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## Compensatory Livestock Thievery: A New Trend in Economic Crime In Dilling/South Kordofan State (2014-2016)

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## **Compensatory Livestock Thievery - The phenomenon itself**

What does “compensatory livestock thievery” mean? Certainly, the stealing of animals is not a new phenomenon. So what is new? What sets this practice apart is that the stolen animals are taken so they can be exchanged for a certain sum. In traditional stealing, the animals were taken to be sold elsewhere. If the thief succeeded at this, the job was considered done. Not the case in compensatory livestock thievery. In this form of thievery, animals are hidden, and must be returned to the original owner if, of course, the original owner is willing to pay “compensation.” It is, thus, in how the crime is organized and orchestrated that we see the newness. Animals are not to disappear and the owner is to be contacted and informed that he can in fact recover the animals. A link between thief and owner is created, and a negotiation ensues. For the theft to be successful, several people need to be involved. It is too risky for the thief himself to establish the link. Consequently, he relies on the collaboration of several other people. As stated above, this level of organization is what distinguishes this type of thievery. It is a form of “kidnapping” of animals, to get a “ransom.” And for this kidnapping to succeed there must be organization.

One effect of such an organization is that many of the thefts are solved outside the domain of the judiciary system or the inherent indigenous mechanisms. In compensatory livestock thievery more is at stake than in “traditional culture,” in which local solidarities are mobilized to keep the state out. For a compensatory livestock theft to happen, an organization must be in place to facilitate “solutions.” The activity builds on a specific organizational structure in which the engaged groups use many tricks, tactics, skills and means of communication to reach their final objective—that is a compensation in return of stolen animals. We see compensatory-based livestock thievery, therefore, to be evidence of the changing dynamics of socioeconomic life of people in SKS. Coexistence of people in the region has been undergoing a tremendous socioeconomic transformation because of the war; a topic that has not been given much attention by academia. This study is the first of its kind, using first-hand data to research one aspect of this transformation.

The first section of this study provides a profile of the area of Greater Dilling and information on the context of war. The subsequent section focuses on methodology, followed by the authors' analysis. Finally, a summary of findings concludes the study.

## **Important contexts**

### ***The area - Dilling Locality***

Dilling is a textbook example of compensatory livestock thievery. Here, the crime is widely practiced and resolved outside official circles. Dilling is the major city of the northern sector of SKS. A gateway to the Nuba Mountains, Dilling lies on a ring-road about 160 kilometers from El Obied, the capital city of North Kordofan State. Located in the northern part of SKS, it is of strategic importance. The access to the area is quite good compared to other parts of the state. The locality is well linked with the northern part of Sudan and is accessible via three means of transportation: the ring-road, the railway; and an airport—which is under construction. The railway crosses the locality in the northern part at Dibaibat, about 60 kilometers to the north, and links the whole western states to other parts of the country. The population of the locality is estimated at 226,065, of which over two-thirds live in rural areas. The locality has lately been re-divided into four sub-localities, each one governed by a commissioner. The locality is dominated by two types of economic activities; namely, agriculture and animal husbandry, which employ more than 80% of the population. The rest of the population is comprised of merchants and government employees, as there is no industrial sector. Agriculture is mostly dominated by the Nuba in the traditional sector and *Jallaba* (a label for those arriving from northern Sudan to trade) in the mechanized sector, whereas animal husbandry is widely practiced by Hawazma Baggara.

House to the second Teachers Institute in the country, Dilling has been a source of enlightenment since the 1940s. In 1990, the Teachers Institute became Dilling University. All the while, with the introduction of mechanized farming in the Habila area (now a locality of its own) in 1967, Greater Dilling became a melting pot for different ethnic groups which found economic refuge in its hugely promising economic resources. More than 200 ethnic groups from different parts of the country have inhabited the area and have been living in peaceful coexistence for decades, until

1985 when matters changed dramatically. It was in 1985 that the Sudanese civil war entered the Nuba Mountains.

### ***The continuing war***

The civil war, as it unfolded in the Nuba Mountains, is the preamble for later developments. The war involved the governments of Sudan and the Sudan People's Liberation Movement (SPLM) in the area of the Nuba Mountains. After the peace agreement between north and south Sudan in 2005 (Comprehensive Peace Agreement) and the subsequent independence of South Sudan in 2011, the remnants of the SPLM army continued fighting in Sudan, in the Blue Nile area as well as in the Nuba Mountains. Thus, the army rebel factions of the revolutionary Blue Nile and Nuba fronts have deeply affected the socioeconomic attitudes alongside the buffer zone between Sudan and South Sudan. The peaceful coexistence of more than 250 different ethnic groups was profoundly shaken. War-driven behaviors have started to undermine the long-standing values and norms of social control, which for centuries had been keeping the social fabric of these areas intact. Tolerance, social acceptance, healthy competition over economic resources have all been replaced by antagonistic attitudes and criminal behaviors. Social and indigenous institutions have been undermined and made irrelevant by violent means. Mass proliferation of weapons throughout the states, for defensive purposes or other, has accelerated turmoil and fragility of life in the region. Weapons are no longer monopolized by the state. Arms are common in many tribal and social groups. Consequently, the role of the state weathered in favor of local gangs and criminal actors who have become active alongside a relatively wide borderline area.

Hundreds of traditional small farmers and pastoralists, many of them living in the hinterlands, were displaced and pushed northwards. As many of them lost much of their traditional grazing lands, competition over land intensified and relocation even further north resulted. Having thousands of animals, and faced with shrinking grazing areas, herds were depleted. Within a few years, many nomads dropped out of animal husbandry and became unemployed. Under such unabated economic severity, with a complete absence of security and rule of law, and with the proliferation of weaponry, new income-generating activities emerged. These activities are high risk, come at no monetary cost and attract the unemployed and, more in general, the idle.

Compensatory livestock thievery is among them. It developed at a time when police forces and the judiciary system deteriorated and became, in the eyes of local people, unreliable (as indicated by field interviews). New coping strategies were developed to secure life and material assets. Locals no longer turned to governmental institutions for help, nor did they rely on the native administration established to assist them. Rather, they sought to solve any kind of socioeconomic issue on their own. Under such fragile conditions the phenomenon of “compensatory livestock thievery” emerged as an alternative to traditional thievery and to a traditional way of life, attracting many and especially the youth.

## **The study**

### ***Methodology - Collection and analysis of data***

This study used a multidisciplinary framework to describe, explain and explore compensatory thievery from different angles. For that purpose, it employed many data-collecting tools. The authors conducted semi-structured interviews with those involved in this particular type of theft—the practitioners, the brokers and the victims. Also, participant observation was used throughout the study process. In addition to interviewing those involved in the activity itself, the authors invited others, like native administration leaders, to provide input. The survey entailed approaching eighteen informants (3 practitioners, 3 brokers, and 12 victims) by snowball sampling. Questions addressed basic personal information as much as the specifics of each informant within the chain of thievery. Their input, answers and comments were recorded, transcribed, and analyzed via typology, descriptive statistics and networking techniques.

### ***Conceptual framework***

Labeling compensatory-based livestock thievery as an economic crime means running into some definitional difficulties, particularly since there is no widely accepted definition of economic crime. Because of space constraints, we will only provide a brief review of the most central theories in the field. Formally, we adopt the framework of Hagan and McCarthy (1998), which focuses on three aspects of economic crime: 1. Offender motivation; 2. Economic outcome; and 3. Economic processes. However, broadly speaking, there have been three approaches dominating the theoretical field of economic crime studies.

The first approach is known as “classical school of criminology.” It originated from the writings of Thomas Hobbes, John Locke, Jean Jacques Rousseau and others. According to this perspective, human beings are guided in their behavior by both their intelligence and rational thought, two principles orienting interests. This means that people have free will in making their choices and pursuing their own interests. In the late 1700s, philosophers Cesare Beccaria, in his 1788 essay about crime and punishment, and Jeremy Bentham, in his 1781 theory of punishment, applied these ideas to crime. They argued that people freely choose to offend, but that their decision to offend is guided by a calculation that weighs the pleasure they hope to obtain from criminal acts against the potential pain they would receive if they were caught and punished (Beccaria 1788; Bentham 1781). The criminology approach maintains that people’s calculations involve their knowledge of the law and their perceptions of the likelihood of punishment based on their own experiences and knowledge of the experiences of others. Under this classical approach, later on endorsed by Freeman (1999, 2000), economic crime is referred to in terms of “illegal acts in which offenders’ principal motivation appears to be economic gain.” Here the driving factor behind someone to act purposively in an illegal manner is solely the element of economic gain achieved in terms of financial return (e.g., robbery, smuggling, piracy, tax evasion, financial corruption). Accepting this definition is limiting our understanding of the whole issue in that economic return may not be the only factor for committing economic crimes with all its associated difficulties. Moreover, some crimes have multiple motives and economic gain may be a secondary goal. Offenders themselves are not always conscious of their motives and they may be unable to

distinguish between the reason that precipitated their actions and the justification that follows (Hagan and McCarthy 1998).

The second approach was developed by Chamlin in 1991. It is similar to the first, but avoids the difficulties associated with trying to infer motives. It focuses on illegal acts that successfully provide offenders with an economic return. It also defines economic crime as an offense for which victims incur an economic cost (Savelsberg 1987; Baldry 1995). Typical victims under this approach include individuals, groups, or organizations against which the act was directed, even though, a much wider group of victims has been indirectly affected by such crime (ibid.).

A third approach, dominating the period after the 1960s and 1970s, is the “neoclassical” or “economic approach to crime.” It contends that the processes that lead to a criminal behavior are the same as those that guide consumer behavior in the market place. Questioning positive approaches to crime, Gary Becker (1974) argued that: “a useful theory of criminal behavior can dispense with special theories of anomie, psychological inadequacies, or inheritance of special traits, and simply extends the economist’s usual analysis of choice.” Characterizing his approach as an effort of resurrection, modernization, and improvement of the rational approach of Beccaria and Bentham, Becker’s argument is that “criminals are not biologically, psychologically, or sociologically different from non-criminals; and that the decision to offend did not originate in a unique set of motives but was influenced by the same factors that motivate all purposive behavior” (ibid.). This approach informs most theoretical work on crime offered by economists since the late 1960s. An extension of the neoclassical approach is found in the work of Cohen and Machalek (1988). They offer an interpretation of economic crime based on an “ecological theory of illegal expropriation,” which is consistent with the neoclassical assumption that the frequency of behaviors, including illegal ones, typically reflects their ability to satisfy people’s preferences. However, their approach to this theory differs from the neoclassical one on two key points. First, it assumes that actions can have unintended positive results, consequences that encourage people to repeat their actions. Second, the theory treats behaviors as strategies that are influenced by the actions of others. It states that “a strategy is simply a set of behaviors that yields benefits, whether intended or not; the greater the benefits a strategy provides, the more likely that it will

be repeated and proliferate within and across populations” (ibid.). So, expropriation in Cohen’s and Machalek’s argument is just one of many strategies that people can follow. They define illegal expropriation as a process whereby individuals or groups use coercion, deception, or stealth to usurp material resources or services from others. One important point in this theory is that people may use an illegal expropriation strategy for a variety of reasons. However, people are more likely to adopt or copy an illegal expropriation strategy when they observe, or acquire knowledge about its success. The success of an expropriative strategy has two dimensions: the extent to which it provides valued returns for those who use it and the extent to which it proliferates in a group or population.

## **The findings**

### ***Compensatory thievery: A crime born out of a chaotic environment***

To a question about the origin of the phenomenon, answers varied greatly. Some people thought of it as a kind of traveling model of crime that came from the Butana area in Gadarif, where it is called “*alsalif thievery*”. *Als*alif is an Arabic terminology stands for “in-advance payment” for an absent salable item. In this juncture, it is used here as analogy in which case the victim must pay the monetary compensation in-advanced, before he redeems the stolen animals. Others considered it a foreign phenomenon, originating from war zones in Afghanistan, Iraq, Yemen, West Africa, and failed states like Somalia. A common belief is that workers, particularly young men who lived for some time in Lebanon and Syria, brought this type of crime to Sudan after observing it there. A third group understood it as a domestic self-developed crime emerging during wartime. A fourth group pointed towards security issues and the reduction of government authority as the main causes behind the emergence of this type of crime. A last group linked it to what is known in the southern part of Darfur as *ghaseel bahayim* (livestock laundering), an analogy to money laundering.

Field interviews all revealed that compensatory livestock thievery is perceived as being born from a chaotic socioeconomic, environmental and political situation. Although there is no start date, the crime can be traced as far back as twenty years. It is the result of the collapse of the rural economy, which has been neglected and

ecologically devastated for more than three decades. Driven by many factors—internal and external—the crime suddenly dominated the Greater Dilling area; attracting hundreds of vulnerable individuals, and posing a real threat to the livestock sector. In less than one decade, it has become a swift and profitable industry. As we saw above, because of the gradual collapse of the rural economy, traditional activities were no longer able to sustain the livelihoods of people in rural areas. Many of them either evacuated the area and joined IDP camps in bigger cities, or became involved in criminal activities. “There is nothing which can keep a young man for one year, I say: one year; waiting a harvest of limited crops, whereas his neighbor and peer can get ten folds of that in one successful attempt of thievery,” Konjar, a practitioner, said. According to him “life is demanding, and economic opportunities are scarce and limited and compensatory thievery is a field of work that everyone can join. All that is needed is good business networks. School drop-outs, retired soldiers, idle people, native leaders, seasonal workers, popular committee members, and a series of other hidden actors are all taking part” (interview, Konjar, practitioner, Dilling, October 11, 2015).

“It is a job for jobless people. In it you can find criminals, brokers, and other unknown actors. Yet, it is we, the herd-owners who pay the price,” declared Alasha A., an old man who was once a victim (interview, Alasha, A., victim, Dilling, September 9, 2015). This piece of information was later validated in a statement given by an experienced thief when he confessed that: “For us it is a job, a fruitful job, and in the meantime a kind of hobby in which a young man examines his capabilities and courageousness.”

When asked about whether this kind of thievery was something one would risk one’s life for, Alasha, a theft practitioner responded: “Yes, indeed. It is a kind of gambling in a game with two possible outcomes, winning or losing, and in this case, winning is the only acceptable option” (interview, Abu-Gor, practitioner, Dilling, October 1, 2015).

### ***Stealing animals: Then and now***

Thieves moved easily in the past, in a relatively wide area dense with vegetation, which extended approximately 250 kilometers northward and 150 kilometers

east/westwards. Their escape routes consisted of long bushy corridors along which they could move with ease. Roads were not paved, police checkpoints were rare, and population density along the way was very low.

Nowadays, thieves face a number of issues in their movements and along their escape routes. Vast portions of the grazing land are now under the control of the SPLM/A. Consequently, most of the herders prefer staying in more secure and densely populated areas. Mobile phones allow for a fast and efficient exchange of information on livestock, allowing for easier animal oversight. All these factors have impacted the business of thievery and forced thieves to find new tactics in their livestock theft. The long escape corridors that were once available to them, no longer are. To move livestock, thieves now combine hiding with building strong networks that can aid them in their escape.

The eruption of a new wave of war between the NPC and SPLM in SKS in 2011 further changed the conditions in which thievery livestock takes place. In Greater Dilling in particular, the security situation deteriorated to unprecedented levels. The highway that links Dilling to Elobied in NKS in a way delimitates two very different areas in terms of security: the eastern part where there is some kind of government efficacy, and the western part that is paralyzed and in which movement of people is only possible within a radius of two kilometers from the city center.

With weak government presence, economic inequality and social discrepancies, many interviewees argued that thieves were not criminals by nature. On the contrary, the absence of fair socioeconomic policies drove them to become criminals. This point is supported in literature by the “game theory.” The game theory suggests that “governments that support economic inequality can sometimes encourage the poor to commit economic crimes, even when the poor and the rich have the same preferences for legal behavior” (Mesquita and Cohen 1995). In this view, “exploitive or unfair governments can also turn non-offenders into criminals by destroying their confidence that the government will treat them fairly” (ibid.). Emphasizing this view, the classical school of criminology endorsed by McCarthy, Hagan and Cohen (1998), maintains that “people’s calculations involve their knowledge and knowledge of the other of the law and their perceptions of the likelihood of punishment.” Hence, crime

can be most effectively deterred by punishments that are certain, swift, and proportional to the harm caused. Accordingly, punishments that meet these criteria would discourage the offender to commit new crimes and would encourage others to be law abiding. In contrast, “policies that raise people’s standard of living and their belief in a system fairness will more often discourage them from choosing crimes” (ibid.). Withdrawal of the state and the collapse of the rule of law are key factors in understanding the spread of compensatory thievery.

### ***The organization of thievery***

We said earlier that what is new in compensatory thievery is not the stealing itself, but rather the return of the animals to their owner, if that owner is willing to pay. This requires a type of organization that allows for animals to be stolen, kept in some secret place, and for the thieves to negotiate a “ransom.” The table below gives an overview of actual thefts, showing number of stolen animals and providing an indication of the outcome of the theft. The data for the table below was collected during fieldwork and covers 13 cases of thievery that occurred between 2014 and 2015.

Stolen Animals	Unit	Market Price/unit	Total Price	Compensatory Amount	Outcome
13	Cows	3,000	39,000	9,000	All redeemed
05	Cows	3,000	15,000	2,000	All redeemed
30	Cows	3,000	90,000	8,600	29 redeemed
05	Cows	3,000	15,000	5,000	All redeemed
16	Cows	3,000	48,000	805	15 redeemed
08	Cows	3,000	24,000	3,000	2 redeemed
28	Cows	3,000	84,000	200	1 redeemed
16	Cows	3,500	56,000	1,500	None redeemed
11	Cows	3,454	38,000	8,500	All redeemed
01	Cows	4,000	4,000	1,500	All redeemed
30	Cows	3,000	90,000	17,000	All redeemed
17	Cows	3,000	51,000	5,000	All redeemed
04	Camels	15,000	60,000	20,000	Under negotiation

Under normal circumstances, investigating a crime is not a one-step process; rather, it is a set of multi-procedural steps involving different actors. It starts with reporting the case to the police, who investigates it, and then goes before the judiciary, where it might be litigated. However, in the case of compensatory thievery none of the traditional steps apply for the different parties (thieves, brokers, victims, and police circles) who find themselves involved in one way or another.

Out of 13 cases of compensatory thievery, not one was reported to the police or brought before the judiciary. Rather, all of them followed the terms dictated by the thieves themselves.

This may indicate that compensatory thievery in the area is not considered a normal crime. Pragmatic interests drive the different actors, some to benefit from the crime,

others to regain their animals. What is clear is that, at no point during the negotiation process, are public authorities involved. The lack of trust in the government system was an overarching theme in the responses provided by our interviewees. As stated by a native leader we talked to: “Getting official circles involved in the process does not help in reaching any kind of solution, because people, even we, as native leaders don’t trust official institutions any more. Informing the police circle will let you bear the entire cost of the process that had once been done freely by the official circles in the past. Now, any cost, no matter minor or major, is to be carried by the victim, with no guarantee that the victim will redeem what he had lost. Under circumstances of absentee institutions, native effort gets in, and this is what we are trying to do here” (interview, Hussain, K, broker, Dilling, September, 23, 2015).

This lack of trust is based on the observable ties established between state actors and the thieves themselves. Criminals have developed a successful relationship with officials, native administration institutions, police circles, and interrogators. Those ties were established by way of bribes and reinforced through networking. In most cases when a criminal is caught red-handed, he will either be released on bail (*damana*) or work out a solution through connections inside or outside police circles, in a secret cooperative business deal.

Again, the literature captures these dynamics on a more general level. The theory of economic crimes observes a commonality to economic crimes in general: the presence of co-offenders. For example, McCarthy, Hagan and Cohen (1998) argue that, like other economic activities, co-offending requires people to recognize that, in some cases, the probability of attaining a desired outcome rises with a cooperative effort. Yet, working cooperatively with others typically involves uncertainty. In this kind of cooperation, people may benefit from the actions of others, and then “fail to fulfill their commitments.” Some may take advantage of others’ efforts without providing any reciprocity—free-riding for instance is a case under focus (*ibid.*). The strategy of co-offending (unintendedly impacting others to joint) accompanied with cooperative efforts in in this case has proved to be effective. In that the police themselves prefer native arbitration from which they can possibly benefit more than official litigation.

Other reasons for not contacting the authorities may be that the victims receive direct threats from the criminals. According to sheikh Abu, Yagoub (once a victim), “when you are not able to confront criminals via official procedures, it sounds rational to accommodate their criminal behavior, otherwise, you will regret it” (interview, September 20, 2015). We also asked Shamoh, a renowned broker in Dilling, about why people are reluctant to report to the police, even when they can identify the criminal. Shamoh reported that: “Through their solid networking, criminals are able to offend anytime, anywhere. So, most victims prefer neutralizing their future threat. And this can only be done by reaching some kind of compromised deal with them” (interview, Shamoh, A., broker, Dilling, September 22, 2015).

### ***New strategies and tactics in stealing animals***

Compensatory livestock thievery is a development of traditional thievery. In the past, with wider areas at their disposal and an edge in communicating among each other, thieves moved quickly and avoided any contact with villagers along their escape routes. The victims had their strategies as well. They paid what is known as a *Bushara* fee; namely, a small amount of money paid to anyone leaking information on the stolen animals. Victims of thefts also worked collectively in a team known as “*alfaza3*”; a group of people committed to finding stolen animals.

In response to the victims’ efforts, thieves developed their strategies further. To guarantee success, they now resort to psychological tactics to control and neutralize the victims’ reactions. Deception, evasion, surprise, withdrawal, resistance are all used to push victims to yield and accept the conditions of the thieves. These new tactics have proven successful, yielding monetary compensation with no legal complications.

In 1988, Cohen and Machalek proposed a general theory of expropriative crime that offers a comprehensive synthetic explanation for a wide range of empirical findings generated by the competing disciplines that have studied crime. In their analysis they emphasized that “the key to understanding the nature and distribution of illegal types of behavior by which offenders expropriated resources of material value from others lies in understanding the relationship between production and expropriative strategies and their interdependence within population of individuals” (Vila and Cohen 1993,

873). They define “illegal expropriation” as “a process whereby individuals or groups use coercion, deception, or stealth to usurp material resources or services from others” (Vila and Cohen 1993). Based on the analysis of the theory, “A strategy is more likely to succeed when it is (1) cryptic, (2) deceptive, (3) bold, (4) surprising, (5) evasive, (6) resistant, (7) mobile, (8) mutable, and/or (9) stimulating” (ibid.). A cryptic strategy is not detected by the victim until after the expropriation occurs (e.g., embezzlement). A deceptive strategy is one that is detected, but the victim interprets the strategy as benevolent or innocuous (e.g., confidence game). In other contexts, a strategy may be more effective when it is bold; that is, it overpowers the victim (e.g., robbery). A bold strategy is often more efficient if it involves the element of surprise (e.g., high-jacking). A strategy that is evasive moves easily from location to location, thereby avoiding or neutralizing victim recognition or retaliation (e.g., telephone sales frauds), whereas a resistant strategy is impervious to victim retaliations (extortion or gang crime). A mobile strategy spreads easily; it can be transmitted from one person to another and can migrate from one group to another (e.g., computer crime). A strategy that is mutable adapts to changing victim counterstrategies, as well as to cultural and social transformation (e.g., alarm deactivation skills in a car theft). Finally, a strategy that is stimulating or exciting may also proliferate because of the pleasure it provides (e.g., the thrill of shoplifting) (ibid.).

Regardless of the measures that may be in place in a theft, in some cases the action of stealing animals can result only in a partial success or even in a complete failure. Thieves may become victims of their own success under certain circumstances, and their expropriative strategy may become ineffective. Such a failure can be observed, for instance, in situations where the number of expropriators exceeds the number of producers, or when past victimizations educate people in how to avoid further victimizations. By lowering the chances of success, victims reduce the frequency of thievery.

Additionally, criminal actions are deeply influenced by the domain of culture under which they are practiced. Compensatory thievery is successful also because communities tolerate it. Serving as arbitrators, elders at the grass-root level opt for solving socioeconomic problems using tribal norms and traditional mechanisms that are more accommodating than penalizing. Thus, the extent to which an expropriative

strategy is used and is successful is the result of a dynamic process that involves the past and current experiences of exploiters and producers, and the nature of the social, cultural, and material world in which they live (ibid.).

***“Hit, hide, negotiate and bargain”***

“Hit, hide, negotiate and bargain” is the process by which compensatory thievery sustains itself. Abu-Gor and Konar, two active criminals interviewed for purposes of this study, indicated that “avoiding discovery by intelligence, security organs, and the counter-acts of the victims, practitioners work in isolated, but, well connected cells composed of experienced criminals; headed by the most prominent figure in the group” (interview, Abu-Gor, practitioner, Dilling, October 1, 2015; interview, Konjar, practitioner, Dilling, October 11, 2015). Each group is supported by internal agents and a trustful broker, in addition to having a good connection with police circles. The work is assigned to group members based on a disciplined division of labor. Everyone in the cell knows what to do and does not exceed his responsibilities. One person in the group determines what animals to target and assesses the possibility of success. This person then gives the green light for the operation to begin. This process may take days, even weeks. A second person, or group of people, arranges for a hiding place that ensures minimal risk. A third person or group will stay in the city center to collect, observe and report information on the reaction of the victim. The individuals in the city are responsible for misleading the victim by providing him with wrong information. Finally, someone contacts the animal owner to initiate the negotiations.

The successful outcome of the theft is based on the ability to keep the animals hidden while bargaining with the victim. A thief stated that to achieve this: “We first: paralyze the thinking ability of the victim, by providing him with continuous influx of conflicting, and misleading information from different directions. For this task we recruit internal agents, particularly tea-makers, because they represent hot spots for exchanging fresh information. Also through them we can orient the victim towards our proposed broker. Second, we caution him; for the sake of his animals’ safety he should avoid police circles as much as possible. When this is done, the first step towards the success is achieved. Next, we pick the relevant broker and ask for help in contacting the victim for the actual bargaining, and in most cases the victim will not refuse” (interview with practitioner, confidential, Dilling, September 20, 2015).

### *The role of the social context*

Accepting to negotiate with the thieves is not a simple decision. It is a decision driven by socioeconomic and cultural internal/external factors. There is one important factor that motivates people to opt for a compromise with criminals; this is kinship and a sense of belonging. Most of the criminals referenced in this paper belong to one group, the Hawazma nomadic group, which is the second largest ethnic group in the area, second only to the Nuba. When asked why people engage with these criminals without going to the police, one victim stated: “Many of the criminals are our own kids whom we brought up by our own hand and it is shameful to bring them before the court. When negotiated solutions are possible we prefer that” (interview, confidential, August 8, 2015).

Cultural norms and values deeply influence people’s mentality when victimized. “Getting back one-third is better than losing it all” is a common proverb that sums up the mentality of the people in Dilling. Victims would rather resort to their own resources and mechanisms when victimized rather than go through official channels. They believe that native solutions are best as they allow for inclusiveness and, ultimately, minimize future harm. This, as opposed to their view of the courts’ solutions, exclusive and antagonistic in nature, and leading to potential future conflicts. One interviewee told us: “There is nothing which cannot be solved. He who created a problem also created its solutions” (interview, Alasha, A., victim, Dilling, September 9, 2015).

The criminological theory that focuses on a neglected sociological element of crime—the evolution of behavioral strategies that arise and spread through populations by means of culturally mediated processes—captures the tendency to address compensatory livestock theft through native mechanisms in Dilling. These cultural processes are akin to natural selection in the sense that the more successful strategies are more likely to be imitated and then proliferate within a population (Cohen and Machalek 1988). Von Neumann and Morgenstern state that “people’s choices are influenced by the decision of others and that people consider these decisions when they make their decisions. In other words, people’s decisions are interdependent not independent” (1944). This shows that decision-making strategies are influenced by an

overlapping set of factors like culture, religion, or economic interest, and that individuals anticipate decisions of others around them, before making their own.

### **Conclusion**

In war-stricken zones, where means of violence are not monopoly of the state, there is a tendency to not respect the state and violate the rule of law. Under these circumstances, people opt for new survival strategies that may not conform to the norms and values of their societies. With a weak state and lack of security, crime becomes an income-generating activity that, although considered illegal, is accepted. Communities become tolerant, and victims see thieves and their strategies as innocuous. As the field data reveals, most of the practitioners of compensatory thievery in Dilling are not seen as real criminals. Some of the crimes are accepted as being the product of poverty and illiteracy and a result of inefficient state institutions. Others are explained as being a direct result of the police or the courts' failures in handling prior crimes.

This analysis conforms with many theories of crime which argue for a broader understanding of criminal acts, linking such acts to different structural characteristics of societies as well as differences in individual traits or experiences that increase the probability that people will engage in crime (Von Neumann and Morgenstern 1944). The study also revealed that people living in local communities within war zones may deal with the collapsing state structures and the absence of rule of law by creating their own coping strategies to survive. In such circumstances, criminal acts should be viewed as behavioral options to solve basic problems of a wider society. They are not only expressions of the criminal intent of individual persons (ibid.). The issue of legality, what is legal and what is not, and who determines that is a topic that needs to be discussed further and beyond this paper.

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## **List of Interviews**

Interview, confidential, victim, Dilling, August 8, 2015  
Interview, Alasha, A., victim, Dilling, September 9, 2015  
Interview, Daifalla, H., victim, Dilling, October 9, 2015  
Interview, Khair-alla, M., victim, Dilling, September 14, 2015  
Interview, Hanu, A., victim, Dilling, September 17, 2015  
Interview, Abu, Y., victim, Dilling, September 20, 2015  
Interview, Hamad, G., victim, Dilling, October 13, 2015  
Interview, Altayib, I., victim, Dilling, October 14, 2015  
Interview, Mekki, M., victim, Dilling, October 16, 2015  
Interview, Almahaddi, G., victim, Dilling, October 19, 2015  
Interview, Abu-zaid, A., victim, Dilling, October 19, 2015  
Interview, Alzakki, H., victim, Dilling, October 20, 2015  
Interview, Rahoma, A., victim, Dilling, October 24, 2015  
Interview, Shamoh, A., broker, Dilling, September 22, 2015  
Interview, Hussain, K., broker, Dilling, September 23, 2015  
Interview, Ahmed, Y., broker, Dilling, October 10, 2015  
Interview, Abu-Gor, practitioner, Dilling, October 1, 2015  
Interview, Konjar, practitioner, Dilling, October 11, 2015  
Interview, confidential, practitioner, Dilling, September 20, 2015

## **Interview Guide:**

Preamble:

Dear Sir,

We are a team of researchers from Dilling University interested in carrying out a study about compensatory livestock thievery. Someone has advised the team that you are a person with particular knowledge and experience related to this practice. We request your consent to interview you and use the information provided for purposes of our study, do you agree?

### **Category 1: Practitioners**

1. Basic information: Name, age, ethnicity, occupation, education.
2. What do you know about compensatory thievery? Would you please give us a brief account of the practice?
3. When did this kind of practice first appear in Dilling? Did it first appear locally or was it imported from some other location?
4. How did you get into this business? How long have you been doing it?
5. How frequently do you do it? What outcome do you usually achieve?
6. What are the reasons that drove you to be a practitioner? How do you feel when you practice livestock thievery?
7. Is the practice an individual or collective affair?
8. Who are the main stakeholders benefiting from the theft?
9. What is the nature of the relationship between those who are involved, in terms of leadership, low-level members, decision-making process, commitment to the norms and penalty in case of violations?
10. Would you give a full description of the different stages of livestock thievery?
11. What is usually the main target of the theft (animals, assets, etc.)?
12. How is a broker selected? Are there specific characteristics you look for in a broker?
13. How does the act of mediating start, and what kind of relation do you have with the broker?
14. How do you measure a broker's success? What happens if negotiations fail?
15. How do thieves estimate the compensatory amount that should be given by victims? What happens when the victim refuses to pay at the last moment?

16. Is compensation usually paid in full or in installments? If the latter, what are the guarantees in place for delayed payment?
17. What are the risks of the business? How do thieves mitigate or reduce them?
18. How do you estimate the broker's share?
19. When thieves and victims reach an agreement, how are money and animals redeemed?
20. What is the government's role in this process? Is there any form of collaboration with the police or the native administration circles?
21. How do you react when a lawsuit is brought against you for loss of livestock that is still under your care?
22. What locations experience the highest percentage of thefts?

### **Category 2: Victims**

1. Basic information: Name, age, ethnicity, occupation, education.
2. What do you know about compensatory thievery?
3. When did this practice first appear in Dilling? Did it first appear locally or was it imported from some other location?
4. How were you robbed, what animals were taken and how many?
5. How did you know that the crime was compensatory in nature? How did your search efforts begin?
6. Did you negotiate individually or did you seek the guidance of others?
7. Why did you not report the theft to the police?
8. Why did you accept paying compensation?
9. Did you pay the compensation in-kind or in monetary form? What was the compensation amount in SDG?
10. Was your compensation delivered through a broker or directly?
11. Can you tell us about how you redeemed your animals and if all were accounted for?
12. What is your view of this kind of crime?

### **Category 3: Brokers**

1. Basic information: Name, age, ethnicity, occupation, education.
2. What do you know about compensatory thievery? Would you please give us a brief account of the practice?
3. When did this kind of practice first appear in Dilling? Did it first appear locally or was it imported from some other location?
4. How does the mediation phase begin? What kind of relation do you keep with the practitioners and the victims?
5. How frequently have you acted as a broker?
6. What were the main reasons behind you becoming a broker? Does this job require special skills?
7. Does the broker get his work fees from the thieves, the victims, or both of them simultaneously?
8. How are a broker's fees estimated? Are there certain criteria for that estimation?
9. What are the potential risks for a broker? Have you experienced any such risks?
10. Did the police have any knowledge of your mediation efforts?
11. How does a broker get involved in the settlement process? Is he identified by the thieves or by others?
12. Can anyone volunteer to be a broker or does there need to be a connection to certain people?
13. What is your own view concerning this kind of crime?

## ABSTRACT

“Compensatory livestock thievery” within the greater Dilling locality in South Kordofan State (SKS) is an economic crime that was born out of a war environment. In this form of crime, thieves steal animals, particularly cows, not for purposes of expropriation, but rather to return them to the owner for a fixed sum of money, what may be defined as “greed monetary compensation.” The phenomenon is driven by many factors, such as high rate of unemployment, poverty, financial difficulties among the youth, but is importantly linked to the recent history of war in the area and its consequences, such as proliferation of weapons and the collapse of social order. This new trend in crime has shaped the post-war socioeconomic transformation in greater Dilling. Motivated by observing socioeconomic dynamics in post-war areas, this study tries to investigate and trace the root causes and main drivers of this new type of economic crime. The main question of the study is whether compensatory livestock thievery is simply a variation of an old crime, or a new trend influenced by war and other socioeconomic factors. In a survey of those involved in the activity itself, most of the questions concentrated on the nature of the crime, its root causes, the way in which it happens, its outcomes, the parties involved, and the role of the government in the process.

**Key words:**  
Economic crime  
Compensatory  
Thievery  
Practitioner  
Victim  
Broker



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