

**A THEORETICAL EVALUATION OF THE GLOBAL TRADE IN DRUGS: HOW RELIABLE IS
RATIONAL CHOICE THEORY IN EXPLAINING THE MOTIVATION FOR ALL OF THE
ACTORS INVOLVED IN TRAFFICKING DRUGS**

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ABSTRACT

This research examines organised criminal gangs to evaluate the relationship between rational choice theory and drug trafficking. It argues that the dominance of rational choice theory as the sole explanation for trafficking can be called into question when compared to the motivations of those higher in the quasi-legal-criminal hierarchy of the global trade in drugs. It tests the validity of rational choice theory underpinning why traffickers ingest kilos of cocaine or heroin into their bodies to transport it half way across the globe with the rationality of bankers laundering cocaine profits for drug barons at the opposite end of the social hierarchy. It also examine the reasons for the disparity in punishments which send impoverished marginalised foreign nationals to prisons for fourteen years while the banking fraternity avoids prosecution. This study evaluates whether or not the average drug trafficker that swallows ounces of heroin can realistically be defined as rational. How can the drug 'mule' be rational compared the mafia boss, corrupt politicians, law enforcement agents, police officers as well as the leaders of the emerging mafia states? This paper argues that a combination of factors integral to the rise in drug trafficking and neo-liberalism has had implications for poor, black and minority ethnic women. A feminist analysis of existing case studies informs the primary chapter to illustrate how drug trafficking organisations is a means to an end whereby it serves the interests of the liberal few. The research concludes that rational choice is appropriate in many junctures of the drug trafficking process. However, it is also evident that not every drug mule is guilty of rationally choosing to perpetrate the crime that enables the spread of drugs across the globe. Key Words Globalisation; neoliberalism; mafia states; mules; corruption; sentencing; exclusion

Introduction

The trafficking of drugs is a big business on a global scale generating billions every year for powerful organised gangs and in some cases, their governments (Serious Organised Crime Agency, 2006; Home Office, 2004). The drugs market is estimated to serve 200 million users (UNESCO, 1999). The revenue from the drug trafficking trade amounts to US\$3,800 billion (UNODC, 2014). In this capacity, the global trade in drugs is 'a truly global industry' in line with the pharmaceutical corporations and 'even' the banking sector (UNESCO, 1999: 1). This

global network of trafficking in guns, body parts, drugs and humans is the work of highly sophisticated international organised criminal gangs which operate on all five continents (Benson and Decker, 2010; Naím, 2011). This is exacerbated by the absence of sufficient international laws needed to provide the multiple protections required to cater to the impact of trafficking on diverse individuals and groups (Westmarland, 2010). In addition, any trust in the various police organisations across the world is significantly eroded by bribery and corruption, and victims are forced as a matter of course within the ‘imagined communities’ of trafficking (Westmarland, 2010; Neuwirth, 2006: 280; Anderson, 1983: 1).

The first and second most profitable trade is the trafficking of drugs and weapons respectively; drug trafficking is funded by the profits gleaned from human trafficking (Commonwealth Secretariat, 2003). Global organised criminal network in all its forms exploit the ‘freer flow of people, money, goods and services’ to its advantage in order to expand its reach in the international market by feeding on ‘poverty, despair, war, crisis, ignorance and women’s unequal status’ (Commonwealth Secretariat, 2003:5). However, drug trafficking organisations have enhanced the global economy because they possess ‘qualities’ that are advantageous in modern, globalised markets; even illegal ones (UNODC, 2004: 12).

This is because successful drug trafficking organisations are argued to be both ‘formally structured’ as well as ‘highly rational’ (Benson and Decker, 2010: 130). Such claims reinforce the belief that drug traffickers exercise free will to make an informed rational decision to violate the law (Felson and Clarke, 1998; Wilson, 1975). After all, neo-conservative criminologist JQ Wilson argues that crimes such as drug trafficking occur because ‘wicked people exist’ (Wilson, 1975: 233). It is argued that drug traffickers have the ability to weigh up the long term costs of perpetrating the crime (i.e. a prison sentence or in some countries the death penalty) against its immediate benefits (i.e. economic security) (Hirschi and Gottfredson, 1994: 1; Benson and Decker, 2010). As such, it is assumed within the legal discourse inherent in the criminal justice systems across the globe that the trafficker carried out a cost-benefit analysis prior to the act and is thus deserving of the punishment handed down (Hirschi and Gottfredson, 1994; Muncie, 2001). With rational choice theory maintaining prominence, no other causal factors that may have mitigated the trafficker are considered.

However, as Olaya, Selinas and Beltrán (2010) argue, the theoretical framework for understanding what motivates traffickers needs to be less universal because they simply do not encompass the experiences of diversity or the indigenous peoples caught up in the system. Ultimately, rational choice theory is by no means a one-size-fits-all theory despite the rigid

adherence to it by the criminal justice systems across the globe (Olaya et al., 2010). As such, this study evaluates the impact of rational choice theory on individuals to illustrate that it is highly problematic in the context of drug trafficking; each individual trafficker or ‘drug mule’ has their own unique experiences and differing motives for their involvement. While some actors are rational, others are not. For example, Marshall and Moreton define ‘drug mules’ as those who become ‘engaged by pressure, influence, intimidation or relatively small reward’ (2011: 1). In this light, drug mules cannot be rational when they are responding to coercion. Similarly, others are unaware that they are carrying drugs (Marshall and Moreton, 2011: 1). Numerous explanations exist that are underpinned by coercion and threats of violence against their significant others (Marshall and Moreton, 2011: 1). Sometimes however, it is argued the feminisation of poverty and care makes crime a necessary act because in order to be a “do it right” woman... sometimes you’ve got to do it wrong’ (Wurtzel, 1998: 2)

Aims and Objectives

The first aim of this study is to question the reliability and validity of rational choice theory in explaining the trafficking of drugs in relation to numerous variables including identity, ethnicity, gender, race, culture, class, status, age, educational attainment, occupation and geographical location in the context of the multiple players involved in the global trade in drugs. It seeks to understand whether or not rational choice theory takes into account these variables in the processes carried out by the law enforcement officers and the criminal justice systems across the globe (Olaya et al., 2010). The second aim of the research is to identify which criminological theories best explain the motives of the drug runners at the grass roots level. Ultimately the discussion overall seeks to establish whether more appropriate, culturally relative criminological theories are more applicable to the actors involved (Calderoni, 2011: 1). The third aim is to test other theories through an analysis of case studies. This will provide the means to focus on the variables inherent in each case, which will expose the strengths, weaknesses and limitations of rational choice theory as the dominant explanation for the primary motivation of drug traffickers. As such the aims include the testing and the reliability of rational choice theory at the various levels of drug trafficking to examine the theory’s shortcomings when different variables are applied (Olaya et al., 2010). It will test other theories for more culturally relative understandings of motives against various case studies to establish a more appropriate explanation for drug trafficking at the grass roots level (Calderoni, 2011: 1).

In doing so the research questions ask is which actors are involved in the trafficking of drugs and what are their roles, status and position within the quasi-corporate-political-organisational hierarchy of criminal gangs of mafia states? The second question is to what extent is rational choice theory assumed in individual cases by security managers such as customs officers, the police and criminal justice actors in a global context (Naím, 2011; Westmarland, 2010)? The third question is focused on why rational choice theory is so dominant on a global scale for some criminologists but not for others and what evidence exists that can counter its dominance in drug trafficking cases? Can neoliberalism explain this in terms of the prison-industry complex and the move to privatisation within neoliberal political economies such as Britain the United States (Davis, 1998; Sudbury, 2002). The combination of these questions will assist the final evaluation of drug trafficking at some international airports to draw comparisons in relation to rational choice theory in order to address the research question, which tests the reliability of rational choice in explaining the motivation for all of the actors involved in trafficking drugs?

2:1 Drug Definitions

The definition of hard drugs according to Nnabuko et al. and others refers to any chemical that once entered into the body causes changes in the 'functioning and behaviour' of the drug taker which can result in a 'high' feeling of euphoria or a heightened concentration (Havocscope, 2010; United Nations Drug Control Programme in Nnabuko, Nwaizugbo and Odigbo 2013: 8). According to the US Drug Eradication Agency (2010) the most frequently used hard drugs typically include cocaine, heroin, marijuana, methamphetamine and hallucinogens (in Nnabuko et al., 2008: 8). It is argued that so-called 'hard' drugs generally depress or stimulate the nervous system in ways that can cause 'sedative, stimulative, hallucinogenic, exhilarative, brain dysfunction, physical and psychological disorders' on those who partake in drugs (Nnabuko et al., 2013: 6). Ultimately, drugs are a popular past-time in the west where they are used for recreation as well as to support an ongoing addiction for problem users such as the heroin and the cocaine derivative known as crack.

2: 2 Quantifying Drug Trafficking

Either way, there is a huge demand for drugs. As Table 2.2 below illustrates, the number of seizures by the both the police and the UK Border Agency (UKBA) rose steadily up to 2008/09 and then started to decrease slightly thereafter. At first glance, Table 2.2 shows for Ecstasy, amphetamines, heroin, cocaine and crack-cocaine and a fluctuation in seizures in cannabis which some may interpret as a general decline in popularity (Home Office, 2006; 2007a; 2008;

2008; 2009; 2010; 2011). However, the more likely conclusion is that organised criminal gangs in trafficking are a step ahead of the police and the UK border agencies in their ability to counter the likelihood of detection (Benson and Decker, 2010).

Table 2.2 Drug Seizures in the UK by type and classification

Drug (Classification)	2006/07	2007/08	2008/09	2009/10	2010/11
Overall *	186,028	228,131	241,090	224,080	212,784
Cocaine (A)	16,079	20,318	24,604	21,337	17,689
Heroin (A)	13,205	13,463	13,273	12,812	10,812
Crack (A)	6,586	7,191	6,612	5,075	5,380
Ecstasy (A)	7,752	6,807	5,206	3,720	2,535
Cannabis (BC)**	30,902	164,888	173,512	182,522	167,381
Amphetamine (AB)***	8,030	8,412	7,760	7,302	7,177

*The figures do not tally as Class C seizures are not included

**Cannabis was reduced to Class C but reverted back to Class B on 26 January 2009

*** Amphetamines are Classified as B unless injectable when it rises to Class A

Source: Home Office, 2007; 2008; 2009; 2010; 2011

Table 2.2.1 separates the seizures by the authority. It illustrates that the vast majority (97-98 per cent) are seized by the police and just 2-3 per cent are actually seized at the point of entry into the UK. It demonstrates again a sharp decline in seizures by the UK border agency which again most likely results from the rise in sophisticated methods deployed by international drug trafficking gangs (Home Office, 2007; 2008; 2009; 2010; 2011).

Table 2.2.1 Drug Seizures by year and by Authority (the Police or the UK Border Agency)

Drug (Classification)	2006/07	2007/08	2008/09	2009/10	2010/11
Police	179,512	210,204	233,410	220,132	208,830
UKBA	6,516	6,588	7,680	3,948	3,954

Source: Home Office, 2007a; 2008; 2009; 2010; 2011

2:3 High Level Traffickers

This likelihood is reflected in the largest ever study on the illicit trade in drugs which was conducted from a UK context by the Matrix Knowledge Group in tandem with the London

School of Economics (Home Office, 2007). The researchers invited 1,390 prisoners to take part, of which 263 volunteered ending up with 222 in depth face to face interviews with the most 'prolific' drug dealers and drug traffickers in 22 prisons in England and Wales (Home Office, 2007b: iv). The researchers interviewed 110 males and 12 females (Home Office, 2007b). The study illustrated that there are numerous types of international organised drug trafficking gangs which vary in size, operational tactics and commodities (Home Office, 2007b). The study found that while there are 70,000 'street dealers' in the UK, the big threat to the public is argued to lie in the 300 'major importers' said to be operating within the boundaries of the nation (Home Office, 2007b: 2).

These importers generate huge profits which are entered into the 'legitimate economy' via a somewhat unsophisticated process (Home Office: 2007b: iv). This reflects the role of banks and legitimate businesses, security managers including law enforcement agents and border agents who are on the payroll of organised gang leaders (Home Office: 2007b: 4). At the pinnacle of organised crime is the 'respectable' businessman whose white collar deviance is masked by the façade of legitimate business (Sutherland, 1940:1). However at the top of the pyramid rational choice is undeniably a factor, this is not always the case throughout and the horizontal and vertical hierarchical powers attributed to particular roles within organised criminal gangs. On the other hand, another study commissioned by the Home Office categorised high level traffickers into three types: 'politico-military'; 'business criminals' and; 'adventurers' (Levi and Dorn, 2005: iv).

2:4 Politico-military Traffickers

The study by Levi and Dorn (2005) commissioned by the Home Office identifies three type of upper-level organised drug trafficking gangs. The first is identified as 'politico-military traffickers' whose aims include 'restructuring the political field', or 'achieving or maintaining a dominant position in existing political structures/states/failed states' (Levi and Dorn, 2005:9). Many of these are countries in South America and Western Africa. For example, Naím, (2011) compiled some vignettes to illustrate how western organised gangs pale into insignificance when confronted with gangs from the continents of Asia, Eurasia, Latin America and Africa to establish the links between politics and drug trafficking at the highest level of authority (Naím, 2011). As Naím (2011) argues, Wiki Leaks listed numerous political leaders deliberately perpetuating the trade in drugs on all five continents.

Naím focused on the role of national leaders deeply entrenched in the process of trafficking humans, human organs and drugs by the prime minister of Kosovo (Lewis, 2010; Naím, 2011).

It is also illustrates how the Venezuelan leader President Chavez exploits the profits from oil exports to fund the electoral campaigns of candidates in Nicaragua and Argentina to maintain a political stronghold in South America which enables him and his military 'Kingpin' to continue trafficking drugs throughout the globe relatively unhindered (El Pais, 2010; Naím, 2011). This is far more rational choice than many of the other traffickers when placed in context (Naím, 2011). Six of the successful candidates of Burma's first election rounds were well known drug barons, whilst its military gets rich on drug trafficking profits (Naím, 2011). In Afghanistan, President Karzai's brother is the head of the international drug trafficking syndicate (Naím, 2011).

West Africa is another region in which corruption is emerging, this time characterised by close familial and community ties within the discourse of weakly run small businesses (2005: iii). Nevertheless, aside from the main trade in drug trafficking they also specialise in numerous commodities including 'internet fraud and forgery, the trafficking of humans and firearms and the smuggling of diamonds, oil and cigarettes (UNODC, 2005: iii). Furthermore, UNODC also argues that their immediate socioeconomic and political history which includes civil wars, weak governments, famines and HIV/AIDS must be considered in the context of Western Africa and all Sub-Saharan states (UNODC, 2005). Ultimately these nations are undergoing rapid social change in the sudden infusion of relative wealth at the top which has been enhanced by the trade in drugs and the trafficking of drugs as Western Africa is in a prime location for drug trafficking to both Europe and North America (UNODC, 2005).

2:5 Business Criminals

The second model is the 'business criminals' who are driven by the self-interested pursuit of profits for their 'own quiet enjoyment' (Levi and Dorn, 2005:6). Although largely apolitical, this type can and does corrupt officials in pursuit of their ultimate aim and to avoid a custodial sentence (Levi and Dorn, 2005). For example, one participant high level international wholesaler who purchased drugs from Columbia via a partner in Spain which was transported into the UK on a daily basis provided the researchers with an account of a typical day in the trade (Home Office, 2007).

The day started with 10kg of wholesale cocaine being delivered from Columbia to the respectable business partners in London at a cost of £180,000 (Home Office, 2007b). The London partner immediately sells it to the national wholesaler for £220,000 who then distributes it across the UK (Home Office: 2007b). Already partners have made an immediate

profit of £40,000 which, divided between them is £20,000 each, less expenses (Home Office: 2007b).

Expenses included the wages for the main courier from Columbia who is paid £180, the money collector £250, the money counter who was paid £250; the money deliverer who wired the money to the respondent's Spanish partner with which he bought the batch; total in expenses with drivers attached amounted to £1,750 (Home Office: 2007b: 34).

This repeated seven-days-a-week amounted to £140,000 less expenses of 12,250 per week. Profits made are contingent upon the commercial awareness and business acumen of the various actors; this inevitably dwindles as it moves down the supply chain (Home Office: 2007b). Rational choice theory is relevant to this criminal act (Home Office: 2007b). However, they also draw assistance from other actors who are on their payroll as 'transnational crime' is actually 'contained' through the assistance of 'international cooperation' (Wang and Wang, 2009:25). Corporations and banking institutions are also inextricably entwined in the process too, mainly through laundering money (Naím, 2011; Castells, 1998).

For example, few businesses are larger or more powerful than Europe's largest bank which was found to have laundered the profits from drug cartels (Rusche, 2012). In 2012 HSBC bank was exposed as having laundered billions of US dollars for the drug barons that head the infamous Mexican drug cartels (Rusche, 2012). The money would arrive in armoured trucks (Rusche, 2012). Furthermore, the trucks containing the dirty money were of a bespoke design that fit precisely through the bank tellers' window opening (Rusche, 2012). Despite the fact that the HSBC directors must have been aware of the extra billions of dollars being cleansed via the banking system, they were not criminalised for their white collar criminality on account that the bank is not a person and the diffusion of responsibility cannot single out any individual who can be prosecuted (Rusche, 2012). The Mexican drug cartels are responsible for the murders of thousands (Rusche, 2012). Furthermore, it is claimed that the profits that are made via the laundering of drug-trafficking is used to fund terrorism (Rusche, 2012). As Pratley argues, 'being accused by Senate of operating money-laundering conduit for "drug kingpins and rogue nations" is as bad as it gets' (Rusche, 2012: 19).

In addition, despite the huge profits, the system is not without risk as evidenced by the drug trafficking prisoners in the Home Office study (2007b). Considering that 500,000 murders as a result of drug trafficking was the tally globally up until 2007, the tally in Mexico alone since 2006 is argued to be '47,000 murders' as a direct result of its drug cartels (cited in Rusche,

2012:20). This is further exacerbated by the fact that ‘bank employees faced very real risks of being targeted for bribery, extortion, and kidnapping’ (cited in Rushe, 2012:20)

Similarly, such international cooperation also supports the claims by Westmarland (2010) and Neuwirth (2006) that corrupt police and security agents across the globe take bribes before allowing drug traffickers through the boundaries. Other commentators have argued that in order to generate greater profits, there is a requirement to maintain the rigid rationality and formalised structures that are inherent to international organised criminal gangs (Benson and Decker, 2010:130).

2:6 Adventurers

The third type of drug traffickers are the 'Adventurers' who through means of either ‘debt or coercion’ take ‘relatively’ high risks usually because of the absence of any realistic alternative (Levi and Dorn, 2005: iv). This group also includes those who are often oblivious to such risks in pursuit of a ‘sense of excitement’ (Levi and Dorn, 2005: iv). This is largely the middle section of the drug trafficking networks which are generally disorganised *except* where the criminal focus is able to generate vast economic returns (Benson and Decker, 2010). Most commonly organised criminal gangs include *inter alia* drug trafficking on an international scale as well as white collar crime which involves ‘respectable’ middle class fraudsters and embezzlers at a cost that far outstrips conventional or so-called working class crime (Ruggiero, 1996; Sutherland 1949; Benson and Decker, 2010; Sutherland, 1940: 1). Organised criminal gangs are formed out of small groups which emerge and then dissipate to reform in dynamic ever-changing ways that caters to the illicit drugs trade (Reuter 1983; Eck and Gersh 2000). The small groups that make up international criminal gangs are decentralised and operate a horizontal power structure that shares the decision-making process via the ‘flows’ from one node to another such as from high end drug traffickers to the ‘street-level dealers’ (Adler, 1985 in Benson and Decker, 2010: 131). It is argued that this networked approach is much more likely to avoid detection (Zhang and Chin, 2003; Zaitch, 2002, Williams, 1998). The loosely connected actors within these decentralised networked organisations are less visible and are thus able to adapt to external threats to the organisation (Benson and Decker, 2010; Reuter, 1985).

2:7 Mafia-led Gangs

In contrast, the highly structured mechanism of the networked organised criminal gangs is significantly different from the vertical top-down power of the centralised the mafia-type gangs

(Benson and Decker, 2010: 132). The Mafia-type gangs tend to operate power from a rigidly structured top-down 'chain-of-command' that ultimately comes from a 'single authority'(Benson and Decker, 2010: 132).In line with Weber's rational bureaucracy, the divisions of labour were clearly defined, the roles and duties were determined by ability and the formal internal rules were inflexible (Cressey, 1972). However, the somewhat nostalgic view of the tight-knit mafia 'family' is argued to be a romanticised view of mafia style gangs with very little substantive evidence beyond the fiction of Hollywood's silver screen (Woodiwiss, 1993: 13). According to Woodiwiss, the notion of organised criminal gangs being governed by a so-called 'Godfather' is little more than a 'state-sponsored myth' (1993:13). Nevertheless, the media influx on gangs has always been a newsworthy issue that sells papers thus moral panics via the press had the effect of driving fear into society at large (Cohen, 2002; Jewkes, 2004).

However, what is much less a myth according to Calderoni is that mafia-style groups have weakened significantly in terms of status as they fail to 'achieve monopoly positions' despite recognising and conforming to the dynamics of the trade in drugs as a whole in late modern society (Calderoni, 2011: 1). Furthermore, it is also argued that although the mafia-style gangs managed to spread from Italy to become imbedded in America's underworld, the new networked organisational gangs have a far greater reach to the point where it is indeed truly global (Naím, 2011). It was globalisation and the additional deeper examination of gangs by criminologists who questioned the validity of such studies on the mafia (Framis, 2011). For example, it is evident that international organised crime is a 'complex social network of actors' each occupying differing positions and each being tasked with various roles and duties to enable the distribution of all manner of drugs efficiently and stealthily to all five continents of the globe (Naím, 2011; McIlwain, 1999:301). However, according to convicted drug traffickers, such forms of organised criminal gangs are found to be 'structurally weak' (Benson and Decker, 2010:134). This was echoed eighty years ago by Shaw and McKay (1931) who argued that group crimes are notoriously disorganised, and as such, network gangs tend to denote the theory of 'delinquency' rather than that of rational choice (Hirschi, 1969: 1).

It can be argued that these claims redefine traffickers as being a part of deviant subculture whereby acts are 'neutralised' within these smaller peer groups (Sykes and Matza, 1957: 664). These techniques of neutralisation are enabled only by the collective meanings that are shared between the peers of any sub cultural group (Sykes and Matza, 1957). The ability to dilute the impacts of their deviance is achieved through a set of denials which include: [i] denial of responsibility; [ii] denial of injury; [iii] denial of a victim; [iv] 'condemnation of the

condemners' and; [v] 'higher loyalty' to the others within their sub cultural peer group (Sykes and Matza, 1957:664). However, Matza's drift theory is equally applicable for the more dynamic networked gangs because it argues that delinquents are constantly floating between those who conform to the law and those who deviate from the law (Matza, 1964). As such delinquents are constantly 'responding in turn to demands of each, flirting now with one, now the other, but postponing commitment, evading decision, thus he drifts between criminal and conventional action' (Matza, 1964: 28). The fact that individuals are constantly changing, leaving and the joining other gangs illustrates the tendency to drift.

Neutralisation theory is also applicable in Cohen's (2001) claim that sub cultural groups merely neutralise their deviant actions in similar ways to how the state neutralises crimes against humanity. For example, the denial of responsibility can translate into a diffusion of responsibility insofar as there were too many actors involved to blame any one individual (Cohen, 2001). Similarly, the denial of the victim can translate into a 'diffusion of victimisation' whereby there are too many to victims to compensate accordingly particularly as no one can be blamed (Cohen 2001; Hughes, and Langan, 2001: 252). This is enabled within organisations that adopt a 'Groupthink' approach first conceptualised by psychologists such as Janov (1981) and Janis (1972; 1982) which is described as 'a collective mindset' which 'protects illusions from uncomfortable truths and disconfirming information' (in Cohen, 2001: 66). In other words, people within organisations such as the police, the government civil servants or an international organised drug trafficking syndicates are subjected to human conditioning on how to think and feel and operate within a 'code of silence' which, in terms of crime, remains on the whole problematic for security managers to crack (Cohen, 2001: 66). In short, this conditioning removes the application of critical thinking which is arguably how media-made moral panics informs the public on stereotypes such as those constructed as deviant subcultural theories (Cohen, 2002).

2:8 Race and Ethnicity

Such subcultures include the gang culture that determines drug trafficking as the derived through masculinities as well as race and ethnicity (Herndon, 2008). Black American society was subject to what Merton conceptualised as 'strain' theory whereby the goals and expectations were set for everyone to achieve the American Dream; however, it can be argued that the cultural and institutional means by which these goals could be achieved were not provided to this marginalised social group (1938: 100). In addition, the application of any diverse routes to achieving such goals were deemed to be deviant and eventually became criminalised (Merton, 1938). As Herndon's racialisation of gang culture perpetuates the 'myth'

that there are no white gangs in the US (Barthes, 1967: 91). This myth is discredited by the evidence that 80 per cent of the 80,000 seizures made by security agents at the US–Mexican border involved white US citizens (Becker, 2013). Nevertheless, Herndon seeks to reinforce that traffickers are Black and Hispanic because gang culture is the exact point at which drug trafficking into the US is most prevalent (Herndon, 2008).

2:9 Status

This underpins the stark disparity in the status between the gang’s linked to the sale of ‘retail’ drugs and those that are linked to capitalising on ‘wholesale’ drugs imported into the US via drug traffickers. The only option open to the weaker gangs that will strengthen their status is to capitalise on the wholesale US drugs trade (Herndon, 2008). The costs of purchasing imported ‘retail’ drugs is high because they have already been imported and refined leaving very little margin for profit (Johnson, 2011; Herndon, 2008: 2). In contrast, wholesale drugs purchased at source in their most pure state at a much cheaper cost thus generating huge profits (Johnson, 2011; Herndon, 2008).

Table 2.3. Purity of Drug when seized by UK Border Agents or the Police

Drug	Police (Retail)		UKBA (Wholesale)	
	2009/10	2010/11	2009/10	2010/11
Cocaine	21%	28%	63%	64%
Crack	29%	32%	47%	62%
Heroin	44%	30%	54%	42%
Amphetamines	8%	9%	31%	49%

Source: Home Office, 2011: 16

Table 2.3 shows the disparities in purity according to whether the police seized the (retail) drugs which would have been within the national boundaries or whether the UKBA seized the (wholesale) drugs as they were being smuggled into the country by traffickers. Ultimately in 2009/10 the purity of wholesale cocaine was three times that of the retail cocaine seized by the police (Home Office, 2011). This illustrates that the drugs are cleansed and cut with other substances in order to maximise profits down the supply chain (Home Office, 2007b). For example, in the study by the Home Office (2007b) it was claimed that the mark-up on the wholesale purchase of cocaine across the entire trafficking process from production to street level amounted to 15,800 per cent for cocaine and 16,800 per cent for heroin (2007b: iv). Nevertheless, cash flow and transportation was problematic as it travelled down the chain (Home Office, 2007b: iv).

The chain started at the ‘bosses’ who operated from within legitimate business catering to all manner of duties including recruitment (Home Office, 2007b: 28). However, from the international level, the drugs must be passed down through the various points to reach the street retail level of drug dealing. The study found that although the ‘international wholesalers’ had no common characteristics, they shared the tasks of ‘importing and transporting, drugs from outside of the UK and selling them within the UK’ as with the example above of the respectable London business partners (Home Office, 2007b: 27). The ‘national wholesalers’ were characterised by: the longevity of their careers; their ability to adapt; their wide variety of drugs which they distribute nationally; their tendency to work alone or within small networks and that they occupied salaried positions in formal employment (Home Office, 2007b: 28). The ‘local wholesalers’ operated within large networks, to purchase drugs in bulk such as in ‘kilos and ounces’ which were then sold to the retailers for a profit (Home Office, 2007: 28). They dealt in heroin and cannabis in small amounts (Home Office, 2007b).

The study also found that a majority of ‘retailers’ were ‘problem users’ (i.e. heroin or crack-cocaine addicts) themselves and yet more operationally consistent than the wholesale dealers (Home Office, 2007b: 28). Retailers have many customers but worked only with wholesalers (i.e. at the local level). Despite their high frequency of arrest, conviction and prison, retailers experience long careers (Home Office, 2007b). However retailers who use drugs are not trusted by high level traffickers (Home Office, 2007b: 25).

2:10 Recruitment

There is no shortage of potential drug traffickers waiting to be recruited in the US. It is argued that potential traffickers are poorly educated and ‘recruited from ... low-income households’ from lone-parent families located within deprived communities (Herndon, 2008: 2). For example, right realists such as Charles Murray argue that the US ‘Underclass’ is to blame for the high rate of crimes such as drug trafficking (1990: 1). Murray (1990; 2005) is a staunch advocate of rational choice theory and refutes all other criminological theories such as strain theory and relative deprivation; Murray argues that the immorality of ‘bastardry’ and welfare dependency has caused the ‘disproportionately Black’ ‘Underclass’ in the US and the UK (1990:1; 2005:1). Unmarried fatherless communities are crime-ridden, dystopian, dysfunctional spaces in which crime has become normalised to the point where it provides an ambition to which their illegitimate offspring can aspire (Murray, 2005: 1). The local criminal who reigns over such ghettoised communities is the sole role model to these children (Murray, 1990).

However, feminists argue that it is the dismantling of the welfare state has exacerbated the ghettoization in the US as no alternatives to social mobility such as education, training or employment were put in place (Davis, 1998). For example, Marxist feminists argue that lone mothers are the producers as well as the consumers of welfare insofar as raising the future workforce (Lewis, Newman, Carabine and Fink, 2004). Radical and liberal feminists argue that motherhood is full time unpaid work (Oakley, 1991). Liberal feminists argue that this feminisation of care exacerbates feminisation of poverty (Lewis, Newman, Carabine and Fink, 2004). In contrast to Herndon, the ethnographic study by Zaitch (2002) as a participant observer of a concentration of Colombian drug traffickers in a Dutch prison found that recruiters targeted intelligent well-travelled people who had no criminal record as they were less likely to be searched by border controls.

2:11 Law enforcement Agencies

However, recruiters had to rethink sending drugs into the Netherlands when its law enforcement agencies adopted a unique policy to the rest of the world (UNODC, 2007). The Netherlands Antilles was ranked the 'eighth highest seizure per capita in the world' (UNODC, 2007: 7). The Netherlands Antilles which was colonised by the Dutch is in the Caribbean which is renowned as a common source of drug traffickers due to its tropical climate and its poverty (UNODC, 2007). The Dutch government activated a 100 per search of travellers by border agents in both in the Antilles and the Netherlands hence the high concentration of traffickers at the time of the research by Zaitch (UNODC, 2007). In 2006, drug seizures at airports throughout the European Union witnessed a four-fold increase in drug traffickers from Columbia via Mexico and the Dominican Republic (UNODC, 2012).

In line with other airports, border agents at Amsterdam's Schiphol Airport arrested, charged and incarcerated those found to be trafficking (World Bank and UNODC, 2007). However, the Dutch legal resources were rapidly being exhausted; it had also failed to quell the flow of drug traffickers (World Bank and UNODC, 2007). As such, the Netherlands adopted an alternative approach to reduce drugs entering the country and to deter others from drug trafficking (World Bank and UNODC, 2007). This was focused on their observations that the organised gangs attached no value to the drug mules that couriered the drugs into the Netherlands; it was evident that they were therefore dispensable to the organised networks (Chambliss, 1975; Castells, 1998; Garland, 2001). As such, instead of arresting and convicting them, the border agents seized the drugs and then put the traffickers on a return flight to their country of origin with a 'blacklisted passport' (UNODC, 2012:40-41). This immediately reversed the high rates of drugs being imported into the country (World Bank and UNODC, 2007). However, this brings

new issues to the fore in terms of what consequently happens to drug mules because as Fleetwood argues 'Few drug mules, even those willingly involved, would have dared to return home without the drugs' (2013:1)

2:12 Risk

Despite this, and the marginal status of these socially excluded communities, a high number of would-be traffickers are willing to replace the convicted trafficker or the latest victim of a 'drive-by shooting' (Box, 1983; Castells, 1998; Naím, 2011; Herndon, 2008: 2). Death is commonplace within the trafficking domain as evidenced by the statistics that between 2007 and 2012, 'over 50,000 people were killed' as a direct result of the global trade in drugs (Williams, 2012 in Dell, 2012:5). Of those, '95 per male and 45 per cent' were below the age of 30. Furthermore, 85 per cent of the 50,000 killed 85 per cent of the murders involved people within the drug trade killing each other (Williams, 2012 in Dell, 2012: 5). Nevertheless, rational choice is questionable with alternative sociological theories being more appropriate in explaining the motivations for being involved in trafficking such as Castells' 'culture of urgency' (1998: 558).

Castells argues from a postmodern perspective that drug traffickers are motivated by a 'culture of urgency' resulting from absolute poverty and the lack of opportunities allowing upward social mobility (1998: 526). Castells asserts that, against such a hopeless backdrop, potential traffickers are willing to trade a long life of poverty for a shortened yet comparatively exciting and rewarding life (1998: 526). Such roles performed by retail sellers remain at the bottom of the hierarchy of organised criminal gangs and thus pose the high risk and high probability of capture whilst visibly standing on a street corner (Levi, 1996; Herndon, 2008). In this scenario, while choices are made, whether or not these decisions can be considered rational is subject to greater and deeper debate as opposed to adhering to a set of preconceived assumptions about this exploited social group. This devaluing of the lives of drug traffickers in this context casts doubt over the likelihood that rational choice informs the motivations for drug traffickers recruited in any part of the world from the US to the Antilles. Despite such exploitation, according to the Marxist criminologist William Chambliss (1975), the ruling class deliberately constructs an 'impoverished class' of unemployed individuals who are ready and willing to replace the latest worker who challenges the system or gets caught.

However, death is also applied as a punishment in numerous countries such as Indonesia, China, and Singapore; the latter imposes a mandatory death sentence for any drug-related offence (Gallahue, Gunawan and Rahman et al., 2012). In fact, the death penalty is handed down to drug traffickers in Florida (Gallahue et al., 2012). This adds another dimension to the

cost benefit analysis undertaken by rational thinking drug mules. However, Fleetwood (2013) argues that the death penalty fails to deter drug mules because they are told the bare minimum and much of that is misinformation. For example, mules cannot check the type of drug or the weight of their cargo which is crucial to measuring the penalty that will be applied if caught at their destination (Fleetwood, 2013).

2:13 Criminal Justice

Despite the success rate in terms of reducing drug traffickers at Dutch airports, the ‘the Anglo-American love affair with incarceration’ continues to result in imprisonment being the punishment of choice for drug traffickers (Owers, 2005: 22). It can be argued that countries underpinned by neoliberal political economies such as the US and the UK have embarked on the opposite route. For example, in the UK, the prison population has risen sharply; drug offences represent a third of this rise between 1993 and 2001 (MoJ, 2014). Drug-related offences are more likely to carry custodial sentences which are also longer than before (MoJ, 2013). Furthermore, the immediate incarceration rate has risen dramatically for perpetrators of ‘drug-related offences by 5,900 and sex offences’ (MoJ, 2013: 24).

The US has seen a much bigger rise in drug offences receiving custodial sentences. For example, the US prison statistics support this counter-argument; in 2004, the number of drug traffickers incarcerated in both the US State prisons and the federal prisons comprised 69.4 per cent and 91.4 per cent of all drug-related incarcerations respectively (Bureau for Justice Statistics [BJS], 2006: 4). This equates to 48,531 drug traffickers held in state prisons and 167,399 being held in federal prisons thus, 215,930 drug traffickers in total (BJS, 2004). This mass incarceration led Wacquant to argue that the penitentiaries in the US represent ‘humungous human storehouses’ which is tantamount to ‘a safe for men buried alive far away from societies’ eyes, ears and minds’ (2002: 373). According to some, the number of those convicted of drug offenses in the US is greater than the number of people convicted for all offences in Europe despite the population of Europe being 742.5 million compared with the 316.1 million in the US (Siegal, 2012: 507). This can also be attributed to the rise in the female prison population in the UK which witnessed a 191 per cent rise in the number of women incarcerated in the decade between 1993 and 2003; the male prison population rose by just 56 per cent in comparison across the decade (Fossi, 2005). Similarly, women immediately remanded in custody rose by 196 per cent percent to represent 17 per cent of the female prison population by 2005 (Fossi, 2005).

However, anomalies exist according to the Sentencing Project (2002) in the US which has argued that there was an inconsistency until very recently in sentencing according to the type of drug (Coyle, 2002). This involved the disparity in sentencing applied to cocaine and crack cocaine which was distinctly racialised as cocaine was constructed as a drug taken by white Americans whereas crack was directly linked to Black African Americans (Coyle, 2002). For example, trafficking 500 grams of cocaine automatically convicts the trafficker for a mandatory five years whereas the same penalty is applied for just 5 grams of crack cocaine (Coyle, 2002). The same applies for 5,000 grams of cocaine and 50 grams of crack cocaine which both carried ten years respectively (Coyle, 2002). This disparity was based upon the false allegation that crack cocaine is '50 times more addictive' despite being 'pharmacologically identical' (2002: 3). The difference is that powder cocaine is cooked with 'baking soda and water until it forms a hard rocky substance'. These 'rocks' are then broken into pieces and sold in small quantities' (Coyle, 2002: 1).

Moral panics emerged through media rhetoric of crack babies that demonised Black African women despite the lack of evidence (Coyle, 2002). As Coyle argues;

The notion of the crack baby became common and was associated with the weak, shivering and inconsolable new-born (most often African American) infant, experiencing immediate and long-term effects of withdrawal from crack

(Coyle, 2002: 3).

This is a throwback to the early positivists who argued that 'the criminal woman is consequently a monster' (Lombroso and Ferrero, 1895:8). Female born criminals 'have an evil for evil's sake an automatic hatred, one that springs from no external cause such as an insult or offense but from a morbid irritation of the psychical centres which relieve itself in evil action' (Lombroso and Ferrero, 1895:8). Nevertheless, the 'crack baby' epidemic was nothing more than 'a grotesque media stereotype (and) not a scientific diagnosis', according to a testimony given by an eminent professor of Paediatrics at Boston University (in Coyle, 2002: 3).

Nevertheless, moral panics serve to justify and legitimise the harsh penalties to the public who are led to believe that rational choice is the sole motivator of drug traffickers despite the facts proving otherwise. For example, the disparity in sentencing between the two forms of the same drug underpins why radical criminologists argue that only the white, wealthy ruling class define

crime; any crime that a marginalised minority group undertakes to achieve the expected trajectories of life can and often results in being 'ideologically' constructed as a crime (Box, 1983: 252). Drugs have long since been the tool used to marginalise certain social groups from the Opium smoking Chinese settlers in the US in the 1900s to the working-class ravers who took Ecstasy in the 1980s (Jordan and Pile, 2004). By reclassifying Ecstasy from a Class C to a Class A drug, usage now carries a maximum term of life in prison in the UK (Jordan and Pile, 2004). The marginalisation of the black American communities through the rhetoric of crack-cocaine has led to huge number being incarcerated, effectively by race.

The Black African American feminist, Angela Davis (1998) argues that this led to a mass urbanisation of Black and Hispanic communities which were excluded from equal education and employment, thereby becoming increasingly ghettoised and crime-ridden in the absence of any alternatives (Mooney and Talbot, 2010; Durkheim 1893; Merton, 1938). Coupled with the omnipresence of Merton's strain theory underlies the reason why the US penitentiaries have continuously and disproportionately incarcerated the Black African-American population (Davis, 1998). However, prison does little to counter the practise of drug trafficking. This is where the differential associations ensure that crime is a learned process (Sutherland, 1945).

For example, Fleetwood's ethnographic research in her role as a participant observer focused on convicted drug traffickers incarcerated in prisons throughout South America (Fleetwood, 2014; 2010). Throughout the process of the study, Fleetwood also interviewed numerous people arrested and convicted for offenses to with drug trafficking. These included both men and women, 'mules, middlemen, recruiters and investors' (Fleetwood, 2014: 10). Fleetwood found that the prison provided the 'hub at which transnational drug trafficking networks/flows converge' (2014: 12). Contacts and networks were forged out of these associations providing a reasonable belief that drug traffickers were intent of continuing their role in the global drug trade upon release (Fleetwood, 2014; 2010). However, the wheeling and dealing of the interactive networking between the various levels of drug trafficking does not extend to female drug mules; they could not be attributed to any subcultural group (Adler, 2014 in Fleetwood, 2014: 11). Fleetwood's (2014) findings support this claim.

2:14 The Media

However, Fleetwood (2014) argues that attitudes to drug trafficking have changed about women. In the 1990s women female drug traffickers and drug mules were constructed as victims of patriarchal organisations over which they had no power or autonomy (Fleetwood, 2014). Trafficking was gendered in terms of structure and agency which constructed men as

rational-thinking traffickers and women as the victims without agency (Fleetwood, 2014). These 'problematic binaries' constructed male traffickers as rational actors deploying free will when embarking on drug trafficking (Fleetwood, 2014: 14). In contrast, women who were caught up in the trafficking trade in drugs were constructed as victims of the organised gangs that operated the global trade in drugs (Fleetwood, 20014).

However, attitudes have changed causing the double demonization of the female drug mule; firstly, for being a criminal and secondly for also being a woman (Muncie, 2001). Women who deviate from the law are perceived as rejecting their feminine disposition as primary carers and are thus constructed as 'mad, bad or sad' (Brennan and Vandenberg, 2009: 14). This shift towards incarcerating high numbers of women is most marked by the significant rise in the imprisonment of women in the UK, the US and Canada caused by the war on drugs (Sudbury, 2002). Owers argues that the overrepresentation of women in custody is due to the 'the Anglo-American love affair with incarceration' (2005: 22).

However, in the US, mass incarceration is argued to be deliberate to form the 'prison industry complex' (Sudbury, 2002; Davis, 1998; Bean, 2001). In the UK, neo-liberalism that underpins the privatisation of the prison service (Muncie, 2001). According to Sudbury, the 'prison industry complex' is comprised out of a complex set of relations between 'state penal institutions', political figures and 'profit-driven prison corporations' (2002: 57). Sudbury argues that the UK government secures £95 million by outsourcing the prison system to 'Premier Prison Services (a joint venture of Wackenhut and Sodexho), Wackenhut (UK) Ltd., UK Detention Services (a joint venture of Corrections Corporation of America and Sodexho), Securicor, and Group 4' (Prison Privatisation Report International, 1998a; Sudbury, 2000: 62). As such, Sudbury argues that the 'prison industrial complex' over the last twenty years has achieved a global expansion of vast proportions driven by the so-called 'war on drugs' across the globe that constructs women as drug mules and thus as the exploited within the prison walls (2002: 58). This sentiment is also echoed by the black feminist Angela Davis who argues that black female prisoners are exploited by the corporate-led discourse of the US prison industry complex by working in prison call centres for no wage, sick pay, holiday pay or pensions (Davis, 1998; Sudbury, 2002). Thus, even though women are rarely involved in the high level organisation of drug trafficking, and that they do not benefit from the vast profits that are generated, they are nevertheless disproportionately handed down the most punitive punishments (Harper and Murphy, 1999). Drug mules fuel the workforce within prisons (Davis, 1998).

As Sudbury (2002) argues, neo-liberalism dictates the need for a high incarceration rate of female prisoners to inhabit the new private prisons. The criminal justice system did not disappoint the corporate heads of the new prisons (Sudbury, 2002). Marshall and Moreton (2012) study also found some extremely disproportionate statistics centred particularly on constructions of race and ethnicity as drug mules (Moreton and Marshall, 2012; Sudbury, 2002). Such exploitation supports the claims by Chambliss (1975) as his Marxist approach is relevant to the existence of drug trafficking which is despite the high risk and low rewards for the drug mule. Chambliss argues that the owners (gang leaders) operate within a capitalist mode of production in which the 'subservient' workers (drug mules) are paid a wage for their part in the process (1975: 150). This creates a conflict between the bourgeoisie or the 'ruling classes' and the increasing 'proletarianisation' of the workers (Chambliss, 1975: 150). Neo-liberal political economies state such as Britain and America employ border agents to search suspicious inbound traffickers who are entering the country from high risk areas where drugs are produced (Dignan and Cavadino, 2006).

Chambliss (1975) argues that criminal law is simply a system of rule-making that caters solely to the interests of the ruling classes, but to the detriment of the working classes. In other words, it is about 'who can pin the label on whom' (Chambliss, 1975: 165). In this context, the rich and the powerful can violate laws and perpetrate crimes with impunity for which the proletariat working class or indeed what is perceived as the 'underclasses' are punished (Chambliss, 1975; Murray, 1990).

2.15 Security

Drug trafficking organisations are always a step ahead of the security agents in the form of the police who are national in nature operating within the parameters of the sovereign laws set by the government of any given nation state (Naím, 2011). In contrast, the gangs involved in trafficking are global as far as they transcend the boundaries of nation states using the latest and most innovative technology and communications systems (Naím, 2011). Equipped with these invaluable tools, organised gangs can maximise the profits by recruiting drug traffickers cheaply from one nation and send to another where differential pricing provides a healthy return (Naím, 2011). This is performed with an ease that can only be achieved by virtue that security agents only have the capacity to operate within its own national legal system (Naím, 2011). It is precisely these borders that protect the organised gangs from the national laws which serves to empower them further with every trafficker that reaches their destination (Naím, 2011). When traffickers are caught, and in some cases the leaders of criminal organisations, the courts are limited by the national laws which are antiquated and fail to cater

to criminal activity that uses technologies and innovations to produce numerous loopholes that flout sovereign legislation (Naím, 2011).

Castells (1998) also argues that nation state borders will be eroded by organised criminal gangs who will also ‘weaken the powers by the ruling of these states’ (2011: 3). Similarly, Naím argues that ‘police departments, the military, the courts and the media’ will be the next ‘takeover targets’ by such powerful organisations (2011: 3). In fact, Naím (2011) argues that these gangs are enormously powerful as illustrated by the blurring of the boundaries between them and the State. This blurring which is caused by the merger of organised crime and politicians which has, in turn, triggered the emergence of what Grinda Gonzalez conceptualised as ‘mafia states’ (in Naím, 2011: 3). Grinda Gonzales argues further that there is no distinction whatsoever between state actors and organised criminals in Russia which he argues, has become a ‘virtual mafia state’ (Harding, 2010; Naím, 2011: 4). It is argued that the ‘signs of collusion between the criminal class and the highest political and institutional office holders are too numerous and too serious to be ignored’ (Lewis, 2010: 1 in Naím, 2011: 4). As such, the war on drugs needs to change direction. This is because:

(Fighting) drug trafficking is no longer about drugs. It is about government. The... fight should not be about stopping addicts from using drugs. It should be about stopping criminals from taking over governments around the world. Yes, drug use is a problem ... that pales in comparison to the threat posed by the proliferation of mafia states.

(Naím, 2011: 4)

The demand made to decriminalise drugs is echoed by many criminologists who have argued on the grounds that criminalising drugs and trafficking is counter-productive (de Haan, 1991; Davis, 1998; Sudbury, 2002). The reasons range from according too much power to international criminal gangs to providing a smokescreen behind which the political ‘hidden agendas’ can be realised (Kingdon, 1995, Sudbury. 2002; Davis, 1998). In this context, drug trafficking is highly unlikely to be quelled in the presence of mafia states with governments that clearly have a hidden agenda to become wealthy via the spread of wholesale drugs across the globe (Kingdon, 1995).

3.1. Approach

This study uses a qualitative approach to the research to gain a stronger insight into the lived experiences of drug traffickers across the globe and to establish the strengths and weaknesses of rational choice theory as a motivator for drug trafficking. The study uses a variety of case

studies gleaned from existing qualitative primary research to anchor arguments and claims made. The use of existing primary studies is the only realistic approach to gaining such vision and understanding as drug traffickers are unlikely to volunteer their experiences in the form of face-to-face interviews, unless they have been convicted (Wahidin, 2004). However, those that have been convicted are extremely difficult to access as negotiating with prison staff as gatekeepers are 'notoriously problematic' (Wahidin, 2004: 17). Wahidin reflects on this by providing a sample letter from a gatekeeper of a woman's prison which is as follows:

You will no doubt be aware that we receive many requests for student visits ... which place a considerable burden upon both prisoner and staff resources ... only [if] those visiting are 'Home Office Approved', or sponsored should be proceeded with and then only if there are clearly defined benefits for the service/prison population. I am sorry to say that I cannot agree to the visit sought.

(Wahidin, 2004: 17)

It could also be argued that even if researchers are granted access by the gatekeepers of various prisons, there is still the sampling challenge to consider which without incentives being offered can suffer from a low response rate (Home Office, 2007b). This was demonstrated in the study by Home Office above which invited 1,390 prisoners to which just 268 voluntarily responded positively from which 222 were suitable (Home Office, 2007b). Thus, the only realistic way to achieve in depth qualitative research insight into the lived experience of drug traffickers was via case studies that contain the actual spoken words of those who are affected as documented in the existing literature (2007b). This is echoed by Fleetwood who argues that the only practical way to research drug mules is 'through individual narratives' (2014: 14). Similarly, it was also the only practical solution to achieving verbose insights on a global scale because, aside from the problem of negotiating gatekeepers, movement across the globe to gain first-hand experiences of drug traffickers in other countries would be both costly, time consuming and wholly impractical (Bryman, 2012).

3.2. Method

To start the research process, literature relevant to the question set was sought. This involved the Google Scholar search engine using various key words such as drug trafficking, cocaine trafficking, smuggling and couriers, drug mules and so on to gather various studies. The studies are drawn from academic journals and books although some are government commissioned studies and reports into the issue of drug trafficking. Reputable newspapers were also scrutinised for reports on various high-profile cases. These were reviewed in the context of criminological theory to identify where rational choice theory was strengthened and weakened

in the various contexts of drug trafficking roles. This was sought from several case studies found in the primary studies within the secondary literature.

3.3. The Sample

As such the study focuses on case studies from numerous sources including one by Moreton and Marshall (2012) of the Sentencing Council which focused on twelve foreign national drug mules, their individual situations and the sentences that was handed down. Sudbury (2002) informed the second study conducted a decade earlier which also focused on gender, race and convicted drug mules this time in Canada, the US and the UK. The third study by the Home Office (2007b) interviewed 222 convicted high level traffickers to determine the structure of organised drug trafficking gangs, while the final study by Fleetwood focused on convicted male and female traffickers and mules in Ecuador. All used semi-structured face-to-face interviews. However, to protect the participants' identities and ensure confidentiality, some of the variables such as sentence length or age were omitted (Silva and Parr, 2004).

The preference of qualitative research is also linked to the fact that that a quantitative approach would be lacking both substantively and analytically in terms of its lack of meaning that provides insight into the experiences of others in the focus (Weber, 1970). As Weber (1864-1920) argued, all human action is 'inherently social and thus requires an interpretative' approach to analysis (Weber, 1970 in Silva and Parr, 2004: 22). *Verhesten* or understanding is crucial to analysing social phenomena (Weber, 1922: 4). An interpretative approach reveals these meanings that objective approaches such as those used by the life sciences do not (Weber, 1970). In contrast, positivist understandings of the world gleaned from scientific reasoning and mathematical analysis are too rigid; thus, claims by positivists such as Durkheim (1964) that an experiment that has the same results twice produce a social fact is a myth (Durkheim, 1960). While Durkheim (1960) later retracted this claim the positivist school has continued to dominate criminology and criminal justice to inform the very existence of crime as solely rational choice. Adherence to rational choice by right realists is formulated out of anything that is tangible, measurable and quantifiable to the total exclusion of meanings (Muncie, 2001). Positivists argue that sociological interpretations are too subjective and impose the researchers' values onto the outcome (Silva and Parr, 2004; Churchill, 2004). While interpretative approaches apply reflexivity to counter preconceived assumptions and avoid researcher bias, objective approaches are prone to overgeneralisations (Gouldner, 1970; Mason, 1996). However, no research is value free; by virtue that positivist objective researcher has chosen a research topic is subjective, as is the sample they choose and so on. An interpretive analysis examines phenomena from the inside (Redman, 2004: 20).

Statistics can weaken the validity of the study in the UK because the data on crime is notoriously unreliable hence the Ministry of Justice now handles them after the Home Office was found to be manipulating the data; quantifying the trafficking of drugs both local and global is fraught with issues without these additional factors (Parr and Silva, 2004). The non-government organisation, the Harm Reduction Unit argues that the data on the laws and statutes regarding drug trafficking in each country is never current as such laws change frequently (Gallahue et al., 2012). Similarly, the data on the death penalty for drug trafficking imposed in numerous countries is highly problematic as it remains a 'state secret' in some countries such as China and North Korea (Gallahue et al., 2012: 24). Furthermore, it is argued that human rights campaigners report on executions because of the death penalty which are not reported in the media (Gallahue et al., 2012). This therefore is an anomaly that cannot be substantiated (Gallahue et al., 2012). Furthermore, as of 2005, some drug-related crimes committed ceased to be classified as such including fraud and shoplifting in the prison statistics (Owers, 2005). A further problem is raised by Sudbury (2002) which relates to the classification of ethnicity, which the Home Office changed to mask the overrepresentation of race in the criminal justice system of England and Wales.

As such, caution must be exercised regarding the quantitative analyses of secondary data to avoid a research study being rendered invalid (Parr and Silva, 2004). For example, the way that quantitative data is collated is often partial, selective and easily manipulated. This also applies to the ways in which such positivist-derived data is interpreted which can be bias in favour of the researcher's ultimate research aims which particularly concerns when using secondary literature (Silva and Parr, 2004). For example, the Home Office had to admit the misgivings that were present in the police collated data after the police were found to be 'fiddling' the statistics on recorded crime (Muncie, 2001: 40).

Furthermore, there are clear issues with the sampling processes in qualitative studies such as that conducted by Home Office in 2007. For example, the researchers of this study planned on interviewing samples by categorising prisoners of drug related offences within differing frameworks such as focusing on ethnic minorities (Home Office, 2007a). The researchers decided to opt for traffickers serving seven years or more to capture the high-level traffickers; instead this targeting encompassed numerous 'drug mules' who were serving longer sentences than the most 'prolific' actors (Home Office 2007a: 4). The researchers identified a female mule serving twenty years (Home Office, 2007a: 4). A further issue lies in the fact that there is

no way of gauging how many traffickers are caught in relation to how many avoid detection. Hence more qualitative research is required to provide deeper analysis and insight.

3.4. Analytical Approach

The analysis used was thematic in nature although a discursive analysis was also undertaken to deconstruct some of the issues surrounding rhetoric and the presence of assumptions (Braun and Clarke, 2006). The case studies were analysed in the main dominant themes and sub-themes (Braun and Clarke, 2006). Numerous cluster themes also arose of the analysis (Braun and Clarke, 2006). Criminological theories and concepts emerged which will be the focus of the final evaluation.

Analysis and Discussions

The research examines the strengths and weaknesses of rational choice theory in the context of case studies found in both in the media and in existing research conducted by the Home Office (2007b), Sudbury (2002), Fleetwood (2014) and Marshall and Moreton (2012). It is argued that women who traffic drugs across national borders are driven by a ‘mixture of compulsion, obligation, and willing’ (Fleetwood, 2014: 16). Thus, the chapter does not claim that women are always victims of the patriarchal ordering and strengths of organised gangs (Fleetwood, 2014).

The dominant themes of trust, coercion, plea-bargaining and denials of guilt were overwhelmingly evident. Sub-themes included neo-liberalism, motherhood (lone and joint), violence and social mobility. Cluster themes include issues pertaining to race/ethnicity/nationhood, poverty and threats of violence pertaining to coercion and issues of hierarchy and status in the drug trafficking hierarchy and the criminal justice system. As such, the dominant criminological theories include left realist theories such as working-class victimology and relative deprivation and postmodern theories that focus on the culture of urgency coupled with the pursuit of a more exciting lifestyle (Castells, 1998; Lea and Young, 1984). Marxist and radical theories are also identified as theories linked to interactions and anomic societies.

The study by Marshall and Moreton (2012) is focused solely on female foreign nationals convicted in England and Wales to establish disparities in the disproportionate sentencing in terms of female drugs mules and how those sentences impact on the women (Marshall and Moreton, 2012). A small-scale quantitative analysis of their findings shows that the majority of

Marshall and Moreton's (2012) study are in denial that they embarked on drug trafficking through choice or through knowledge that they were transporting drugs from one country in the UK. However, anomalies exist in these claims because if that were the case, why would five out of the twelve agree to a fee; this suggests that rational choice underlies their motives (See Table 4.1) (Marshall and Moreton, 2012). However, many of the women in these case studies were living in overcrowded situations, extreme poverty, had recently split with a partner or were lone mothers; thus, economic coercion could be the underlying issue in these cases. Furthermore, two out of the twelve admitted to being addicts.

In contrast, nine of the twelve (75%) were lone mothers which again supports the claim that economic coercion underpinned their motives over rational choice. All the respondents were introduced to the role of mule by friends or family which illustrates a high level of trust was apparent (Marshall and Moreton, 2012). Similarly, nine of the twelve (75%) respondents put in an early plea of guilty to minimise their sentence (Marshall and Moreton, 2012). This illustrates that myriad reasons underpin their motives for trafficking and rational choice theory was not one of them not least economic and violent coercion.

4:2 Economic Coercion

Men and women in the drugs trade appear to take on the roles for slightly different reasons. For example, men appear to want to improve their status and achieve what would otherwise be 'unattainable goals' conveyed male mule recalling a conversation which follows;

'Do you want to do this?' 'Yeah. Why not? Nothing to lose.' 'We'll pay you [\$10,000] a kilo'

(‘Frank’ in Fleetwood, 2010: 7).

The claim here that ‘Frank’ has ‘nothing to lose’ reflects the presence of strain theory in which the goals that are set by the social structure are unachievable because the tools needed to reach such goals are excluded to minority social groups (Merton, 1938).

In contrast, relative deprivation underpins women's motives (Lea and Young, 1984). This is not in terms of wanting what others have, but wanting their children to have the things that other children have. For example,

Being a mother costs money and it really hurts when you cannot give them what they want.

(‘Marta’, America, in Fleetwood, 2010: 6)

For me, I'm not educated so like my dream was always that my children must be better than me ... it's a lot of money for a black woman, for a domestic worker to have that money

(‘Angela’ in Fleetwood, 2010: 6)

I wanted to make for another house. I just wanted to move so that she (daughter) could have her own room

(Anika, 2010 (European) in Fleetwood, 2010: 6)

Economics is also a factor in terms of coercion as poverty drives drug mules to do what they do as the only option to maintain their families. This represents how strain theory also applies to women. For example,

I had to pay my rent in a week or the marshall was gonna come n padlock my door, I had nowhere to go

(Amanda, North American in Fleetwood, 2010: 6)

...I was just asked by somebody to carry some baggage for \$100,000 Jamaican dollars and I just jumped at it ... they said there is no risk involved, they make it look so easy, just carry the drugs and collect your money and that's it and come back. They didn't show me the possibility that I could get caught, just do it

(‘Marta’ II (Caribbean) cited in Sudbury, 2002: 70)

This supports the claims by Fleetwood (2014) that drug mules are ill-informed of the risks associated with drug trafficking. Although Marta is the closest out of all the women to using rational choice but then given the inequalities that are experiences, the assumption of rational choice is weakened by the fact that her children's education and health is in jeopardy. For example, she asserts that women;

do it mainly for the kids, to support the kids. You have a mother who has four or five kids, two is very sickly, every time she visits the hospital or the doctor, you have to pay to register, you have to pay for medicine, you have to pay for an X-ray. Everything costs money

(Marta II Caribbean, in Sudbury, 2002: 68)

Coercion often comes from unsupportive partners. For example,

having four kids and an ex-husband who does not really care much. I had to keep paying school fees and the money kept going down. I did need some kind of support. That is why I did what I did.

Relative deprivation is reinforced by these claims because all of these examples are mothers claiming that they want the best or at least to provide the upbringing that others can afford to provide (Lea and Young, 1984).

However, there is evidence also that women with children are targeted more by recruiters. As Marta II asserts:

Men do it (import), but they tend to prey on the women more. Because they know that the woman in Jamaica, they care for their family, especially their kids.

That's why they're using women to bring drugs to the country because they think that the system is not going to be as hard on women as on male prisoners

For example, Diane married a man and instantly quite her job to become a mule for him and when caught she was told:

Not to implicate him because he's still on parole, so he'd do more time than I would, because he'd go back to jail to finish the remainder of his sentence

(Diane (Canada) in Sudbury, 2002: 68)

In Diana's case, 'obligation' is clearly a factor which represents the status of a mixed race female within a patriarchal society (Fleetwood, 2014: 1). Nevertheless, this subordinate status of women in these various countries becomes increasingly evident in the context of drug mules because, according to Fleetwood, women being used as mules are the 'exception' and not the norm which is also the case in terms of violent coercion.

4:3 Violent Coercion

Sometimes economic coercion and violent coercion converge, For example, Graham was involved in the drugs trade but adopted the role of mule after his brother stole and sold his cocaine that he was to sell himself (Fleetwood, 2010). As such he claims:

I wasn't forced to do it but my conscience forced me. It was either I or my brother would come down [to Ecuador] and I knew he could get killed. I had less to risk

(Graham (North American) in Fleetwood, 2010:5)

Evidence of coercion in terms of threats of violence and/or against life is apparent in all in three of the studies. For example, the ex-husband of one convicted mule ordered her to

...go to Ecuador and get shit [cocaine] so that you will get your daughter back. If (you do) not, you will ever see her alive...

(‘Marina’, (European) in Fleetwood, 2010:5).

Although coercion through violence this is rare according to Fleetwood (2010), it is nevertheless a factor that forces women into submission and thus into drug trafficking. The threat of violence is very real. For example,

I can expect anything from him: when he is saying he wanted to kill her, I will believe it. For real...

(‘Marina’, (European) in Fleetwood, 2010:5).

However, Sudbury (2002) argues that women often connect with the drug trafficking domain as a direct result of the patriarchal power and domination that subordinates them in everyday life by boyfriends and husbands. This was true of Manuela whose only means of survival in Europe was through prostitution so when she found someone and married her life was fulfilled. For example she states:

to have a real job and a family, ... I was happy. Thinking that I'd found the right man and I was believing in him

(‘Manuela’ (European) in Fleetwood, 2010: 7).

However, this happiness was short-lived as she found instead that she was to become a mule under her new status and found herself in prison instead. While Fleetwood argues that coercion through violence is uncommon, but does occur, Sudbury argues that entry level violence from previous or current husbands and partners is common at that the threat is very real. For example, Diana was set to taking on the role of mule as part of her husband's 'stable of mules' (Sudbury, 2002).

Sudbury argues that women form 'a cheap and replaceable army of labourers' which precisely supports Chambliss' Marxist claims that a proletarianisation is taking place of certain needy social groups (1975). However it was not only women who were intimidated by the threat of violence; men are also coerced into trafficking drugs and find the threatening phone calls and weaponry intimidating. For example, one male mule asserts that he:

...weighed up the idea of going to the police but to me, the immediate image I got was of cocaine cowboys. And gunfire I would see all the Tommy guns and machine guns and AK-47s

(Howard, in Fleetwood, 2010: 5)

Similarly, as Frank stated above, he embarked on the role of drug mule to protect his brother from being killed by the agents within the drug trafficking organisation (Fleetwood, 2010).

4:4 Trust

Five out of the twelve women in Marshall and Moreton's study claimed to have been duped into transporting the drugs into the UK. In all cases, this was manipulated by a friend or a family member who asked them to bring back spices for example from the country they were visiting or from where they were leaving for the UK (Marshall and Moreton, 2012). Similarly, although Maureen is described by Sudbury as middle class and wealthy, she was caught with class A drugs by the UKBA (2002: 76). She asserts that she is:

...so embarrassed. I have not told no-one. I keep going over in my head, what have I done wrong? What happened? Was I set up? Was I being duped?

(Maureen, in Sudbury, 2002: 76)

She also adds that her sentence was unfair but then asserts that:

then again the jury was all white and it was a verdict of 10 to 2

(Maureen, in Sudbury, 2002: 67)

4:5 Excitement

Despite this, rational choice is apparent in some cases as reported by the studies above. For example, one participant from the ex-communist Eastern Bloc asserts that being a mule made her feel like they were;

a proper tourist, like I had seen on the TV. Like before I was thinking how can I? I do not have money and in my country it's really hard to leave... I felt cool; dressing like a tourist, visiting different countries, speaking different languages.

(Catalina, (East European) in Fleetwood, 2010: 8).

This differs starkly to the attitudes of those involved in higher level drug trafficking organisations. High level traffickers are informed by Sutherland's (1940) theory of respectable businessmen at the top of the hierarchy which is thus informed by rational choice. For example, the Home Office participants defined prison as an 'occupational hazard' (2007b: 58). What distressed these charged with the 'directing or organising buying and selling on a commercial scale' was the seizure of their assets (Sentencing Council 2012: 5). For example, two high level national wholesalers of heroin asserted that:

People who are arrested are losing everything that they have – even the things they acquired through honest means.

(Male, national heroin wholesaler 1, Home Office, 2007: 49)

If you buy a home or a car or any possessions you will lose it when you get caught, and nearly everyone gets caught.

(Male, national heroin wholesaler II, Home Office, 2007: 49)

Another respondent asserted that.

You weigh up the risks. If there is a two per cent chance of getting captured you would be willing to work for less. If the chance was 50:50 or 70:30, the risk needs to be worth it.

(Male (retailer) Home Office, 2007: 48)

However, while the risks are not always evident, this is clear evidence of the cost-benefit analysis that underpins rational choice insofar as the immediate rewards of the crime must outweigh the long-term costs (Hirschi and Gottfredson, 1994). However, anomalies exist in terms of sentencing within the criminal justice system of England and Wales.

4:6 Criminal Justice

Criminal justice issues only arose in three of the four studies which was the Home Office (2007b), Sudbury, (2002) and as would be expected Marshall and Moreton (2012). Anomalies exist in terms of black women in both studies. For example, in one case raised in Sudbury's study, 'Janet' who was pregnant was sentenced to 7.5 years for trafficking class A drugs. However, she asserts that despite having no involvement and not even being aware of her crime her...

...mother got twelve years. They can give people those long sentences just for knowing drugs are in the house. He sentenced her to 12 years for knowing. She wasn't even involved, and he (the judge) knew that
(Janet, in Sudbury, 2002: 58 [Emphasis in the original])

What I hear from other people...I had 700 grams...I got a year for each 100 grams... other people who have ... 5 kilograms will come out with 5 years...but I got more

(Respondent D in Moreton and Marshall, 2012: 11)

Respondent E in Marshall and Moreton's study received 9.5 years for trafficking 700g of cocaine. She didn't enter a guilty plea because she asserts;

...why am I going to answer to something that I know nothing about?

(Respondent E in Moreton and Marshall, 2012: 12)

In contrast, Nicole was made an example of

The judge when he sentenced me said he's going to use me as an example. Because he knows I've been set up, but he has to give a

message the world: 'Don't bring drugs'. He used me as an example
because he knew I was pregnant

(‘Nicole’ HMP Holloway cited in Sudbury, 2002: 70)

These five women were all of African-Caribbean origin which supports the claims by Sudbury (2002) and by Davis (1998) in terms of the sentencing of black women in neo-liberal states. As this is sentencing by the UK criminal justice system, the economic revenue that private prisons provide is a factor in this anomaly. For example, of the four black women from the Caribbean carrying class A drugs weighing a combined total of 3.254 kilograms yet their sentences combined amounted to 27.7 years. ‘Janet’ may have deployed rational choice but her mother knew nothing. Nevertheless, the judge said...

...she knew it was in the country and if it had got through, she would
have benefited from it, from any money

(in Sudbury, 2002: 58 [Emphasis in the original])

Sudbury claims that the evidence was weak. For example, ‘Janet’ asserts that;

[There] was a recorder in the cage and she [the mother] was saying:
“Why did you do it?” They convicted her on that...

(Janet in Sudbury, 2002: 58 [Emphasis in the original]).

In this context, it can reliably be argued that this statement alone means that there was no evidence to convict her at all.

4:7 Evaluation

The dominance of rational choice has witnessed a sharp rise in women caught up in the criminal justice system, and black women more specifically as ‘zero tolerance’ and the ‘three strikes’ policies derived by right realist advocates of rational choice theory worked in tandem with the so-called war on drugs (Garland, 2001; Murray, 2005; Wilson, 1975). The system is global insofar as it universally marginalises and targets poor black and minority ethnic women (Sudbury, 2002). This study illustrates how it has impacted on foreign nationals in the UK (Davis, 1998). It demonstrates that ‘drug mules’ do become ‘engaged by pressure, influence, intimidation or relatively small reward’ (2011: 1).

While many of the respondents used in this study are lone mothers, it does not support Murray's claims that have carried such weight in the policy-making of recent years. Eradicating welfare dependency has exacerbated the issue caused via moral panics and right-thinking politicians within the coalition government, his findings are weakened by his reliance on unreliable statistics (Muncie, 2001; Lister, 1996). Murray's racist and sexist evaluations neglect to provide insights into the lived experiences of those marginalised from full access to public services such as the welfare state, education and equality in the workplace (Sudbury, 2002; Davis, 1998). However, Black feminists argue that such claims have impacted negatively on the Black African-Caribbean community in the US which has been subjected to severe punitive policy shifts (Davis, 1998; Sudbury, 2002). The result of this marginalisation and social exclusion has resulted in women and mothers, being forced to take up either prostitution or trafficking drugs (Davis, 1998; Sudbury, 2002).

Herndon's claims that traffickers are poorly educated is countered by the observations by Zaitch whose findings denote rational choice because intelligent educated individuals are recruited which also suggests they can be motivated by rational choice by weighing up the costs of crime against the immediate benefits (Hirschi and Gottfredson, 1994; Clarke, 1980; Wilson, 1975). In contrast, Herndon's observations indicate that drug traffickers are recruited due to the presence of Merton's (1938) theory of strain whereby the cultural expectations to achieve certain goals are set, how to achieve them such as an equal education. The organised gangs' lack of value given to the lives of drug traffickers that enable supply and demand for drugs demonstrates a 'culture of urgency' not only in terms of the fix that is provided by drugs, but also as a route out of poverty for drug traffickers. This includes both those who work their way through the ranks and, to a more limited extent, those who take on the role of the drug mule (Castells, 1998; Chambliss, 1975). As the Sentencing Advisory Panel asserts, 'drug mules' are 'very often naive, vulnerable men and women from third world countries whose fates are totally disregarded by those at the top of the drug supply chain' (in Heaven, 2009: 31). Caribbean women are targeted as drug mules by criminal organisations because they provide a cost effective means of spreading drugs across the globe (Harper and Murphy, 1999). This is supported by Fossi (2013) who argues that drug mules are given very little information before they embark on trafficking drugs. In this context they are unaware of the risks and the harsh sentences that are handed down thus could not make an informed rational choice.

Table 4.1 illustrates the sheer scale of the drug trafficking operation insofar as all of the respondents involved a friend or family member either setting them up, or offering payment for returning a parcel to the UK (Moreton and Marshall, 2012). It is evident also that there is a

disparity in the payments, the amounts in terms of fees offered and further disparities in the amounts of cocaine specifically that the Caribbean drug mules carry (Moreton and Marshall, 2012). For example, four out of the five women from the Caribbean were not offered a fee; instead they were duped into carrying the drugs (Moreton and Marshall, 2012).

In addition, the weight of the cocaine carried by Caribbean women was significantly less than others which reflects the low cost of using these women as there is a very high risk of them being caught and the disproportionate sentencing handed down to them. This also reflects the arguments by Lea and Young that crime is increasingly intra class and intra race as drug mules are targeted by their own race and class which in turn creates a working class victimology (Lea and Young, 1984 in Muncie, 2001: 57). In many respects, Castells' (1998) theory of organised crime as a culture of urgency is also relevant as it perpetuates the ruthlessness inherent in recruiting not just women, but women with children. A drug mule who unwittingly transports drugs from one nation to another receives a longer sentence than those respectable businessmen dealing with 100 kilograms a day for a 40,000 profit. This illustrates just how disproportionate the sentencing is in gendered and racial terms.

Conclusion and Recommendation

In conclusion, it is evident following a critical analysis of the debates on drug trafficking in relation to the validity of rational choice theory that rational choice is appropriate in many junctures of the process from the top of the hierarchy to the very bottom to the problem user selling drugs to feed their own habit and the female construction of the drug mule. However, it is also evident that not every drug mule is guilty of rationally choosing to perpetrate the crime that enables the spread of drugs across the globe. Nevertheless, simply by virtue that a drug mule is found to have 5kg of cocaine imbedded in a secret compartment of her brand new case bought for her by a friend of a family member should not render her guilty of trafficking. Myriad other explanations are more likely to apply such as threat of violence, coercion or duping women into being a drug mule and transporting the drugs across the globe. Even where the drug mule has known about the drugs and is promised payment, this does not mean they are making rational choices or that they considered a cost-benefit analysis; if their children's health or education is in jeopardy, this might be the only option available to them. This is particularly so in terms of the strain that they experience.

Moreover, factors such as poverty underpin not only some of the motives as to why drug mule exists but also why the global drugs trade exists at all. This is further fuelled by the claims of Herndon who racialised and genders gang culture in the negatively constructions of the

trafficker and recruiter when in fact they are attempting to achieve the American Dream using the only viable avenues that are open to them. Strain theory is a definitive driver for both recruiters and mules. Herndon's account of gang culture and drug trafficking is severely weakened by his own lack of critique; as such it is a one-dimensional take on historiographies by one white male which are themselves only the interpretations of earlier historians and are thus less reliable than first-hand accounts of those who were there and those who were affected by the civil rights movement. In omitting these factors he reinforces rational choice theory as a dominant explanation for motivating drug traffickers which further fuels the deadly war on drugs. By the same token, Moreton and Marshall who conducted the research in their role within the Sentencing Project manage to revise the disproportionate sentencing for drug mules so that at least fifty per cent in the future will receive even longer not shorter sentences.

In contrast, black feminists such as Sudbury (2002) and Davis (1998) argue that the rise in black women in the criminal justice system is a direct consequence of the war on drugs. This in turn supports what is a hidden agenda towards constructing the prison industry complex, which relies on rational choice to ensure the incarceration of plenty of women, to meet the demands of the state and of corporations. Sudbury argues that this in turn has contributed to the feminisation of poverty in the UK, whereas Davis argues that incarcerating black people is for the purpose of withdrawing their American citizenship status which a criminal conviction automatically does for any Black African American. However, it must be argued that the overriding factor fuelling this war is the fact the drug mules are immediately assumed guilty with little recourse to defend against such an assumption given that they were found crossing a border to be in possession of class A drugs. The concerns must also lie the fact that two women in this study, respondent H and Janet's mother were convicted for fifteen years and twelve years respectively without so much as a shred of evidence.

Rational choice theory is a dangerous tool when used in conjunction with US policies of three strikes and you're out, zero tolerance, mandatory minimum sentencing and the war on drugs. Its scientific positivist base leaves no room for an interpretation of the mitigating circumstances that created these vast and wide miscarriages of justice which render foreign nationals voiceless and immobile in a foreign country because they were dupes or coerced or threatened into their labelling and construction of drug mule. Decriminalising drugs would eradicate both the warehousing of women and the modern day slavery for government and corporate revenues that the global trade in drugs is perpetuating both inside and outside the prison walls. Thus, this paper has reviewed and analysed rational choice theory in the context of drug trafficking to explain the theoretical explanation for our current understanding. The paper recommends further qualitative research be carried out to fill in the gap and to test the reliability and validity

of existing research in the field of knowledge to enable policy makers and criminal justice systems and law enforcement agencies response to criminal activity.

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