Rule of Law, the Social Contract, and Local Experiences of Transnational Organized Crime

Countering Transnational Organized Crime Seminar

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Niamey, 15 January 2020
Dimensions of Response to Transnational Organized Crime

- Citizen and community-based responses
- National security strategy development
- Interagency collaboration within country
- Cross-border collaboration (neighborhood, region, continent)
Citizen and Community Security Issues

- Are state security forces present? Alternative security providers?
- Are security forces responsive and professional?
- Can I get the civil and administrative services I need to ensure human security?
- Can I get justice for crimes I experienced or disputes I need resolved?
- To what extent do actors involved in illicit criminal economies control the security, justice, and other services?

Photo: nigerianmasterweb.com.

Photo: Mali soldiers on patrol in Gao the day after a suicide attack. (Photo: AFP)
Transnational Organized Crime and the Social Contract

FIGURE 2

The state’s reliable and inclusive provision of security, public services, and economic livelihoods influences whether:

• people trust state authorities seeking to respond to transnational organized crime in specific locations;

• people see transnational organized criminal activities as legitimate.
Political Economy Frameworks

- how formal and informal rules, norms, and practices shape people’s choices
  → coercive and political power of state and non-state groups; state and customary legal systems; land tenure practices; marriage practices...

- how context shapes the incentives and disincentives of state and non-state actors to participate (or not) in transnational organized crime
  → people’s everyday concerns and hierarchies of problems; local livelihood options; local perceptions of state legitimacy...

- how individual choices shape collective outcomes
  → role and sources of individual and community resilience

Source: African Union, Comprehensive Assessment of Drug Trafficking and Organised Crime in West and Central Africa, January 2014, Figure 3, p. 17.
Rule of Law: Definitions, Theories

Everyday interactions between residents and state security/justice actors

Mutual respect, accountability, transparency

Popular trust in state security and justice institutions, institutional legitimacy

More sustainable and effective prevention and response to security challenges
