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## **Part V**

# **West Africa and the Challenges of the Twentieth Century**



# Chapter Twenty-One

## Mules or Couriers: The Role of Nigerian Drug Couriers in the International Drug Trade

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Axel Klein

In the nineteenth century Lagos emerged as a trading mart between the sea and the lagoons, linking the Nigerian interior from the forest belt to the edge of the desert with the Atlantic trading system. Over the latter part of the nineteenth, this pearl of the West African coast became the seat of imperial power for the century long adventure of British colonial administration. After independence, state formation and an oil boom funded the staggering expansion of Lagos into a contemporary mega city of some 10 million people. These fundamental changes were not accompanied, however, by any significant diversification of the city's economic base. To this day, the mainstays of the local economy are trading, administration, and services. Government is conspicuous by its regulatory absence, struggling to direct the energies of the toiling metropolis.

As often remarked in discussions of the state in Africa, it appears powerful next to a vulnerable private sector, yet is barely functioning (Apter 2005). Violence is often the only response of a state clinging on to legitimacy by the very same means of extraversion (Bayard) or external linkage that is keeping the economy afloat. Nigerian economic actors, therefore, have to find a way through a moral maze in which support is routinely sought from organizations and networks outside the state. But these do not amount to a dynamic private sector, envisaged by some development economists (de Soto), nor a powerful civil society that can balance or check the assertion of the state. Indeed, critical voices are heard either in the motorpark or, in the case of the fifth estate, "underground" (Olukotun 2002), leaving it often difficult to trace boundaries of the licit and the forbidden. It is within this extensive regulatory no-man's land that one of the most recent Lagosian export industries is located, the international drug trade.

Nigeria is not a producer of internationally traded drugs, in spite of regular rumors of imminent coca or poppy cultivation (Klein 1994; 1999; 2001; UNODCCP; Obot 2004). For the moment, domestic production of psycho-active substances concentrates on alcohol, kola nut, and cannabis. The heroin and cocaine smuggled by Nigerian traffickers into European and North American markets is originally sourced from Colombia and across Asia. It is trans-shipped to Lagos to undergo enough processing to merit the term "industry." First, the packaging itself is painstaking and ingenious, ranging from the obvious to the grotesque. More involved still is the recently reported "cooking"

of cocaine into crack, which is then exported in liquid form.<sup>1</sup> Involvement of Nigerian groups or “syndicates” in the international drug trade, and their specialization in passenger-loaded couriership has been subject to much speculation (Legget 2003). On the one hand, it can be seen as a testimony for native entrepreneurial flair and adaptation, an indigenous response to opportunity based on comparative advantage. It is the latter though, that also signals the pathology of this most lucrative of criminal enterprises, because the involvement of senior officials in all offices of state underlines the “criminalization” of the Nigerian state (Bayard et al).

Drug trafficking then, is one aspect of the connectivity of Lagos with the international economy, an exercise of globalization by some of its malcontents, in which the defining characteristics of economic flair and weak statehood become an operational asset. That very success, however, also attracts the attention of enforcement and control agencies, which over the past decade have made the policing of designated activities such as drug trafficking a topic of interest beyond national borders. Lagos is home to agents from the US Drug Enforcement Administration, Her Majesty’s Customs and Excise Drug Liaison Officer, and the United Nations Office on Drugs and Crime. They are actively supporting the work of their national counterparts, most specifically the Nigerian Drug Law Enforcement Agency (NDLEA). Given the importance of drug control for development cooperation, trading privileges, access to loans from International Finance Institutions (Buxton 2006, Klein 1999; McAllister 2004) the relationship between these agencies is a serious international relations issue. It also means that the Nigerian state has to make an effort to be seen to be acting against the drug trade that has prospered on its soil. Since the inception of the NDLEA this has been replete with melodrama, as the agency coursed unsteadily across the choppy waters of military governance. After the transition to democracy, the NDLEA has sought to relinquish its paramilitary role and turn itself into a more investigative agency. Crop eradication, with raids on villages, burning fields all accompanied by gunplay, no longer figures in the promotional material of the organization. In the forefront now are seizures of drugs in transshipment, and the arrest of traffickers. These activities help the government to meet some of the international obligations Nigeria has signed up for when acceding to the three UN drug control conventions. It reassures the operational partner agencies about the efficacy of their intervention. And it allows diplomatic representatives to report that something at least is being done.

In the area of drug control, the appearance of enforcement activity is a key political requirement for all of Nigeria’s cooperation partners, and the inter-governmental organizations making a living from so called “drug control”—principally the United Nations Office on Drugs and Crime and the International Narcotics Control Board. In reporting terms, this is manifested in the by-now conventional substitution of outputs—that is, agency activity—for outcomes, the ostensible purpose for which these agency were originally called into being. Hence we find that agencies have long given up reporting the impact they were having on drug availability and drug use prevalence, but report arrests and seizures instead, as if these are ends in themselves. In Nigeria, where this process is not interwoven into a US-style “culture war,” and is lacking the presentational finesse of UN information management, a merry mismatch obtains between ostensible policy objectives and the reality on the ground. Nigerians find then that their right to live in a drug free society is vigorously enforced, with drug offenders making up

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1. Interview with London based informant 15/12/06.

a large and rising percentage of cases dealt with by the courts, and of the prison population. Other rights, for example, clean water, unpolluted air, safe streets, medicine, etc. are not respected with the same alacrity, raising the question of government priorities, the allocation of resources, and identifying a hierarchy of harms. Most significant, perhaps, is the question to what extent psychoactive substances, such as the local kola nut, alcohol, and tobacco, but also cannabis, are used for what in the drug treatment literature is referred to as self-medication. This model proposes that individuals use drugs intentionally to treat the psychological symptoms from which they suffer (West 2006). The conditions of life in contemporary Lagos are so harsh that any substance helping to alleviate anxiety or control aggressive impulses could be argued to be playing an important social function. Yet, these are not considerations to enter the discussion on drugs or drug use in Nigeria. Indeed, the control of substances is yet another extension of state authority, with little clarity of the rationale for the particular set of measures taken, and the selective enforcement of laws due to inefficiency, incompetence, or impropriety by the respective agencies.

## Conventional Models for the Nigerian Drug Trafficking Connection

The first reports of Nigerian involvement in drug trafficking go back to the 1960s, with consignments of locally grown cannabis seized in European ports. The country gained notoriety in the 1980s, when a significant volume of the US cocaine and heroin imports were attributed to the activities of Nigerians. In the UK, Nigerians figured largely until the 1990s and then began to fade out again. For a few years Jamaicans gained notoriety, with at one stage a reported five traffickers on each flight arriving at London from Kingston or Montego Bay. Defensive measures were stepped up at both ends of the route, with canine units, ion scan machines, profiling and heavy investment of manpower. By 2004 UK customs officers declared ‘Operation Airbridge’ a success, and reclassified Jamaican flights as “normal.” At the same time the number of Nigerian traffickers was rising sharply, requiring the attention of customs officers on the front line at Heathrow and in the investigation units.

### Convicted National Prisoners, England and Wales

	2001	2002	2003	2004	2005
Jamaica	1769	2256	2015	2430	1840
Nigeria	142	162	257	453	589

Source: London Probation Service Equality and Diversity Team.

The re-emergence of the Nigerian connection was accorded high priority by the UK High Commission in Abuja, which in 2006 funded a number of activities to deter potential traffickers, including a press launch of the poster campaigns and TV campaign “Bola gets quick rich” in early September. While the impact of prevention campaigns remains difficult to measure, it is estimated that even a small number potential traffickers deterred more than justify the expense. After all, the costs associated with problematic drug use are estimated between £9–16 billion (Godfrey et. al 2002), while the costs of keeping an arrested drug trafficker in prison work out around £25,000 per year. In

the effort to nip the flowering of the Nigerian route in the bud, the question of how it happened was answered swiftly with reference to the dominant model in drug control—the “balloon effect.” The balloon effect posits that wherever you squeeze a particular drug transit route the drugs will simply pop somewhere else. In effect this argument is spun to multiple purposes—(1) to justify increasing resources to plug ever more transit holes, (2) to make a case for domestic enforcement/prevention in drug markets, and (3) to account for the failure of drug control in meeting the overall objectives of preventing drugs from coming in. As a “meta theory,” moreover, it offers an explanation as to how a country like Nigeria can emerge as a major provider of Afghani heroin and Colombian cocaine in the UK market.

The balloon model accounts for the flow without explaining who does it. For the notion of “agency,” a supplementary explanatory models supplies the organized crime group. In its ideal form the OCG is defined by an internal hierarchy, a division of labor, and a shared and common purpose, and resembles a reflected image of the police force in the mirror of crime. It has eventuated the targeting of so called godfathers or Mr. Big, and occasioned a shift in the focus of enforcement activities to “going after the money.” The reasoning being that criminals are in the business for the money, and that by removing the financial rewards through asset seizure and confiscations the single biggest incentive for organized crime is removed.

While the model has great emotional appeal and a ready plausibility, it does little for explaining the workings of Nigerian “syndicates.” The very choice of the name suggests a far less hierarchical operation. Indeed, contemporary criminology has moved away from the “crime firm” to the crime network, with individuals coming together for a particular operation. Yet, in their operations against Nigerian groups, law enforcement agencies both in the UK and in Nigeria have failed to pinpoint any of the “big fish.” Indeed, the information on the internal structure of these groups is so limited that UK agencies often refer to it as an ethnically bonded crime group. Ethnicity does seem to play an important role in holding together some groups operating in the drugs markets. Much of the heroin coming into the UK, for example, is imported by Kurdish groups. There are instances in the US where Colombians, Puerto Ricans, Dominicans were running particular drug operations over time. Once again, however, the model is inadequate, as the very term “Nigerian” covers a multitude of ethnic sinners. It seems that ethnic diversity is another asset utilized in the movement of drugs, and to create separate cells that are difficult to infiltrate and only have limited information.

While the idea of the organized crime group and Mr. Bigs is therefore of only limited use for law enforcement operations, it is one that is readily used by defence lawyers representing those caught with drugs at UK airports. Nigerian trafficking organizations—in whatever form they do exist—operate a high risk strategy of concealing drugs in their personal luggage, body packing and by hiding drugs inside their bodies by “stuffing or swallowing.” The amounts in question average between 2 and 4 kilos, and are only justified by the high retail price of drugs in the UK markets. In 2006 cocaine traded for around £40 a gram, heroin for around £50. Yet many of the arrestees stood to gain little from this extraordinary price differential. They were to receive a few thousand dollars at best, and sometimes even embark on the run for nothing but the cost of the ticket. They are the traditional drug mules, who are hardly aware of the gravity of their crime, and earn next to nothing while running an enormous risk in terms of getting caught by customs and more grave still, to their health. If a pellet of heroin or cocaine bursts inside the stomach, death ensues within hours. Indeed, a “stuffer and swallower”

carries a risk that is not only in little proportion to the gain, but also confuses the relationship between perpetrator and victim.

What has added a dramatic twist to the composite identity of the victim/perpetrator is the fact that many of them are women. Up until the late 1990s the rates of female incarceration in the UK were very low. A number of societal changes have produced a rapid acceleration in the rate of female imprisonment and a far more draconian treatment of female offenders by the courts. Recent attempts to reverse this trend by providing alternative forms of punishment have failed to stem the flow, partly because of up-tariffing—courts availing themselves of high penalties for offences they would previously have dealt with by cautioning or suspended sentences (Player 2005). More important still has been the intensification of countermeasures against drugs. In January 2006 1,145 out of a total of 3,350 female prisoners sentenced to an immediate custodial sentence were drug offenders.<sup>2</sup> Prominent among this sub groups were foreign nationals, who make up the fastest rising group within the prison estate. By April 2006 there were 880 foreign nationals in the UK prison estate, up from 283 in 1993, and accounting for 20 percent of the female prison population (HMIP 2006). The majority are held for drug trafficking offences.

Foreign national prisoners do not receive many of the benefits enjoyed by UK nationals, such as early release schemes (this is being addressed) or home visits. Because of limitations on their right to work, they are often ineligible for employment opportunities offered as part of the rehabilitation process. Visits by family and friends are rare, and they are more exposed to the exploitative practices of private telephone companies that provide telephone services to the prisons as part of a national contract. Keeping in touch with families is therefore even more difficult, even though failure to do so is widely recognized as a key predictor for re-offending. It is apparent, however, that with regard to foreign nationals the rehabilitative concerns that make up the ethos of the prison service have been sacrificed for the punitive ones of punishment and incapacitation. After serving their sentence, they are deported to their country of origin and are no longer a UK concern. Due to the work of a small number of charities, such as Hibiscus, the Prison Reform Trust, the Howard League and DrugScope, attention has focused on some of the collateral costs of this policy. Many, possibly most of the 880 foreign nationals in UK prisons, are mothers with multiple children depending on them. Coming from countries like Nigeria with no social service provision the fate of these children now bereft of their mother is one of destitution, exploitation, and possibly worse. A complete account of drug trafficking and control measures therefore has to evaluate the benefits of protecting the young people in wealthy societies who voluntarily engage in drug seeking behavior for hedonistic reasons, against the deprivation of children in developing countries.

Drug control professionals have advocated a formula that pinpoints blame and leaves the system intact. First of all are the users of drugs that are generating the trade in the first place. The difficulty with this argument is that the users are not in control of their own minds: they have abandoned their self control by becoming addicted. It is the ostensibly addictive qualities of the substances in question that the control regime was set up for in the first place. Indeed, if neither addiction nor crime were a consequence of consuming these substances then the reason for controlling them with the full force of the law would be highly questionable. But as addicts cannot be blamed for their addiction, drug control professionals have sought to blame those who use substances without contracting any medical or behavioral problems. In the UK, the chief constable of the

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2. Home Office, 2006. *Population in Custody*, January 2006.



Metropolitan Police, Ian Blair, has been fulminating against recreational cocaine users—like the fashion model Kate Moss—and framed the issue in class terms. Middle class users can afford to dabble in dangerous habits while lower orders—it is implied—will lose control. In the US, the Office on Drugs and Crime uses an epidemiological analogy by referring to those who use drugs but develop no problems as “vectors.” Harsh measures against users are therefore justified, but have had little impact in spite of record prison numbers, unless complemented by a supply model—the criminal organizations that are pushing the drugs.

We have already seen how the “organized crime” and “ethnically bonded crime group” models have only limited application to Nigeria. But they provide a background to account, however vaguely, for the mechanism of drug supply, and more importantly, to delineate moral positions. According to Alhaji Ahmadu Giade, the chairman of the NDLEA the women carrying drugs to the UK do so “to make quick and easy money.” The actual crime, the drug trafficking, is based on a moral degeneracy that includes greed and the unwillingness to perform honest work. In demonstration of national revulsion, Nigeria metes out additional punishments to deported drug offenders by locking them up upon arrival “for bringing the country into disrepute.” Equally draconian measures are imposed by British courts, with sentences of up to fourteen years for bringing in a few kilos of cocaine. Most importantly, the principle of mitigation for “good character” is stood on its head by the guidelines laid down by Lord Lane in *Aramah* in 1982: “The good character of the courier is of less importance than ... in other cases. The reason for this is that it is well known that a large scale operator looks for couriers of good character and for people of a sort, which is likely to exercise the sympathy of the court if they are ... arrested.” This leaves the drug courier then as the “scapegoat” (Green 1998) in a system of symbolic retribution that fails both in deterring the flow of drugs into the UK, and dismantling the “syndicates” organizing the trade. In the absence of pressure on the key players in the control system to either improve their performance or review the underlying premise of their analysis, it is set to spiral on with ever larger numbers of couriers arrested at European points of entry.

## The Story of the Mules

The largest concentration of Nigerian females in the UK prison estate is found in Morton Hall, a semi-open prison in rural Lincolnshire. With a total contingent of eighty-three in October 2006, Nigerians were among the largest ethnic groups, including British, in the total population of some 284 prisoners. One of them is “O” who was arrested at Gatwick with 2.5 kg. of cocaine. O comes from Ibadan, where she worked as a market woman. She is in her 60s and has several grandchildren. She remains in a state of disbelief over her fate, protesting that she did not know what she was doing—the drugs were hidden in her luggage—but was merely carrying the suitcase for someone else in return for the ticket and £1,000 pocket money. Serving a sentence of 8 years she is at a loss to reconcile her situation with her sense of justice, and divides her time between the workshop where she does light assembly work, the chapel, and her cell.

None of the other prisoners interviewed claimed to be wholly ignorant of what they were carrying. Stuffers and swallowers and bodypackers find it particularly hard to con-

vince judges that they were concealing drugs without knowing the full implications. Yet some try, like “F” who was caught with 4 kg of heroin taped around her body. She thought she was smuggling a medical compound to avoid customs and excise duties. At most, she thought, she would be fined for her pains.

Both ladies are classic mules, duped by the principals into carrying substances at great risk for small returns. It is even possible that they were sacrificed, with UK customs tipped off so as to allow other couriers on the plane an easy run. Some defence counsels encourage clients to maintain this position, even though it is usually counter-productive. One study of sentencing patterns concluded that heroin traffickers who pleaded guilty received an average of fifty-one months, while not-guilty pleas got 124 months (Harper and Murphy 1999). It is possible, though entirely speculative, that defence counsel are encouraging their clients to contest the case so as to extend the trial and maximize their fee.

These classic mule stories of innocence and naiveté are rare at Morton Hall, however. More typical are statements like, “I knew exactly what I was doing, but did not know the gravity of the situation.” One woman said that she realised that drugs were prohibited and that she was looking at some form of punishment, but had no idea that there would be a twelve-year stretch. From the perspective of the courier, working for a typical fee of some \$5,000 plus airfare, there is no relationship between their prospective criminal gains and the punishment.

The actual response to the interception by custom officers at UK airports varies between different couriers. According to one of the care workers from the charity Hibiscus who visit the arrested women in the prisons, many go through a period of shock and disbelief. At the reception prisons they are usually put on suicide watch, though incidents of attempted suicide remain rare. Other women try to negotiate, like M., a Lagosian in her 30s who swallowed several kg of cocaine pellets before getting caught at Gatwick airport. After the ordeal of the forced emission she sought to provide information on the organization running the importation for a reduced sentence. To her frustration customs officers were blatantly uninterested in taking this case any further. Her case is not alone, customs officers will admit that their main priority is to process the arrestee, secure the drugs and get back onto their station. The detective work into organized crime may be a strategic target for the Serious and Organised Crime Agency and the National Crime Intelligence Service, but does not inform operations on the front line.

Often couriers hold onto their sense of propriety and civil record. Many have responsibilities for a range of dependents and are well-regarded in their home communities. Informants were at pains to point out their impeccable credentials; many have worked long and hard in traditional occupations, usually some form of trading, and were regular church members. In most cases such information, for what it is worth, is not even presented to sentencing judges. Pre-sentencing reports that establish the home circumstances and criminal record of the defendant can only be prepared for defendants from countries where the probation service or defence counsel have partners. That is Jamaica and some European countries, but not Nigeria.

From the point of arrest onward the drug courier, then, has little in her favor. The amount that she typically has in her possession carries a heavy penalty, but it is too small, indeed negligible in terms of the British drug market, to provide her with any leverage for plea bargaining. The legal aid system, then, does not seem to provide couriers with the best possible counsel in court, and the crime groups organizing the trade

deny all association. She therefore faces the full force of the law, indeed, a scapegoat for a drug policy that has seen a dramatic rise in the punitive measures over recent years with little success in reducing crime in any dramatic fashion. Most of the Nigerian couriers, not surprisingly, see themselves as victims of injustice. Many have a strong sense of right and wrong, and while all agree that what they were doing was not right, few accept the punishment as just. One informant found it difficult to come to terms with the very fact of imprisonment, and was already anticipating the stigma she will face upon return. “In Africa you never treat women like this. If the people find out that you have been to prison they will curse you.”

Bitter tears flow when women recall their original position and the options that were open to them. One former shop owner from Eastern Nigeria describes how she had been running a successful business for many years, but then her husband passed away, and she had a number of problems that forced her to close the shop. “In such a situation many women start sleeping around,” but she maintained her high moral standards and chose the lesser evil of trafficking instead.

The point is made more strongly by “L,” another Lagosian, who had also found herself in urgent need of money to pay for an operation. Carrying drugs was wrong, she said, but she did not want to become a thief or a 419 (confidence trickster). The eight women who were asked to rank the gravity of theft and drug trafficking were unanimous in their opinion that, compared to theft, drug trafficking was a peccadillo. One constant theme was that they had no idea about the effect that drugs had until they came to prison in the UK and met with British addicts. One woman said:

I knew what I was doing, I took a gamble, but did not know the harm that I was causing, since coming to prison I have seen girls destroyed by this drug. This made me feel so bad.

## Drug Trade and Empowerment

Most of the women have to balance a sense of remorse owing to their own culpability with an equally strong sense of injustice. This is compounded by the way in which they feel treated by the UK criminal justice system. One woman complained that the court did not distinguish between her own money and what had been given to her for taking the drugs but confiscated the lot. “J” was a trader in textiles who travelled to the UK via Dubai and Freetown, where she swallowed the pellets before traveling on to London. In her possession were \$ 900 US, part of her capital for the textile trade, but customs officers took it along with £1,000 advanced to her for carrying several kilos of cocaine. Several years into her sentence, her temper still flared up when recounting the incident, convinced that the money had been taken by the arresting officers as a form of graft.

Several women also complained about the treatment from the customs officers, the judges, and the guards in the different prisons. Their attitude was illustrated by remarks like: “Some officers don’t listen to you because you’re black, both male and female officers.” In some cases, “They resent you for bringing drugs to their country.” There are the common complaints about the unfamiliar food that leaves the women nourished but feeling hungry, the lack of appropriate recreational facilities, the cost of telephone calls. For some, however, the overwhelming sensation is that of grief for the family they

left behind, sometimes unprotected. Most of the Nigerian prisoners are divorced or single, and breadwinners. A significant number worked as traders in clothes or foodstuffs, and some even knew each other from the markets in Lagos. They have a strong work ethic and a history of involvement in self help organizations. These are not features that sit well with the depiction of the mule, a hapless instrument, manipulated by principal actors. It also does little to explain the conduct of Nigerian prisoners at Morton Hall. According to the governor, they are “model prisoners.” There is a low incidence of disturbance, they stay out of trouble, and most importantly, settle their affairs among themselves. A veritable “community” of Nigerian prisoners has emerged, with mutual support and much discussion of post release follow-up.

A closer analysis of the community reveals interesting patterns. It becomes clear that the vast majority of Nigerian traffickers are Yoruba. To the non-Yoruba inmates this is self-evident. “They have family here” says one Ibo informant. “When we come we have to stay in a hotel.” There is indeed a large Yoruba community in London which is economically successful, has had little recourse to draw on state services and welfare provisions, and has maintained a low criminal profile. It appears that this provides an ideal operational base for some drug traffickers, who can plug into existing networks. There are two smaller groups of Ibo and Edo respectively, and a sprinkling of other ethnic groups, the latter, however, serving sentences for passport fraud. Inmates socialize with members from their own ethnic group, talking in their respective languages.

Within the Yoruba majority further stratification occurs, with two conflicting sets of demarcation. Most obvious to the prison officers is the difference in education and class. There is a large group of some 30-plus women with modest educational attainments, a limited command of English, and little understanding of the working principles of the prison. These form the core group of Nigerian prisoners, socializing in the prison yard and the chapel. But there is a group of a dozen or so women who are university graduates, some even to postgraduate level, with an excellent command of English and a good understanding of prison rules. Prison officers looking for interlocutors among the Nigerian community were surprised to find that these ideal cultural interpreters, far from playing a dominant role, were marginalized by the Nigerian prison community.

Education was relegated by a far more important principle of social organization, in Nigerian society—age. Within a short period of time, the Yoruba prisoners established an age-based ranking system in the wings and the yards. Prison officers first noticed the elaborate greeting ceremonies, with juniors curtsying and bowing to elders when meeting in public places. Elders now routinely demand favors of younger prisoners, particularly if they are new, such as cleaning of the cell, running errands, weaving hair. Some of the cells resemble miniature courts, where senior women—referred to as *mamas*—hold court. One guard explained this attitude, saying, “*Mamas* do not like to travel.”

Seniority is not determined by age alone. One of the most heated topics of discussion among Nigerians is the question of wealth. To other prisoners this is a source of amazement: “They argue all the time about who is the richest, who dresses best,” remarks one European woman. According to a prisoner from the US, some Nigerian women mock their poorer compatriots saying things like, “In Nigeria you would not be fit to be my housegirl.” With prisoners allowed parcels from home, and to use their earnings from assembly work for certain purchases, much attention is paid to dress and appearance. Prisoners can discard their uniforms when attending the multi faith centre. The Pentecostal services on weekends therefore turn into tournaments of sartorial competition where women strive to outdo each other. While prison officers look on with wry bewil-

derment, this seemingly fatuous fashion competition has serious overtones. For in the prison wealth and status back home is determined by appearance. The Nigerians operate a system of service and favors based on promises of post-release support. Women asserting their status and wealth back home can dangle the prospect of assistance back in Lagos in front of fellow inmates with no support network. Such claims are impossible to verify, hence the vitriolic arguments in the wings and the emphasis on dress and style in the chapel.

Nigerian society at Morton Hall is complex and diverse. The organizing principles of age and wealth as determinants of status seem an appropriate reflection of prevailing social mores. Individual histories also mark the vagaries of life in this turbulent society, with people driven to taking desperate measures by a combination of circumstances.

One woman explained that she had been awarded a lot for constructing a number of housing units on the Warempo Estate II in Abuja. In June 1998 she finally got the government contract and took out a loan from the bank. But after the death of Abacha all contracts were cancelled, leaving her with her debt and no means of repayment. So she took the chance of making a few thousand pounds, fully aware of the risk she was running—though like all prisoners appalled by the length of the sentence.

Another woman described how she had been sick, went to the local hospital and was diagnosed with cancer. She had no money for the operation, “so instead of dying I thought I better do this.” She took some cocaine to the UK in order to pay for her operation. Since her imprisonment a British doctor has provided a second opinion on her condition. It has turned out to be a cyst, and this happiest of prisoners, is grateful for her arrest as she would otherwise have been maltreated and possibly killed during surgery by her erstwhile doctor.

## **Individual Agency and Structural Impediment: A New Model for Explaining Nigerian Drug Trafficking**

Several cases illustrate an entrepreneurial spirit and a determination to take life into their own hands which is incommensurate with the definition of mule. The women may not be the key organizers of the trade, nor the chief beneficiaries, but they are actively shaping solutions to their existential problems. At the root of these, as in all evil, lies money and the lack of financial security and power. As mentioned above, the majority of women are the sole breadwinners and carers for their families. They may be uneducated, but are rarely naïve. They may indeed underestimate the draconian penalties in store for the unfortunate few who are arrested, but they realise they are taking a gamble. In this sense they cannot be compared to the classic British mules—young girls, even teenagers or under-confident women from deprived backgrounds taken by a patron on holiday to the Caribbean and Thailand, then asked to carry something back in return. The Nigerian couriers, by and large, were not duped or manipulated, and can therefore not be described as mules. They carried drugs in order to better life for themselves, and very often for others too. In that they were agents, making rational decisions and calculated risks.

Insisting on their agency and defining them as couriers rather than mules, does not alter the fact that they are cruelly scapegoated. Though aware of their culpability in

drug trafficking, most women rank it well below other offences. Trafficking a substance which people want to take themselves seems morally much more acceptable than a host of other offences which in Nigeria they witness on a daily basis.

Sentencing guidelines quoted above have sought to encourage judicial indifference to pleas of mercy because traffickers are deliberately manipulative. Work with couriers and traffickers in different countries suggests that this is a flattering attribution of sentiment. Most couriers are recruited anonymously. The key organizers who purchase, own, and stand to benefit directly from the sale of the drug, remain unknown to the courier. There is no relationship, and no obligation. Couriers typically will meet the recruiting agent first, and then operatives of the organization who supply the drugs, tickets, and suitcase.

This can be quite involved as in the case of one young student from the University of Lagos who was under pressure from cult members on campus to carry drugs. She believes that she had been targeted by the cult because she was in possession of a clean passport and because they knew where her mother lived and were threatening her. After she agreed she was taken to a hotel, where the drugs were given to her in pellets. She had to swallow them, was then taken to the airport and checked. She was so scared that she was shaking and the organizer called her back even though her luggage had been checked in already. She returned to the hotel where she had to vomit the drugs up again. She thinks that this was part of an even more complicated scheme, with the organizer cheating on his UK-based partner by claiming that the courier had been arrested. Yet she could not get out of her obligation and had to go through the ordeal again, this time from Accra, where she swallowed the drugs again and did the run that landed her in a British prison.

Smuggling drugs may be a fast way of making money, though not as much as is often touted, and it is quite evidently not easy. To the organization the courier is dispensable, and their good character not an insurance policy taken out to secure judicial leniency, but the delivery of the cargo. Draconian punishments are ineffective in deterring drug trafficking organizations in devising one way or another for delivering drugs where the market mechanism is at work. The real question is if it deters the courier.

What do people do when faced with the need of life-saving operations, pending destitution or the desperation of their children? The fact that they run life-threatening risks underlines the point raised above, that couriers are simultaneously perpetrators and victims. This dual role suggests an additional explanatory model for the expansion of the illicit drug trade in Nigeria, but also other locations—it is the response of structural exclusion from the benefits of development. Nigerians, and particularly Lagosians are sufficiently aware of the potential that modern development can offer, while living in a dysfunctional market economy that provides rudimentary benefits at high cost. The domestic economy is sluggish and patronage is so pervasive that contacts are needed for every advancement. The traditional sectors like farming, fishing, trading, and crafts, are heavily colonized, working on a degrading resource base, with declining terms of trade. All economic progress involve an external link, by importing new technology, or exporting commodities with global demands. The drug trade, then, falls outside these systemic patterns of access and exclusion, and provides a niche with relative ease of entry and high returns. The risks entailed have to be placed into the Nigerian context where risk is inherent, and life is hard and cheap. Nigeria is just one country among many where the possibility of death or prison no longer deter potential traffickers effectively from taking their chances.

Nigeria is prominent, perhaps, because of the high level of ingenuity and trading expertise. The dubious benefits of the oil boom include a measure of capital liquidity that

is needed to initiate this business. There is also an opacity on each side of the moral compass allowing people to slip into activities the consequences of which seem remote, and therefore less egregious. Finally, the established links between Lagos and the various points of entry in the UK and elsewhere, the large diaspora communities, all provide good cover. It is important, however, to remember that Nigeria is not unique. Countries as different as Jamaica, Mexico, Thailand, Pakistan, and Turkey have all emerged as transit routes in the drug trade. In each the benefits will be shared disproportionately, with organized crime groups and corrupt officials reaping the lion share. Pinpointing the blame on individuals is temporarily satisfying, but does little to explain the perpetual continuation of trafficking activity regardless of penalties and law enforcement activity. It is therefore proposed to view both the organized crime groups and the couriers as survival responses by disadvantaged groups in economies that are linked into the global economy but are structurally excluded from economic and social benefits. Identifying the issue as a criminal justice problem that can be solved by increasing point-of-entry controls and raising penalties is hugely expensive for the taxpayer, ineffectual in reaching its main objective of keeping societies drug-free, while inflicting colossal collateral damage on the social fabric of developing countries. A closer understanding of the motivation and background of couriers may help in reformulating a more appropriate policy response.

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