continue to be uncontrolled in present day. Gangsterism and crime has increased within the country and drug trafficking continues to thrive. It has become a norm in South Africa to encounter headlines that involve millions of Mandrax pills being discovered or an airline passenger carrying cocaine worth 2 million rand (Omarjee 2016). Not only has this impacted negatively on South African individuals, but narco-corruption has extensively

impacted South Africa's law enforcement institutions, primarily the SAPS. It is therefore believed that narco-corruption and criminal relationships have become entrenched in the system as seen in the case of South African Police Chief, Jackie Selebi. Selebi was eventually imprisoned in 2010 due to his corruption scandal. He had been accepting bribes from convicted drug trafficker, Glenn Agliotti.

Using the Selebi case as a starting point, the purpose of this study is to apply David Jordan's narcostatization levels (incipient, developing, serious, critical, advanced) to South Africa and explore whether we can place South Africa somewhere in this spectrum. Therefore, drug trafficking, narco-corruption, and organized crime will be relational concepts that map South Africa's level of narcostatization. This will be an explorative question since, perhaps with reason, there is minimal literature indicating that South Africa is experiencing characteristics of a narco-state. Due to limited practitioner experience, the purpose is merely to explore whether South Africa is displaying characteristics of narcostatization and what the challenges of drug trafficking are to the South African security sector. South Africa has been labelled as a regional hub for drug trafficking. Furthermore, it experiences high levels of crime, high levels of police corruption, and a former-President stood accused of corruption and permitting state capture. These characteristics make this exploration a relevant one.

## 1.1 LITERATURE STUDY

As a traditional literature review design, the most significant literature to this study are books such as David Jordan's 1999 *Drug Politics: Democracies and Dirty Money*, Nigel Inkster and Virginia Comolli's 2012 *Drugs, Insecurity and Failed States*, and Paul Rexton Kan's 2016 *Drug Trafficking and International Security*. Inkster and Comolli analyse the problems of the prohibition-regime of narcotics as well as the history and impacts of the drug trade. With the drug trade in context, Jordan provides a typology model that discusses the levels of narcotization that define a narco-state and its processes. Jordan also analyses how state capture by criminals can impact democracy and accountability. Using his framework for this study, bribery and corruption are significant themes when analysing the unit of analysis of South Africa's law-enforcing institutions. In addition, Paul Rexton Kan's literature incorporates Jordan's conceptualization of a narco-state and addresses the gaps in International Relations (IR) regarding drug trafficking. Kan uses a few examples to demonstrate how African countries fit in the narcostatization framework. Despite the fact that South Africa faces significant drug trafficking challenges, has a place in geo-narcotics and perhaps is a type of narco-state, it was not made part of Kan's study. Therefore, the aim is to

attempt to explore whether South Africa fits into such a category. However, in order to do so, South Africa's context of police corruption needs to be included. If the security sector, such as policing institutions, is affected by narcostatization then more initiatives for security sector governance reform needs to be implemented.

One of the key books sourced in this dissertation is Adriaan Basson's 2010 *Finish & Klaar: Selebi's Fall from Interpol to the Underworld*. This literature will serve the purpose of explaining the corruption of Police Chief Jackie Selebi and his associates, such as convicted drug trafficker Glenn Agliotti. In addition, newspapers will be used to narrate how South Africa has suffered from intimidation, high levels of corrupt political interference, police murders and police collusion with criminals. One book that will serve to contextualize this is Angelique Serrao's 2016 *Krejcir: Business as Usual*, which focuses on South Africa's Czech Mafia boss, Krejcir. Krejcir was involved in the dealing of drugs and explains the extent of police corruption. Additionally, two books, *Ministry of Crime* and *Killing Kebble*, from investigative journalist Mandy Weiner are significant to this dissertation's description of police corruption and its links to organized crime. Mark Shaw's online publications on South African organized crime and transnational organized crime (TOCs) in Southern Africa are also imperative. Finally, to further explore the extent of the link between political establishment and drugs, the extent of drug trafficking and the drug problem in South Africa, this dissertation also relies on police corruption reports, ENACT publications, the *UN Drug Reports*, and collaborating newspaper articles.

As a limitation to this dissertation, however, the concept of a narco-state has been deeply criticized because it is oversimplified and lacks a concrete definition. As a result, Chouvy's critical essay on the "myth of the narco-state" will be incorporated so that the concept is not contextualized as a given. In addition, the statistics and knowledge available may be incomplete due to security sensitive information. Not all information on security issues are undisclosed.

## 1.2 RESEARCH PROBLEM

This research is exploratory as it seeks to examine whether South Africa has characteristics of a narco-state and attempt to identify which level it should be characterized as. The research argument would therefore be that South Africa lies somewhere between an incipient and serious narco-state based on the characteristics given by David Jordan. The reason the level cannot be stationary is because the type of a narco-state can shift lower or

higher on the index, based on the country's context. In South Africa's case, labelling South Africa on the narcostatization index can come across as blurry. Some characteristics lower on the spectrum are not relevant to South Africa, while other elements higher on the spectrum are characteristic of South Africa.

At the outset, it should be stated that South Africa is nowhere near an advanced narco-state, such as Afghanistan, as the political system and its economy does not rely on illicit drugs. However, this dissertation assumes that the levels of corruption in South Africa's security sector are a matter of concern. The main question is: *Does South Africa exhibit characteristics of narcostatization?* The research problem statement is that South Africa's security sector has corrupt relationships which leads to institutional implications. The statement can be problematized as certain questions arise: "Does South Africa display certain characteristics of narcostatization?", "Does South Africa exhibit characteristics which make it prone to becoming a narco-state?" and "How do these characteristics impact South Africa's national security?" In essence, the phenomenon is narco-corruption; the presence of a penetration of drug-criminal organizations in state institutions. More specifically, in the SAPS.

Therefore, the concepts that will be examined for this dissertation are drug trafficking, drug cartels within criminal syndicates (main actors), corruption and the security sector (main state officials) in South Africa. Policing institutions are part of the government and therefore corruption within police, especially among members in higher positions, are analysed as government corruption. Moreover, the security institutions, especially the SAPS, are the main force against drug traffickers and their activities. Therefore, if drug traffickers have penetrated such institutions, then South Africa, as a state, is likely to be criminalized by narcostatization. In essence, framed under the narcostatization index, it is important to explore how concepts such as narco-trafficking, narco-corruption and narco-related activities might be at play with the unit of analysis; law enforcing institutions such as the SAPS.

As concepts, corruption and accountability are specifically related to narcotics in this dissertation. Since the term corruption can be expanded to many levels, it needs to be framed under relationships with drug traffickers, drug trading activities or bribery. However, before that can be analysed, a background and context of the security issue of narcotics and drug trafficking in South Africa will have to be provided. Therefore, contextualizing South Africa's place in geo-narcotics and trafficked drugs is highly important. This dissertation will incorporate sources from the post-apartheid period to gain an understanding of the rise of drug trafficking, security sector governance in South Africa and apartheid legacies such as poverty and crime. The information analysed pertaining to narco-corruption in security



institutions will be drawn from the year 2006 – 2018. The reasoning behind this choice of time period is South Africa’s biggest policing scandal. That of Jackie Selebi, which became publicized in 2006. His national scandal is one of the drivers of interest for this explorative question. His case serves as a starting point for how corruption with drug traffickers can ascend to top state officials and demonstrates how South African politicians have reacted to such an issue. This, in the end, impacts security sector governance, by growing distrust in South Africa’s security institutions and creating the possibility of an increasingly illicit economy.

### 1.3 RESEARCH METHODOLOGY

FIGURE 1: THE NARCOSTATIZATION INDEX

Level 1: <i>Incipient</i> – Bribery of low level officials, widespread drug consumption, increasing cultural support for drug consumption.
Level 2: <i>Developing</i> – Increasing government support for drug consumption, antidrug activists removed from educational and cultural institutions, government infiltrated or run by prodrug officials.
Level 3: <i>Serious</i> – Massive bribery and corruption of public officials, substantial intimidation, including murder, of resisting officials, corruption of local and regional police and judicial officials.
Level 4: <i>Critical</i> – Corruption at high levels of national police and judicial systems, endemic extortion rather than bribery, top level police enter drug trade, protect it and authorize political assassinations, financing of journalists and magazines by drug lords; narco-journalists become known.
Level 5: <i>Advanced</i> – Compliance of ministries, in addition to judiciary, with organized crime. A president surrounded by compromised officials. Possible complicity of the presidency itself, the president may be charged as <i>capo di tutti capi</i> and the public are not surprised.

(Source: Jordan 1999: 191)

As explained above, this mini-dissertation will be an exploratory qualitative study that’s framed under a conceptual framework to understand narcostatization in South Africa. It is a conceptual framework since the dissertation will clarify and understand the relationship

between relevant concepts such as corruption, the drug trade and organized crime to map their connection with narcostatization. For conceptual clarity, the narco-state will be explained and evaluated in Chapter Two as this dissertation relies heavily on Jordan's "Narcostatization Index" as a model (see *Figure 1 p. 5*), which has five levels of narcostatization. A good model is isomorphic, gives logical explanations and eliminates characteristics that are irrelevant (Hay 2002: 80). In the end, we can make judgements once the model has been applied and conclude whether the model is true or not (Hay 2002: 80). Therefore, the purpose to model is to explore whether the index is applicable to South Africa, at what level of narcostatization South Africa would be categorized as and how these characteristics (may) impact the security. The security sector in South Africa has many institutions, from public to private. Therefore, the SAPS will be the main focus. Security is understood as the protection of the state and its individuals and therefore any form of narcostatization is seen as a threat to state security as well as human security. Consequently, the holistic approach of the South African Defence Review 2015 places organized crime, illicit economies and drug trafficking as threats and risks.

In essence this mini-dissertation is structured into five chapters. Chapter Two contextualizes the drug trade as a security threat to national security. Chapter Three describes the drug-crime challenge in South Africa, including its criminalized society, the weak criminal justice system and the extent of its drug trade. After gaining an understanding of the issues of drug trafficking in South Africa in Chapter Three, Chapter Four analyses the extent of police corruption and the politicization of security in South Africa to determine South Africa's vulnerability to the process of narcostatization. Chapter Five concludes the exploratory argument that South Africa exhibits characteristics of narcostatization and should be placed in the incipient level of the index. This is followed by recommendations to mitigate its effects.

## 1.4 CONCLUSION

In conclusion, this will be a traditional literature review design with an open and flexible approach of enquiry that aims to explore and emphasize South Africa's experiences with narco-corruption in policing institutions. This qualitative study attempts to narrate and describe the perceptions and experiences of corruption related to narcotics and narco-traffickers and the security sector (Kumar 2014: 13). As indicated throughout this proposal, the evidence lies within primary sources such as reports, newspaper articles, cases and speeches. Secondary sources such as books and journals will also be used.

## 2. CHAPTER TWO: THE NARCOTICS TRADE AS A SECURITY THREAT

The purpose of Chapter Two is to clarify and operationalize the literature. The aim of this chapter is to contextualize the narcotics trade as an illicit activity that is a global security issue. The chapter is significant because it defines what a security threat is and how narcotics became securitized through the global prohibition regime. Consequently, organized crime flourished, national security was threatened by non-state actors, leading to what this dissertation explores: the phenomenon of the narco-state and how its characteristics impact on South African national security. Paul Rexton Kan's *Drug Trafficking and International Security* and David Jordan's *Drug Politics* will be used as main sources for this mini-dissertation to further to understand the threat of drug trafficking. "Global drug trafficking should be viewed as an international security threat" as it intersects with many security issues such as rogue states, terrorism, weak states, transnational crime and global health issues (Kan 2016: 2).

### 2.1 THE NARCOTICS TRADE

Global narcotics trafficking comprises of the production and distribution of psychoactive substances that are internationally banned by regulatory authorities and states because of its impact on governance, violence and individual health (UNODC 2017: 5). The international prohibition regime has declared many psychoactive substances as illicit (Inkster & Comolli 2012: 9) Nevertheless, there is an increasing problem of narcotics abuse. Narcotics are mainly consumed to battle pain, depression and stress (UNODC 2018: 19). These narcotics include heroin, marijuana, cocaine, amphetamine-type stimulants (ATS) (like methamphetamine and ecstasy), hallucinogens like LSD, as well as an increasing number of synthetic drugs (Kan 2016: 3). Among these substances, two main classes of narcotics are most significant for their addictiveness: opiates – which includes opium and other chemical spinoffs such as heroin and morphine – and coca-based products, principally in the form of cocaine (Inkster & Comolli 2012: 10).

Diacetylmorphine, better known as heroin, was first produced by C.R Alder Wright in 1874 (Inkster & Comolli 2012: 10). Like all opiates the addictive substance is typically injected, either subcutaneously or intravenously – also called 'mainlining'. It may be smoked, a

process called chasing the dragon. Once neurons are affected by the stimulants, changes occur in brain chemistry which lead to severe physical withdrawal symptoms such as cramps, anxiety, diarrhoea and nausea. These can last up to two weeks (Inkster & Comolli 2012: 12). The other main substance that affects the brain is cocaine.

In the mid-nineteenth century, cocaine was discovered through coca leaves. Cocaine is a natural alkaloid found in the coca leaf (*Erythroxylum coca*). It was first distributed by Palo Mantegazza and Albert Neimann in 1860. Cocaine can be injected but is mostly snorted in form of powder or smoked in a form called 'crack'. Unlike heroin, cocaine stimulates the central nervous system by inhibiting and up-taking neuro-transmitters such as serotonin and dopamine, creating a feeling of euphoria to the user. Cocaine withdrawal is nothing like heroin withdrawal, but it gives rise to symptoms such as fatigue, anxiety and depression (Inkster & Comolli 2012: 12).

In present day, the drug trade is a worldwide illicit industry. Around 250 million people of the global adult population used drugs at least once in 2015, and 29.7 million of those drug users have suffered from drug use disorder (Ministeria Justicia 2018). Out of those 250 million people most used cannabis. Cannabis is the most commonly used drug and was consumed by 183 million people in 2017. The second most commonly used drug worldwide is Amphetamine-type stimulant. In 2017 37 million people used an Amphetamine-type stimulant and 22 million used ecstasy. The most harmful drug to human health, heroin, is consumed by 18 million, while 17 million consumed cocaine (UNODC 2018: 6). In addition, there are new trends too, such as the New Psychoactive Substances – NPS (known as “legal highs”), such as tramadol which are not yet included in the contemporary international drug treaties (Ongolo 2018).

Significantly, these substances have played a “role and perpetuating some intractable conflict in areas of the world that are vulnerable to destabilization, with consequences that go beyond the areas in which these conflicts occur” (Inkster & Comolli 2012: 10). Using narcotics as source of funds for weapons and bribery criminal and terrorist groups prolong conflicts longer than any other form of commodity, which causes instability in the region. The illicit activity has undermined the national security of various countries and has distorted the development of its societies, especially in countries such as Tajikistan and Myanmar (Swanstrom 2007: 18). The non-state actors involved in narco-trafficking have fuelled violence, upended governments, instigated corruption and therefore has cost the lives of many across the world (Kan 2016: 3).

In essence, these non-state actors have become a direct challenge to authority and sovereignty of nation states (Swanstrom 2007: 4). With the aim to protect immoral business

interests, corrupting law enforcement, civil servants, judiciaries and politicians, these non-state actors in the narcotics trade have the “potential to degrade the effectiveness of institutions and erode all-important public trust” (Inkster & Comolli 2012: 31). Also, in terms of social security, more vulnerable parts of society suffer the most from the effects of organized crime such as prostitution and drug selling (Swanstrom 2007: 24). These criminal groups have greater impact on states that suffer from poor governance, weak institutions, conflict and where the licit economy does not meet the needs of its citizens (Inkster & Comolli 2012: 31).

In countries with weak governance and poverty, the illicit trade of narcotics provides economic opportunities for poverty-stricken individuals and the unemployed, but in the long-run it has negative consequences (Engvall 2006: 830). According to Gutiérrez-Romero (2018), there are false indications that drug cartels benefit Mexico as research demonstrates that the economies of areas plagued by drug-related violence have suffered severely. The drug policy in Mexico scattered drug cartels into different areas, but in areas abandoned by drug cartels, the crime dropped by 50 percent (Gutiérrez-Romero 2018). When drug cartels move into an area, the costs of production increases as there is greater risk for rule of law and violence. Removing these gangs from the communities have proven to be difficult and as a result, the war on drugs and its ungovernability continues to create instability (Bagley & Rosen 2015: 4). Overall, the implications of organized crime and the drug trade should be studied under a security perspective.

## 2.2 “SECURITY”

Security is not a universal concept, however it can be defined as “the absence of threats” (Hough & Du Plessis, 2000: 44). Therefore, insecurity reflects a combination of threats and vulnerabilities (Hough *et al* 2008: 1). According to Hough *et al* (2008: 2), “a type of threat and the intensity of a threat should be based on proximity, probability of occurrence, specificity, consequences and historical setting”. Additionally, measurement remains problematic as the “seriousness” of a threat is ultimately a political matter. However, “threats must be defined as capabilities multiplied by intentions, probability, consequences and time-span” (Hough *et al* 2008: 2). If either one of the characteristics are lacking or the perceived threat is too future-orientated, there is no real threat but rather it is considered a risk. Essentially, a threat is a grave issue that drives a high-level sense of insecurity which entails harm and a negative outcome, especially if it is ignored. An example of insecurity would be the rise of organized

crime and the drug trade, which were not always considered 'traditional' international security issue (Engvall 2006: 828)

Academically, traditional security, or old security (strategy), refers to the military aspect of international security. Through realism and neo-realism, old security focuses on power, the conditions of the anarchic system and is sceptical about perpetual peace. Therefore, old security is understood as state-centric since the state is the referent object. In addition, old security takes the view that most threats to national security are external (Ayoob 1995: 3). The traditional security agenda would be considered as police, military and intelligence, while the security of the state, more specifically national security, is of main concern (Beswick & Jackson 2011: 8). Contemporarily, national security remains central to the security agenda as states dominate the conditions for security (Buzan 1991: 1). However, as a response to the rise of intra-state conflicts, the post-Cold War concept of security emerged to include individuals, groups, and societies as referent objects. This broadening of the term was accompanied by a number of novel threats pertaining to politics, the economy, the environment and various societal aspects. Threats were no longer only military, but now also had non-military spheres. These ideas were coined under the umbrella of 'Human security'.

The concept of human security originated in the United Nations Development Programme (UNDP) Human Development Report in 1994, criticizing the narrowly-focused conceptualization of security and its protection of states rather than individuals. The UNDP advocated a human-centric approach, stating that human life and dignity is a universal concern. Widely regarded as the "sea-changing" in thinking about security, the human-centric approach, regarded as more universal, places individuals as the referent object. Rather than nation-states, security became more concerned with how people live in society (Buzan & Hansen 2009: 202). By taking the human-centric approach, considered an old liberal philosophy to international relations, scholars and policy-makers can contextualize the causes and conduct of insecurities. The UNDP defined human security as: first, safety from chronic threats such as hunger, repression and disease; second, security means the protection from suffering and hurtful "disruptions in the patterns of daily life – whether in homes, in jobs and communities" (Collins 2010: 122). The UNDP concluded that human security was made up of seven main elements: economic security, food security, environmental security, health security, personal security, political security and community security. Security further developed as a reaction to the increase of threats within borders and atrocities committed by political leaders, which advocated the nexus between conflict and development.

The UN conceptualisation of human security was probably the most significant expansion of the concept (Buzan & Hansen 2009: 202). There are two schools of thought regarding human security: narrow and broad. The narrow school focuses on the “freedom from fear” of political and violent threats against individuals. The broader school, however, also incorporates structural violence such as poverty, environmental degradation and disease (Collins 2010: 124). The broader view calls for the protection of core elements and necessities of all human lives. This view has been criticized for having analytical rigours. Roland Paris has accused security of becoming too broad and becoming academically vacuous by stating, “if human security means almost anything, then it effectively means nothing” (Buzan & Hansen 2009: 204). It is claimed that a narrower view on security helps in the resolution of academic arguments and guides policy priorities.

Barry Buzan and Roland Paris remain sceptical about the term human security and accuses it of being a “reductionist understanding to international security” and maintain that it mistakenly idealizes security as the end goal (Buzan 2004: 369). If the referent object is in fact the individual, then the agenda is same as human rights. Paris declares that human security lacks definitional boundaries, which ranges from genocide to substance abuse (Paris 2004: 370). Paris also complicates matters by questioning, how does one measure a rise or fall in human security, since the factors affecting human security are part of human security itself. The term was further broadened to accommodate differences in culture and experience. For example, human security may mean something different to those in China, India and South Africa than those in Germany and France. Paris finally states that without a concise definition of human security, scholars “cannot comprehend the causes of human insecurity, or even what it means” (Paris 2004: 371). Regardless of definitional uncertainty, what is certain is that security will continue to evolve (Collins 2010: 125).

Security, traditionally viewed in military terms, has undergone a widening and broadening framework since the end of the Cold War (Snyder 2012: 4). While the threat of inter-state conflict remains relevant, the age of globalization and rise of intra-state conflicts has required a rethinking of security (Snyder 2012: 5). Due to the transformation of the strategic environment since the 1990s, there has been a growing frustration towards the traditional IR paradigms such as Realism, Pluralism and Marxism (Hough 2013: 2). In addition, with the rise of postmodernist thinking in methodology, these paradigms were theoretically challenged by the ‘New wars’ (Hough 2013: 4). For example, Critical theorists such as Ken Booth and Wyn Jones questioned the objective and scientific nature of security and human behaviour, while feminist scholars such as Tickner criticized the male bias within Security Studies and the international system. In terms of the narcotics trade, Realism overlooks how the narcotics trade led to a war between the Empire of Great Britain and China, known as

the Opium Wars. More contemporarily, in 1989, the US invaded Panama to remove narco-running president Manuel Noriega and initiated operations to stop drug funded insurgencies in Afghanistan (Kan 2016: 8).

Liberalism perceives narco-trafficking as an issue managed through *cooperation* between international and regional organizations. Liberals believe that law enforcement, diplomacy and development are methods to limit drug trafficking (Kan 2016: 8). However, liberalism omits how the power of narcotics can undermine international cooperation. Criminalized states, failed states and internal conflicts seen in Colombia, Afghanistan and Mexico are fuelled by drug trafficking which undermines cooperative attempts to limit it. Additionally, liberalism is incapable of incorporating the theoretical parameters of the variety of actors who participate in the trade, such as drug dealers, *tsotsis*, law enforcement and suppliers. Collectively, transnational criminal organizations, rogue states, terrorists and even some national militaries are involved in the growing, manufacturing and selling of illicit narcotics (Kan 2016: 9). The increase of 'reflective theories' within security studies and the incompleteness of liberalism and realism and gave rise to a new paradigm: Social Constructivism (Hough 2013: 6).

Social Constructivism challenged the traditional IR paradigms as it theoretically applied a sociological approach to international relations and security studies. Placing greater emphasis on identity politics and demonstrating a greater appreciation of cultural influences in policy-making, social constructivism logically widened and deepened the conceptualization of security (Hough 2013: 6). Advocated by Barry Buzan and Ole Waever, the Copenhagen Research Institute explicitly widened the definition of security in two ways. They explained firstly, that non-military issues can be a threat to the state and, secondly, that term was broadened as it now acknowledged that issues could be a matter of security, even if they did not threaten the state (Hough 2013: 8). Contrary to liberalists and realists, constructivists believed narco-trafficking to be "political issue rather than a security one" and that "reversing war on drugs and ending the prohibition would bring a greater degree of security" (Kan 2016: 10). This theoretical approach, advocated by Buzan and Waever, emphasizes the role of social aspects of security and is known as the Copenhagen School, home to the Securitization Theory.



## 2.3 THE “SECURITIZATION” OF NARCOTICS

Securitization is one of the most innovative concepts to emerge out of Security Studies. Securitization, as a basis of the *New Framework for Analysis*, advocates that security is a social and subjective process. Endorsing the widening of the contemporary security agenda, securitization also aims to analytically limit the broadening of security issues as there are “intellectual and political dangers in simply tacking the word security onto an ever-wider range of issues” (Peoples & Vaughan-Williams 2010: 76). For Buzan, in his 1991 updated version of *Peoples, States and Fear*, scholars need analytical grounding to distinguish what can be judged as a security issue, and what cannot. Otherwise, the term risks becoming meaningless: “if human security means almost anything, then it effectively means nothing” (Buzan & Hansen 2009: 204).

For the Copenhagen school, deriving from traditional thought, security is a matter of survival: an issue only becomes a security issue if there is an existential threat to a referent object (Peoples & Vaughan-Williams 2010: 76). In terms of national security, the referent object would either be the survival of the state or society. The threat itself can be military, environmental, political, societal or economic. For Buzan, the definition of the referent object is the belief that, “it has to survive, therefore it is necessary to...” securitize it (Buzan *et al* 1998: 36). Securitizing means to shift an issue, on the spectrum, from political to security. Once the issue is presented as a threat and the shift is successful, the use of exceptional political measures are legitimized. Therefore, quite simply: if there is an existential threat to a referent object, then it is a security issue. These threats are dealt in militaristic terms and with urgency (Peoples & Vaughan-Williams 2010: 77). But the key feature of the securitization theory is how threats are identified and how the shift occurs.

The securitization theory makes use of a spectrum with three spheres: non-politicized (not a public issue), politicized (a matter of political debate) and finally, securitized (security issue) (Collins 2010: 138). Based on the Theory of Language, the shift between them is only accomplished through “speech acts”, known as “performatives” that creates a social act (Peoples & Vaughan-Williams 2010: 77). In its mode of modality, securitization is not always successful. First, there needs to be ‘felicity conditions’ as the audience needs to find the threat credible (Collins 2010: 138). Therefore, the securitizing actor, the government, the elite, military or civil society, has the capacity to present the issue with a historical rhetoric to convince the audience.

The move of securitization can fluctuate over time when an issue is deemed more threatening or not threatening anymore. In the case of Saddam Hussein’s Weapons of Mass

Destruction (WMD), the issue was securitized by Britain's Prime Minister, Tony Blair. After the security issue lacked credibility, since the allegations of weapons of mass destruction were ungrounded, the issue moved back to politicization or de-securitization (Peoples & Vaughan-Williams 2010: 78). Therefore, according to the Copenhagen formula, the successes of securitization and security acts, rely on the quality of the speech act by the securitizing actor, before which no extreme measures of politicization can be implemented (Collins 2010: 139). Such a conceptual framework has allowed security issues such as health issues, drug traffickers and terrorism to be theoretically considered a threat to society, especially after the 9/11 attacks (MacDonald 2008: 563).

In 1961, exemplifying the securitization of drugs, the UN's Single Convention on Narcotic Drugs concluded that, "addiction to narcotic drugs constitute a serious evil for the individual and is fraught with social and economic danger to mankind" (Kan 2016: 30). To combat this threat, the convention required signatories that standardized domestic laws to criminalize the, "cultivation, production, manufacture, extraction, preparation, possession, offering, offering for sale, distribution, purchase, sale, delivery, brokerage, dispatch, dispatch in transit, transport, importation and exportation of drugs" (Kan 2016: 29). Thus, it required that signatory states to legislate domestically to criminalize the possession of drugs for personal consumption (Inkster & Comolli 2012: 43). Consequently, sophisticated, well-financed drug trafficking organizations from the 1970s became analysed as a threat to national sovereignty, even though only few states had been penetrated by drug traffickers (Elvins 1998: 5). As a speech act, American President Richard Nixon declared that narcotics are "public enemy number one" and announced the War on Drugs in 1971 (Bagley & Rosen 2015: 3). Furthermore, the 1988 Convention on Illicit Trafficking in Narcotic Drugs and Psychotropic Substances at the United Nations "mandated the tracking and seizing of drug assets of signatory nations with enhanced extradition mandates for drug criminals" (Kan 2016: 29). Although narcotics had not been the only illicit commodity that created conditions for sustainable conflict, the availability and accessibility to create it led to a global cooperation (Inkster & Comolli 2012: 34). However, the success of securitization is not always a 'good thing'. The concept also does not escape limitations, as some issues, such as narco-trafficking, may never become de-securitized.

As an example, choosing a referent object based on securitization theory is too narrow to address the threat of narcotics (Kan 2016: 7):

"to construct its choices in dichotomous terms meaning that security approaches have tended either to make the state or the individual the referent object; to construct security as either military or non-military; or draw a rigid line between external and internal

security problems; and to see international – and national – politics as either inherently conflict or as susceptible to non-violence and emancipation. Some of these dichotomies have deeper historical ties and therefore should be seen as connected rather than opposed: there is a link between the individual conceptions of security and collective ones; there is a connection between external and internal threats and an understanding of security politics as a rational account of material capabilities exists in tandem with one based on the need to make decisions in an irrational environment” (Buzan & Hansen 2009: 22).

Narco-trafficking surpasses these abstract dichotomies because narco-trafficking is an anarchic international activity, no individual, organization or state has a monopoly on either the supply or demand of the narcotics trade (Kan 2016: 7). Controlling the supply of the trade has also proven to be difficult as the actors involved are vast: farmers, producers, smugglers and distributors. Because of the securitization and globalization of the trade, drugs have been difficult to contain due to drivers in supply and demand spectrum, primarily the profit paradox and the balloon effect (Kan 2016: 13).

The profit paradox is when the demand of the illegal products cannot be reduced. As a result, profits of commodities increase and the trade expands, which entices citizens to participate. For example, in Morocco, there has been a drastic increase in the number of cocaine seizures coming from South America (Ben Yahia 2018). The initial challenge was the illicit trade of hashish; however, Morocco now has a cocaine challenge too (Ongolo 2018). The drug organizations started exploiting Moroccan cannabis routes for the trafficking of cocaine to Europe, incorporating Morocco into the transatlantic cocaine route from South America to Europe (Ben Yahia 2018).

The balloon effect starts to take place when policing or military pressure in one area of a narco-trafficking network leads narco-contributors to relocate, enlarging the network elsewhere. An example of this is when Indian authorities began closing down the Methaqualone (mandrax) laboratories in India and the illicit manufacturing of mandrax shifted to Southern Africa (Venter 1998: 185). Unlike other illegal activities, narcotics are more lootable and less obstructable, Even the unskilled worker can extract, produce and transport drugs, making it difficult to control (Kan 2016: 12)

Consequently, the ‘ungovernability’ of the drug trade has enticed governments, with healthier socio-economic conditions, to move away from the draconian policies. The most cited example is that of Portugal. Although drug trafficking remains illegal in Portugal, since 2001 it adopted a policy of decriminalising the possession of all drugs for personal use. According to the Portuguese Government, the policy has been successful as less citizens are

imprisoned, abusers are more willing to enter health programmes and the overall stigma on drugs is softened. Additionally, the levels of drug consumption have changed relatively little since its decriminalization (Murkin 2016: 21). However, for the rest of the world drug use remains high and continues to increase in transitional and developing countries where the drug trade, surrounded by violence, corruption and intimidation, undermines the economy and governance, especially within the spectrum of human security and state security (Sullivan 2010: 180).

**FIGURE 2: MUTATION OF THE THREAT OF DRUG CARTELS**



(Source: Castañeda 2018)

Whether the referent object is under the framework of state security or human security, drug trafficking and organized crime poses a threat to these units, especially because the illicit narcotics trade has had a significant impact on security. As shown in Figure 2, starting from the 1980s until the year 2018, the threat of organized crime and drugs has impacted human and state security in different ways. The drug trade is a threat to human security, especially where there is widespread heroin abuse, infectious diseases such as Hepatitis C and HIV/AIDS, which can be transmitted by drug users and through sexual intercourse. This is because there is a tendency for diseases to spread via these drug routes. This became clear when the Tajikistan saw an increase in narcotics trafficking. This increase led to an increase

in drug users and ultimately with a public health crisis caused by the ties between heroin and HIV (Engvall 2006: 841).

In other countries, especially those in South America and Central America, stability is now threatened by narcotics-fuelled gang violence. Drug gangs have infiltrated courts, corrupted public officials and funded paramilitary separatists, weakening state sovereignty (Sullivan 2010: 185). As trafficking has diversified, West African countries have been vulnerable to drug-related state capture and drug-funded terrorism, posing challenges to effective institutions and development (Inkster & Comolli 2012: 35). Overall, since corrupt state officials have been increasingly implicated in the illicit trade in countries like Bolivia and Tajikistan, the phenomena of a 'narco-state' has become ever more pronounced.

## 2.4 THE NARCO-STATE AND NARCOSTATIZATION

President Evo Morales of Bolivia, a former *cocalero* (coca grower) himself, associated his government with coca production, the main ingredient of cocaine. Although the government claims that their approach is "Coca Yes, Cocaine No", the opposition, the Democratic Unity party, claims that the country's politics is polluted by drug trafficking (Radwin 2018). The problem of narco-corruption is an increasing problem at a national level and President Morales has been accused of turning a blind eye on corrupt politicians. In essence, there are allegations that state officials participate in drug trafficking and that the illicit trade is not only operated by criminal syndicates. Although it is assumed that governments are committed to the suppression of narco-trafficking, due to the global securitization of narcotics, the emergence of narco-states dismisses that assumption.

The concept of the narco-state has become a widely accepted feature in contemporary international relations since its discussions in the 1980s, prompted by the conflicts fuelled by the cocaine industries in Peru, Colombia and Bolivia (Kan 2016: 48). Bolivia's military coup financed by drug traffickers, and cocaine-fuelled insurgencies in both Colombia's FARC (*Revolutionary Armed Forces of Colombia*) and Peru's SL (*Shining Path*) led to investigations on how drug policies created conditions of violence and political instability (Sullivan 2010: 186). After the Cold War, the concept of the narco-state gained momentum with policy makers as events were unfolding in Afghanistan and Mexico (Kan 2016: 48). Drug cartels began destabilizing Mexico while the Taliban-captured Afghanistan began controlling opium production to finance their extremist ideologies (Swanstrom 2007: 4). Since then the "narco-states have increased and spread to include transshipment and hybrid

countries in new regions” (Kan 2016: 49). The increase of narco-states and its varieties has led to the concept requiring a definition.

The first requirement for a narco-state is that the area penetrated by drug traffickers is, in fact, a state. Most twentieth centuries theories of the state are built on Weber’s or Marx’s notion of the state. Using Weber’s notion of statehood as a point of departure, a state is described as:

“an organization which control the population occupying defined territory is a state in so far as (a) it is differentiated from other organizations operating in the same territory; (b) it is autonomous; (c) it is centralized; and (d) its divisions are formulated coordinated with one another” (Mentan 2010: 13).

Thus, the modern state would be defined as “any organization which controls a given population in a well-defined territory and has the ability to issue binding rules for its population and to monopolize the levers of coercion” (Mentan 2010: 14).

Therefore, a narco-state is defined as a “nation that has been taken over (state capture) and is controlled by corrupted drug cartels and where law enforcement is effectively non-existent” (Kan 2016: 49). This definition assumes that criminal activity victimizes states, while in other cases narco-states emerge because of the underdevelopment of government institutions and elites mitigating conditions such as a poor national economy. The assumption is state capture is through coercion, but state officials are often “willing facilitators of drug trafficking rather than merely its victims” (Kan 2016: 49).

Moreover, the narco-state has features of effective law enforcement. However, in the case of narco-states, these features are present to facilitate drug trafficking and other criminal activities. Scholars have narrowed down the definition of narco-states to “when leaders of the most powerful trafficking groups occupy high-ranking government positions and misuse state structures for their own illicit business” (Kan 2016: 49). For Kan, this definition is too narrow as in some narco-states traffickers use money to “buy” politicians. The penetration of drug money in law enforcement agencies is adequate for the emergence of a narco-state, especially because narco-trafficking organizations generally do not want to be formally part of government. Therefore, the mutual relationship between traffickers and political elites comprises a significant part of the narco-state. For Kan, the more complete definition of the narco-state is:

“where institutions of government participate in drug trafficking activities or actively collude with drug traffickers, creating conditions where the illicit narcotics trade eclipses

portions of the country's legitimate economy and where segments of society begin to accrue from drug trafficking" (Kan 2016: 51).

As David Jordan acknowledges in his narcostatization index from *Drug Politics*, narco-states emerge where there are governments, organized crime and the criminalization of the global financial system (Jordan 1999: 119). With the help of globalization, illicit goods are transported with legal goods from the developing to the developed (Kan 2016: 50). The intensity of this synergy, however, is not equal in all narco-states. For this reason, David Jordan created five categories of narco-states: incipient, developing, serious, critical and advanced, known as his narcostatization index which this mini-dissertation uses as an IR model to discuss the features of a narco-state.

In David Jordan's *Drug Politics* (1999) there are varying degrees of narcostatization, "the corruption of the political regime as a result of narcotics trafficking", which may occur at any time in a country's transition to democracy or after democratic consolidation (Jordan 1999: 141). As the problem of corruption becomes more globalized, Jordan develops a standard of evaluating narcostatization in countries, called the "Index of Narcostatization Indicators" (Jordan 1999: 120). This allows countries to be classified accordingly, however, it does not represent an irreversible process. Nation-states may move up and down the scale. The levels of the scale, from highest to lowest, are as follows: incipient, developing, serious, critical to advanced.

The first level, the incipient narco-state, has challenges such as low-level bribery of officials, widespread drug consumption and in some cases an increasing cultural support for the consumption of narcotics (Jordan 1999: 121). This also signifies that there are relationships between low-level state officials and narcotics traffickers. These traffickers would be largely dominated by local gangs and organized crime, who move the narcotics across state territory (Kan 2016: 51). One example of an incipient narco-state would be Mali, a transshipment country for cocaine particularly from South America. Mali's security cluster is under-resourced, the borders are porous. Mali's development indicates that it will remain a key crossing point and a hub for cocaine trafficking in West Africa. This trafficking of cocaine is run by "well-established networks in Bamako, that repackage and send drugs to Europe or neighbouring countries" (Assanvo 2018).

The second level, the developing narco-state, experiences an alleged increase in governmental support for narcotics. Additionally, government institutions are infiltrated and run by prodrug officials (Jordan 1999: 121). Kan (2016: 52) argues that in such a state the judicial system facilitates illicit trade and the narcotic economy begins to take root. Tajikistan, as it was in the mid-2000's, is an example of a developing narco-state. In Tajikistan, drug

trafficking networks affected the entire social system of the country. The highest levels of state institutions had been penetrated by drug money due to poor border protection, law enforcement and weak tax structures (Engvall 2006: 844). By the 2000s, many police officials and border patrols were implicated in corruption and the drug industry reached proportions that directly threatened national security (Engvall: 2006 847). In addition, organized crime in Tajikistan damaged legitimacy and reduced the state's capacity to deliver basic services and protect its citizens (Swanstrom 2007: 4). Today, Tajikistan is considered a critical narco-state, the fourth level, where organized crime in the drug trade are powerful. As a result, there is corruption at the highest level of national police and judicial systems, and almost all institutions of governance collude with the narcotics trade (Kan 2016: 55).

The third level, the serious narco-state, suffers from massive bribery, corruption of public officials, corruption of local and regional and judicial officials and a substantial amount of intimidation which includes murdering resisting officials (Jordan 1999: 121). Therefore, with the worsening of governance and development through the penetration of drug money into its economy, this type of state has substantial violence towards those who attempt to resist the money laundering schemes and fail to be corrupted. Mexico, a country with a high demand for drugs, is a source and transshipment state for narcotics. As a result, Mexico suffers from massive security challenges socially, economically and politically (Kan 2016: 53). According to Inkster & Comolli (2012: 110), Mexican cartels have infiltrated over 1,500 cities in the state due to high unemployment rates, corruption, poverty and lack of education. The country is severely impacted by drug violence as the cartels murder 5,000 citizens annually (Sullivan 2010: 181).

The fifth and final level, the advanced narco-state, incorporates many features of the ones discussed above. The advanced narco-state has organized crime that is in compliance with ministries, and a president surrounded by compromised officials. Additionally, there might be possible complicity of the presidency itself, which the public would not be surprised if high levels politicians are charged with narcotic-related corruption" (Jordan 1999: 121). At this level, the government institutions are compliant with producers and manufacture the products abroad. Therefore, senior politicians, and occasionally their family members, have active links with the narcotics trade (Kan 2016: 57). The purpose of the narcotics trade at government level is simply to improve self-enrichment or ideological goals (Kan 2016: 58). Having advanced narco-states in the international system makes it remarkably problematic to follow the global prohibition of narcotics. Afghanistan fits into this category.

Afghanistan, a fragile democracy that has weak government control and political instability, experienced a process of state capture where Afghan administration were deeply engaged



in the narcotics trade. Consequently, between 2016 and 2017, 420,000 hectares of poppy was cultivated worldwide, the majority came from Afghanistan (UNODC 2018: 8). The opium trade makes up for the majority of its economy and fuels political and ethnical violence. The UN estimates that the Taliban earn about \$200 million per annum cultivating opium. With this money they recruit new members, purchase weapons and corrupt state officials (Kan 2016: 60). Regionally, Afghanistan's role as an advanced narco-state directly impacts Uzbekistan, Pakistan and Tajikistan. As the narcotics trade crosses these borders it brings corruption and aids the spread of HIV/AIDS through used needles and (il)licit sexual activities in Central Asia (Swanstrom 2007: 4).

Conclusively, as viewed in nations like Mali, Tajikistan, Mexico, and Afghanistan, the process of narcostatization often threatens the region and the national security of a given state. However, Pierre-Arnaud Chouvy, a leading French academic dismisses the concept of a narco-state.

## 2.5 CHOUVEY'S CONTESTATION OF THE "NARCO-STATE"

Chouvy (2016: 27) criticizes the term "narco-state" because the author believes that western media sensationalizes and misuses statements and official reports to label states that produce narcotics. He was especially critical about how the Observer announced that "Guinea-Bissau became the world's first narco-state", without even clarifying its definition (Vulliamy 2008). When defining a narco-state, it seems that a given state is labelled as a narco-state due to drug-related corruption, somehow distinguishing an alleged narco state from a corrupt state. Jordan (1999: 9) does not clearly define a narco-state but rather focuses on narcostatization, which he defines as the "corruption of the political regime as a result of narcotics trafficking". In Jordan's book, he distinguishes between narco-political democracies and narco-political authoritarian regimes. By proposing his five levels of narcostatization he explains the process is a type of anocracy, where the ruling elite do not face accountability (Jordan 1999: 21). Chouvy criticizes his typology (2016: 28), arguing that it is not a definition of a narco-state but rather a definition of the process of state corruption, which does not include the "narco nature of the state". Ultimately, he believes this typology makes it too difficult to determine which countries are or are not narco-states.

Therefore, for a country to be labelled a narco-state, the economy must be based on the illicit narcotics trade. So, under that definition, there would not be any narco-states except arguably North Korea, where the government allegedly produces methamphetamine (Kan

2016: 58). However, official reports are uncertain of the magnitude of narcotic trafficking in North Korea's economy. Chouvy (2016: 31) also declares that calling North Korea a narco-state is problematic because it is highly likely that the economy gains more from arms sales, therefore the country is more of an "arms state" than a "narco-state" (Chouvy 2016: 29). Critical authors would, therefore be criticizing Kan's categorizations because Afghanistan has had little authority over its population over the past few years.

In conclusion, Chouvy (2016: 35) establishes that in order for a state to be considered a narco-state it should be characterised by the following: its surface area should be covered by drug crops, the illegal narcotic economy should be relative to its overall economy (GDP and illegal economy) and, more significantly, there has to be a state-sponsorship of drug trafficking. With his definition, the two most drug-tainted economies in the world, Afghanistan and North Korea, are not narco-states, and therefore there are no narco-states currently. In the end, Chouvy (2016: 36) concludes that the future existence of a narco-state is a possibility but contemporarily "qualifying existing states as narco-states is only possible because of a lack of proper definitions, which makes it a perfect example of reification". However, regardless of its contestation of qualifying whether a nation-state is a narco-state or not, the impacts of narcotics trade such as the elements seen in the narcostatization index and its effect on governance is still understood as a threat to national security, the economy, development and institutionalism. It should therefore remain a threat to South African national security and security governance.

## 2.6 THE DRUG TRADE AND SOUTH AFRICAN NATIONAL SECURITY

In South Africa's 1996 *Constitution*, the Bill of Rights guaranteed the right to equality and human dignity (Africa 2010: 23). The *Constitution* specifically defines that national security and all its security sectors, for example the South African Police Service (SAPS), must reflect that South Africans live in peace and harmony to be free from fear and seek a better life, must not participate in armed conflict, national security should be pursued with the law, including international law and national security is subject to authority of parliament and accountable to executive (The RSA DOD 2015: 3-4). These principles were then further embedded in the Defence Review and in the defence white paper of 1997, which was facilitated by hundreds of civil consultations with NGO's and academics (Cawthra 2005: 98).

Democratic governance of the security sector is essential to security (Ball 2004: 511). Principles of democratic security sector governance include accountability of security forces,

devotion to domestic constitutional law and transparency in security matters. Security bodies that are poorly managed, corrupt, politicized or ineffective are themselves sources of instability and insecurity that can undermine the capacity for development and democratic consolidation (Ball 2004: 511). According to Nicole Ball (2004: 512) the security sector is commonly comprised of three groups: bodies mandated to use force, justice and public security bodies and civil management and oversight bodies. In South Africa's context, the scope focuses more on the bodies authorized to use force. In other words, the armed forces; the police; intelligence services; secret services; coast guards; and custom authorities. These law-enforcing bodies in South Africa refer to the South African Police Service (SAPS), the disbanded Scorpions, the Directorate for Priority Crime Investigations (Hawks) and South African SARS Customs. However, these South African security institutions suffer from corruption and ineffectiveness. Looting corruption and the rise of (organized) crime demonstrates that there seems to be capacity flaws within South Africa's security sector governance, threatening national security.

National security is, in its most basic form, the security of the state (Lipschutz 1995: 48). It links dynamics and processes between individual security and international security. In South Africa's framework, national security is defined as state-centric and people-centred (RSA DOD 2015: 3-1). In terms of state-centric security, South Africa upholds territorial integrity, constitutional order, the continuation of national institutions, demonstrable good governance and the growth of the economy (RSA DOD 2015: iii). In addition, it advocates the security-development nexus, meaning that security and development are intertwined and inter-linked (Hough & Du Plessis 2000: 50). While South Africa intends to defend its sovereignty at all costs, it also has a national value application towards human security, domestically and internationally. However, providing security for both state and human security is a challenging task (Hanggi 2003: 5). South Africa's challenges for human security is its high levels of crime and the drug trade (Detzner 2017: 124).

Africa's security and development are being undermined by transnational criminals that target the trafficking of light weapons, narcotics, humans and small arms (Du Plessis 2015). According to UNODC (2015), "Criminal organizations have the power to destabilize society and governments", therefore threatening territorial integrity, rule of law and good governance. The regional dimension of the illicit economy in Africa has been a cause of concern. Factors such as corrupt officials, illegal migration, ineffective border controls and a lack of capacity to enforce legislation has allowed criminal networks to operate and facilitate illicit economic activities (RSA DOD 2015: 2-17). As a result, large scale narcotic trafficking continues to be the most visible form of serious organized crime in the Southern African region.

State institutions in South Africa are vulnerable to corruption and intimidation caused by drug trafficking. It undermines the public's faith in democratic institutions, which brings challenges to governance and international financial regulation (Venter 1998: 200). The negative impact of the narcotics trade on transit countries, like South Africa, is arguably greater than on producer states. Regions such as West Africa and Central America all serve as key transit points in global trafficking, which has detrimentally affected governance, economic-development and security (Inkster & Comolli 2012: 85). A direct impact of these narcotics has been substance abuse, particularly narcotics abuse, which is a key factor driving youth-based crime in South Africa (RSA DOD 2015: 2-17). This is demonstrated by the National Prosecuting Authority, which began its Anti-Drug Campaign after finding that many of their young criminal offenders had a direct link to narcotics (Soul City Institute 2016).

Consequently, South Africa has been labelled as a regional hub and transit zone for illicit drugs. There has also been an increase in the flow of drugs into South Africa, with international syndicates playing a dominant role (RSA DOD 2015: 2-17). Communities have been affected by drug turf wars and individual security has been threatened by illicit drugs. Additional effects of the drug trade include drug dependence and spread of diseases such as HIV/AIDS and Hepatitis C. Therefore, the drug trade in South Africa threatens national security as it can weaken state sovereignty through corruption of state institutions, such as the security sector. Corruption of the security sector is linked to high crime levels and affects the social and economic security of citizens.

## 2.7 CONCLUSION

The narcotics trade should be analysed through a domestic and external threat spectrum (Engvall 2006: 828). As a global illicit activity, the narcotics trade is a threat to South African national security because it negatively impacts human security and state sovereignty. First, the illicit narcotics have a damaging impact on individuals with short-term and long-term effects, socially, economically and in terms of health. Some of the direct consequences of drugs, such as fatality or drug dependence, create family dysfunctionality and a lack of economic prosperity for the individual. Additionally, health threats can snowball into larger issues. Countries with a high level of blood-transmission diseases can be negatively impacted by used needles that are used to transfer the illicit narcotics into the bloodstream. Countries that do not have effective health care systems are most vulnerable to the narcotics trade.

The illicit trade itself is lucrative and entices citizens into the unregulated and violent trade as a source of finance, which can effectively stagnate the economy. The violence associated with the trade has negatively impacted investments in countries such as Mexico, where drug cartels (and gangs) intimidate society and the security sector is corrupted, weakening state sovereignty. State sovereignty can be vulnerable to violent criminal groups that use narcotics as a source of funds to intimidate state officials and its citizens while simultaneously corrupting courts and public officials, who often end up participating in the trade. This would be a direct threat to democratic governance of security. The most severe of these characteristics can be seen in “narco-states”, that experience the process of narcostatization, where drug gangs have penetrated the security sector and the political system of a country. This process is a threat to South African national security as any form of narcostatization risks democratic security governance. Therefore, the drug trade, or trafficking of drugs, is a threat to South Africa’s democracy as the level of drug-crime violence, drug abuse and corruption is on the rise.

## 3. CHAPTER THREE: THE DRUG-CRIME CHALLENGE IN SOUTH AFRICA

After the fall of Apartheid and free and fair elections, South Africa adopted democracy in 1994. However, the negative effects of apartheid still remain and are often politicized and referred to as 'Apartheid legacies'. These national challenges are poverty, inequality, unemployment and economic growth (RSA DOD 2015: 1-5). These human security and developmental problems continue to impact the region and form other non-military threats, such as spread of disease and illicit-cross border trafficking in narcotics. Significantly, illegal economies expand due to high unemployment rates, corruption, poverty and lack of education (Inkster & Comolli 2012: 110).

South Africa shares similar characteristics to other typological narco-states: inequality and poverty, high levels of criminality, weak criminal justice systems, a role in geo-narcotics and from the incipient level on the narcostatization index 'widespread drug consumption'. This chapter will first analyse the conditions in South Africa that makes the illicit drug economy attractive to its population, followed by the drug-crime trends in South Africa. The drug-crime challenge in South Africa is a significant security issue as the presence of government corruption, the growing drug trade and organized crime enables the process of narcostatization.

### 3.1 INEQUALITY AND POVERTY

Illegal economies expand due to poverty, inequality, high unemployment rates, corruption and lack of education (Inkster & Comolli 2012: 110). Similar to Tajikistan, one of the main issues that makes the narcotics trade attractive in South Africa is poverty, which is most evident in the lack of opportunities for citizens to earn wages. South Africa has a very high level of poverty with 48 percent of the proportion of its population living below the poverty line (RSA DOD 2015: 1-6). It also has a rising income inequality and is one of the most unequal societies in the world. Research indicates that unequal societies often have strong relationships with violence, crime and prosperity of conflict (RSA DOD 2015: 1-6).

South Africa also faces the challenge of unemployment. A lack of jobs is a major cause for poverty and inequality. According to STATS SA (2018), the unemployment rate is 27.2 percent while youth unemployment is at a staggering 53.7 percent. This, in turn, threatens

the vision of NDP's 2030 goals. With high levels of unemployment, inequality and poverty, citizens of South Africa and other legal and illegal migrants in the region search for other means for survival. Many find alternative financing through criminality (RSA DOD 2015: 1-7).

As a result, South Africa has high levels of criminality, especially violent crime and property crime (Lebone 2018: 944). Reducing and preventing violence is critical to national development and to achieving the United Nations' Sustainable Development Goals (Gould *et al* 2017: 1). When discussing crime there is always a tendency to focus on policing as a solution, however the criminal justice system also requires improvement. If investigators and prosecutors can be more effective in a South African context, its citizens would feel a lot safer (RSA DOD 2015: 1-7).

### 3.2 CRIME AND THE WEAK CRIMINAL JUSTICE SYSTEM

For South Africa, reducing crime is one of the leading challenges to democracy and since 1994 there has been an increase in organized criminal activity. These groups are not only involved in trafficking drugs, but also in arms, stolen vehicles, murders and armed robberies (Hough & Du Plessis 2000: 90). Crime is a concerning feature of South African society. Already in 1998, Mark Shaw indicated that crime was threat to stability and a deterrent to investment, and one of the ineffective functions that go beyond policing is the criminal justice system (Shaw 1998: 32). Shaw concluded that the criminal justice system in South Africa was in crisis. Even today, South Africa remains a society that is embedded with violence and crime. South Africa's National Development Plan for 2030 has many objectives. One of these objectives states that 'people living in South Africa should feel safe and have no fear of crime'. However, South Africa is currently far from reaching this goal. According to the Business Tech (2017), South Africa is ranked as 123rd most peaceful country in the world, out of 163 countries. This places South Africa in the lowest quartile. Although South Africa has improved its placement on the index, having been ranked 126th in 2016, the country remains one of the most dangerous and unsafe countries in the world.

South Africa is one of the ten most violent countries in the world, despite reducing murders since 1994. Because the SAPS statistics are a contentious issue, 'Victims of crime report for 2016/17' (VOC) aims at projecting the perceptions of society regarding the performance of crime and the criminal justice system. Even though murders have increased annually over the 2012-13 to the 2015-16 period, the overall crime rates are declining. Yet there are

deteriorating feelings regarding safety in South Africa. The majority of South Africans feel that the government is failing to secure the safety of its citizens (Stats SA 2017).

Preventing violent crime and cycles of violence is essential to a growing economy and a nation's social outcomes. The criminal justice system, which includes SAPS, had a combined expenditure of R126.71 billion (Gould *et al* 2017: 2). The SAPS budget increased 139.1% over the past ten years and was given R87.98 billion. Even with more staff, the efforts have not resulted in better policing. In fact, there is a mass amount of dissatisfaction with the political and policing system in South Africa. The second most recorded grievance category in South Africa, 16 percent, is regarding the police's inability to reduce crime levels or to solve crimes (Lancaster 2018: 36). This is because the increase in staff and expenditure has not impacted on reducing serious violent crime (Gould *et al* 2017: 4). The murder rate (murders per 100,000) has increased since 2011/2012 going from 15, 554 to 18, 673.

Furthermore, the number of convictions against non-violent organized crime and corruption remain low. In 2015/2016, there were only four Prevention of Organized Crime Act convictions and only eleven convictions under the Prevention and Combating Corruption Act while there were 58 cases (Gould *et al* 2017: 6). Another hinderance is the erratic and limited record-keeping by law enforcement and criminal justice agencies. Murders and falsification of documents hardly fall under the organized crime category and creates a twisted picture of organized crime in the region (Van Nieuwkerk & Moat 2015: 207).

Similar to the SAPS budget, the National Prosecution Authority (NPA) budget has also increased over the past ten years. The NPA has a high conviction rate of 93 percent in 2015/2016 but there are fewer cases being concluded. This is not because there are less cases and arrests but rather because "the NPA has shown a tendency to decline to prosecute ordinary cases in favour of informal mediation", for stabilizing their high conviction rates (Gould *et al* 2017: 7). Even though SAPS' arrests have increased, there has been a seven percent decrease in finalizations from the NPA. In essence, the majority of individuals that are arrested never go to trial or are even convicted. According to Gould *et al* (2017: 8), out of the 1.6 million people that were arrested last year in South Africa, only twenty percent might have been convicted.



**FIGURE 3: NATIONAL CRIME FIGURES OF SOUTH AFRICA**

**National crime figures<sup>a</sup> (actual numbers), 1994/95 and 2016/17**

<i>Type of crime</i>	<i>1994/95</i>	<i>2016/17</i>	<i>Change</i>
<b>Contact crimes (crimes against the person)</b>	<b>630 885</b>	<b>608 321</b>	<b>-3.6%</b>
Murder	25 965	19 016	-26.8%
Attempted murder	26 806	18 205	-32.1%
Sexual offences <sup>b</sup>	44 751	49 660	11.0%
Rape <sup>c</sup>	44 751	39 828	-11.0%
Serious assault	215 671	170 616	-20.9%
Common assault	200 248	156 450	-21.9%
Robbery with aggravating circumstances	84 785	140 956	66.3%
Common robbery	32 659	53 418	63.6%
<b>Contact-related crimes</b>	<b>134 253</b>	<b>120 730</b>	<b>-10.1%</b>
Arson	10 948	4 321	-60.5%
Malicious damage to property	123 305	116 409	-5.6%
<b>Property-related crimes</b>	<b>655 476</b>	<b>540 653</b>	<b>-17.5%</b>
Residential burglary	231 355	246 654	6.6%
Non-residential (business) burglary	87 600	75 618	-13.7%
Theft of motor vehicles and motorcycles	105 867	53 307	-49.6%
Theft out of motor vehicles	183 367	138 172	-24.6%
Stock theft	47 287	26 902	-43.1%
<b>Crimes detected as a result of police action<sup>c</sup></b>	<b>82 626</b>	<b>383 857</b>	<b>364.6%</b>
Illegal possession of firearms and ammunition	10 999	16 134	46.7%
Drug-related crime	45 928	292 689	537.3%
Driving under the influence of alcohol or drugs	25 699	75 034	192.0%
<b>Other serious crimes</b>	<b>515 650</b>	<b>469 276</b>	<b>-9.0%</b>
Other theft	386 292	328 272	-15.0%
Commercial crime	63 056	73 550	16.6%
Shoplifting	66 302	67 454	1.7%
<b>Total</b>	<b>2 018 890</b>	<b>2 122 837</b>	<b>5.1%</b>

(Source: Lebone 2018: 944)

Conclusively, as seen in *Figure 3* South Africa experiences high crime rates that cost South Africa R126 billion a year. Also worth mentioning is the real cost of violence affecting its citizens, both physical and psychological. What is even more worrying is the growing trend of drug-related crimes, such as violence, trafficking, distribution and possession of narcotics,

which has increased by 537.3% since 1994 (Lebone 2018: 944). Corruption, drug trafficking, prostitution and other forms of crime go hand-in-hand with drug usage (Oosthuysen 1997: 49). Consequently, as viewed in *Figure 4* (p. 30), the threat of narcotics has been perceived as one of the most feared crimes, 12 percent in proportion, according to South African households as the country and region’s organized crime and role in geo-narcotics continues to grow.

**FIGURE 4: MOST COMMON FEARED CRIMES**

**Crimes perceived by households to be most common and feared, 2016/17**

<i>Crime categories</i>	<i>Crimes perceived to be most common</i>		<i>Crimes feared most</i>	
	<i>Number</i>	<i>Proportion</i>	<i>Number</i>	<i>Proportion</i>
Housebreaking/burglary	9 910 000	61.7%	8 168 000	50.9%
Robbery outside home	6 822 000	42.5%	6 676 000	41.6%
Home robbery	5 846 000	36.4%	7 206 000	44.9%
Pick-pocketing/bag-snatching	3 162 000	19.8%	3 105 000	19.3%
Assault	3 038 000	18.9%	3 384 000	21.1%
Business robbery	2 723 000	17.0%	2 438 000	15.2%
Murder	2 561 000	15.9%	5 728 000	35.7%
Sexual assault	1 972 000	12.3%	3 981 000	24.8%
<b>Drug trafficking</b>	<b>1 933 000</b>	<b>12.0%</b>	<b>1 986 000</b>	<b>12.4%</b>

(Source: Lebone 2018: 944)

### 3.3 ORGANIZED CRIME AND THE DRUG TRADE

The United Nations defines organized crime as, “a structured group of three or more persons, existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences ... in order to obtain, directly or indirectly, a financial or other material benefit” (UNODC 2017: 15). According to Van Nieuwkerk and Moat (2015: 204), “organized crime is a threat to state institutions, governance and the rule of law including and beyond corruption, may heavily obstruct efforts to develop effective, accountable and transparent institutions at all levels and promote the rule of law at the national and international level and ensure equal access to justice for all”. Even in Africa’s biggest economies, Nigeria and South Africa, organized crime has infiltrated and undermined the criminal justice system (Du Plessis 2015). For example, drug trafficker Nelson Yester-Garrido linked to a Colombian drug cartel has been living in Johannesburg

since 2002 (Wiener 2017). Although his name is not widely known in South Africa, he has been arrested on numerous occasions. He is labelled as an international fugitive wanted in the United States for suspicion of trafficking large amounts of cocaine in the 1990s and negotiating the purchase of a soviet era submarine for a Colombian drug cartel to be used for trafficking cocaine. Yester-Garrido was arrested once more after a drug bust in Port Elizabeth in 2013, involving 160kg of pure cocaine in canola oil. However, it is claimed that prosecutors in the Eastern Cape were bribed R700,000 by Radovan Krejcir to have Yester-Garrido released. It was later confirmed that Yester-Garrido was arrested in Rome in October 2017 and is expected to be extradited to the United States of America (Wiener 2017).

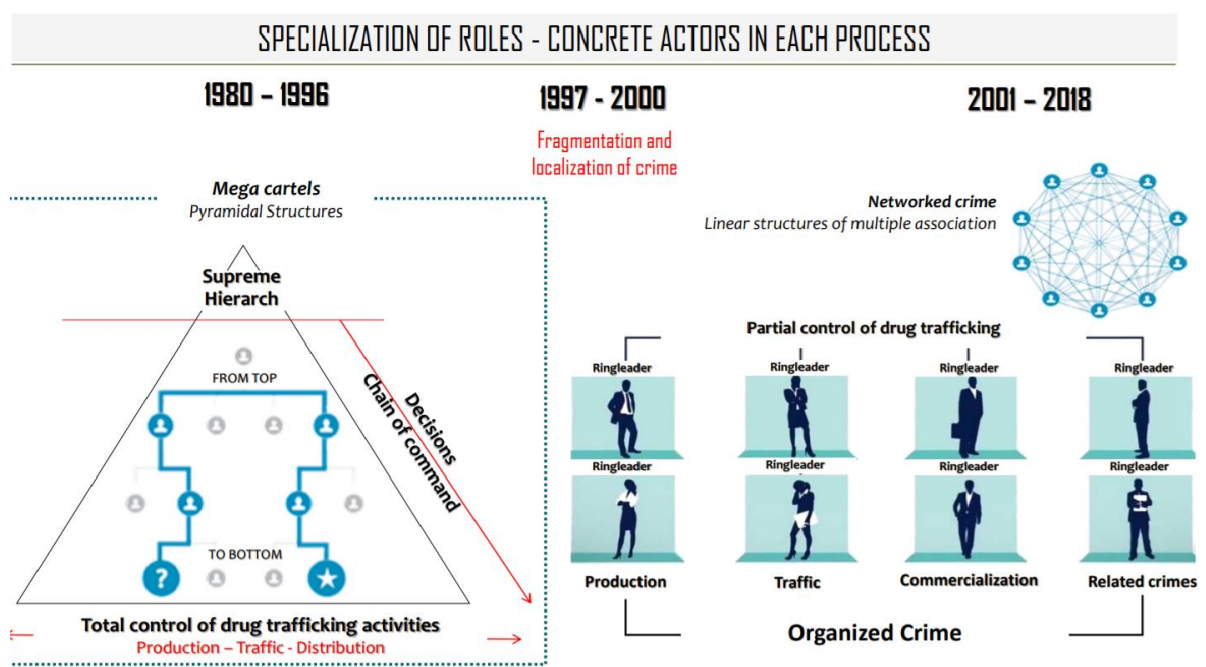
The fear is that these criminal groups will destabilize state structures. This gives organized crime the opportunity to leverage and protect itself from the initiation of a process that threatens its position. As a result, the political system can become seriously distorted. For example, if institutions do not operate based on their functions and resources are inappropriately reallocated, this leads to reduced functionality and an inability to protect citizens (Engvall 2006: 847). The inability to protect its citizens continues to be a worrying trend in Africa as the continent is affected by the rise of violent deaths, as the continent is experiencing levels of criminal violence and corrupted governance comparable to the gang-ridden slums of Central America (Reitano & Hunter 2018: 13). For example, Cape Town's homicide rates are in the top 10 globally, at a deadly rate of 63/100,000 (Reitano & Hunter 2018: 13). These rates are driven by criminal trafficking groups and there is a definite connection between drugs and crime in South Africa (Oosthuysen 1997: 5). Crimes in South Africa stemming from drug-related activities can vary greatly in severity, ranging from petty crimes to organised and even violent crime. In terms of drug trafficking, crime has a clear relation to gangs that cause conflict, violence, intimidation, theft and corruption (Oosthuysen 1997: 24).

Violence and drug trafficking are an intersecting problem (Sullivan 2010: 180). For example, the trafficking of cocaine led to the emergence of the first generation of powerful, vertically-integrated violent cartels based in Medellin with Pablo Escobar, who covered all aspects of production, distribution and laundering of money (Inkster & Comolli 2012: 57). Recently, as viewed in *Figure 5* (p. 32), these vertically-integrated structures like Colin Stanfield's criminal gang The Firm in the Cape Flats have now become horizontal, where criminal syndicates have partial control of the drug trade and have multiple associations that are integrated into criminal networks, leading to different groups having different roles. These criminal networks can vary widely. Networks are involved in various criminal activities such as illicit rhino poaching, human trafficking and the illegal weapons market. Sometimes, the same

trafficking routes are used for different commodities (Reitano & Hunter 2018: 14). Significantly, criminal activity in the Cape Flats is substantial and blurs with economic and social activities involving thousands of people in the area, making it a core dimension of the community (Van Nieuwkerk & Moat 2015: 204).

These syndicates still create a political environment surrounded by violence and intimidation (Engvall 2006: 847). For example, on 21 March 2011, Beeka, a criminal underworld individual who had links to high profile ANC members and who was known to broker peace deals in turf wars among gangsters, was murdered by Krejcir’s assassins. The 17 gunshots used to penetrate Beeka’s vehicle are a good indication of the levels of violence and intimidation demonstrated by these groups. (Serrao 2016: 130).

**FIGURE 5: FROM VERTICAL CARTELS TO HORIZONTAL NETWORKS**



(Source: Castañeda 2018)

In essence, criminal groups are nothing new in South Africa. However, South African organized crime is becoming “much more complex, with much more foreign connections than it has before” (Findlay 2013). The extent of organized crime can be viewed in the estimated amount of illicit financial flows (Du Plessis 2015). In 2011, \$23.73 billion dollars’ worth of illicit funds left South Africa (Findlay 2013). These criminal economies, such as drug trafficking, in South Africa are discreetly operated by South Africans, Chinese, Tanzanian, Congolese and Nigerian organized crime. They maintain high levels of internal integrity built

on language, trust and ethnicity. Criminal groups seek protection economies and one of the biggest criminal economies, the drug economy, has grown in several parts of Africa (Shaw 2017: 3). Consequently, an influx of drugs is noted in South Africa.

Drugs and drug traffickers have always been present, though to a smaller degree, in South Africa. Due to a political transition, the drug trade grew, as did the consumption market. The trade was driven by the growth of organized crime and the marketing of drugs that went across the racial spectrum (Haysom *et al* 2018: 30). In the last decade, all sorts of narcotics such as heroin and methamphetamines have become prevalent in South Africa. According to the Central Drug Authority (CDA) of South Africa, the use of marijuana, cocaine and tik is also used twice as much in South Africa compared to other countries worldwide. In essence, South Africa has a substance abuse problem. Drug dealers have targeted schools which leads to a cycle of widespread drug consumption from youth and into adulthood. Although David Jordan's element of 'widespread drug consumption' in an incipient narco-state has no quantitative measurement of what constitutes 'widespread', it can be suggested that the problem of narcotics is widespread when it is an issue throughout the country, not congested in a specific area, and affects at least a single-digit percentage of the population

### 3.4 WIDESPREAD DRUG CONSUMPTION (TYPES)?

Mark Shaw (1998: 37) already indicated that the "the issue of increasing drug abuse is critical" after the end of Apartheid in South Africa. In 2015, it was alleged that 15 percent of South Africans suffer from narcotics abuse, making South Africa one of the world's narcotic abuse capitals (Carte Blanche 2016). As viewed in *Figure 6 (p.37)*, statistics provided by the World Drug Report indicate that the adult prevalence in drug abuse in South Africa is around 6.9% (Lebone 2018: 923). However, Africa Check (2017) states that the drug problem is around four percent and that the statistical estimations in South Africa are impossible to verify. Regardless of the statistical uncertainty, Ndondo claims that, "if you look at the (Southern African) region, our habits are sometimes 10 times that of countries in the sub region" (Mapumulo 2016). These narcotics in South Africa are similar to those around the globe, with marijuana, cocaine, heroin and ecstasy predominately circulating society. There are also other narcotics in South Africa that are more popular locally such as mandrax - a synthetic drug, and nyaope - a heroin-based drug, and marijuana.

One of the most used narcotics in South Africa is marijuana, also known as dagga, zol, weed, cannabis or ganja. Marijuana is typically grown in Kwazulu-Natal, or imported from

Lesotho and Swaziland. It is then distributed across South Africa, especially in the Cape Flats. The usage of marijuana results in over 60 percent of all substance abuse treatment cases in South Africa (Carte Blanche 2016). According to Bailey (2014), using SA Council of Alcoholism and Drug Dependence statistics, 44 percent of the substance abusers that prefer Marijuana are between the ages of 14-17 years old. Close to 10 percent of South African children abuse drugs before they are 13 years old. The study, which was conducted by nongovernmental organisation, Soul City Institute for Social Justice, has also found that children's drug of choice is marijuana (Mapumulo 2016).

Cocaine, also known as crack or coke, is a highly addictive substance and has developed into a popular recreational narcotic after its initial development as a pain killer. Like heroin, cocaine is increasingly becoming a transshipment as well as a locally consumed narcotic in South Africa (UNODC 2017). Usually found in a powder or crystal form, cocaine can be smoked, sniffed or rubbed into the gums of an individual. This leads to a sense of euphoria, mental alertness and high energy levels. Other effects of cocaine include nosebleeds and weight loss, with the major area of concern being that cocaine can easily lead to death due to an overdose and cardiac arrest. More associated to the local market, however, exists a narcotic called methcathinone, popularly known as Cat or Poor Man's Coke, which has been in South Africa since 2001. It is dangerous and cheap as it usually contains paint solvent, battery acid and ephedrine (from asthma medication). This white-powdered narcotic can either be snorted, injected or consumed through a beverage. Another illicit substance that also has leads to fatal overdoses is heroin (Carte Blanche 2016).

Heroin, or diacetylmorphine, also known as Smack or H in South Africa, was scarce in South Africa in the 1980s. However, heroin quickly developed into a leading narcotic of choice in South Africa, especially after infiltrating schools at a rapid pace (Carte Blanche 2016). According to Bailey (2014), Mpumalanga has become South Africa's heroin capital. It has been reported that heroin is the first-choice drug of many substance abusers in rehabilitation. Although marijuana's popularity has doubled over the past seven years, heroin's popularity is spiralling out of control (Bailey 2014). Another concern is that the clients are getting younger. According to SA Council of Alcoholism and Drug Dependence, of the 10 000 people who sought drug rehabilitation in 2012, 40 percent were teenagers with a grade 8 to 10 qualification. Three percent were younger than thirteen years old. Furthermore, because substance abusers tend to mix the drugs, rehabilitation proves to be more difficult. Heroin is a "depressant of the central nervous system, derived from chemical processing of raw opium obtained from the opium poppy" (Venter 1998: 194). Its effects are

unpredictable, making it more likely to lead to an overdose (Carte Blanche 2016). If an individual does not suffer from an overdose, the effect is a sense of relaxation and an experience similar to a coma-like state. At times, the muscles become so relaxed that even the heart valves may eventually stop, causing death. Rather than relaxing the muscles, other narcotics lead to increase heart rates and energy levels. These became popular when the new rave culture found its way to South Africa.

When the “club culture began to grow, so too did the demand for increased security at the nightspots” (Wiener 2012: 17). In many cases, bouncers became enforcers and pivotal players in pushing the drugs: “he who controlled the club, controlled the drug trade” (Wiener 2012: 17). The rave scene became increasingly popular in South Africa as of the 1990’s, as a result the narcotic called ecstasy made its way to the country, especially from the Netherlands. Pure forms of ecstasy (methylenedioxymethamphetamine), also known as Molly (MDMA), has gained notoriety following a small number of fatalities (Inkster & Comolli 2012: 14). The risks of these drugs are usually unpredictable, especially when contaminated pills tend to find its way to South African streets and vulnerable youth. Contaminated pills can consist of anything from rat poison to cyanide (Carte Blanche 2016). In March 2016, three Durban teenagers died and 32 were admitted to hospital after suffering symptoms of poisoning by ecstasy pill called “Mercedes” (Mlambo 2016). Ecstasy tablets or MDMA crystals lead to increased heart rates, high energy levels which can lead to nausea, overheating and dehydration. Extreme overheating and organ failure can also result from the effects of drinking too much water (hyponatraemia) following excessive physical activity, such as dancing at a festival (Inkster & Comolli 2012: 14). Other longer-term effects include brain damage, kidney failure and cardiovascular problems (Carte Blanche 2016).

Another widespread narcotic in South Africa is “upper amphetamines”, or also better known as crystal meth, ice or tik (Carte Blanche 2016). Crystal meth is a more potent, addictive and dangerous form of amphetamines. While other countries in Africa prefer prescription forms of amphetamines, like ADHD medication, to gain a sense of confidence and happiness, South African substance abusers tend to prefer crystal meth. Tik has a street value of R300 per gram (Serrao 2016: 176). This narcotic is usually sold in crystal, tablet or powder form, and tends to have long term effects such as hallucinations, aggression and violent behaviour, impaired motor skills and paranoia. Tik is the one of the most preferred narcotics for adults in South Africa (Mapumulo 2016). Methamphetamine became a new challenge to South Africa in the 2000s. Fifteen years later, Cape Town had the highest methamphetamine prevalence in the world, with an estimated 2 percent of adult population actively consuming the drug (Shaw 2017: 10). Increases in the drug usage have become rapid. In 2003, the consumption of tik had begun in Cape Town, and then started to spread throughout the country. Tik is

cheap and accessible to lower-income markets, making it a competitor to mandrax (Haysom *et al* 2018: 30). It is also linked to increasing rates of violence due to competition over the trade and increased crime committed by its users (Haysom *et al* 2018: 30). It is also reported that “methamphetamine (“tik”) had ‘adverse effects on mental, physical, and economic well-being, and limited future opportunities through school drop-out and incarceration’ of drug users in the Western Cape Province” (Soul City Institute 2016). Although a new drug flakka has emerged as a concern, “the problem we are dealing with now is tik, which is at an all-time high in the province (of Eastern Cape), with numbers of users having increased by 12 percent” in 2017 (Van Aardt and Wilson 2018).

Flakka, or known as the “Zombie Drug” which is similar to “bath salts”, has also recently arrived in South Africa (Rall 2017). Sam Pillay of the Anti-Drug Forum said that it was devastating that flakka was now being sold in Durban. In August 2016 a teenager, Austin Harrouf, in the American State of Florida, ate a man’s face after consuming the synthetic narcotic as it produces psychosis and super-human strength. Cases of its usage is more widespread in metropolises such as Pretoria, Johannesburg, Port Elizabeth and Durban. SA Community Crime Watch founder Steven King claims that “flakka will be the evil of all evils if not taken care of” (Rall 2017).

Another narcotic that is predominantly headlined for local drug busts is methaqualone, mandrax. In fact, South Africa is listed as the largest abuser of mandrax, also known as quaalude in international terms (Carte Blanche 2016). According to Van Loggerenberg and Lackay (2016: 70) SARS recognized that mandrax tablets were smuggled in South Africa in large volumes or, in some cases, manufactured in underground laboratories. The substance was first banned in South Africa in 1977 due to abuse but continues to be a major problem (Venter 1998: 188). South Africa was the first country to ground mandrax into powder and mix it with cannabis. This is known as white pipe. A mixture of marijuana and mandrax pills continues to be a drug of choice in South Africa. Effects usually include depression, poor vision and headaches. This narcotic is usually mixed with marijuana to amplify its effects (Carte Blanche 2016).



FIGURE 6: DRUG PREVALENCE IN SOUTH AFRICA VS GLOBAL REGIONS

## Drugs

**Annual prevalence of drug use in the adult<sup>a</sup> population by type of drug, South Africa compared to global regions, latest years available**

<i>Type of drug</i>	<i>South Africa</i>	<i>Africa</i>	<i>North America</i>	<i>South America</i>	<i>Asia</i>	<i>Europe</i>	<i>Oceania</i>
Amphetamines <sup>b</sup>	1.0%	0.9%	2.0%	0.3%	0.7%	0.5%	1.9%
Cannabis	3.7%	7.5%	12.4%	2.9%	1.8%	5.2%	10.3%
Cocaine <sup>c</sup>	1.0%	0.4%	1.8%	0.9%	0.04%	0.7%	1.5%
Ecstasy	0.3%	0.2%	0.9%	0.2%	0.4%	0.7%	2.4%
Opioids	0.5%	0.3%	4.4%	0.1%	0.4%	0.8%	3.0%
Opiates	0.4%	0.3%	0.5%	0.06%	0.4%	0.6%	0.1%

(Source: Lebone 2018: 923)

Nyaope, a heroin-based drug, has been gaining widespread popularity in South Africa since the year 2000. Also known as a Whoonga, this substance contains cannabis, heroin and meth. In some cases, it may include rat poison, pool cleaner, bicarbonate and milk powder. The effects of nyaope sometimes leads to a sense of euphoria while the longer-term effects include liver and kidney disease, collapsed veins, insomnia mental and psychotic breaks (Carte Blanche 2016). In 2012, it was reported that a large number of crimes in the townships and informal settlements of KwaZulu-Natal have been associated with intoxication caused by nyaope. These crimes range from robbery to murder. (Nair 2012). In 2017, the Democratic Alliance (DA) debated the worrying nyaope 'Bluetooth' trend that's sweeping the country. The trend refers to where substance abusers inject themselves with the blood of another person who has nyaope in their system, so they can also attain the effects. This increases the risk of transmitting diseases such as Hepatitis B and Hepatitis C and the national widespread disease of HIV (Mbhele 2017).

Overall, drug abuse is a threat to the health of individuals. It steals "children's futures, tears our families apart, hold communities across South Africa hostage and is linked to our country's high unemployment rate and the lack of hope that so many South Africans experience, as a result" (Mbhele 2017).

### 3.5 THE RISKS OF DRUG USE

South Africans have a drug consumption problem that influences youth-based crime and the overall health of many of its citizens. The figures related to drug related deaths and those forced to seek treatment for addiction are higher for heroin than any other illicit drug. Opiates are the costliest drugs in terms of medical care, treatment and drug-related violence (Inkster & Comolli 2012: 12). According to the 2017 World Drug Report, Africa is experiencing the sharpest increase in heroin use globally. This has been attributed to Africa's role in the southern route of the heroin trade. The rates of HIV and hepatitis C among people who inject drugs are substantially higher than those of rest of the population (Haysom *et al* 2018: 3).

According to STATS SA (2017), it is estimated that the amount of people living with HIV in South Africa has increased from 4.94 million in 2002 to 7.06 million in 2018. In 2017, an estimated 12.6 percent of the total population were HIV positive (Stats SA: 2017: 8). Out of the 56.5 million South African citizens, 22 million citizens are under the age of 25, and the rates can drastically increase if the heroin economy continues to develop. In a country such as South Africa, which has already been dealing with the HIV/AIDS epidemic, the sharing of used and infected needles and 'bluetoothing' narcotics poses a major challenge to human security issues (Mbhele 2017). According to *Figure 7*, there are 75,000 people in South Africa known to have a heroin problem. Therefore, the challenge of drug trafficking and drug dealing is that it can snowball into larger issues such as a health crisis. Additionally, the usage of narcotics is usually underestimated in its contributions to other illegal activities. Addiction often forces individuals into sex work or other crimes.

**FIGURE 7: PEOPLE WHO INJECT DRUGS, AND HIV AND HCV PREVALENCE**

Country	Adult population using heroin (%)	Estimated number of PWID (2015)	National HIV prevalence rate (%)	HIV prevalence among PWID (&)	HCV prevalence among PWID (%)
South Africa	.21	75,701	19.00	14.00	60.00

(Source: Haysom *et al* 2018: 38)

In essence, at an individual level, the consequences of substance abuse in South Africa, especially in youth, has social and health problems; such as links with crime, violence and traffic accidents (Soul City Institute 2016). The use of illicit drugs was strongly related to violent crimes such as homicide, abuse of children and rape. There is also a strong link

between juvenile users of crystal meth with sexual behaviour and violence (Watt *et al* 2014: 219). Studies have also concluded that individuals using narcotics are more likely to engage in risky behaviours such as sex without protection. This proves to be dangerous in a country like South Africa where HIV/AIDS and other sexual diseases are epidemic. Drug abusers have an “increased susceptibility to contracting HIV” and 14% of school learners admitted to consuming drugs before engaging in intercourse (Soul City Institute 2016).

At a societal level, the abuse of narcotics is linked to unemployment and crime; impacting productivity and economic development (Soul City Institute 2016) The National Drug Master Plan (2012-2016) estimates the costs of illicit drugs to the South African economy to be at 6.4% of GDP or R136 billion per year. Watt *et al* (2014), who only focuses on tik, reports that tik abuse is associated with “increased rate of crimes, violence and corruption” in metropolitan hubs in the Western Cape and Kwazulu-Natal. In addition, in South Africa, the use of nyaope and unga has led to an increase in crime. Drug addicts, who cannot get their fix, end up mugging, stealing copper cables and taking part in other criminal activities to finance the unhealthy habit (Haysom *et al* 2018: 40). For those who are addicted to drugs, crimes such as drug possession can lead to incarceration. “Prisons are often incubators of infectious disease and greater drug use” (Kan 2016: 151). Currently South Africa has the highest number of incarcerations in Southern Africa and a large number of prisoner deaths are due to HIV/AIDS.

Conclusively, there is a greater need to understand the scale, prevalence and public health implications of narcotics across the region, especially with heroin. In the intermediate term, users will begin injecting narcotics. In a country that has embedded with HIV, tuberculosis and Hepatitis C this carries high health risks, since users share needles while being unaware of the risks of such practices. South Africa, in the public health care system, has no needle and syringe programme (NSP) and no Opioid Substitution therapy (OST). This is significant as harm-reduction approaches for users have shown to reduce the “incident of HIV and HCV, and adherence to treatment (Haysom *et al* 2018: 38).

Therefore, a political response to drug trafficking is needed. NSP and OST encourage treatment for HIV and tuberculosis and have proven to be the most effective approaches to reducing HIV and HCV infection rates among those who inject. Kenya and Tanzania, two countries that have suffered from drug trafficking, have begun using this approach. In 2012, Kenya introduced NPS and OPS to reduce HIV transmission among PWID. As a result, in 2015, nearly 90 percent of PWID reported using a clean syringe compared to 51.6 percent in 2012. In contrast, in South Africa, a country with more than 80 treatment centres, the government has yet to adopt a methadone treatment model. This leaves abstinence as the

only option. Linked to policing, law-enforcement is yet to take on a harm-reduction approach, with the current approach treating drug abusers the same as robbers and rapists. Harsh punishment for drug users does not provide a conducive environment (Haysom *et al* 2018: 39). More importantly, there is a lack of strategic information and systematic collection of data with regards to what drugs are being used in South Africa. For example, without data regarding things such as how many drugs are available, South Africa will continue to struggle to implement cost-effective policy implementation, meaning the extent of drug trafficking and South Africa's role in geo-narcotics will continue to increase.

### 3.6 GEO-NARCOTICS

Geo-narcotics requires certain territories to have some sort of developed infrastructure, such as the newly developed Maputo-Katembe bridge and OR Tambo International Airport, to increase networks of narcotic trafficking (Kan 2016: 136). South Africa's economic infrastructure includes eleven international airports and eight international seaports, which criminal groups sought to control (Shaw 2015: 174). Therefore, airports such as OR Tambo has had many instances of arresting 'drug mules', a "person who smuggles an illicit drug with him or her across a national border, including smuggling into and out of an international plane, for international drug syndicates" (Hübschle 2008). In 2011 alone, 149 people, of whom 22 were South Africans, were caught for drug possession at OR Tambo Airport (Nair 2012). As viewed in *Table 1*, narco-trafficking, "commodity trading conducted by transnational crime syndicates" is increasingly a problem in South Africa (Venter 1998: 188)

Syndicates from Nigeria, the Balkans, Tanzania and China have developed drug trafficking networks in South Africa, which are controlling the heroin and cocaine market (Nair 2012). Relying on cheap labour in an illicit economy, many smugglers are Pakistanis, Tanzanians, Indians, Nigerians, South Americans, Chinese and South Africans that have little opportunity. Interestingly, the "flourishing of drugs has drawn many women into criminal organization to earn easy money". Drug cartels rely on women to acts as drug couriers since they are less likely to be searched (Kan 2016: 139). As a result, "South Africa faces an issue of citizens being caught trafficking narcotics abroad".

#### TABLE 1: EXAMPLES OF THE VALUE OF NARCO-TRAFFICKING IN SOUTH AFRICA

- In 2015 members of the K-9 Unit apprehended an individual driving a truck to Cape Town with 36,000 mandrax tablets worth R1.8 million (Newswire 2015).

- In June 2016, R9 Million worth of narcotics were confiscated in one weekend whereby 14 bags of methamphetamine were found being transported near the Lesotho border and two luggage bags, with narcotics worth about R1.3 million, were seized on two flights from São Paulo, Brazil (Bernardo 2016).
- In 2016, SA Revenue Service (SARS) customs officials confiscated Mandrax tablets valued at almost R80 million at the Kopfontein border post with Botswana (IOL 2016).
- In February 2017, anti-drug dogs sniffed out 100kg of tik at OR Tambo International Airport transit shed, valued at R30 million (Child 2017). It was located in 33 tins of vegetable oil from Cameroon (Child 2017).
- In June 2017, a male passenger to Cape Town International from Lagos via OR Tambo was carrying around R9million of methamphetamine (Cronje 2017).
- In 2017, a searched vehicle on the N1 highway had R20 million worth of illicit narcotics, cocaine and methamphetamine (Gunning 2017).

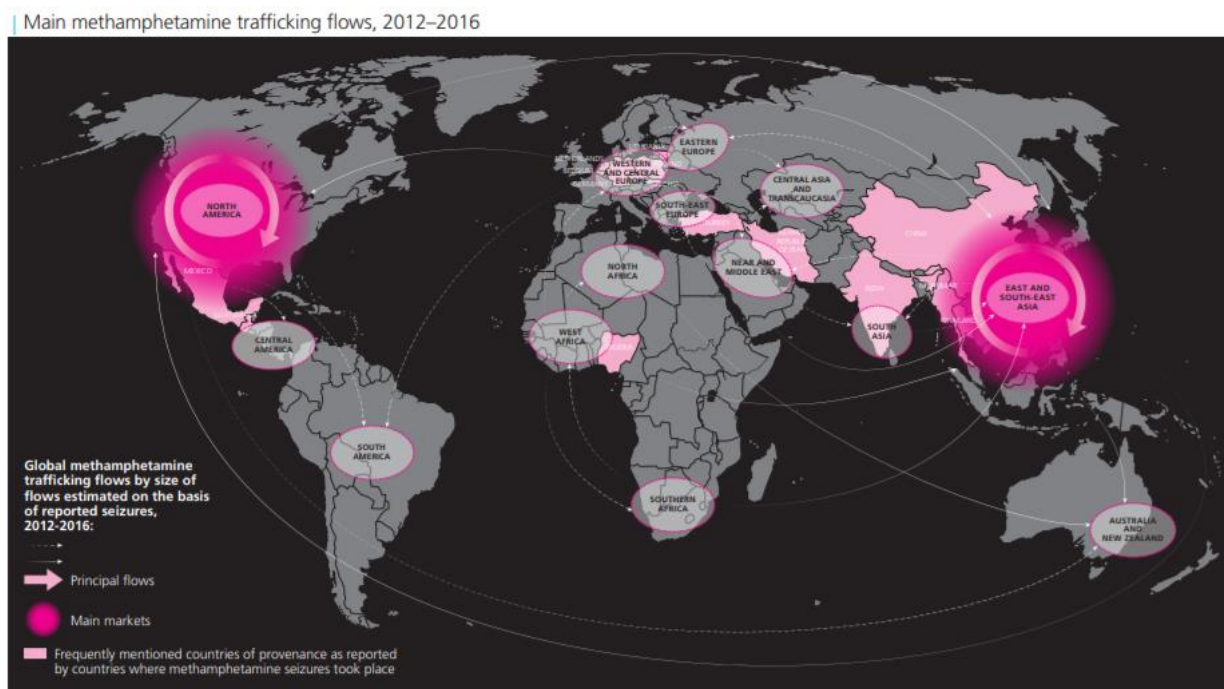
With a lack of prisoner transfer agreements, in 2006, the South African Ministry of Foreign Affairs estimated that 865 of its citizens were in jails abroad for drug trafficking, mostly in places such as Venezuela, Argentina and Brazil (Hübschle 2008). However, there are claims that by 2017 there were over three thousand South Africans in foreign jails for drug-related offences (Citizen 2017). Nelson Kgwele from DIRCO also stated that there were 170 South Africans in Brazilian jails alone for drug smuggling. In 2016, about a “dozen South African women and several South African men have been arrested at Hong Kong airport for drug trafficking” (All4Women). More severely, South Africans who smuggled methamphetamine into countries with draconian laws also face execution. For example, Deon Cornelius was executed in Malaysia and Janice Linden in China (Davies 2015). Additionally, in August 2017, a South African Airways (SAA) flight attendant, Priya Govender, was arrested at Perth International Airport for transporting six kilograms of cocaine. More than 9 SAA employees have been arrested between 2006-2011 and other arrests have been made in the United Kingdom, Australia, Brazil and Switzerland (Citizen 2017). The extent of narco-trafficking in South Africa indicates that the country should be considered as a transshipment zone.

According to Kan (2016: 62) source countries are more likely to fall into the higher levels of narco-states. The higher levels of narco-states produce heroin and cocaine while the lower levels produce marijuana and meth. South Africa is one of the leading producers (source countries) of cannabis and methamphetamine, and a transshipment zone for heroin and cocaine from the southern hemisphere to the northern hemisphere.

South Africa is a producer of ATS, or better known as methamphetamine (Drug Master Plan 2012: 42). The chemically-processed narcotic can be produced in super laboratories or

kitchen laboratories, the latter being most common in South Africa. Additionally, “South Africa is one of the world's largest importers of licit ephedrine and pseudoephedrine, two of the precursor chemicals used to manufacture methamphetamine” (Drug Master Plan 2012: 42). For those involved in the drug economy, methamphetamine has advantages over plant-based drugs. The production costs are significantly lower, and it can be produced anywhere, as it requires minimal advanced technology. South Africa has become a regional hub for the production, consumption and trafficking of methamphetamine. Most laboratories are small-scale operations and are situated in both residential and undetectable areas (Shaw 2017: 10). As viewed in *Figure 8*, the World Drug Report 2016 stated that South Africa is a contributor to the increase of transportation and production of synthetic drugs. This is especially true for the transportation of synthetic drugs to South East Asia and West Africa (UNODC 2016).

**FIGURE 8: THE METHAMPHETAMINE TRADE (2012-2016)**

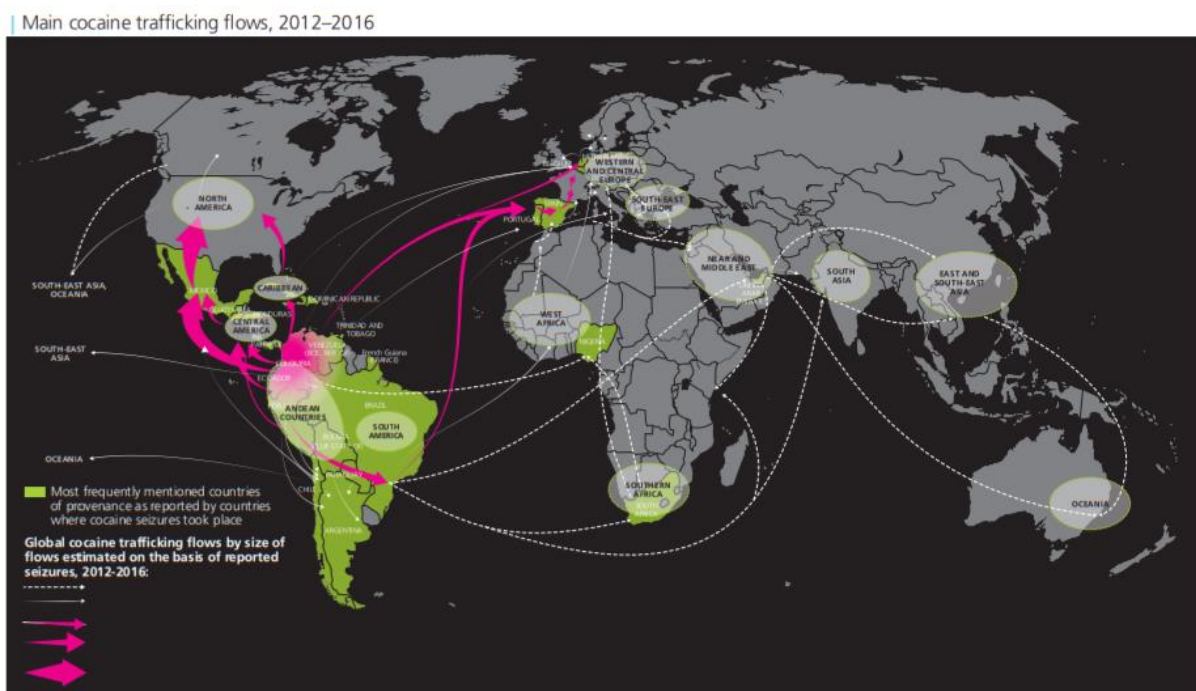


(Source: UNODC 2018).

Kan (2016: 62) warns that transshipment states are not immune from becoming advanced or critical narco-states. West Africa has become a fragile region since it has been unable to control its transshipment status. It has become a hybrid zone for narcotics, like Guinea-Bissau, “Africa’s first narco-state”. Guinea-Bissau, as a country, suffers from some of the worst effects of narcotics trafficking in the region since “evidence emerged of collusion between military and political actors in protecting and facilitating the trade” (Reitano & Hunter 2018: 13). As a result, Guinea-Bissau’s President João Bernardo Viera was labelled as the

“biggest drug trafficker” in the country and was assassinated in 2009 (National 2009). According to Maguire (2010: 26), “the country’s institutions have been compromised, its civil society intimidated, its political stability threatened by factional intrigues and violence, and its impoverished citizens have increasingly become involved in the trade as a source of livelihood”. The most frightening aspect about West Africa is that it demonstrates how weak states can be quickly infiltrated by foreign drug trafficking syndicates, simply by using the region as a transshipment zone for cocaine (Maguire 2010: 26).

**FIGURE 9: MAIN COCAINE ROUTES 2011-2015**



(Source: UNODC 2018)

As viewed in *Figure 9*, South Africa, a transshipment zone, has cocaine arriving from Brazil and other parts of South America (The Andes region). It arrives either directly to South Africa or indirectly via Angola, Nigeria, Cameroon, Mozambique or Namibia. The illicit market of narcotics expanded as transnational organized crime established criminal networks in South Asia and Latin America, regions where narcotics are sourced. Connections also expanded on the west coast of Southern Africa and the Eastern Africa as flights from Brazil to Angola were exploited by criminal networks to traffic narcotics. Alongside other drugs, heroin from Southern Asia and cocaine from Latin America have had a significant impact on criminal economies, corruption and drug use patterns. The result of which was rapid expansion of criminal activities (Shaw 2015: 175). Such criminal networks and their impact on governance

led the SADC police organization to consider drug trafficking, stemmed from organized crime, as the biggest threat to the region (Hübschle 2010).”.

One of the latest challenges of drug-related organized crime in South Africa and East Africa is the growth of the heroin trade. Afghanistan, an advanced narco-state, have farmers that cultivate the poppy plant over thousands of acres. The opium paste derived from the poppy seeds is then transported to Pakistan, where it is refined into heroin (Hanlon 2018). Drug networks in Pakistan help move shipments to the Baluchistan coast, where heroin is then transported by speedboats or onto dhows towards the African coast. As viewed in *Figure 11* (p.45), the heroin is then shipped to many locations along the African east coast, from north to south via small fishing boats (Haysom *et al* 2018: 8). Once these illicit goods reach Mozambique (Nampula and Nacala), where an estimated 10 to 40 tonnes of heroin enter each year, the heroin is consolidated and packaged in order to make its way to the Mozambican-South African border. It is then either locally consumed or transported to Europe and North America (Hanlon 2018). The trafficking route can be visualized in *Figure 10* (p.44) and *Figure 11* (p. 45).

**FIGURE 10: THE HEROIN ROUTE FROM MOZAMBIQUE TO EUROPE**

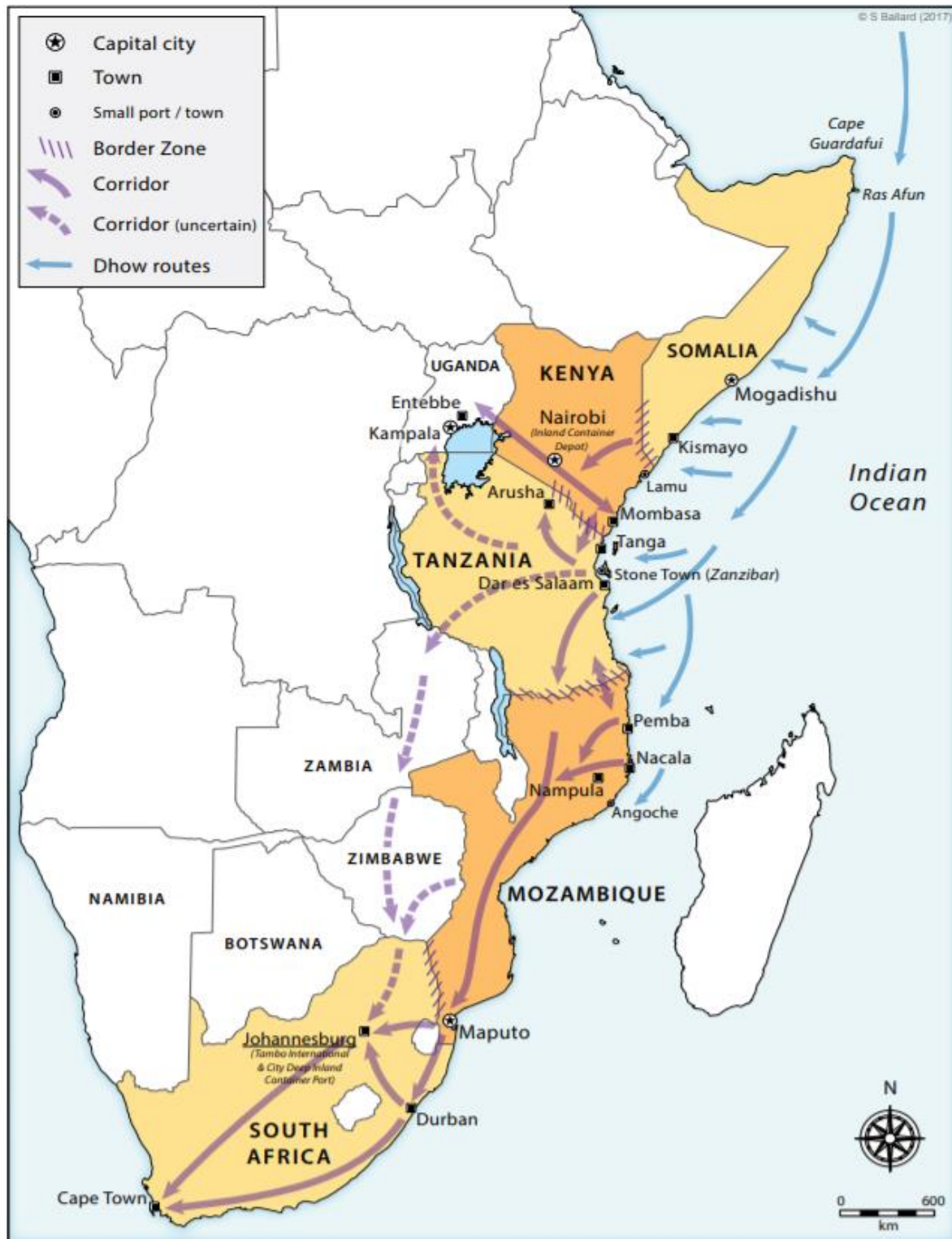


(Source: Hanlon 2018).



FIGURE 11: THE SOUTHERN ROUTE OF HEROIN TRAFFICKING

Indicative overview of sea- and land-based heroin routes across the eastern African coastal states



(Source: Haysom et al 2018: 9)

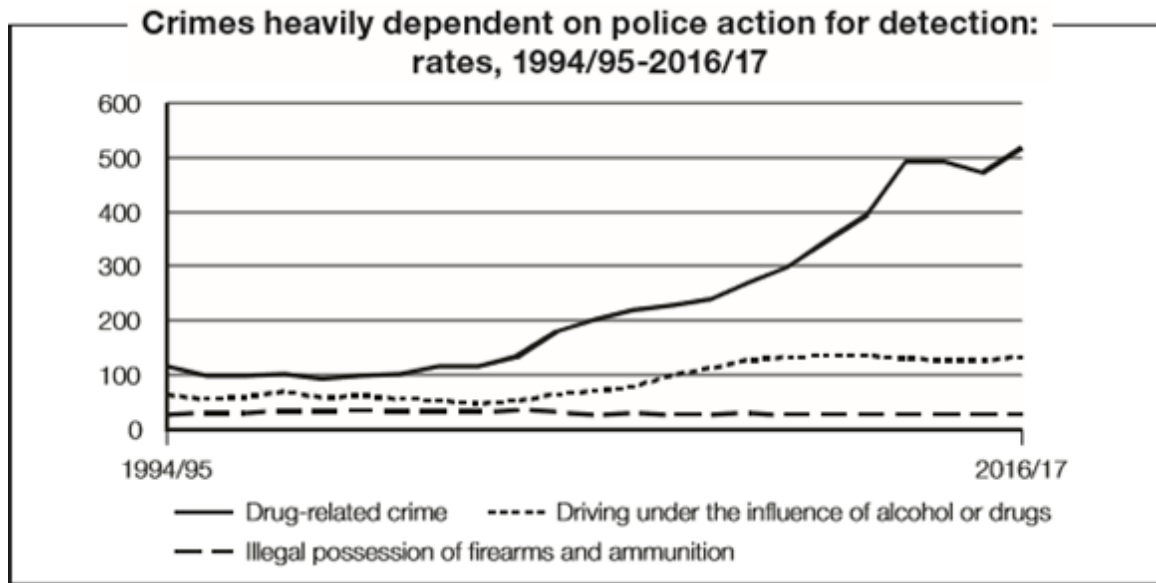
As a result, heroin use in South African major metropolises, and towns in proximity to Mozambique such as Middleburg, has drastically increased in the past five years (Haysom *et al* 2018: 31). The rise has been obscured because in Johannesburg the heroin-based drugs are called nyaope and in other areas it is called whooga and unga. The number of overdoses and crime waves have accompanied the rise of heroin usage in South Africa. This secondary trade route is largely dominated by Tanzanian criminal networks, opening up a low-level income heroin market in townships through the usage of cheaper concoctions (Haysom *et al* 2018: 31).

Tanzanians gangs have become powerful in the Cape criminal underworld by operating alongside traditional cape flat gangs. Unga has become prevalent in the Cape Flats and has potentially eclipsed the tik crisis, which devastated poor areas in Cape Town for the past decade. The widespread prevalence and transshipment of heroin-based drugs, such as the seized 963kg of heroin in Overberg region, Western Cape, can be attributed to petty corruption with Cape gangs and poor management (Haysom *et al* 2018: 32). Consequently, South Africa's consumer market for heroin is large and growing, driven by organized local and international networks. The increase in drug-related crimes is further proof of its growth.

### 3.7 DRUG-RELATED CRIMES

South Africa is a hub for criminal activities, and criminal commodities like narcotics, which leads to even higher levels of drug-related crime (Shaw 2015: 174). "Drug-related crime" incorporates the Misuse of Drugs Act of 1971 and the Drugs and Drugs Trafficking Act No. 140 of 1992, ranging from illegal usage, possession and trafficking of narcotics. Even though there are large number of offences linked to narcotics, only a few make it to court and are sentenced. This, once again, demonstrates the inefficiency of the criminal justice system. Large amounts of arrests are made for the possession of narcotics, rather than the source of the problem – drug trafficking. Significantly, areas in South Africa with a higher prevalence of drug trafficking are areas with higher levels of gang activity and drug-related crimes (Pouthier 2015).

FIGURE 12: THE RISE OF DRUG-RELATED CRIME



(Source: Lebone 2018: 899)

As viewed in *Figure 12*, South Africa, “one of the most criminally violent countries in the world with the highest levels of rape, murder and assault”, has also experienced an increase in drug-related crimes according to the SAPS statistics (Pienaar 2014: 207). It is also noted that drug-related crimes in South Africa are brought to light as a result of searches and roadblocks rather than through tip offs from the community. People fear that there may be corruption within the police. It can be argued that the increase in drug busts mean that the police are more active, however it could also suggest that narcotics are increasingly circulating society (Africa Check 2016). For Oosthuysen (1997: 10), “the seizures of drugs in South Africa is only ‘the tip of the iceberg’”. In the 2016/2017 crime statistics report, an average of 801 drug-related crimes were recorded each day (Africa Check 2017).

As seen in the drug-related crime maps in *Figure 13* (p. 49), most drug-related crimes take place in highly populated urban/metropolitan areas, airports, borders and seaports. High levels of drug-related crime take place in the Western Cape, Pretoria, Johannesburg and Durban. More recently, as seen in *Figure 13* (p.49), there is a rise in drug-related crimes in the Upington area as drug flows are transported through the Namibian and Botswana border via Luanda and Windhoek. Polokwane and Witbank have also been affected by the heroin economy that transcends the Zimbabwean and Mozambican borders.

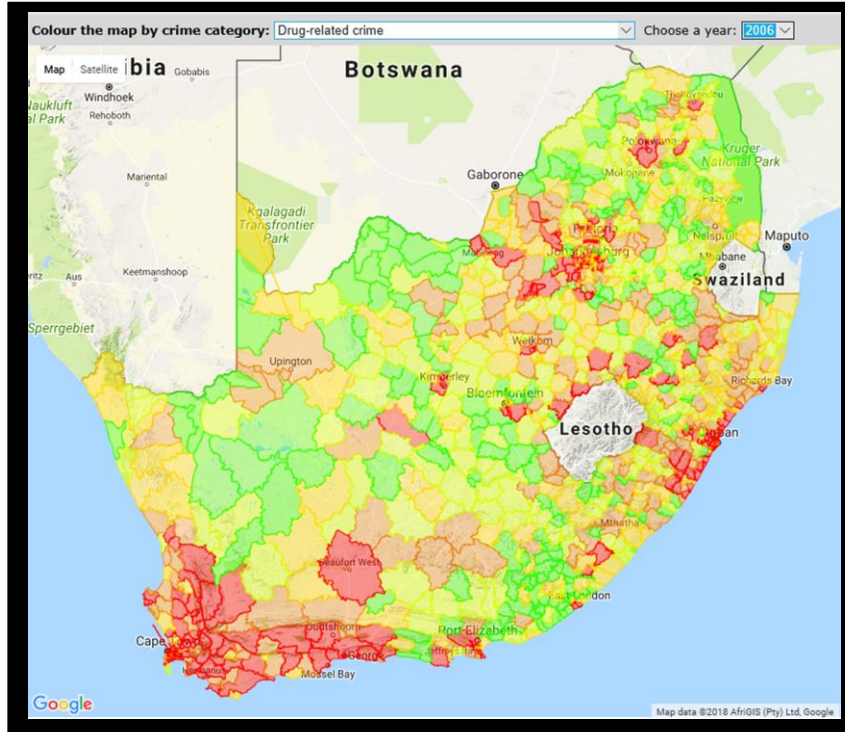
The proportion of drug-related crime in relation to national crime is around 5.5%. These statistics are even more profound in criminal hubs such as Cape Town, more specifically the Cape Flats (Lebone 2018: 892). The city of Cape Town has retained its position as South

Africa's most violent city while three other South African cities, Johannesburg, Durban and Nelson Mandela Bay, feature in 50 of the world's most violence cities: (Business Tech 2016). Significantly, Cape Town's homicide rate is double the national average (Haysom *et al* 2018: 40). Linked to that statistic is the fact that between 2005/2006 and 2014/2015 Cape Town's drug-related crime had increased from 19,566 cases to 57,050 cases. Using crime statistics per 100,000 in 2014/2015, drug-related crime was the highest serious crime category in the Western Cape with all its 6 districts having over 1,000 drug related crime cases per 100,000. As viewed in *Figure 15 (p.50)*, since 1994 the Western Cape has experienced a 946.6% increase of change in drug-related crime rates. Drug-related crimes have claimed the lives of bystanders and gang wars have the ability to affect services, and even the functions of schools. Such violence has to be understood as a side effect of the drug trade (Haysom *et al* 2018: 40).

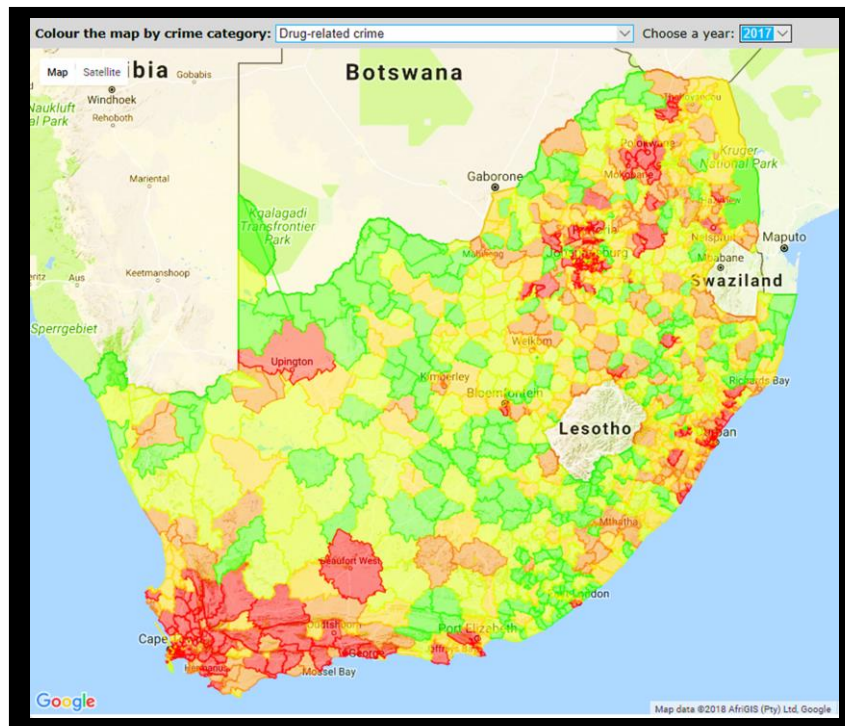
The drug trade and gang-related violence, especially in the Cape Flats, has become a security issue. Gang-violence, rooted in organized crime, continues to claim the lives of innocent civilians. In 2013, 12 percent of murders in Cape Town were gang-related, making it an 86 percent increase from 2012. As these drug trade markets become more lucrative and require more power to hold on to as well as obtain territory, violence becomes a means for control. These issues are being further motivated by the lack of trust in the police and "growing threats of crime and gang warfare" with a security sector that is widely perceived as corrupt and incapable (Cilliers & Aucoin 2016: 11). As a result, from 2013 to 2016, there have been over 300 public violence protests motivated by anti-crime and around 200 as a result of mob justice (Cilliers & Aucoin 2016: 13). As an example, elsewhere in the country, The #KrugersdorpWarOnDrugs protests resulted in a number of buildings in Krugersdorp, believed to be drug dens, being set on fire. Residents in the area have been protesting out of frustration as there is a growing drug problem in the area (Phakgadi 2018a). The police and residents continued to clash throughout the day, with local councillor Norman Sedumedi stating that the "residents have had enough of drugs being sold in the area and they want the municipality to close down all suspected drug dens" (Phakgadi 2018b).

FIGURE 13: MAPPING DRUG-RELATED CRIMES

2006

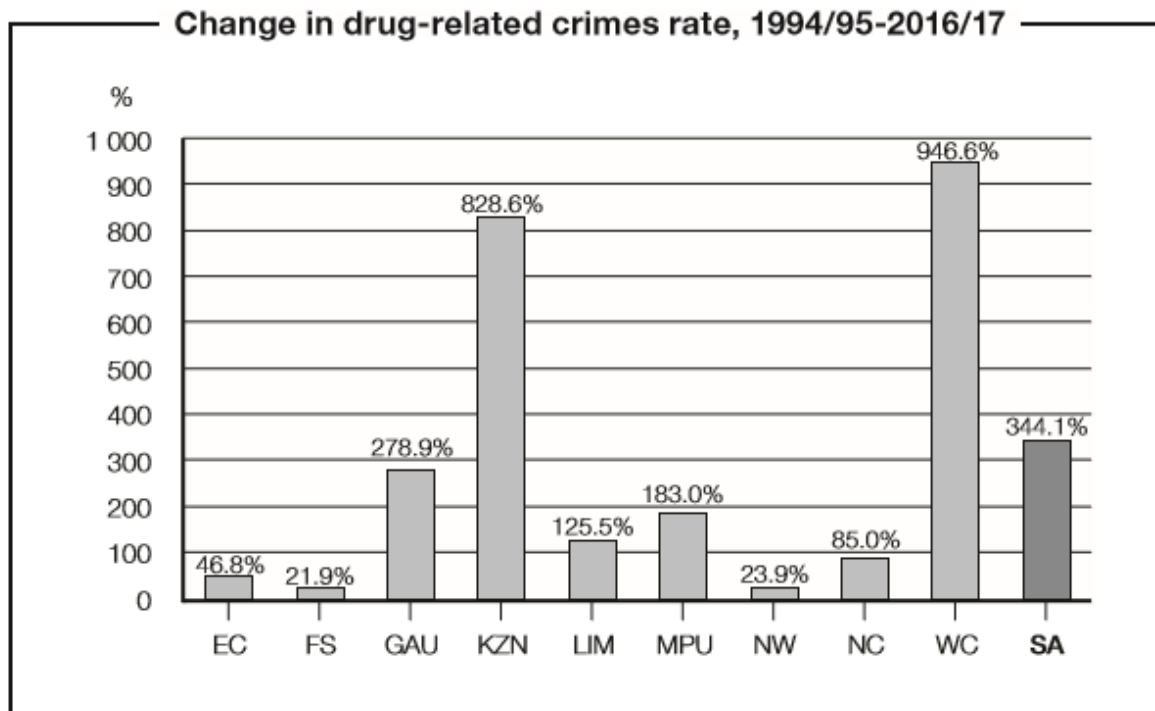


2017



(Source: Statistics South Africa 2017)

**FIGURE 14: THE CHANGING RATE OF DRUG-RELATED CRIMES**



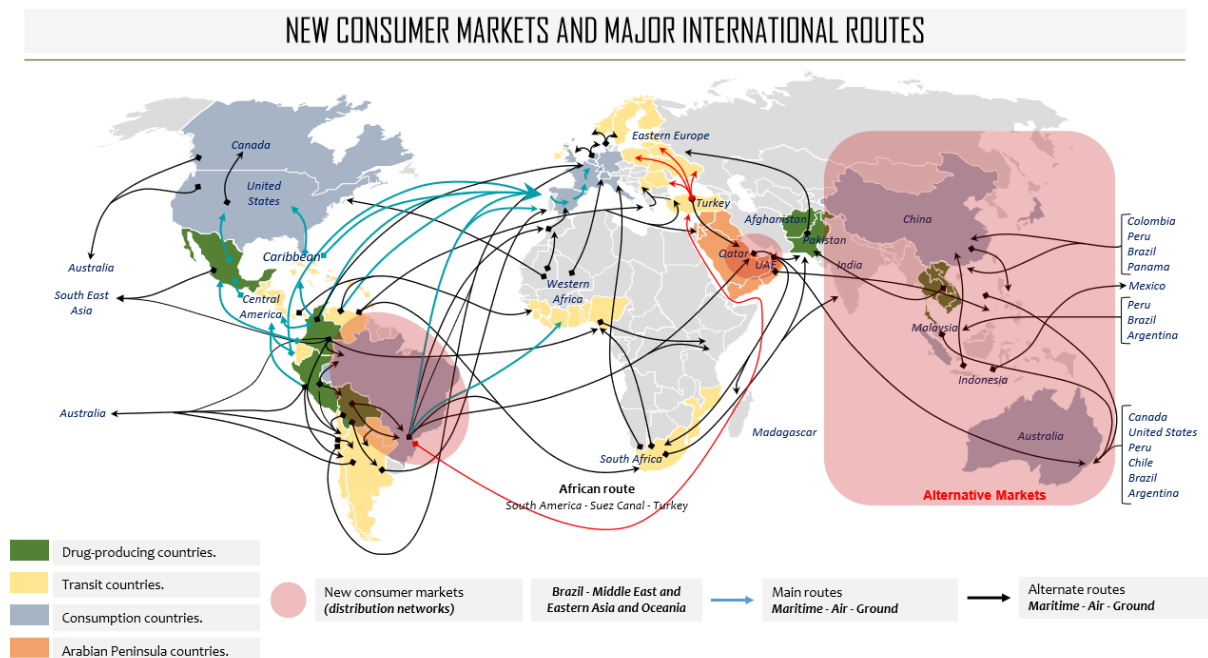
(Source: Lebone 2018: 935)

### 3.8 CONCLUSION:

As stated in this chapter, South Africa is a nation that is experiencing high levels of crime, which pose a threat to South Africa's democracy. Linked to high levels of organized crime is violence and drug trafficking. Drug trafficking is a worldwide challenge and South Africa is no exception. South Africa is a transit country for cocaine and heroin, and a source country for marijuana, tik and other synthetic drugs. South Africa's role in geo-narcotics has become prominent as the country is increasingly becoming a consumer market for cocaine and heroin, especially since Tanzanian gangs have produced and organized the trafficking of low-level income heroin-based drugs such as nyaope or unga. As a result, as viewed in *Figure 15 (p.51)*, South Africa is becoming a new consumer market for many illicit drugs and is a major route for global drug trafficking. A direct consequence of this is that there have been more drug users in South Africa. It is estimated that South Africa's drug consumption widespread in its population, between 5 to 15 percent. This has impacted on development

and individual security. This is especially concerning for a nation that is plagued by HIV/AIDS and other blood-transmission diseases such as Hepatitis C.

**FIGURE 15: NEW CONSUMER MARKETS TRANSITING THROUGH SOUTH AFRICA**



(Source: Castañeda 2018).

Although there is no direct link between the political establishment and the drug trade, the trade has grown at an alarming rate due to the features such as inequality and poverty, high levels of crime, a weak criminal justice system, and weak policing to break down these criminal enterprises that are sourcing the country with a number of drugs never seen before. With these drugs becoming a large part of the criminal underworld and illicit economy in South Africa, turf wars have increasingly become a characteristic of South African neighbourhoods especially in the Cape Flats, which has become an area deeply affected by drug-related crimes, a trending type of crime that has increased by 537.3% since 1994. These drug-related crimes and rise of organized crime whose profits are associated with the drug trade are not only in present the Western Cape but are a trending issue throughout the country. The infiltration of these criminal groups in state institutions undermines all efforts to counter TOC, with the capacity to bribe officers and corrupt those in the highest level of power, threatening the state (Reitano & Hunter 2018: 14). Therefore, the drug problem and the illicit economy of drug trafficking is a challenge to South Africa's national security and is a key characteristic of narcostatization.

## 4. CHAPTER FOUR: THE NARCOSTATIZATION OF SOUTH AFRICA?

Narcostatization, the criminalization of state structures, is a process whereby the political elite and the security sector are penetrated by drug traffickers and criminal groups linked to the narcotics trade. As discussed in Chapter Three, narco-states experience high levels of criminalization of society and drug trafficking. As indicated in the narcostatization index, without widespread drug consumption nor the trafficking of the commodities by criminal groups, narcostatization would be less plausible. However, for Jordan, the level of narcostatization is not ranked according to the level of drug trafficking in a country but linked more to the level of corruption between the political establishment and its illicit economies. Therefore, the main characteristics of narco-states is the collusion between state officials and organized crime.

According to Weiner (2018: 440), there is widespread corruption and colluding with criminal networks in the political and security systems of South Africa. As a result, a large proportion of protests in the country are against the ineffectiveness and corruption of the police service. For Kan, the penetration of drug money and collusion of criminals in law enforcement agencies is what is necessary to declare the emergence of a narco-state. Therefore, this chapter uses the narcostatization index (low-level bribes, corruption at local and regional police and corruption at high levels of police) to demonstrate the extent of police corruption in South Africa as part of the narcostatization process. For Kan, these characteristics of the index form under the umbrella term of narco-corruption. In order to avoid generalizations: the SAPS will be the main institution under scrutiny.

### 4.1 (NARCO)-CORRUPTION?

A few South African state officials are all too familiar with drug traffickers. In 2011, the wife of South African State Security Minister Siyabonga Cwele, Sheryl Cwele was convicted for drug smuggling. Sheryl Cwele was the Director of Health Services at Hibiscus Coast Municipality. On the 5<sup>th</sup> of May 2011 Judge Piet Koen convicted her and Nigerian drug dealer, Frank Nabolisa, for working together in recruiting two South African women, Charmaine Moss and Tessa Beetge, to transport cocaine from Brazil to South Africa (Tolsi 2011). In 2012, former President Jacob Zuma fired co-operative governance minister Sicelo



Shiceka for unauthorised spending. Sicelo Shiceka had spent over \$68,000 (R700,000) of government money on unauthorized travel and hotel expenses. One of the unauthorized expenditures was a visit to Shiceka's girlfriend who is jailed in Swaziland for smuggling narcotics (BBC 2012). Hazel Francis Ngubeni, South Africa's high commissioner to Singapore, has criminal records in trafficking narcotics. According to the Sunday Times Ngubeni is a convicted drug trafficker who, between 1999 and 2001, spent two years in a New York prison. She was arrested on 20 September 1995 at OR Tambo International for attempting to smuggle 9kg of heroin out of Thailand into South Africa (Mdaka 2017).

In terms of narco-corruption, defined as the presence of a penetration of drug-criminal organizations in state institutions, there was no research indicating any direct links between the highest levels of the government and the drug trade. However, perceptions of corruption in Southern Africa are not improving. South Africa dropped from being the 64 (out of 176) least corrupted nation to being 71 (out of 180) least corrupted in 2017 (Ewi 2018a). This is linked to police corruption and long-standing allegations of indirect political protection of the South African drug trade with broader corrupt relationships between foreign mafias, senior policemen, gangs, ministers and even the ex-President Jacob Zuma himself (Haysom *et al* 2018: 33). The biggest criminal market in South Africa is not necessarily contraband, but rather bribery, corrupt tender allocations and looting state-owned enterprises, which is what prosecutors are investigating in the alleged ANC's State Capture. These alleged protected illicit economies include: "alleged illicit tobacco kingpins Yusuf Kajee and Adriano Mazzotti, alleged rhino horn smuggler Guan Jiang Guang, alleged drug kingpin Mark Lifman" (Haysom *et al* 2018: 33). There are also allegations that counterfeit cigarette smuggling is linked to state actors in South Africa, including some in the intelligence services and law enforcement (Reitano & Hunter 2018: 14) Corruption, especially narco-corruption, is particularly harmful to the state and its citizens when law-enforcement agencies are involved (Ewi 2018a).

According to Syed (1997), police corruption can be defined as: "any illegal conduct or misconduct involving the use of occupational power for personal, group or organisational gain". For example: an officer accepting money from a suspect or distributing drugs to avoid incarceration is a corrupt act, and is example of narco-corruption at a lower level (Syed 1997). According to Kan (2016: 61), a lack of effective law enforcement is a key characteristic of a narco-state. This is because police and custom authorities in narco-states serve narco-trafficking interests at the public's expense. The availability of narcotics may entice state officials to benefit from the illicit economy, making government institutions hollow. If left unchecked, the police and the courts may begin to serve narrow interests and erode human rights. In effect, the process of democratization, such as transparency and accountability, is replaced by corruption.

In South Africa, police corruption has reached alarming levels and the criminality challenge within the police service is a major concern. For example, according to the Independent Police Investigation Directorate, the number of investigations on police officials for various misconducts – including smuggling, drugs, bribery and theft --- grew from 5519 in 2015/2016 to 7014 in 2016/2017 (Ewi 2018a). Although the corruption of South Africa’s security agencies is difficult to quantify, David Jordan’s narcostatization elements of corruption (as viewed in *Figure 16*) will be used to qualitatively illustrate some instances of narco-corruption in South Africa.

FIGURE 16: THE NARCOSTATIZATION INDEX

Level 1: <i>Incipient</i> – Bribery of low level officials, widespread drug consumption, increasing cultural support for drug consumption.
Level 2: <i>Developing</i> – Increasing government support for drug consumption, antidrug activists removed from educational and cultural institutions, government infiltrated or run by prodrug officials.
Level 3: <i>Serious</i> – Massive bribery and corruption of public officials, substantial intimidation, including murder, of resisting officials, corruption of local and regional police and judicial officials.
Level 4: <i>Critical</i> – Corruption at high levels of national police and judicial systems, endemic extortion rather than bribery, top level police enter drug trade, protect it and authorize political assassinations, financing of journalists and magazines by drug lords; narco-journalists become known.
Level 5: <i>Advanced</i> – Compliance of ministries, in addition to judiciary, with organized crime. A president surrounded by compromised officials. Possible complicity of the presidency itself, the president may be charged as <i>capo di tutti capi</i> and the public are not surprised.

(Source: Jordan 1999: 191)

## 4.2 CORRUPTION AT HIGH LEVELS OF NATIONAL POLICE

Derived from David Jordan's "Critical Narco-state", the element of "Corruption at High levels of National Police" will be illustrated in a South African context. In South Africa police malpractice has been a major concern that has affected all ranks, from the top right down to the lower ranks. The result being an entrenched public perception: that the security of South Africa is corrupt. Corruption has undermined trust, damaged links between police and citizens and reduced legitimacy of the state (Bradford *et al* 2014: 250). The scandal of Jackie Selebi, who became head of Interpol in 2004, is one of the most noteworthy examples of higher level narco-corruption in South Africa.

On 1 January 2000, by President Thabo Mbeki's ANC cadre deployment, non-policeman Jackie Selebi became South Africa's National Police Commissioner (Basson 2010: 17). By 2006, Selebi had implemented his own controversial strategy by closing down all 17 units of the very effective Anti-Corruption Unit (ACU) and another 250 specialized investigating units (Corruption Watch 2017b). Selebi also made the decision to shut down the South African Narcotics Bureau (SANAB), resulting in an 87% increase in drug-related crimes (Basson 2010: 20). According to Burger and Grobler (2017: 4) there was "no justification for closing down the ACU, as the success of the units as well as the conviction rates were extremely high". The direct result of these closures was that South Africa and SAPS lost the appropriate capacity to investigate corruption within its own policing ranks (Corruption Watch 2017b). The result also had a detrimental impact on the capacity of SAPS to investigate on rape, child abuse and many other cases of police corruption (Burger & Grobler 2017: 5).

Selebi was under investigation after the death of Brett Kebble in 2005, a South African mining magnate. The investigation exposed the links between organized crime and South African politics. It also exposed Selebi's close proximity with convicted drug trafficker, Glenn Agliotti – the only man on trial for Kebble's murder (Basson 2010: 89). Glenn Agliotti was a convicted drug trafficker dealing in illicit forms of trade. He was also well known for his trade of 'knocking', where an individual sells his connection with powerful people to the highest bidder (Allan 2010). Agliotti made millions in profits for the access of the National Police Commissioner, Jackie Selebi. The Commissioner himself only saw a small portion of those profits (Basson 2010: 25). Eventually, Agliotti would use Selebi to "leverage credibility with Brett Kebble and other businessmen and charging heavily" (Weiner 2012: 77).

On 5 November 2006, the *Sunday Times* headlined "Selebi and the Cop Mafia". The paper expressed "the inner-workings of a Mafia-style criminal organization involving senior policeman have been revealed in a damning dossier...It paints a chilling picture of how the

syndicate involved in smuggling of drugs, cigarettes and cigars, human trafficking...has spread its tentacles into the South African Police Service” (Basson 2010: 39). Therefore, due to the corrupt police service, the Scorpions had taken over the investigation.

The Directorate of Special Operations, better known as the Scorpions, was a specialized unit that had a successful rate for investigations and prosecutions. The SAPS, more specifically Selebi, was pushing for the DSO to be under their structure as tensions were rising between the two-armed law enforcing bodies. Jackie Selebi pushed hard for the Scorpions to be amalgamated into the SAPS, but it was ruled that the Scorpions should remain under Prosecution Authority (Wiener 2012: 184). As a result, the Scorpions’ “Operation Bad Guys” investigation into Selebi’s corruption commenced. The first tipping point of the investigation was the discovery of a R200 million hashish bust from July 2006. It linked a drug trafficking syndicate and drug associates such as Dimitrios Paparas and Stephanos Paparas to Agliotti (Basson 2010: 53).

As the investigation prevailed, it was revealed that during the 2002 Kya Sands drug bust, Selebi received information about Agliotti being involved in criminal activities, such as distributing mandrax. However, he was never arrested (Wiener 2012: 190). During 2004 and 2005, the SAPS received five intelligence reports implicating Agliotti in drug smuggling activities. They were called to investigate the claim. Instead of an investigation, Selebi showed Agliotti one of these reports and discussed it with him. Finally, Selebi gave Agliotti a portion of top-secret National Intelligence Estimates and asked him to investigate the source of the information (Basson 2010: 202). It was concluded that Agliotti, who pleaded guilty to facilitating the importation of two tons of hashish from Pakistan in 2006, was occasionally giving Selebi envelopes containing R10,000 (Wiener 2012: 190). “After eight years in the job, South Africa’s police chief was about to be arrested for accepting drug dealer’s money” (Basson 2010: 145).

By 2008, former President Jacob Zuma was eventually elected. Selebi had no political protection and the Scorpions had been legislatively disbanded by the ANC on 5 October 2009, replaced by the ‘Hawks’ (Wiener 2012: 185). Conclusively, the national police commissioner Jackie Selebi was charged for corruption and defeating the ends of justice on 2 July 2010. Selebi had been paid at least R1.2 million (\$156,000) in bribes between Agliotti, Kebble and Rautenbach (BBC 2012). Judge Meyer Joffe sentenced the national police commissioner Jackie Selebi to 15 years imprisonment and stated that, “corruption in the police force, particularly the head of police, can never be tolerated” (Basson 2010: 308) In the end Selebi used state agencies at his command to corrupt the criminal justice system and left the country vulnerable to compromised leadership (Chikane 2013: 177).

In 2012, two years after the Selebi case, the former President of South Africa, Jacob Zuma, fired Police Chief General Bheki Cele for his implication in unlawful property deals (BBC 2012). However, Bheki Cele was not charged of a crime and was re-deployed as Minister of Police by President Cyril Ramaphosa after the SAPS was hit by more corruption scandals during the Zuma Presidency (2007-2018). Between 2010 and 2011, allegations against Lieutenant General and closely allied Jacob Zuma associate, Richard Mdluli, had surfaced. Mdluli, the Head of Crime Intelligence (CI), a unit in SAPS that is responsible for gathering information on criminal activity through surveillance, was charged with murder, attempted murder, kidnapping and intimidation. He was later charged with money laundering and theft but all his charges were withdrawn by prosecution after political interference by former President Jacob Zuma, who also had 783 counts of corruption dropped (Kutner 2014). Mdluli was also involved in appointing 250 people into the division – including 26 family members and friends who had no policing experience (Burger & Newham 2018).

Almost every law enforcement agency and state institution with the capacity to fight crime has been meddled with for political and factional purposes, undermining efforts to combat corruption (Wiener 2018: 358). Another example of higher-level corruption is Kgomotso Phahlane, who on a police salary, bought property worth eight million rand. The IPID and Paul O'Sullivan, who were investigating the issue, ran into a turf war between the IPID and the SAPS. Eventually Phiyega replaced Phahlane since Phahlane and his wife, a brigadier in the police, handed themselves over in court over the criminal charges on fraud and corruption. They were later released on bail. In 2015, Berning Ntlemeza was irrationally and irregularly appointed as the head of the Hawks and was assisted by Richard Mdluli in the attempt to remove Sibiya and Dramat (Thamm 2018). The court later found that Ntlemeza was dishonest and lacked integrity, finding him unfit for the job. Ntlemeza left the Hawks in disarray. With the presence of Phahlane, Ntlemeza and Makushane it became a certainty that the police, the Hawks and Crime Intelligence had truly been captured by a deeper form of grand corruption (Wiener 2018: 361). This type of grand corruption in the ANC creates vulnerability to other forms of organized-crime influences. This can instigate the process of narcostatization as unethical state officials and police allow criminal enterprises to flourish, eventually criminalizing state structures.

Overall, in the seven years Mdluli was suspended, CI had a dozen acting heads, many of them also controversial appointments (Burger & Newham 2018). Mdluli was eventually reinstated in his position which sparked major backlash. Van Loggerenberg and Lackay (2016: 106) believe that "The NPA is severely compromised, and crime intelligence and the Hawks are consumed with factional battles – battles that are directly linked to criminal interests." Such a decision resulted in Johann Kriegler, former Constitutional Court Judge, to

announce that Mdluli's re-installment "was a threat to the rule of law" and eventually senior prosecutors restarted the case (Kutner 2014). In the end, Richard Mdluli was finally removed from the SAPS in the beginning of 2018. Mdluli had received full pay, benefits and Police Minister allowed him to retire without being held accountable for alleged misconduct (Burger & Newham 2018).

The problem of compromised leadership in the SAPS deeply affected the country. Crime is affecting the economy and if the citizens of the state do not feel safe then the police are being ineffective (Corruption Watch 2017a). The SAPS need stability, especially in leadership, to combat crime and improve the disseminating morale of the police service (Corruption Watch 2017c). High crime rates and police failure in South Africa are a result of what the National Development Plan calls "serial crisis of top management". Almost all acting members left because of controversy. There was even an "acting, acting" head of CI because the acting commander was suspended (Wiener 2018: 362). An example being Chris Ngcobo, who was put on leave because of discrepancies with his qualifications and Mokushane, who was fired due to improper security clearances and having a criminal record, exemplifies the state of CI. The lack of integrity and experience in the leadership of the SAPS and Hawks has seriously eroded the capacity of these criminal justice institutions to fulfil the role of combating corruption and crime (Corruption Watch 2017a). The consequences of this poor leadership are demonstrated in the increase of crime, especially in murders and robberies since 2011/2012 (Corruption Watch 2017d). More importantly, the police service is hierarchical, therefore, how leadership acts sets the tone for the lower local and regional policing ranks (Corruption Watch 2017d).

#### 4.3 LOW-LEVEL BRIBERIES & CORRUPTION OF POLICE

Jackie Selebi's corruption case is an example of how narco-corruption reaches higher levels of state officials, but the problem is also rooted in the lower-level officials. Corruption in the lower ranks of police forces simply reflects the reality of a country, especially because the salaries of law enforcement make them prone to corruption (Engvall 2006: 846). According to News24 (2013), the majority of South Africans consider the SAPS as the most corrupt public sectoral institution in South Africa. About 83 percent of survey takers believed the police were corrupt and 36 percent admitted to bribing officers. If corruption is present in the top level, then corruption will be present in lower-levels too. Deriving from David Jordan's "low-level bribes" and "corruption of local and regional police", lower levels of narco-corruption in the security sector can be illustrated in a South African context.

In September 2005, Interpol issued an international warrant for a Czech criminal named Radovan Krejcir. From the Seychelles, he arrived in South Africa in April 2007 (Serrao 2016: 3). Krejcir secured his freedom in South Africa and, ultimately, he avoided extradition due to legal technicalities (Van Loggerenberg & Lackay 2016: 98). Within a month alongside George Louca, a known hitman who served seven years in Switzerland for drug trafficking, he quickly spread his tentacles into the South African criminal-justice system and criminal underworld (Serrao 2016: 15). In a matter of months Krejcir attempted to take over the drug trade by ordering hits on numerous individuals linked to drug syndicates: David from the Sexy Gang, drug runner Sam Issa in Johannesburg and cocaine kingpin Chris Couremetis. Twelve people had already been killed by Krejcir's demand. As a result, Democratic Alliance (DA) councillor Michael Clarke expressed his concern: "people are scared, they don't want to be seen as speaking out against such a dangerous man" (Naik & Ajam 2013). Despite the numerous murders and Clarke's efforts, Krejcir was not arrested.

Krejcir avoided arrests due to his corrupted connections within the Crime Intelligence Division of SAPS. SARS "also found multiple instances where law-enforcement officers had been paid by Krejcir, ostensibly in the form of loans and gifts" (Van Loggerenberg & Lackay 2016: 104). In addition, Krejcir would pay policemen to smuggle concealed cigarettes and narcotics from Zimbabwe into South Africa (Serrao 2016: 128). Hawks members were active members in Krejcir's criminal schemes, using their uniforms, vehicles, and guns to commit crimes (Wiener 2018: 262). For example, Krejcir had organized 25 kilograms of methamphetamine, valued at 24 million rand, to be shipped to Australia through Bhekisizwe 'Doctor' Nkosi, who worked at the clearance agency at OR Tambo International Airport. However, the methamphetamine was stolen and Krejcir ordered two Hawks officers, Warrant Officer Samuel Modise Maropeng and Nthoroane, to find 'Doctor' Nkosi. Instead the Hawks members kidnapped Lukele, Doctor's younger brother, and tortured him for information (Serrao 2016: 171). In addition, Major General Khanyisa 'Joey' Mabasa, Head of Gauteng Police Intelligence, also had corruption links with Radovan Krejcir. According to Juan Meyer, Joey Mabasa twice received half a million rand in cash from Krejcir (Serrao 2016: 33). Joey Mabasa was eventually suspended in 2011. However, Mabasa was never charged or arrested (Wiener 2018: 264).

After several years of police corruption, Krejcir was 'capped' by SARS as his assets were seized (Van Loggerenberg & Lackay 2016: 70). He was sentenced to 35 years imprisonment for attempted murder, kidnapping and drug dealing (BBC 2016). Krejcir's presence in South Africa, demonstrated how, in only a matter of months, an individual involved in illicit trades can impact the security of a state and simply infiltrate the security sector through

criminalized wealth. The case of Krejcir illustrated the extent of narco-corruption within the SAPS. As viewed in *Table 2 (p. 60)* there are other examples.

**TABLE 2: RECENT EXAMPLES OF NARCO-CORRUPTION IN SOUTH AFRICA**

- In 2015 a South African police officer, Sergeant Busisiwe Zungu, had been arrested in Hong Kong for drug trafficking (eNCA 2015).
- In 2017, Constable Angela Maluleke was arrested in Sao Paulo, Brazil by Interpol and Brazilian police for the suspect was carrying six blocks of cocaine (eNCA 2017).
- In 2016, a Hawks officer was shot dead, allegedly by his own colleagues. Warrant officer Colbern Mashego pulled over two police officers in Boksburg who were driving to OR Tambo airport, allegedly with drugs on the Sunday evening (Germaner 2016).
- In 2016, four individuals (two custom officials, an Air Namibia employee and a Nigerian national) were arrested by OR Tambo International Airport-based police for drug dealing and defeating the ends of justice (Kempton Express 2016).
- In 2017, two members of SAPS were arrested for taking a bribe worth R3,000 from a drug suspect to avoid incarceration (Spies 2017).
- On 15 November 2017, 31-year old law enforcement officer Clinton Langeveldt was arrested in Bellville South. 41,000 Mandrax tablets, worth R2 million, was discovered in a hidden car (Dolley 2017a). The officer faced charges relating to drug possession and dealing.
- In August 2017, small-armed weapons had gone missing from storeroom of Bellville South Police Station with Former Police Minister Fikile Mbalula citing that cops had likely smuggled these guns to drug gang members. More than 2 800 dockets need to be traced (Dolley 2017b).

Lower-level narco-corruption is also evident between the SAPS and drug dealers in Johannesburg. Drug dealers would drop bribery money into cop cars; R50 for a single cop; R200 if there were more. For McNally (2016), “the open-air, nonchalant level of corruption that exists in our country is hard to believe”. The SAPS officers would fake arrest a drug dealer, torture him and then force them to contact their drug lord. The drug boss would then pay the SAPS officials R6,000 for the dealer’s release. With the capacity of the police service, the constable at Florida Police Station would also arrest competitors of her spouse, a drug boss, so that clients would purchase their illicit merchandise from him instead (McNally 2016). In totality, this is only a small part of an extensive ecosystem involving police, drug dealers and users.

Police have also been involved in supplying weapons to drug gangs, this is yet another form of narco-corruption. Significantly, a recent study published that 1,066 violent deaths between



2010 and 2016, including 261 children, can be directly linked to the illegal circulation of guns in Cape Town (Thamm 2018). In 2016, a former SAPS Brigadier, Christiaan Prinsloo, was jailed for 18 years for selling guns to gangsters. While supervising the Confiscated Firearms Store in Silverton, Pretoria, Prinsloo and another SAPS officer, Colonel Naidoo, were brought to justice after they sold around 2,000 weapons and ammunition worth R9 million rand to Cape Flats gangsters over the past six years. The core function of the criminal enterprise between these two SAPS officials and other criminal networks was to steal firearms and ammunition destined for destruction and then sell them to members in the Cape Flats. The gangs in the Western Cape displayed considerable demand for illicit firms to further gangs' drug wars which have raged in the region since 2006, making Cape Town one of the deadliest cities in the world (Thamm 2018).

The latest trend between police corruption and criminal groups is the cash-in-transit heists, one of the fastest growing forms of aggravated robbery in South Africa. In the past four years, there has been an increase of 110% in cash-in-transit heists, growing from 179 incidents in 2014 to 376 in 2017. Out of the 74 cash-in-transit robberies in Gauteng between January and May, the police have only successfully arrested 11 individuals related to the crimes. The rise of heists has been attributed to the failures of crime intelligence, the criminal justice community and law enforcement. The SAPS members have been linked to the robberies themselves and accepted bribes to help in various ways. There have also been cases of bribing prosecutors to discontinue prosecutions, and bribing magistrates to ensure positive outcomes (Burger 2018).

The level of corruption in the SAPS is linked to that fact that it has admitted that hundreds of serving police officers are convicted criminals. In 2013, the internal audit found that 1,448 police officers were convicted criminals. Among them were a "major-general, ten brigadiers, 21 colonels, 10 majors, 43 lieutenants, 163 captains, 84 lieutenants and 716 warrant officers" (Cunliffe-Jones 2013). These serious crimes ranged from murder, rape, drug trafficking and aiding escapees. More than 2,000 serious criminal cases involving police were reported every year since 2007. In 2016/2017 the IPID received over 7000 reported cases against members of the SAPS in relation to crime and only 276 of those resulted in disciplinary convictions by the SAPS (Lebone 2018: 962). In addition, according to Serrao (2017), twenty-two of the most senior crime officers in charge of counter, security, intelligence and national security, did not have security clearance certificates. In total, 6130 Crime Intelligence members have no clearance at all, proving a "harrowing reflection of the systemic failure in leadership of the police and CI in the country" (Serrao 2017).

In conclusion, the disarray the CI and the criminal justice system was left in due to the instability caused by Mdluli and President Jacob Zuma could be linked to the increase of serious and violent crimes over the past five years (Burger & Newham 2018). The politicization of the police and other law enforcement agencies has allowed this ministry of crime to evolve in South Africa. If this continues under the current trajectory, there will be more dangerous networks establishing themselves in South Africa, putting the country at risk (Wiener 2018: 450). The damage caused by corruption has already manifested itself. President Cyril Ramaphosa, Police Minister Bheki Cele and newly appointed CI head Peter Jacobs will need to fix the erosion of security institutions in the country.

#### 4.4 THE WAY FORWARD

Component leaders are not chosen because of political reasons and the President can choose a national police commissioner under zero accountability (Corruption Watch 2017f). As a result, individuals with integrity were forced out of their jobs within a period less than a year under the Zuma's administration (Wiener 2018). Most organizations, such as CI, the Hawks, the NPA and the police watchdog IPID, became crippled and unable to perform required functions. Furthermore, since the "disbanding the ACU in 2002, the SAPS has struggled to settle on and implement an anti-corruption strategy" (Cunliffe-Jones 2013). This is also partly because there is a lack of political will from SAPS and the government to combat police corruption.

All the South Africa security institutions – across the police and intelligence departments – suffer from corruption, shifting policy direction, poor management and political compromise (Cilliers & Aucoin 2016: 17). There is an urgent need for strong and effective oversight of the police, as the level of criminality in the police is far higher than demonstrated. In order for the security cluster to perform its constitutional duties, the electoral process for SAPS and Hawks leadership needs civil oversight and accountability. Before the President of South Africa deploys a leader, the candidates should go through a transparent recruitment process and possess the necessary capabilities. Additionally, the public should partake in surveys that address what type of leader is required and most importantly, the prospective leader needs to undergo thorough clearance checks and integrity tests (Burger & Grobler 2017: 8).

Without integrity tests and strong leadership in the security sector, the SAPS will remain a criminalized police service that invites the narcostatization process to manifest itself further in the political system. When analysing the narcostatization index, South Africa does not to

have a government that is infiltrated by prodrug officials or top-level police leaders entering the drug trade as drug kingpins. That sort of high-level impunity and disregard of the constitution and state security only occurs in the critical and advanced narco-states. While not necessarily related to the drug trade, President Zuma may have been in complicity with state capture and implicated with over 700 counts of corruption. This should be considered a warning sign; leaders and the security sector of the state are vulnerable to organized crime and narco-corruption, especially as the drug trade is shifting towards Southern Africa.

Therefore, the model of narcostatization is valuable as its characteristics are evident in South Africa's security sector. Due to the high level of corruption in law enforcement agencies and the corrupted politicization of security in South Africa, the country should be placed somewhere on the narcostatization index. Because police corruption in South Africa does not only stem from narcotics and organized crime, and the labelling on the spectrum can be blurry, it should be concluded that South Africa is an incipient narco-state. It should be labelled as such, because illicit drug crops do not cover a significant part of South African territory, the drug trade is insignificant to its licit economy nor is the political establishment supporting the drug trade. However, as it has been thoroughly illustrated in this chapter, narco-corruption in the law enforcement is adequate for the development of the narco-state and will be a concerning trend in the years ahead. South Africa will do well to improve its security sector capacities and eliminate narco-corruption within the SAPS.

## 4.5 CONCLUSION

Narcostatization requires the security sector to be implicated in corruption. For Kan, police corruption is adequate for the development of a narco-state. With reference to the narcostatization index, South Africa does exhibit some of the characteristics of a narco-state such as low-level bribes, corruption of local and regional (provincial) police and corruption at high levels of police. South Africa does not have top-level policemen entering the drug trade but across the country, criminal groups have been implicated in the SAPS and other related law-enforcement institutions in narco-corruption. The examples of narco-corruption with regards to SAPS include: officials smuggling weapons to drug gangs in the Cape Flats, accepting bribes from drug dealers, committing crimes for drug kingpins and crime bosses. Finally, SAPS officials were also arrested for drug trafficking in foreign countries

Significantly, the politicization of security and ineffectiveness of the security sector has allowed organized crime to flourish. The deployment of a "non-policeman", Jackie Selebi,

who had links with organized crime while holding the position as the national police commissioner of South Africa subsequently led to the SAPS' powerless combat against internal corruption. Whether Selebi, who was later convicted of narco-corruption, did this for his own benefit remains largely unknown. However, the Selebi matter demonstrates how organized crime, involving domestic and international actors, can easily engage, corrupt and compromise leadership to an extent that can reach the very top state officials in South Africa. Furthermore, the weak and compromising leadership in the SAPS has been directly associated with the rising levels of crime in the country. The lack of integrity and experience has allowed criminal groups to act with impunity in South Africa and occasionally the lower level SAPS officials are involved.

Without integrity tests and robust anti-corruption units, the link between drug trafficking, organized crime and their relationship within the SAPS will only get worse. Overall, the narcostatization index is valuable as its characteristics help to illustrate the reality of the SAPS and the rest of the country. The political system of South Africa has high levels of corruption and based on the characteristics in the security sector, South Africa should be considered an incipient narco-state. Any form of state capture in the security sector or characteristics of a narco-state is a threat to South African national security.

## 5. CHAPTER FIVE: CONCLUSION & RECOMMENDATIONS

### 5.1 CONCLUSION

National security in South Africa is characterised by a twofold definition: state security and human security. As demonstrated throughout this dissertation, the impact of narcotics and crime challenges South African national security as it places individuals and state sovereignty at risk, leads to vulnerability and causes a lack of development. In a South African context, security is a prerequisite for development since development cannot be realized without commensurate security. South Africa suffers from high levels of crime and violence, and the public safety of its citizens are a matter of concern. Overall, it has an impact on human security and it demonstrates that the security institutions, fuelled by poor leadership and narco-corruption, have a lack of control and lack intelligence regarding new developments. This is especially true for organized crime and the drug trade that comes with it. The collusion of organized criminal groups with corrupt policing and weak criminal justice system are direct threats to South Africa's democracy. The country becomes more vulnerable as the drug economies shift to Southern Africa. Narcotics is a lucrative business and affects the weakest links, especially countries with weak governance and weak institutions, characteristics seen in South Africa. The challenges the drug trade brings to a country are accompanied by other factors such as high crime levels, porous borders, strong infrastructure that eases transportation, weak criminal justice systems, poverty and unemployment. These are conditions exhibiting South Africa that make it prone to narcostatization and a narco-state.

The process of narcostatization, the corruption of the political regime as a result of narcotics trafficking, is a scarce but accepted concept in Security Studies. The process is seen as a threat to democracy and the Narcostatization Index created by David Jordan, as viewed in *Figure 16 (p. 58)*, is a valuable model to identify characteristics that threaten national security. Although the labelling of a country based on the five levels may be problematic due to the lack of quantitative standardization within each characteristic, countries that suffer any of the indicated characteristics have security governance problems, which need to be mitigated with immediate effect to avoid the risks that arise from the link between organized crime, narco-corruption and the drug trade.

Essentially, to answer the research question, South Africa exhibits characteristics of the narcostatization process. Many of the characteristics, such as government support for drug consumption, narco-journalists and pro-drug officials, cannot be contextualized in a South African perspective. This is due to a lack of evidence and simply because it is not an issue. However, the four highlighted characteristics of narcostatization that South Africa suffers from are: low-level bribes (incipient), widespread drug consumption (incipient), corruption at local and regional police (serious) and the most concerning, corruption at high levels of police (critical). It is without a doubt that South Africa suffers from high levels of corruption in government, especially in the security sector such as the SAPS and other related institutions such as the Hawks and Crime Intelligence. As highlighted in this dissertation, these corruption cases were not once-off scandals and have been characteristic of the policing ecosystem from 2006 to 2018, since Jackie Selebi was implicated with drug trafficker Glenn Agliotti. The security institutions of South Africa are weak, unaccountable and ineffective. This has led to many negative implications for South African society, such as continuous high crime levels and a weak criminal justice system. This leaves citizens vulnerable to intimidation as well as threatened by gangsterism in the Cape Flats or organized criminal groups, such as Radovan Krejcir.

Throughout the paper, it was stated that there were not many examples of direct links between the political establishment and the overall drug trade in South Africa. However, the high levels of corruption entrenched in the policing system are still relevant as the lack of integrity and collusion with criminals makes the country susceptible to narcostatization. For example, if national commissioners or prosecutors are willing to take bribes from any criminal organization, that is likely to be part of the drug trade, then there is still a challenge. The drug trade has yet to become a serious issue in South Africa, but it is growing at a rapid pace. Other regions have stepped up their fight against traffickers, while the demand for narcotics in Africa is increasing at an alarming rate (Ewi 2018b). If South Africa's security institutions remain weak, the traffickers will continue to shift to the most lucrative area in Southern Africa, South Africa. Because South Africa is a drug-demanding country, has a drug consumption problem (ranging from five to fifteen percent of the population due to a lack of reliable statistical information), low-level bribes associated with drug traffickers and high levels of police corruption at leadership positions, it is arguable that South Africa can be placed at an incipient position of narcostatization, or as Kan explains "an incipient narco-state". Currently, this means South Africa is at the lowest level of the narcostatization spectrum, but it can quickly climb up towards the developing and serious types of narco-states in the next ten years if the criminal organizations and drug trafficking in Southern

Africa continues at its rapid pace, corruption continues to erode security and political institutions, and the drug problem is not addressed.

In conclusion, South Africa is an incipient narco-state, but not a narco-state that is comparable to Colombia in the 1980's or present-day Afghanistan. South Africa's illicit GDP is not proportionate to its licit economy, the circumference of its land is not covered by drug crops and the government does not sponsor drug trafficking. However, South Africa is a source country for mandrax, tik, marijuana and numerous synthetic drugs and is mostly a transshipment nation for cocaine and heroin. As a transit country, the demand for cocaine and heroin in South Africa is rising. This has numerous implications on state and human security. Current high crime rates, growing rates of drug-related crimes, unemployment, inequality are worsening in terms of state fragility due to corruption and poor service delivery, makes the process of narcostatization an area of concern. Policy-makers will do well to research the current scenario occurring in South Africa, which brings us to the overall purpose of this dissertation.

The purpose of this dissertation was to explore the idea of narcostatization in South African context. However, if South African drug statistics become more reliable, security agencies share more information about organized crime to researchers and journalists, and more investigations can be done on drug-related corruption in government, then there is a lot more than can be built on for future research and policy-making on narcostatization and the notion of a narco-state in South Africa. More importantly, if more information on drugs, organized crime and corruption becomes available, policy-makers may develop cost-effective policies to prevent any form of organized crime-type corruption in government or drug cartels intimidating society. These elements within the narcostatization index in South Africa pose risks to South African security, at human security and state security levels. The earlier South African security institutions prove to be more effective, in terms of addressing leadership, corruption and policing effectively alongside social development programs that tackle drug abuse, gangsterism and inequality, the risk of becoming a serious narco-state can simply be labelled as a "unpatriotic" illusion.

## 5.1 RECOMMENDATIONS

To counter the process of narcostatization and narco-corruption, there needs to be political will to implement a holistic response, ranging from local levels of governance to regional frameworks. For Maguire (2010: 32), the "success in confronting the challenges posed by

the narcotics trade is not necessarily contingent on confronting the trade itself, but on strengthening the capacity and rule of law within the states that are at most risk from its ill-effects.” Therefore, the capacity of state institutions should be the principal mechanism against criminals. Without strong capacity with integrity, all proceeding measures will be counter-intuitive. Essentially, the fight against organized crime should begin with the strengthening of: the capacity and integrity of law enforcement, custom officials, border control and the judiciary (Reitano & Hunter 2018: 14).

At a governance level, to avoid challenges of narcostatization in future, the President of South Africa should restore the integrity and efficiency of the security sector (Haysom *et al* 2018: 40). There should more civil oversight regarding cadre deployment at the security sector level and less politicization of security institutions. Without integrity and accountability, foreign bureaus will unlikely share information to help fight against criminal enterprises (Haysom *et al* 2018: 40). In addition, the SAPS needs to show integrity, provide quality policing and become more professional when dealing with organized crime. According to Burger and Grobler (2017: 2), the security sector needs to begin selecting the right people and the anti-corruption unit is crucial. These recommendations should follow with psychological and integrity tests and the head of the anti-corruption unit should be of senior rank with much authority to investigate any matters without political and managerial interference. The leaders of the unit should have top security clearances as well as logistical and budgetary support (Burger and Grobler 2017: 2). More significantly, the South African Police Service Act (68 of 1995) should be amended to make the anti-corruption unit more powerful. In addition, the United Nations Convention on Corruption also recommends that the effectiveness of law enforcement institutions should be prioritized, and personnel regularly trained and routinely tested for substance abuse.

The growth of organized crime and its trafficking routes can be deterred by more effective regional capacity building. The SAPS should join regional mechanisms for police and anti-drug cooperation such as: Europol, Ameripol, IDEC, CLACIP, Interpol and strengthen partnerships with Cape Verde, Ghana, Togo, Senegal and Tanzania (Gastrow *et al* 2018: 1). There should be more effective collaborative and cooperative information between SAPS attaches in South African embassies/consulates and local authorities in the Americas: São Paulo, Brasilia, Asunción, Lima, Mexico City, Bogota; Africa: Luanda, Maputo, Harare, Windhoek, Lagos, Dar es Salaam, Nairobi; and Asia: Bangkok, Hong Kong, Dubai, Karachi and New Delhi. Information regarding the drug trade and drug-related corruption is important as it will help understand the phenomena better. Statistics on associated drug seizures and arrests from the SAPS liaison officers at these embassies should be published dissemination. This would aid policy-makers and think-tanks to develop effective policies to



combat organized crime and general crime. In addition, exposing the effects of the drug trade in South Africa might entice the South African government to apply pressure on other regional governments (Gastrow et al 2018: 8).

Exposing the effects of the drug trade can be aided by investigative journalism, research think-tanks such as ISS and ENACT, and effective crime intelligence (Ebo'o 2018). A step forward in assessing organized crime in South Africa is the newly established programme, Enhancing Africa's Response to Transnational Organized Crime (ENACT), which is funded by the European Union. The objective of ENACT is to "enrich the foundation of the evidence basis on organised crime and its activities across the continent through research, qualitative and quantitative data gathering, multi-sectoral policy engagement, awareness raising and advocacy" (Shaw 2017: 2). The proposed model it uses is called the ENACT Vulnerability Index, comprising of presence, risk and state capacity. The first category is the presence: the scale and history of the threat of organised crime in a country. For example, there are 12 types of organized crime. A few of them are drug trafficking, mafia style, cybercrime and counterfeit. The second category assesses a country's risk is to organized crime. This category demonstrates how these groups are affecting the economy, the physical geography, social cohesion and natural resources of the state. The third category is the state's capacity and political will to respond to organized crime threats. This is measured by the awareness of the state, the legal and strategic frameworks used to address organized crime and state actions on combating the risks of criminal economies (ENACT 2018).

A long-term strategy is to combat the criminal economy. The security sector should make use of the latest trend in the global fight against TOC's to aid in the combat against trafficking routes: developed Artificial Intelligence (AI), big data analytics and machine learning. This should be a strategy implemented at all levels of government, ranging from Crime Intelligence, the Hawks, SARS and investigators in financial institutions. Financial institutions should be part of the holistic response since banks play a role in tackling serious crime. "By reporting suspicious financial activity, banks help law enforcement agencies identify and prosecute criminals ranging from human traffickers to drug dealers" (Bell 2018). Because criminals and corrupt state officials use banks to hide their illicit money and launder money, Artificial Intelligence (AI) can calculate suspicious transactions and can give more relevant and accurate information to law enforcement agencies. If financial institutions adopt these approaches, then there will be better reporting of Suspicious Activity Reports (SAR) to the regulators that then pass on the information to law enforcement. If SARS Customs and the SAPS adopt these programmes themselves, make use of efficient scanners such as the LineSight AI system, and adopt the use of machine learning, which calculates algorithms and virtually dictates the possible *modus operandi* of smuggling, along with smuggling

routes, based on “passenger travel history, suspicious business dealings and outlying shipments” they could “make sure that human law enforcement officers are spending more of their time investigating the most statistically likely criminal activity” (Fearnow 2018). The gathered intelligence could then be directed into central and regional command centres to help combat organized crime. This will also help analyse strategic information such as transportation of essential chemical substances used to produce narcotics such as sulphuric acid and hydrochloric acid for cocaine, and ephedrine used for methamphetamine. This information would be useful in anticipating future drug threats.

**FIGURE 17: FRAMEWORK FOR DRUG OBSERVATORIES IN SOUTH AFRICA?**

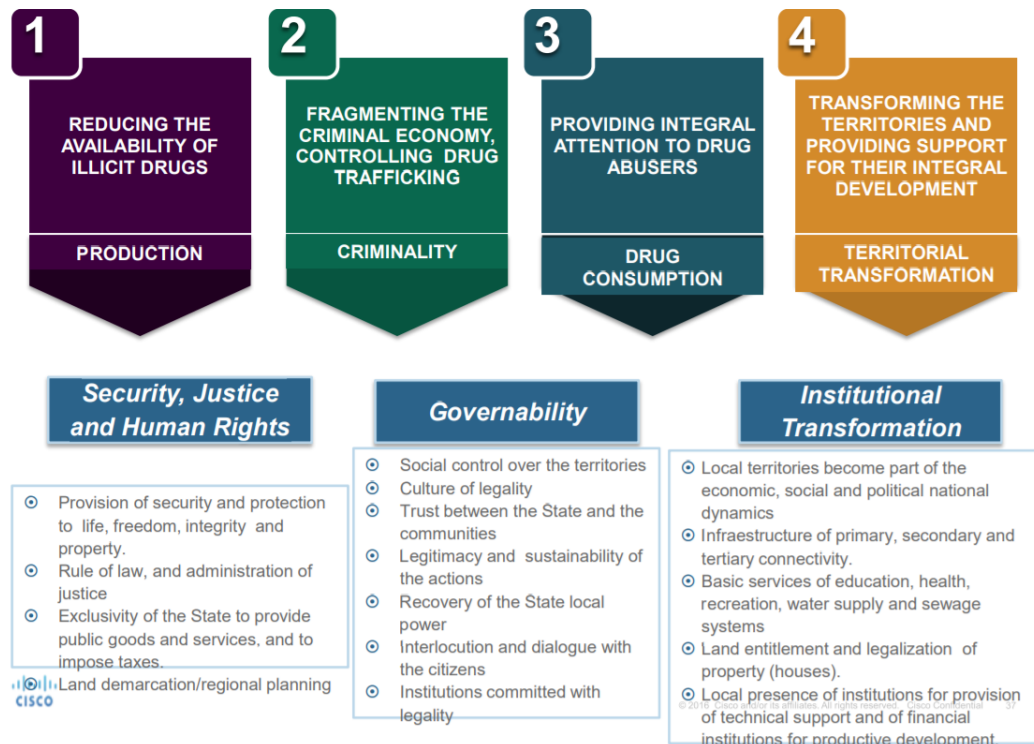


(Source: Ministeria Justicia 2018).

To reduce the extent of South Africa’s criminalized society long-term strategies such as implementing developmental goals as stated in the NDP and building institutional capacity are required. There needs to be more violence prevention approaches that focuses on the juvenile population, accompanied by economic development programmes. These can include prevention programmes at schools that educate learners about drug trafficking and drug abuse. From a societal perspective, harm-reduction policies for drug abusers should also be implemented, such as the NSP and OST programmes which have proven to be the most effective approaches to reducing HIV and HCV infection rates among those who inject. It also encourages treatment for HIV and tuberculosis (Haysom *et al* 2018: 38). There should also be development strategies that improve employment and inequality to deter the attraction of narcotics profits. As indicated in *Figure 17*, the government should also consider funding drug observatories at universities to help improve the prevalence of drug use and the drugs circulating society. It was a major statistical weakness in this dissertation and will

prove to help capacity building through epistemological and surveillance networks. Therefore, it is important to address the social impact of drugs and drug trafficking, offering sustainable development alternatives for vulnerable social sectors (Campana 2018).

**FIGURE 18: THE COLOMBIAN SOCIALIZATION OF DRUGS MODEL**



(Source: Ministeria Justicia 2018).

In conclusion, with the Drug Master Plan yet to be finalized, the South African government should adopt an approach similar to Colombia’s 2015 socialization of drugs plan. As seen in *Figure 18*, the approach is influenced by characteristics of governability, institutional transformational and human security and justice. The framework tackles four main steps focusing on production, criminality, drug consumption and territorial transformation. First, the production element, the South African police and security institutions should seek to reduce the availability of illicit drugs, especially by cutting off trafficking connections with the Cape Gangs and by protecting the poorest and most marginalized residents of the city (Gastrow *et al* 2018: 8). Second, the criminality element, the South African police, think-tanks, financial investigators in banks and SARS should investigate the illicit economies circulating society, especially money-laundering, in order to fragment the criminal economy that controls the drug trade. To be more efficient, South Africa should also adopt AI machines to combat organized crime. Third, in terms of drug consumption, the South African policy makers should shift policy to end the stigma on drug abuse and implement new health programmes

to aid citizens from substance dependence and mitigate the risks of blood transmission diseases. The fourth element, territorial transformation does not affect South Africa in when compared to Colombia. However, should a large amount of land be used for the production of drug crops, the government should transform those territories to focus on licit trades.

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