**Appendix 1: Methodological Notes on “Informal Institutions and the Regulation of Smuggling in North Africa”**

Researching smuggling comes with a particular set of methodological and ethical challenges. At the heart of this stands the task of making visible something that does not always desire to be visible, recording something that is almost by definition beyond the realm of typical bureaucratic methods of recording. At the same time, the study of illegal activities and the interaction with often vulnerable populations requires particular attention to research ethics, risk, positionality and triangulation. Building on the discussion in the section “Methodology and Data” in the main paper, this appendix provides additional information on how this research project approached the challenges of collecting reliable data on the regulation of smuggling in North Africa without endangering either the researcher nor the participants.

*Studying Smuggling*

Quantitative methods to the study of smuggling typically rely on collecting a large set of data, often at a relative distance to the border, in order to construct proxies for smuggling flows. Mirror statistics for example use discrepancies between two countries trade accounts in order to estimate volumes of informally traded goods (Ayadi et al 2013). Other scholars have creatively and insightfully used dirt roads tracked through satellite images (Bensassi et al. 2015) or collected cigarette packs (Gilmore et al. 2013) as more direct proxies for flows of goods. MIMIC models (Breusch 2006; Farzanegan 2007) use a wider range of variables, including black market premiums, consumption and price indices to construct estimates of informal cross-border trade. With many of these methods, there is a trade-off between the breadth and depth of insight produced. While Schneider and Enste’s seminal paper aims to estimate the ‘size, causes and consequences’ of shadow economies in 76 different countries, their approach provides little detail on in-country effects (Schneider and Enste 2000). Quantitative studies on smuggling are commonly focused on the measurement of smuggling, and struggle to foray into its history, regulation and political economy.

The need for detailed local analyses in order to understand the structure of smuggling networks and their function in wider economic and political systems has led some of the most interesting writing on smuggling networks in recent years to come from qualitative researchers, particularly within geography and anthropology.[[1]](#footnote-1) As discussed in the main paper, this study has found the use of interviews and ethnographic methods most productive in order to trace its primary object of study: the informal institutional arrangements that regulate smuggling in the region. It is, to use Schatz’ (2009) term, built upon a *political ethnography*.

The data collection for this project has rested on a mix of interviews, focus groups, and ethnographic participant observation over a period of 14 months. After 3 months of initial fieldwork in 2014, the majority of the fieldwork was conducted in 11 consecutive months in 2016 and 2017. The following sections will outline some of the central features, challenges and limitations of the methodology used.

*Access & Selection*

Gaining access presents the first methodological challenge of research in informal cross-border trade. Borderlands are not always easily geographically accessible to outside researchers. The time-consuming process of building trust with traders limits the number of people researchers can speak to, and all access comes with its own biases, as the willingness of traders to engage with researchers correlates with a variety of important variables, such as the type of goods they trade in, age, and social class.

The geographic challenges to access were manageable – with the exception of brief interruptions due to periods of violence and in one case the temporary revocation of my permission to be present there by the local security forces, I was able to walk around relatively freely in Ben Guerdane, Medenine and surroundings for the entire duration of the data collection period for this project. Through negotiation with local security officers, I was able to resist calls for a police escort, which would have made this research completely unfeasible.

Of the people that I spoke to for this project, politicians, civil society leaders and street-level bureaucrats presented few challenges in terms of access, as they were generally identifiable and approachable, and I was able to engage with people in a range of positions and political backgrounds. Aside from their own knowledge about the practices and politics of cross-border trade, they provided important local context that helped situate the perspective of the traders.

Strategies to identify and approach members of informal trade networks differed by network and region. Members of gasoline and textile networks were largely generous with their time and their willingness to talk to me about their lives. Despite the illegality of their livelihoods, their businesses were generally normalized in the local community and tolerated by law enforcement to such a degree that talking to me constituted no major risk for most of them.

I also interviewed members from a diverse range of licit and illicit networks in both locations, which were less normalized, covering a wide variety of activities, including amongst others the smuggling of foodstuff, car parts, drugs, cigarettes, kitchenware, shoes, and human trafficking. These interviews were typically the result of relationships and trust built over time throughout the fieldwork, both with individuals and groups of smugglers. They benefitted from clear communication of what I was hoping to learn from them, and clear communication of what I was not interested in. This is not to say that many traders were not reluctant to speak to me – plenty of interviews were cancelled last minute as smugglers changed their mind about speaking to me. Here, spending a significant amount of time in the field was a key advantage, as it allowed me to reach out to many different smugglers in order not to be dependent on a few individuals who may or may not want to speak to me, and because it allowed me to conduct these conversations over multiple meetings, hence building trust and relationships along the way.

As graph 1 below suggest, while there is a relatively even split in the interviews conducted between the two case sites, there is a huge gender discrepancy across both case studies. This is a consequence of both my own gender in the context of conservative communities, and smuggling networks in both case sites being – with one exception – overwhelmingly or exclusively dominated by men. The 33 interviews with women conducted for this project were the result of a concerted effort to include female voices. This brought with it particular challenges of access, given the women’s packed schedules in the face of the double burden of professional work and housework, especially in the context of the feminization of survival in Morocco, and the conservative social structures in both field sites. Overcoming these difficulties typically involved interviewing women in their home or near their place of work, being mindful of their schedule, as well as the interlocution of a female research assistant.



Graph 1: Distribution of interviews conducted for this project by location and gender

While some of the traders most active in the negotiation with state institutions were specifically selected for interviews because of their position, many of the most fruitful interviews were facilitated through referrals by friends or other traders. There was hence an element of snowball sampling in the selection of some of the interview partners, which has been commonly associated with selection biases (Biernacki and Waldorf 1981). This has been mitigated by the large number of different ‘snowballs’ accrued over a fieldwork period of 14 months, as well as a concerted effort to speak to members representing different socio-economic groups. It is also important to point out that the data collected here is not employed to – or suitable – to make statistically significant statements about distributions among groups of traders, but has been collected in order to understand the institutions that regulate their activity.

At no point during this project was money or any material benefit offered in order to gain access or interviews.

*Positionality*

Over 200 semi-structured interviews form the empirical backbone of this project. Critical scholarship has always highlighted the interactional nature of interviews as a form of data collection, warning that interview content cannot be taken as a “snapshot” of what is going on in a person’s head (Atkinson and Silverman 1997, 322), but is instead created through the encounter of the interviewed with the researchers, with the researchers’ positionality strongly affecting deeply affecting the content of the interview (Baker, Edwards, and Doidge 2012). This is exacerbated in contexts where interviews center on sensitive subjects, adding specific challenges and limitations to this methodology.

In some cases, the interviews were the first longer interaction I had with the people I was interviewing. Apart from the introductions, and the features of my position that interviewees picked up on immediately – my ethnicity (white), gender (male), age (young) and nationality (foreign) – the interviews hence were also a process through which my opposites were trying to gather information about me. While I provided an introduction to my work at the beginning of a meeting, this was not always sufficient to dispel some preconceptions of what I might ‘really’ be doing, common assumptions being that I intended to collect information on behalf of my government, its secret service or military, that I was a journalist, or interested in buying or selling drugs or arms. With tensions occasionally heightened in border areas, and people often holding a very negative image of journalists, all of these assumptions were not only potentially damaging to the content of the interview, but also to my own security.

This has influenced the questions I was able to ask for this project, as I was particularly careful to avoid questions that may cause misunderstandings about my intentions. I almost never asked overtly political questions to non-politicians, although this was also not usually necessary, as people very commonly brought up politics un-prompted. While I sometimes ask how much of a certain good could be stashed somewhere near the border, I never asked where its precise location was. While I often asked about prices and costs, I never enquired about the names of suppliers or customers. This has limited the ability for certain forms of analysis with this data – I am, for example, unable to construct a formal network analysis of smuggling networks. It also led my questions to usually start out rather broad, taking care not to demonstrate pieces of insider knowledge which would either raise suspicions about who I may have spoken to previously, or who I may be connected to. This has usually made the interviews lengthier, but was not primarily a disadvantage, as it allowed me to understand how many different participants framed their role in the smuggling economy in their own words and ‘from first principals’, and which issues they chose to highlight.

More profoundly, my positionality has influenced the answers I received. My position as a foreigner commonly led people to feel like they should behave as a form of ambassador, and present their environment in the best possible light. Fortunately, this typically tended to decrease over the duration of the interview, and even more so throughout multiple interviews. In interviews with people of respectively low social status, and despite my assurances to the contrary, answers would occasionally be characterized by a belief that I would be able to provide or organize some form of help. Still, this remained less prevalent as I had originally anticipated, likely because my characterization as a ‘student’ slightly diminished my status, and because I adopted a lifestyle and demeanor that was clearly separate from foreign NGO workers or foreigners in a position of power.

Obviously, the fact that some of the subject matter discussed included sensitive subjects and illegal activities significantly affected answers in interviews. As mentioned above, some of this was mitigated by the fact that many of these activities were highly normalized and socially accepted locally, and I was able to phrase my questions within the local discourse, referring to things such as “trade” and “business” rather than smuggling. Learning from my local research assistants and from my experience throughout my fieldwork to phrase questions in a way that positioned me as non-judgmental and non-threatening, and to breach sensitive subjects in a considerate manner was an important learning process. The fact that many of my questions were about institutions, about rules, habits and regulation that people interacted with in their daily lives, and that could always be conceptualised as general or external – “it’s how things are around here” – also helped to ask questions in a way that did not imply judgement or assigning personal responsibility.

The data collected through interviews has been complemented by the observations generated through extensive participant observation throughout the fieldwork period. Observing the distribution networks of informal cross-border trade in markets across the region, buying contraband gasoline, accompanying a Moroccan NGO on trips where they gave seminars to formalise informal workers, attending the festivities for the anniversary of the IS attack on Ben Guerdane and the demonstrations in Al-Hoceima, walking time and time again through the border crossings of Melilla, driving through checkpoints every day and having one too many run-ins with the local police, late-night discussions with friends and their families – all these provided context and information that went beyond the rather artificial boundaries of interviews. It also helped me build the kinds of contacts that would allow me to conduct further interviews, or provided me with the understanding of local social structures that would help me behave appropriately towards my participants.

Again, my ability to participate was mediated through my identity. As a foreigner (and someone requiring research ethics approval), participating in certain activities was out of order, however, it also brought with it certain benefits. Even once I had spent significant time in my field sites, the going assumption was still that my understanding of local processes was null, providing me with an ongoing commentary on my surroundings by those around me. A reputation as a researcher working on the economy also created a certain interest by local bureaucrats and businessmen to discuss the events of the day, which provided a valuable source of insight and context. In addition, my positionality within the local community was crucially influenced and supported by three people who at one time or another worked as my research assistants, and whose local embeddedness and kind character helped us to find access, and build trusting relationships.

Both with respect to interviews and with respect to participant observation, the large number of interviews and the significant amount of time spent in both field sites has been a significant help in overcoming some of the biases introduced through my positionality, as it allowed me to gain an increasingly better understanding of the local context and framings, and my place within them. It has given me the time to triangulate information, and makes a strong case for the fusing of more traditional interview-based research and ethnographic research in the study of smuggling. A short-term, elite-interview-based research strategy would likely not have produced reliable information. Still, this has not always been sufficient – I will return to this in the section on misreporting and triangulation.

*Ethics*

Throughout this project, all data collection has been in compliance with the ethics guidelines of the London School of Economics and Oxford University, and approved by the respective bodies.[[2]](#footnote-2) Adapting the principals of informed consent to the particular environment in which I was working, where illiteracy was widespread, required a reliance on an oral consent procedure, which had been developed for my 2014 fieldwork in cooperation with the research ethics committee at the University of Oxford, and was adapted for the 2016 and 2017 sections of this project.

Conducting interviews with traders who habitually operate outside the law brought two sets of additional ethical challenges: one regarding me acting lawfully myself, and one regarding my responsibility towards those I was interacting with. With respect to lawfulness, my research did not require me to break any laws, but did put me in a position to witness illegal activities. This is a common ethical issue, particularly in criminology (Wolfgang 1981; Beckerleg and Hundt 2004; Hammersley and Traianou 2012), but given the non-violent nature of these illegal activities as well as their institutionalization, and the awareness of law enforcement agencies in the area (as the research itself extensively demonstrates), siding with the responsibility to protect the confidentiality of the participants of this study was a relatively straight-forward choice.

With respect to my responsibility to those I was interacting with, apart from ensuring informed consent, ensuring anonymity was particularly important. I had a conversation about anonymity before interviews, adopting an “opt-out” system where anonymity was the assumed standard. I took extensive care to provide my counterpart with full information of what I was trying to learn and why, and what motivated the questions that I was asking in the interview. I typically let the interviewee chose the location of the interview, allowing them to be able to direct the privacy or visibility or our meeting. I took extensive care not to reference information from anonymized interviews in other conversations, even in anonymized form. All my interview transcripts and notes have always been saved in encrypted form, and in their non-anonymized form are accessible by me only. During the fieldwork itself, confidential data was stored on a flash-drive with hardware-based encryption. At no point has any information from my interviews been shared with law enforcement officials.

*Risk*

The project involved a limited amount of risk to my own security. The security situation particularly in the Tunisian South has been volatile, and Ben Guerdane has been either ‘amber’ or ‘red’ on the travel advise map of the UK Foreign Office for the past few years. The nature of my research necessitated additional caution in both field sites.

In cooperation with LSE Health and Safety, the security strategy for this project was based on maintaining a low profile, surveillance detection, and non-regular patterns of movement. I monitored the situation locally carefully, and did not enter sections of my field sites on days when local contacts suggested that it was not safe. In addition, a protocol for the tracking of my location was established during higher risk days, with me checking in every 3 hours. In both field sites, and in particular in interaction with traders in illicit goods, I made a particular effort to avoid misunderstandings about my identity or the type of data I was collecting.

Fortunately, no incidents occurred that suggest that this strategy was insufficient.

*Misreporting and Triangulation*

By far the most common methodological question in projects on smuggling is an obvious one: “why would smugglers tell you about what they do?” Aspects of the answer to this question have been discussed throughout this note: the local normalization of many of these activities has played a crucial role, as have relationships of trust, and the fact that I was most interested in the ‘rules and regulations’ part of the smuggling, and hence the part of it that contained information that was communally held by a large group of people in the borderland. This final section deals with another part of the answer to this question: a critical treatment of all the information received.

For a research project that is interested in illegal activities, concerns around misreporting are particularly prevalent. Sometimes people lie, sometimes people are misinformed, and sometimes fundamentally different perspectives on social and political realities clash. When discussing activities that feature so prominently in the worlds of gossip, local myths, conspiracy theories, this is further exacerbated. The data collected for this project often mirrors this, containing a rich and colorful tapestry of stories and suspicions, anecdotes and accusations, many of which are beyond the realm of verifiability.

The first step to engaging with this material in order to build the arguments made in this paper has been to treat each interview first and foremost as what it was – a conversation that is affected by positionalities, interests, and discourses, rather than statements of objective fact.

I then began to piece these together, triangulating and verifying information using some of the logics of process tracing described by Fairfield and Charman (2015) considering people’s incentives, experiences, access to information, and positionalities. The large amounts of interviews, alongside a collection of documents, the existence of some secondary literature, and most crucially the experience gained through participant observation has allowed me to triangulate information in order to generate robust data on informal institutions around smuggling in North Africa.

To give two examples:

The change of the procedure at Tunisia’s Ras Jedir border crossing in early 2017, mentioned in the paper, was confirmed to me by three separate sources, each of whom have intimate knowledge of the procedure, and did not know each other, not having any motive, or in this case, the ability, to coordinate a precise and elaborate lie. Additionally, the sources did not share similar interests with respect to the agreement, one of the sources was intimately involved in the negotiation of the agreement, and I did not receive any information contradicting their stories.

The procedure at the Beni Ensar crossing between Morocco and Melilla, as described in the paper, was confirmed through interviews, participant observation, and triangulation with other researchers. In interviews with a variety of different traders (again, all of which had intimate knowledge of the procedure, not all of which knew each other, not all of which shared similar interests), local civil society actors, and police officers, participants independently of each other consistently described the same procedure. In addition, I walked through the border crossing many times myself, being able to observe large parts of the route of the traders. I also triangulated my understanding of the process with multiple other researchers that had observed the same crossing. None of the details I describe in the paper rests on any single account.

Triangulating information for this project has been made substantially easier by the fact that this project’s focus is on the informal institutions that regulate and structure smuggling in the borderlands. Virtually every smuggler has intimate personal knowledge of these institutions, making it easier to generate a large number of statements about them that facilitate triangulation. Two further aspects reduce the incentive for misreporting. First, information about these institutions is considered public knowledge among the smugglers, and hence not directly part of strategies to gain a commercial advantage. Second, it is generally recognized that information about them is shared by the local authorities, particularly given their intensive engagement in them, and hence does not need to be concealed.

One of the most interesting – and most fortunate features of the data collected for this project has been the general agreement and consistency in the information about the institutions that regulate cross-border trade. In a tapestry full of disagreement and contradiction, they were the points of agreement, the fixed nodes where stories intersected and overlapped, and fit together. There are other, no less important and interesting, questions about these smuggling networks that I would be unable to answer confidently, even with the extensive data collected for this project, as disagreement and misinformation in the data have been much more widespread.

Triangulation and process tracing is a popular strategy in conducting this kind of research, and has a rich history in qualitative research. However, just as important as the triangulation of information is also the recognition that some data cannot be convincingly triangulated. A significant amount of information that would have provided further examples to the arguments made in this paper, and particularly implicated more specific political figures into the dynamics discussed here, I have chosen to omit, whether I believe its truth or not, because I cannot triangulate the information beyond reasonable doubt, especially given that I am arguing based on sources whose anonymity I am protecting.

There is a worrying tendency in academic and journalistic writing on this issue – and particularly in the North African context – to make arguments based on one single anonymous source, with no discussion of the interests, positionality, or credibility of this source.

Thankfully, due to the length of the fieldwork period for this project there are very few instances in this project where I have to rely on a single anonymous source. None of them are fundamental to the argument I am presenting, but are included in order to present an interesting detail, or provide a voice that is representative for a certain discourse, and I have included them only where I believe them to be highly credible, to have detailed knowledge of the processes they are describing, and to have no incentive to misrepresent them.

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**Appendix 2: Translation of the Memorandum of Understanding for the Procedures at the Ras Jedir Border Crossing in January 2017**

*(Translated by the author - for exact citation, a consultation of the original text is recommended, and available by request from the author.)*

In the name of God, the Most Gracious, the Most Merciful

Memorandum of Understanding

This paper was signed in the city of Zawya on the first Sunday of January 2017, between the following:

1. The committee of the comprehensive agreement between the Libyans and the representatives of the municipalities of the western coast is the first party.
2. The delegation of the people of Ben Gardane on the Tunisian side is the second party.

And present and participating are:

* Officers of the situation room of the western military region
* Officers of the western  military region
* Security officers from several coastal municipalities
* A delegation from the high council of reconciliation in Libya
* Officers of the military and the police
* The minister and members of the brigade of the martyr Gamal Alghaib
* Interested parties from all sides

All parties gladly accept this document, which affirms the spirit of cooperation and brotherhood between the Libyan and Tunisian peoples, it being considered a document that  puts forward exceptional solutions to some of the problems that are faced by travelers and trade movements on all sides, without entrance of the official side of any party (government) in the commitments or measures contrary to the law or international agreements, and considering the ‘force majeure’ which means that people from both countries create this document to foster cooperation through it, without proceeding to hurt the national sovereignty of both countries, and this paper is divided into a preface and several points, which are as follows.

First: Preface

As it is known to all that the relationship between Tunisia and Libya is eternal, and will not end until the end of the universe, and that it is inherited from our ancestors and that we are partners in religion and and race and language and all walks of life, and seeing the circumstances in both countries, and that the relationship between the people requires that they can work side by side and carry the whole responsibility of helping both peoples to continue in all comfort, including the commercial exchange (the “Tiijara Beiniya”) and what is called (“Sahba mosaafeer”).

Second:

The goods which the Libyan travelers are entitled to pick up on their return from Tunisia:

1. Medicine
2. Alimentary products that are produced in Tunisia
3. Some goods

Third:

The goods which the Tunisian travelers are entitled to pick up on their return from Libya:

1. The goods which are of Libyan origin
2. Fuel
3. Goods imported from the outside.

Forth: The quantities that are allowed.

1. Libyan travelers are entitled to pick up medicine if they have been prescribed by a doctor, and the value of one thousand Tunisian dinar for the rest of the goods.
2. With regard to Tunisian travelers, they are entitled to pick up goods the value of which may not surpass four thousand Libyan dinar and they are entitled to pick up 150 litres of gasoline including the contents of the gasoline tank of their car, and Libyan traders are also entitled to this.

Fifth: Mechanism of Implementation.

1. The committee of the comprehensive agreement between the Libyans is preparing a programme for the implementation, and will open an office issuing special cooperation cards to Tunisian brothers to set up the daily cooperation and to clarify what is included in this agreement.
2. The common gateway of the brigade of the martyr Gamal Alghaib is obligated to comply with what this document states
3. A follow-up committee is formed from the high council of reconciliation from the Libyan side and civil society from the Tunisian side to follow-up on the implementation of this paper
4. The fee for the issuing of the cooperation cards is fixed as it may not exceed (five Libyan dinar)

Recommendations

This document recommends to the Tunisian and Libyan governments the following:

1. Demands of the Libyan government the elimination of the fee imposed on Tunisian travelers when they enter Libya
2. Demands of the Tunisian government a solution for the problems faced by Libyan travelers when they enter Tunisia and that can reach very long hours, and also the problem faced by names. (??)
3. Demands of the Tunisian and Libyan government to follow up with their security systems and impose better cooperation and respect for the dignity of travelers from both sides.
4. Demands of the Tunisian government to find an alternative solution for the registration of Libyan cars than Libyan passports.
5. Demands of the Tunisian government to find a solution to the problem of the automated inspection device (Asknr)
6. Demands of the apparatus responsible for the running of the Ras Jedir border crossing on the Libyan side that they open a second passage especially for travelers from the Tunisian side
7. Demands of the Tunisian side the opening of a passage especially for Libyan families and humanitarian cases.

Signatures of the parties of this paper

The committee of the comprehensive agreement between the Libyans: Ibrahim Al-Zehoof

The president of the Tunisian delegation: Ahmed Laameri

The high council of reconciliation in Libya: Ahmed Ibrahim Aghriba

The representative of the civil society in Tunisia: Adel Ben Belqassem Neji

1. Such as Scheele (2012), Soto (2015), Hüsken (2017) or Meddeb (2012), to name some outstanding ethnographers of smuggling in North Africa in particular. [↑](#footnote-ref-1)
2. I conducted the first field visit for this project in 2014 as a member of Oxford University, and was a member of the London School of Economics during the field visits in 2016 and 2017, hence explaining the jurisdiction of two different ethical review processes. [↑](#footnote-ref-2)