

## Globalisation and Crime

Usman Ahmad Karofi<sup>\*</sup> and Jason Mwanza<sup>\*\*</sup>

### **1. Introduction**

This paper focuses on globalisation and crime. The paper explains the criminogenic effects of globalisation outlining those crimes where people are forced to "migrate into illegality" due to economic reasons (impoverishment and marginalisation), political conflicts and socio-cultural change. The paper further discusses the links between crimes and globalisation based on the new discourses about the axis of transnational organised crime and the crime epidemic in the states. The discussion proceeds by (i) demonstrating how in the present day the advantage of fast moving technological advances such as travel or migration, the internet, and the freedom of circulation and establishment of global markets make the globe a small place of activity and begetting crime, (ii) showing how widespread certain crimes are, how certain perpetrators of crimes permeate borders and how states deal with the problem of global crime in the context of globalisation strategies in the form of multilateral agreements that have been put in place "to fight the scourge". Citing types of crimes as cases for study and countries that have adopted global approaches to resolve crime and crime related problems as case grounds. The paper further shows how nations translate these agreements to meet crime mitigations.

Before looking at the issues to be discussed, the second part of the introduction attempts to present the theoretical constructions of the two concepts. This is done for two reasons: (i) to provide a perspective for what scholars assert about the concepts (ii) to avoid repetitions, and to ground the discussion. The second part also discusses the theoretical construct of globalisation and crime. The third part outlines those problematic crimes that are considered as a menace in the literature. The harm, which arises from such crimes, is discussed in the same section. The fourth part is ascribed to the processes of globalisation that lead to crimes, the commonness of crimes and how nations are mitigating crimes. The conclusion follows thereafter.

---

<sup>\*</sup> Department of Sociology, Usmanu Danfodiyo University, P.M.B. 2346 Sokoto, Nigeria. Emails: [uakarofi@hotmail.com](mailto:uakarofi@hotmail.com), [uakarofi@yahoo.com](mailto:uakarofi@yahoo.com)

<sup>\*\*</sup> Student Affairs Division, University of Zambia, P.O. Box 32379, Lusaka, Zambia. Emails: [Jasonmwanza2@hotmail.com](mailto:Jasonmwanza2@hotmail.com), [Jasonmwanza@yahoo.com](mailto:Jasonmwanza@yahoo.com)

### **1.1 Justification for selecting this Topic**

The interest to cover this topic is due in large part to what we see as the decreased distance and increased transparency brought about by the advances made in transportation, electronic communications, and information technology in terms of how all these relate to generating crime. In our view, it is the economic globalisation since World War II, abetted by increasingly rapid international transportation and communication that has provided new opportunities for criminal activity. As crime has become ubiquitous or turned global, so has the internationalisation of resistance against it.

### **1.2 The aims of the paper**

The aims of the paper are set as follows:

1. To provide a profile of crimes that are transnational and those that are prevalent in countries sharing similar effects on nation states. Based on this, the paper proposes to answer the following question.
  - What makes a particular crime to be considered a global problem?
2. To describe the criminogenic effects of globalisation. Based on this aim, the paper proposes to answer the following question.
  - What are the criminogenic effects of globalisation?
3. To outline the processes that are linked to crimes related to globalisation based on the new discourses about the crime axis in terms of transnational organised crime and the crimes occurring as epidemics among nations.
  - What are the links between globalisation and crime?
  - What is the like of these global crimes?
  - Why are people engaged in these crimes?
4. To outline the processes that are used to mitigate crimes related to globalisation based on the new discourses about the crime axis.
  - How are nations coping with crime mitigation?

## **2. Theoretical Constructions Of Globalisation and Crime**

### **2.1 Globalisation**

To begin with, Kinnvall and Jonsson (2002:3-5) present globalisation in a very broad context suggesting that the concept is rather difficult to give a precise meaning noting that it is an all encompassing catchword of our times. This can be seen from the number of issues that it covers and the disciplines, which are addressing globalisation. They say that Globalisation is a defining feature of our times, covering everything from economic

and political issues to the spread of Western culture especially Americanisation. They argue that its status is controversial, however, with some viewing it as leading to greater development for all, while others see it as a threat to national cultures and democratic political life. In essence, globalisation according to the duo is often discussed in terms of three processes: scale, speed and cognition. Scale involves a discussion of magnitudes – this refers to the number of economic, political, social and human linkages between societies at the present times, which are greater than what obtained at any previous time in history. Speed has to do with how globalisation is conceptualised in time and space. The argument advanced by the duo is that globalisation is not a new phenomenon but it involves a compression of time and space never previously experienced while cognition refers to an increased awareness of the globe as a smaller place – that events elsewhere may have consequences for our everyday political, social and economic lives and may affect individual's sense of being.

Marfleet and Kiely (1998:3) defined globalisation in reference to a world in which societies, cultures, politics and economics have in some sense come closer together. In buttressing their conception of globalisation, they refer to Giddens (1964:64) who took the conception as intensification of world wide social relations which link distant localities in such a way that local happenings are shaped by events occurring many miles away and vice versa.

Snyder (2002:3) conceptualises globalisation as an aggregate of multifaceted uneven, often contradictory economic, political, social and cultural processes, which are characteristic of our time. Johannsen et al. (2003:2) like Kinnvall and Jonsson (2002) observe that globalisation means many things. Johannsen et al. note that recent academic discussion appears to agree that the term globalisation catches the essence of historical movement, a triumph of neo-liberal and characteristically Anglo-American ideology, being a more intense stage of capitalism, a confluence of events and technologies, or some combination of these. This Anglo-American ideology brings with it rapid transformations for business, government and, indeed, ordinary people.

Findlay (2000:8) views globalisation in a social context as the progress towards one culture on the planet– a single society. In this definition, Findlay envisages globalisation as a social process whereby the constraints of geography on social and cultural arrangements recede and people become increasingly aware of this recession.

The theorising of the pundits cited above show that they have offered almost similar understandings of the conceptions of globalisation, many others too have offered differing conceptions to some extent. Although sharp differences continue to separate participants in the ongoing debate, most contemporary globalisation theorists in our understanding endorse the view that globalization refers to fundamental changes in the scale, speed and cognition contours of social existence, according to which the significance of scale, speed and cognition undergoes shifts in the face of a no less dramatic acceleration in the structure and function of crucial forms of human activity. What we can say from what has been presented above is that geographical distance is typically measured in time. As the time necessary to connect distinct geographical locations is reduced, distance or space undergoes compression or annihilation and matters not.

In essence one can then say that globalisation as a theory aims at interpreting current events on the international sphere in terms of development, economic conditions, social cultural scenarios, and political and cultural influences or social change on a wide scale so to speak. The fulcrum of any theory of globalisation is that an increasing degree of integration among societies plays a crucial role in most types of social changes.

## **2.2 Crime**

Unlike globalisation, which can be theorised, crime cannot be theorised except by theorising the causes of crime. Concepts of crime have traditionally relied on some cultural or jurisdictional context for their relevance and impact (Findlay, 2000:51). A review of literature Bartol, (1980) shows that traditional definitions of crime reflect its dual dimension and this can be argued as follows:

Crime has been defined variably as: any violation of law, either divine or human; an omission of a duty commanded, or the commission of an act forbidden by law or gross violation of human law, in distinction from a misdemeanour or trespass, or other slight offence. Hence, also, any aggravated offence against morality or the public welfare; any outrage or great wrong or any great wickedness or sin and iniquity. When a person commits a crime, he is subject to a fine and/or being jailed or both. A crime, which is subject to a fine, only is generally considered as a misdemeanour. As acts can be punishable, it therefore follows that crimes are '*mala in se*,' or bad in themselves, and these include all offences against the moral law; or they are '*mala prohibita*,' bad because prohibited, as being against sound policy, which, unless prohibited, would be innocent or indifferent.

Having looked at theoretical aspects of crime and globalisation, we can now examine the various questions that this paper seeks to answer.

## **3.1 Nature of Global Crime**

### **3.1.1 Particular crimes global problems**

This section relates to the first question<sup>126</sup>[1]. A review of United Nations documents (HDR, 1999) and the 2004 report on high-level political signing conference for UN convention against transnational organized crime which was held in Palermo, Italy on 12 December 2000, and research papers (Bequai, 2002 and Braithwaite, 1979) show that a crime can be said to be a global problem if it meets any one of the two criteria: (i) If a particular crime has an accentuating character in most nations on the globe. This crime does not necessarily need to have actors inducing it across frontiers or (ii) the crime is occurring across frontiers<sup>127</sup>[2] and there are social actors inducing who traverse frontiers.

---

<sup>126</sup>[1] What makes a particular crime to be considered a global problem?

<sup>127</sup>[2] Eduardo (2002) provides this example of transnational crimes. "Senator John Kerry has eloquently dispelled the notion that crime today is a local phenomenon, pointing out that "vast poppy fields in eastern Turkey are linked to the heroin dealer in downtown Detroit," that "the banker laundering drug money in Vienna is in league with the thriving cocaine refineries in Colombia," that "the men of the Chinese triads who control

Given this description, one sees that such crimes include, among others, the ones listed below. Available literature (HDR, 1999; Bequai, 2002 and Braithwaite, 1979) shows that the following are considered as critical global crimes :

- Dealing In illicit drugs
- Illegal trafficking in weapons
- Illegal trafficking in human beings
- Money Laundering
- Corruption
- Violent Crimes including terrorism
- War crimes

What makes these crimes to merit concern is that they have unwarranted effects. These unwarranted effects bring us to examine the effects of global crimes. This is the subject of the next section.

### 3.1.2 Effects of Global Crimes

This section is ascribed to the second question<sup>128</sup>[3]. Global crime as a new phenomenon is seen to profoundly affect international and national economies, politics, security, and, ultimately, societies at large (Eduardo, 2002). In recent years, many have sounded the alarm on the "*virulent synergy between globalisation and organised crime*", Human Development Report (HDR 1999:103), which was devoted to globalization, described the connection between the two in its Report of 1999. What is commonly described as 'transnational organised crime' is increasingly mentioned as one of the main negative side effects of globalisation.

According to the HDR organised crime is a threat for the globalisation process. For instance, the growing influence of organized crime is estimated to gross \$1.5 trillion a year, rivalling multinational corporations as an economic power. It has been seen that global crime groups have the power to criminalize politics, business and the police, developing efficient networks, extend their reach deep and wide. All have operations extending beyond national borders, and they are now developing strategic alliances linked in a global network, reaping the benefits of globalisation." (HDR, 1999: 5 and 42)

Crime syndicates prefer globalisation, for it creates "new and exciting opportunities, and among the most enterprising and imaginative opportunists are the world's criminals." (HDR 1999:43). According

---

gambling and extortion in San Francisco's Chinatown work the same network as the Singapore gang that turns out millions of fake credit cards," and that "the contract hit man who flies from Moscow to kill an uncooperative store owner in New York, on behalf of the Organization, gets his fake papers by supplying the Sicilian Mafia with Soviet Army surplus ground-to-air missiles to smuggle into the Balkans to supply the Bosnian Serbs."

128<sup>[3]</sup> What are the criminogenic effects of globalisation?

to the HDR crime groups are able to generate enormous amounts of money: "The illegal drug trade in 1995 was estimated at \$400 billion, about 8% of world trade, more than the share of iron and steel or of motor vehicles, and roughly the same as textiles (7.5%) and gas and oil (8.6%)" (HDR, 1999:41) This is an alarming picture. But are these figures reliable? Perhaps a cursory look at some of the types of crimes described below will attempt to show that the problem is alarming and that it is not only local but also transnational or global.

### **3.1.3 The Illicit Drug Industry.**

There are now 200 million drug users, threatening neighborhoods around the world. In the past decade the production of opium more than tripled and that of coca leaf more than doubled. In Belarus drug-related crimes increased from 4 per 100,000 people to 28 in 1990–97, in Estonia from 1.4 per 100,000 to almost 8. As noted above the illegal drug trade in 1995 was estimated at \$400 billion, about 8% of world trade, more than the share of iron and steel or of motor vehicles, and roughly the same as textiles (7.5%) and gas and oil (8.6%) (HDR, 1999:41).

To show the magnitude of the problem, at an expert seminar on Crime and Globalisation held at the Transnational Institute in Amsterdam, December 2003 5-6 December 2003 to see the Economic Impact of the Illicit Drug Industry showed that the effects on institutions and society are cumulative and compounding, because this trade changes social behaviours, increases corruption and crime and funds insurgent and counter insurgent guerrillas (TNI, 2003).

This problem of drugs is not only restricted to a few countries but is global. For instance, the September 11 attacks is linked to political terrorism under the hand of terrorist or armed organisations through drug trafficking. According to TNI (2003) many armed conflict taking place may be financed by illegal sources, of which a part derives from drugs.

### **3.1.4 Money Laundering**

According to Buchanan (2004), money laundering is a global phenomenon and an international challenge. As globalisation has evolved, money launderers have been able to conduct their trade with greater ease, sophistication and profitability. As new financial instruments and trading opportunities have been created and liquidity of financial markets has improved, it has also allowed money-laundering systems to be set up and shut down with greater ease. Increased competition between borders has also compressed the associated transaction costs of money laundering. Money laundering tends to allocate dirty money around the world on the basis of avoiding national controls, in that the tainted money tends to flow to countries with less stringent controls. Globalisation has also

improved the ability of money launderers to communicate using internet and travel allowing them to spread transactions across a greater number of jurisdictions, thereby increasing the number of legal obstacles that may be put up to hinder investigations. Underground or parallel banking systems have also attracted the attention of law enforcement and regulatory agencies.

The outcomes of money laundering are very evident. Global money laundering imposes significant costs on the world economy by damaging the effective operations of national economies and by promoting poorer economic policies. As a result, financial markets slowly become corrupted and the public's confidence in the international financial system is eroded. Eventually, as financial markets become increasingly risky and less stable, the rate of growth of the world economy is reduced (Braithwaite 1979). Other than these effects, money laundering has been noted to be linked to terrorism (Bequai, 2002; Raymond, 2002, TNI, 2003) this is because the economic need to reinvest the products of drug trafficking in the legal economy has made money laundering a necessary consequence of drug trafficking and ultimately strengthening the power of organized crime worldwide (Eduardo, 2000).

Money laundering, in and of itself, has a high potential for social harm. It can erode and distort competition, credit institutions, markets, and exchange and interest rates, thus affecting the national economy as a whole. This necessary derivation from drug trafficking also has its own intrinsic potential to affect democracy, by jeopardizing free, legitimate business, which can only thrive in an environment of free and fair competition.

### 3.1.5 Corruption and Organized Crime

Eduardo (2000) observes that corruption constitutes a significant trait of global crime. The ensuing blurring of the line between state power and criminal power has made the fight against organized crime infinitely more difficult. In the countries where organized crime has asserted its political or financial power, be it by greed or fear, state illegality has become endemic. Although low levels of corruption have been deemed to promote economic growth in certain regions, at a high level it inhibits growth and damages the economy because bribes are socially damaging and politically destabilizing and are harmful for the growth prospects of host countries in that it can undermine the functioning of states, lower the efficiency of production that reduce competitiveness and it can introduce inequities (Ackerman, 2002). Corruption is not only damaging in itself, but it also furthers other noxious activities. This is clear when international criminal organizations use corruption to further drug production and trafficking, or when corruption is used to create havens for terrorists. Russia is an example of how corruption becomes a main factor in the expansion of organized crime (Eduardo 129<sup>[4]</sup>, 2000). At the root of all this is organized crime, which is estimated, to gross \$1.5

---

129 <sup>[4]</sup> Eduardo in attempting to show the ubiquity of organised crimes cites the following gangs: The Italian Mafia, the Russian mob, the Japanese Yakuza, the Chinese Triads, the Colombian cartels and the Mexican

trillion a year rivals multinational corporations as an economic power. Global crime groups have the power to criminalize politics, business and the police, developing efficient networks, extend their reach deep and wide.

### **3.1.6 Traffic in Persons**

The United Nations estimates that trafficking is a US\$5–7 billion operation annually, with 4 million persons moved from one country to another and within countries (Raymond, 2002). For instance, the traffic in women and girls for sexual exploitation—500,000 a year to Western Europe alone—is one of the most heinous violations of human rights, estimated to be a \$7 billion business (HDR, 1999: 5). This is a worldwide phenomenon that is becoming the fastest growing branch of organized crime (Raymond, 2002). According to the director general of the United Nations' Office for Drug Control and Crime Prevention, reliable estimates indicate that 200 million people may be under the control of traffickers of various kinds worldwide (Eduardo, 2002). The Organization of Migration (IOM) has estimated that 500,000 women and children are trafficked in Europe annually. However, after receiving funding from the European Union (EU) "STOP" program in 1998, the IOM concluded that it was not possible to produce accurate estimates of women trafficked in Europe. Still, there are country estimates that at least 8000 Nigerian women have been trafficked into street prostitution in Italy. Another 5000 Albanian, Moldavian, and Ukrainian women have also been trafficked into Italy where they are made to prostitute out of rooms, apartments, small hotels, massage parlours, and even exclusive clubs. Raymond (2002) further states that in the South Asian region alone, 500 Bangladeshi women are illegally transported monthly to Pakistan; 150,000 Filipino women are trafficked annually to Japan; and 7000 Nepali women and girls are sold yearly into the brothels of India. In Asia, millions of women and children have been led into systems of prostitution, such as street prostitution, sex entertainment clubs, luxury establishments, sex tourism, and prison-like brothels. However, the exploitation of women and children as sexual slaves is most common in Third World countries, where victims are procured by various means, and research has shown that that husbands or other family members and boyfriends of women often recruit, traffic, sale and pimp female partners into prostitution at times kidnapping is done and at other times false promises of employment are made to lure these unsuspecting victims (Eduardo, 2000, Raymond, 2002). In order to conduct this illegal business, some crime groups, known as the Italian Camorra, the Chinese Triads, the Russian Mafiya, and the Japanese Yakusa, are involved in the sex trade. The Italian Camorra operates in Italy, Spain, Germany, Brazil, and other parts of Latin America (Raymond, 2000).

---

criminal organizations. These are in turn subdivided. In Italy for example, organized crime is traditionally represented by three groups: the Camorra, around the Naples region; the `Ndrangheta throughout the region of Calabria; and the Cosa Nostra, or Sicilian Mafia. The Sacra Corona Unita, a relatively new group, is concentrated in Puglia. Highly organized criminal enterprises can also be found on a smaller scale in other countries such as Nigeria, Poland, Jamaica, Panama, and most recently in Southern and Eastern Africa and The Russian Mafia.



### **3.1.7 Global Terrorism**

Globalisation has greatly facilitated the growth of international terrorism. The development of international civil aviation has made hijacking possible, television has awarded terrorists with worldwide publicity, and modern technology has provided an amazing range of weapons and explosives (Eduardo, 2002). International terrorist organizations would find it hard to operate and pose a challenge to any nation-state without media publicity and requisite funding. Without this international terrorism would find itself relegated to the junk heap of irrelevance. It is the money that they draw from money-laundering, credit card frauds, check-kiting, securities scams, and much more, that enable international terrorists to traverse the globe at will, and buy the requisite equipment and armaments to inflict havoc on organized society. With this funding, international terrorist organizations are able to get sophisticated weaponry (Bequai, 2002).

The menace of international terrorism is multiform. First, there is a traditional state-sponsored terrorism, which is a form of global organized crime, also characterized as socio-political organized crime. Although this form of terrorism continues to pose a significant threat, there is a new breed of freelance terrorists who constitute an even more frightening possibility. They are not sponsored by any particular state, and are loosely affiliated with extremist and violent ideologies. These terrorists have proven to be all the more dangerous precisely because of their lack of organization and the difficulties associated with identifying them (Eduardo, 2002).

### **3.1.8 Cyber crimes**

Computer and related criminality has become the phenomenon of the end of the twentieth century, and is expected that its further rapid development will follow in the 21st century. This is caused by vast expansion of computers in the global economy, quick increase of their use in households and especially by developments of computer networks, in particular, the Internet broadcasts, and public access cable television it therefore follows that there exists countless individuals with the capacity and intent to use the medium to inflict damage. It is generally accepted that cyber crime is a problem; potentially a huge problem. (Bequai, 2002). The crimes are numerous and the following are some notable ones:

1. Data and IP theft.
2. Malicious information leakage.
3. Lack of due diligence.
4. Corporate/fraudulent bankruptcies.
5. Pornography
6. Credit card scams
7. Gambling in Cyberspace

## 8. Extortion and Sabotage

Taking a number of crimes, we can see how the Internet has become a source of crime. Pornography is a good example. Some organized criminals have used the Internet pornography as a financial source for criminal activities. One of the largest industries, if not the largest, doing business over the Internet is pornography, a business that is estimated to exceed the \$100 billion annual mark. Terrorists, their ideology aside, have been fast to see it as a source of income. With a minimal investment of funds, and working through corporate fronts and moneymen, terrorist organizations have been reaping millions (if not billions) of dollars annually from the world of pornography (Bequai, 2002). The Internet is also an easy vehicle for trafficking in drugs, arms and women through nearly untraceable networks. In 1995 the illegal drug trade was estimated at 8% of world trade, more than the trade in motor vehicles or in iron and steel. Money laundering—which the International Monetary Fund (IMF) estimates at equivalent to 2–5% of global GDP—hides the traces of crime in split seconds, with the click of a mouse.

### *3.1.9 Illegal trafficking in weapons*

Illegal trafficking in weapons is a growing business—destabilizing societies and governments, arming conflicts in Africa and Eastern Europe. Light weapons have the most immediate impact on people's lives. Used in every conflict around the world, they have caused 90% of war casualties since 1945. In El Salvador the homicide rate increased 36% after the end of the civil war. In South Africa machine guns pouring in from Angola and Mozambique are being used in more and more crimes (p41-42). In Albania there were five times as many murders in 1997 as in 1996, a rise attributed to the illegal arming of civilians (HDR, 1999).

Now that we have seen the effects of global crimes, we are in a position to examine the links between globalisation and crime.

#### **4. The Link between Globalisation and Local or Trans national Crimes.**

This section is related to the third question<sup>130</sup><sup>[5]</sup>. The reason as to why globalisation is linked to crime rests on the facts that falling frontiers between states brought about by (i) ease of migration in terms of travel, (ii) audio visual and cyberspace communication are bringing many benefits, but they are also making it easier for criminal organisations to be active across the globe and within states (Findlay, 2000; 59-73). Whereas the scourge of organised crime is not new, criminals have been taking advantage of fast moving technological advances such as the Internet, overall globalisation and the freedom of circulation and establishment of global markets. The acceleration of the process

---

<sup>130</sup><sup>[5]</sup> What are the links between globalisation and crime?

of liberalisation of markets for instance, which has been at least partly technology-driven, with the rapid development of travel, global networks, electronic commerce and the information economy, it has been easy for people to trade and communicate. Financial activity, services and investments are becoming increasingly mobile. These developments provide opportunities for sustained improvements in economic performance but they also raise important new challenges in form of globalised crime. Globalisation has certainly brought countries closer together through technological innovation and integration of financial markets. The ability to conduct trade has become substantially quicker and cheaper and the global financial system now operates on a 24 hour basis. Globalisation has also increased levels of cross border investment and brought about the transfer of technology, skills and knowledge across countries. Globalisation has benefited participants not only in the legal economy, but also in the illegal economy as well (Findlay, 2000).

While we may agree that globalisation has had positive effects, we need to also examine its negative effects like crime. According to Findlay, (2000:1-5), crime cannot be understood outside its context because it occurs in a physical space, is shaped by institutional processes, patterns of relationships and individual variations. Context is a transnational state within which crime influences, and is influenced by a variety of social, economic, political and cultural determinants. Crime is best understood as relationships which develop along the dynamics of its selected contexts. Essential for the motivation of these relationships is the presentation of crime as an economic choice. He adds that the globalisation of capital from money to the electronic transfers of credit, of transactions of wealth to the exchange of property, information technology and the seemingly limitless expanse of immediate and instantaneous global markets have enabled the transformation of crime beyond people, places and even beyond victims. (Findlay, 2000:2). Findlay argues that crime is now as much a feature of the emergent globalised culture as is the feature of every other aspect of consumerism (p2). What Findlay is attempting to explain could be blended with Snyder and views on globalisation (2002:3) when he alludes to the fact that globalisation constitutes contradictory economic<sup>6</sup> processes which may have consequences for our everyday political, social and economic lives and that it may affect individual's sense of being (Kinnvall and Jonsson, 2002) by resorting to criminal behaviour as a choice. Findlay (2000) advances the aetiology of crime as market condition resulting from the internationalisation of capital, the generalisation of consumerism and the unification of economies that are in the state of imbalance — power and domination that are criminogenic.

131Data from the media; newspapers watching television inter alia show that the rise of globalisation is occurring hand in hand with a rise in crime of various sorts, ranging from petty street crime through violent drug gangs to terrorism that cannot be localised but internationalised. Yet if we look in detail at the connection between crime and globalisation, some surprising results emerge. This is because the present era of globalisation, driven by competitive global markets, is outpacing

---

131<sup>[6]</sup> We expect them to occur because globalisation is a product of a more intense stage of capitalism where societies and individuals are unequal.

the governance of markets and the repercussions on people, according to the HDR (1999:30) "Global integration is proceeding at breakneck speed and with amazing reach. But the process is uneven and unbalanced, with uneven participation of countries and people in the expanding opportunities of globalisation – in the global economy, in global technology, in the global spread of cultures and in global governance. The new rules of globalisation – and the players writing them – focus on integrating global markets, neglecting the needs of people that markets cannot meet. The process is concentrating power and marginalizing the poor, both countries and people." Or, in the words of Susan George: "Globalisation is creating a three-track society in which there will be the exploiters, the exploited and the outcasts, the people who are not even worth exploiting (George, 1999). It is evident from George that the current 'corporate-driven, neo-liberal globalisation' results in increasing inequalities between rich and poor, both within and between countries – and many are marginalized, specifically in the less developed world with weak state institutions and fragile economies burdened by debt payments. However, those marginalized will not passively wait until they starve to death, but will create their own means to survive whether in the legal economy or in the illegal one – and more often in the grey area that lies in between. Findlay (2000:59-71) too subscribes to the notion that crimes are linked to globalisation. His arguments stem from a developmental perspective claiming that crime occurs on the globe and in societies on account of economic modernisation, which generates poverty and marginalisation of the impoverished.

Eduardo (2002) and Antoine Mehanna (2004) also points to inequality and poverty that are begat by globalisation as some macro-economic causes during the process of economic development. Antoine Mehanna (2004), for instance, shows this by citing literature, which has shown the impact of poverty on crime or vice versa. This literature is largely filled with positive relationships between the two variables, where more poverty, in most cases, leads to more crime, especially property crime. Surprisingly, however, he says that the comprehensive synthesis on the literature of poverty and crime is provided by Birbeck, (1985) who argued that the poverty reduction mechanism has a negative effect on property crime. Past and contemporary studies showed that, on average, an increase in income inequality leads to more poverty (see Frank, 2000 and Takayama, 1979). In contrast, Antoine Mehanna, (2004) quotes from a recent work by Jonakin (2001) who found that inequality has no statistical significant impact on poverty.

Globalisation excludes segments of economies and societies from the networks of information available to the dominant society. Unemployment, alienation, and youth abandonment, which make up what Castells calls the "black holes of informational capitalism<sup>132</sup>",<sup>[7]</sup> provide the ideal terrain for criminal recruitment of for instance; global drug traffickers. This phenomenon is even more acute in

---

132<sup>[7]</sup> The dismantling of the welfare state in the US and other Western countries over the last quarter-century has not led to more opportunities for self-organization and empowerment, but less. States have increasingly withdrawn from what Manuel Castells calls the "black holes of informational capitalism," but the people unfortunate enough to be stuck in those black holes are still subject to the terror of the "free market," regions from where there is, statistically speaking, no escape from suffering and deprivation and what Marxists used to call "the international division of labour."

Russia, where after the downfall of the Soviet Union, the Russian youth and Mafioso became an attractive labour pool for criminal organizations (Findlay, 2000; Eduardo, 2002).

If we look at drugs, armed conflicts, trafficking and organised crime, local problems may transcend borders. Take for instance armed conflicts have resulted from the commercialisation of armed conflict and the territorialisation of sovereignty around valuable resource areas and trading networks. As such, armed conflict in the post-Cold War period is increasingly characterised by a specific political ecology closely linked to the geography and political economy of natural resources. There are instances of local violence that have had global influences. For instance, the distribution of benefits and externalities has fuelled the Biafra secession and rebellions in the Delta region of Nigeria, near home here, we have Aceh in Indonesia, and the Cabinda enclave in Angola, to name but a few examples of conflicts in oil-rich regions. While many of these secessions have an indigenous political base, domestic or external actors manipulating local political identities for commercial interests also motivate some (Le Billon, 2001). Another example is the drug trade. Not only is the drug trade inherently coupled with a high degree of local and international corruption and violence, which are independent sources of social deterioration, but also its volume worldwide makes it a global phenomena (Eduardo, 2002).

It is evident from Findlay's (2000; 6-19) writings that the globalisation of markets has profoundly transformed the structures of employment, distribution of wealth, and consumption through modernization, development, and urbanization. Such macroeconomic transformations are accompanied by significant global changes of societal norms and values, which influence the scope and nature of local and global crime (Le Billon, 2001; Eduardo, 2002; Mehanna, 2004). This may be a result of technological transfer, information transfer or immigration.

One other link of globalisation is the media. The globalisation of a culture of violence for instance, spread through the media and becoming a major subject of popular culture, from children's cartoons to investigative journalism, also affects local crime. The over-representation and legitimisation of violence by the global media is compounded locally by the availability of guns, the institutionalisation of violence by the criminal justice agencies, and lax parental supervision and weak parental bonding. At the cultural level, these phenomena are connected with the general dissolution of traditional norms and values that characterize the current era of globalisation (Funk , 2004;).

### **5 Solutions to Global Crimes**

Nobody doubts international action is required to counter the adverse effects of crime that is increasingly becoming transnational just as any other economic activity, as well as the damaging impact of illegal money in the economy and the dangers of political terrorism. The fact that crime is not just localised but is transnational requires not only local specific solutions but also globalised solutions. What has been seen globally is that as crime has permeated all cultures and spreads from one culture to another, nations have endeavoured to apply global theoretical or conceptual frameworks from which regional groupings or

individual nations would move to develop national instruments to prevent and control local and global crimes. Transnational cooperation or integration has seen the need for a joint effort of de-bureaucratization and simplification of legal systems. This cooperation under the umbrella of globalisation has allowed for the interaction of multiple and overlapping jurisdictions of various countries.

The main devices that have been thought to be necessary to neutralize global crime are the implementation of standards and law enforcement intelligence mechanisms that would impede the globalisation of crime and its proceeds. It is for these reasons that the global community has moved forward to combating global crimes. Below, we present examples of situations where global measures have been developed and states work to apply the general measures in combating global and local crimes.

A body of multilateral agreements have been put in place 'to fight the scourge' at international and regional levels. The United Nations for instance has been seen to be a very logical choice to lead the way. The UN, with its 191 member nations clearly has the international influence and resources to enable it to effectively create and involve all nations in this effort. As an authority in the area of global peace, the organization has taken significant action on global crimes. Let us see what nations have done to address the problem of some types of globalised crime.

#### 5.1 Money Laundering and corruption

At the UN and G7/G8 level conventions against transnational organised crime and regulations to counter money laundering are accepted, while the UN Security Council set in motion a global programme against international terrorism. A new international consensus on how to fight this 'underground axis of evil' has emerged and this is now being engineered by the UN convention.

The Convention<sup>133</sup><sup>[8]</sup> (United Nations Convention against Transnational Organized Crime which came into force on 29 September 2003) requires countries to establish criminal and other offences to cover a wide

---

133<sup>[8]</sup> This convention was an offshoot of earlier regional conventions:

1. Taking note with appreciation of multilateral instruments to prevent and combat corruption, including, inter alia, the Inter-American Convention against Corruption, adopted by the Organization of American States on 29 March 1996.
2. The Convention on the Fight against Corruption involving Officials of the European Communities or Officials of Member States of the European Union, adopted by the Council of the European Union on 26 May 1997,
3. The Convention on Combating Bribery of Foreign Public Officials in International Business Transactions, adopted by the Organisation for Economic Cooperation and Development on 21 November 1997,
4. The Criminal Law Convention on Corruption, adopted by the Committee of Ministers of the Council of Europe on 27 January 1999,
5. The Civil Law Convention on Corruption, adopted by the Committee of Ministers of the Council of Europe on 4 November 1999, and

range of acts of corruption, if these are not already crimes under domestic law. Countries agreed to cooperate with one another in every aspect of the fight against corruption, including prevention, investigation, and the prosecution of offenders. Countries are bound by the Convention to render specific forms of mutual legal assistance in gathering and transferring evidence for use in court, to extradite offenders. Countries are also required to undertake measures, which will support the tracing, freezing, seizure and confiscation of the proceeds of corruption.

An example of regional cooperation, which existed prior to the UN convention (discussed above), includes the Organisation for Economic Cooperation and Development (OECD) and the Organization of American States. The OECD signalling to each member nation that corruption can no longer be considered “business as usual”, the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions entered into force on February 15, 1999. It was signed and ratified by 30 OECD Members and 5 non-Members (Argentina, Brazil, Bulgaria, Chile and Slovenia). The central obligation of the Convention requires its signatories to move in a coordinated manner to make bribery of a foreign public official anywhere in the world a criminal offence under the national law of the signatory and to back this up with effective, proportional and dissuasive sanctions. Other obligations include eliminating the tax deductibility of bribes and strengthening accounting and auditing standards. An important factor behind the choice of the convention approach was to assure that all signatory countries took parallel action and thereby to maintain a relatively level playing field (OECD, 2004). In a related development, Malaysia put in place an anti-corruption act of 1997 presumably adopting the framework of the OECD.

In addition to preventing crime by virtue of regulatory conventions, the OECD developed codes of cooperate governance. The massive destructions of financial wealth in the US and Europe (ENRON, WORLDCOM, PARMALAT) revealed serious weaknesses in corporate governance and in certain market functions. Incentives were misaligned and key checks and balances failed. Market participants tolerated, and in some cases contributed to deceptive practices. All this reflected shortcomings in the quality of corporate governance needed to insure investor confidence, economic dynamism and competitiveness. Good corporate governance serves as an early warning system to corporate and financial problems. Moreover, strengthening transparency and accountability in particular are critical in combating efforts to put wealth beyond the reach of law enforcement and the taxman. An economy characterised by high standards of disclosure and one in which members of management are accountable to their boards and the boards are accountable to their shareholders – including minority shareholders – is one where financial fraud and other financial crimes will be less likely to flourish (Witherell, 2004).

---

6. The African Union Convention on Preventing and Combating Corruption, adopted by the Heads of State and Government of the African Union on 12 July 2003,

The OECD Principles of Corporate Governance, issued in 1999, have become the international benchmark in this area and are now used by multinational corporations, IMF, World Bank and the 63+ wealthy nations in approving loans and disbursing loans and grants to the poor developing nations (Ramamurti, 2003) and IOSCO's Emerging Market Committee recommends the Principles to its members and the Basel Committee of Bank Supervisors use the Principles as the basis for their corporate governance principles for Banks (Witherell, 2004).

According to Witherell (2004) the OECD Principles of Corporate Governance, which were issued in 1999, and used by these institutions cover six main areas and these are:

1. The legal and regulatory framework for effective corporate governance;
2. Shareholders rights;
3. Equitable treatment of shareholders;
4. The role of stakeholders (employees, creditors, etc)
5. Transparency and disclosure;
6. Responsibilities of the Board.

### 5.2 Human trafficking

The UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children was launched in 2000 to contest the world's organized crime networks and combat the trafficking in persons and transnational prostitution. It specifically addresses the trade in human beings for purposes of the exploitation of prostitution and other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude, and the removal of organs (Raymond, 2002). Another supplementary Protocol Against the Smuggling of Migrants by Land, Sea and Air was also open for States' signature. The new UN Convention and its supplementary protocol on trafficking in persons have to be ratified by 40 countries before they become instruments of international law (Raymond, 2002).

### 5.3 Cyber Crimes

Because the sharing of electronic information does not respect international boundaries, attempting to regulate its use requires cooperation amongst world law enforcement. In this area, a number of countries have signed treaties and developed protocols to deal with cyber offences. One such example is the Council of Europe. The Council of Europe (COE), which consists of 44 member states (and includes the entire European Union), has made considerable headway in the fight. In late 2001 the Council adopted its Convention on Cyber crime Treaty that defines several activities to be cyber crime offences.



#### 5.4 Drug Trafficking

Several conventions have been developed to deal with the scourge of illicit drugs. Two are very notable. For instance, the Single Convention on Narcotic Drugs, 1961 aims to combat drug abuse by coordinated international action. There are two forms of intervention and control that work together. First, it seeks to limit the possession, use, trade in, distribution, import, export, manufacture and production of drugs exclusively for medical and scientific purposes. Second, it combats drug trafficking through international cooperation to deter and discourage drug traffickers. The 1988 United Nations convention against illicit traffic in narcotic drugs and psychotropic substances provides comprehensive measures against drug trafficking, including provisions against money laundering and the diversion of precursor chemicals. It provides for international cooperation through, for example, extradition of drug traffickers, controlled deliveries and transfer of proceedings.

#### 5.5 International terrorism Conventions

There are more than a dozen major multilateral conventions and protocols related to states' responsibilities for combating terrorism<sup>9</sup>. But many states are not yet party to these legal instruments, or are not yet implementing them. Over the years, states have in addition to these treaties, created other instruments relevant to particular circumstances, such as bilateral extradition treaties, the 1961 Vienna Convention on Diplomatic Relations, and the 1963 Vienna Convention on Consular Relations. Moreover, there are now a number of important UN Security Council and General Assembly Resolutions on international terrorism, dealing with specific incidents. Most of these conventions provide that parties must establish criminal jurisdiction over offenders (e.g., the state(s) where the offence takes place, or in some cases the state of nationality of the perpetrator or victim).

---

<sup>9</sup> Convention on Offences and Certain Other Acts Committed on Board Aircraft, Tokyo, September 14, 1963, 20 UST 2941, TIAS 6768, 704 UNTS 219; Convention for the Suppression of Unlawful Seizure of Aircraft (Hijacking), The Hague, December 16, 1970, 22 UST 1641, 860 UNTS 105; Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation (Sabotage), Montreal, September 23, 1971, 24 UST 564, TIAS 7570, 974 UNTS 178, and its Protocol on the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, Montreal, February 24, 1988, 1589 UNTS 474; Convention on the Prevention and Punishment of Crimes against Internationally Protected Persons, including Diplomatic Agents, New York, December 14, 1973, 28 UST 1975, TIAS 8532, 1035 UNTS 167; International Convention against the Taking of Hostages, New York, December 17, 1979, TIAS 11081, 1316 UNTS 206; Convention on the Physical Protection of Nuclear Material, Vienna, March 3, 1980; International Convention on the Marking of Plastic Explosives for the Purpose of Detection, Montreal, March 1, 1991; International Convention for the Suppression of Terrorist Bombings, New York, December 15, 1997; International Convention for the Suppression of the Financing of Terrorism, adopted by the UN General Assembly, December 9, 1999.

## 6. Conclusions

The globalisation of crime is evolving just as social change impinges its effects on society. The fight against transnational crime and its threats to democracy does not mean Interpol as most lay people think. The fight should be undertaken, covering global approaches like mutual assistance between states, extradition and international crime conferences as well as tribunals.

It is only through the globalisation of democratic values and human rights that the challenge of global violent crime can be met effectively. This does not mean an abdication of the State from its power to accomplish its intrinsic functions to act and mobilize resources. In addition, the increasingly passive role of the states regarding global economic activity should shift to regulatory initiatives, covering the critical crime types cited in this paper.

The beneficial effects of globalisation, consisting of a greater international division of labour, a more efficient allocation of capital through pooling of resources should not erode the capacity of governments to manage crime. To achieve this goal, the global social political economic and cultural interdependence of countries worldwide demand concerted integrative developmental policies. In this way, the attainment of higher incomes should be coupled with re-distributive policies and social safety nets, which will largely eliminate the incentive for local crimes.

The role of an ethically inspired education in the prevention of organized crime is essential, especially in the areas cited. The distribution of the knowledge of the physical and psychological harm caused by transnational and local crimes should generate the moral outrage that might facilitate cooperation in its management.

In order to address the root causes of global crime, it is necessary to acquire an actual sense of global social responsibility and a global moral consciousness, beyond international conventions and national legal efforts. Only a renewed ethical force can educate and inspire society, and fight against corruption, economic and moral poverty, and the all-pervasive culture of indifference and irresponsibility.

## References

- Ackerman, R. S. (2002). *Corruption and Government*. Human Development Report (UNDP) 2002. New York: Oxford University Press
- Bartol, C.R. (1980). *Biological, Psychological, and Sociological Theories of Crime and Deviance*. . New York: Oxford University Press
- Braithwaite, J. (1979). *Inequality, Crime and Public Policy*. London: Routledge and Kegan Paul.
- Bequai, A. (2002). *How to Prevent Computer Crime: A Guide to Forensic and Technology*. San Diego: Academic Press.

Birbeck, C. (1985). Property Crime and the Poor: Some Evidence from Cali, Colombia, in C. Summer (ed.), *Crime, Justice and Underdevelopment*.

Buchanan, B. (2004). Money Laundering. *Journal of Research in International Business and Finance*, Volume 18, Issue 1, Elsevier

Castells, M. (1998). *The End of the Millennium, The Information Age: Economy, Society and Culture*, Vol. III. Cambridge, MA; Oxford, UK: Blackwell.

Eduardo, F. (2000). International Money Information Network for Money Laundering Investigators. *Journal of Money Laundering Control*. New York: Cambridge University Press

Eduardo, F. (2002). Combating Money Laundering and Financing of Terrorism. *International Monetary Fund Volume 39*, Number 3.

Findlay, M. (2000). *The Globalisation of Crime*. London: Cambridge University Press

Frank, C. (2000). *Exploration in Social Inequality, an Imbalance between the Rich and the Poor*. University of Texas Press

Funk, D. G. (2004). *Globalisation and Social Polarisation in Hong Kong*. New York: Routledge

George, S. (1999). The Crisis of Global Capitalism. *Business Week*, December 19, 1999

Giddens, A. (1964). *Structuration and Related Theories of Social Life and Communication*. London: Routledge

Johannen, U., Steven, G. and Gomez, J. (2003). *Social and Economic Impacts of Globalisation in Latin America*. New York: Routledge

Jonakin, H. (2001). *Slower Economic Growth, Weak Systems of Governance and Lower Standard of Living*. World Bank 2001

Kinnvall, C. and Jonsson, K. (2002). *Globalisation*. New York: Routledge

Le Billon, P. (2001). Fuelling War or Buying Peace: The Role of Corruption in Conflicts *Journal of International Development* 13, 2001, 951-64

Marfleet, P. and Kiely, R. (1998). *Globalisation and the Third World*. New York: Routledge

Mehanna, A. R. (2004). Poverty and Economic Development: Not as Direct as it May Seem. *Journal of Socio-Economic* Volume 33, Issue 1. Elsevier Inc.

Ramamurti, R. (2003). *Reassessing Risk in Developing Countries*. Long Range Planning (ESCWA) United Nations

Raymond, G. J. (2002). A Comparative Study of Women Trafficked in the Migration Process: Patterns, Profiles and Health Consequences of Sexual Exploitation in Five Countries. Author: Janice G. Raymond, PhD, International Coordinator; Trafficking in Persons, and their Immediate Family members. United Nations Convention against Trans national Organized Crime

Snyder, F. (2002). Globalisation and Power Disparities. London: Butterworths LixisNexis

Susan George, The Corporate Utopian Dream: The WTO and the Global War System, Seattle, Washington, 28 November 1999.

Takayama, N. (1979). Poverty, Income Inequality and their Measures Journal of Economic Theory, 2, 244--263.

United Nations Development Programme (UNDP), Human Development Report 1999: Globalization with a Human Face, Oxford University Press: New York\Oxford<sup>[2]</sup> *Human Development Report 1999*, pp. 5 and 42.

Witherell, W. (2004). The Immense Economic Benefits, Priority to Combating Financial Crimes and Abuse. The OECD and Economic crime