



## The New Threat: Transnational Crime

By Robert Killebrew

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Two major shifts affecting the security of the United States in the past three decades—the collapse of the Soviet Union and the rise of transnational terrorism—went virtually unrecognized and unanticipated by U.S. policymakers, although in retrospect the signs were plain for everyone to see. Today, a third threat to American security is in plain sight, but is still unrecognized except for specialists at lower and intermediate decision-making levels. Transnational crime has grown to such proportions in today’s world that it has become a significant factor in geopolitics and a threat to the future of civil government worldwide. The danger is particularly acute in this hemisphere, in a region generally from the Canadian treeline through the U.S., Mexico and Central America, to Colombia and Venezuela, an area loosely defined as “Mesoamerica.”<sup>1</sup> This is a glimpse into the future fight of the 21<sup>st</sup> century—disintegrative forces of blended crime, terrorism and insurgency against governments and civic order.

Understanding the threat posed by crime requires, first, that we recognize the insidious effect that corruption has on the functions of government worldwide, particularly in our own hemisphere. This not just a resurgent Mafia, though the Mafia is part of the larger challenge. Four factors have combined in a “perfect storm” to greatly enlarge the effect of crime in the world today. First, the collapse of the Soviet Union in the 1990s released huge stocks of arms and useful infrastructure—airlift, shipping and industrious, entrepreneurial people—as well as relaxing border controls that had immobilized millions in the former Soviet empire. This led to mass migrations of peoples—probably greater, as a percentage of population, than the Hun migrations at the end of the Roman Empire. The result, along with high birth rates in the emerging world, has been not only an increase in people available for criminal “armies,” but also a huge upsurge in human trafficking, either legal or illegal, willing or unwilling. Next, the communications revolution of the past decade has put into the hands of criminals communications and data processing systems ideally suited for evading police, controlling illicit activities, navigating with pinpoint accuracy, and for moving wealth within global financial systems. Finally, international markets in illegal drugs have brought fabulous wealth to a crooked few, and illicit funds flow freely with little regard for national borders or governments. Easily available illegal money gives criminals more fiscal “mobility” to buy gear – weapons, computers, etc.—than their sometimes-outgunned, tax-financed opponents. The size of the global black economy has been estimated to be as huge as a fifth of the global gross national product.<sup>2</sup> Criminal cartels, gangs and other illegal armed groups are today spending billions of dollars annually to undermine governments worldwide, either by corruption or, when that fails, by intimidation and violence. This is not exclusively a blue-collar problem; the criminal networks include not only rich thugs and brutal “soldiers,” but also white-collar businessmen, some of the world’s leading banks and financial houses and governmental ministers.

From the U.S. perspective, the impact of these developments is generally recognized in the growing violence along the U.S.’ southern border, where the Mexican drug cartels fight their own government and one another for access to the lucrative drug markets inside the *Estados Unidos*. Membership in the criminal networks in the “Mesoamerican” region include members of the Iranian, Bolivian, Ecuadorian and Venezuelan governments, cocaine producers in the *Fuerzas Armadas de Revolucionaries de Colombia* (FARC), the seven or so Mexican drug cartel networks that are increasingly transnational in scope—including 270 or so “branch offices” inside the U.S.—and the Latino gangs and others that comprise the “retail” outlets for drugs and

<sup>1</sup> “Mesoamerica” is actually an archeological term that denotes the extent of Mayan civilization, but will be used here in an expanded sense to include, to the North, the United States and Canada, and to the South, Colombia and Venezuela.

<sup>2</sup> Although more attention is being paid to the expansion of crime, the seminal work remains *Illicit; How Smugglers, Traffickers and Copycats are hijacking the Global Economy*, by Moises Naim (New York; Random House, 2005.)

other crimes in American cities and towns.<sup>3</sup> Included in the networks are the financial organizations complicit in receiving and “washing” illicit funds into legitimate channels.

These networks deal in other traffic besides drugs—kidnappings, assassinations, intimidation, extortion, theft, human trafficking of both willing and unwilling subjects and other forms of crime. Indeed, one misapprehension is that legalizing drugs can end the struggle against criminal networks. In fact, these are permanently organized criminal organizations whose incomes depend on many forms of crime, of which drugs is the major, but not the only, form. These transnational criminal organizations must be recognized as what they are—crime-based, terrorist insurgencies—and confronted directly. While their activities inside the United States have not yet risen to the level of direct threats to government – although there are some localities along the U.S.-Mexican border that have reasons to believe they do—their activities in Mexico, Guatemala and other countries in Central America and the FARC’s attempts to take over the Colombian government indicate that they are clear threats to civil governance in those areas. The involvement of the Iranian, Venezuelan, Bolivian and Ecuadorian governments in supporting the FARC and associating with the Mexican cartels adds a different geopolitical dimension.<sup>4</sup>

Defeating the rise of transnational crime—turning back the growth of the cartels and other criminal networks—will call for the U.S. to integrate its efforts with allied countries to a much higher degree than previously, and to develop much smoother working relationships among law enforcement and governmental agencies within the United States itself. Two key understandings are necessary at the outset of any discussion of anti-gang strategy.

First is the pernicious idea that transnational crime cannot be “defeated.” This idea, however wrong, strikes at the heart of whether civil government is even possible in the coming century, or whether the continuing rise in crime’s growth and power is simply inevitable. In fact, when civil governments marshal their forces and apply them discriminately, criminals can be defeated—they are, after all, only thugs and crooks, with no religious or political ideology to appeal to the masses, only force and fear. In the U.S., American law enforcement officers routinely break up gangs. In Colombia, the single state in the region that is turning back the criminal wave, government officials through trial and error have discovered that the key to beating criminal networks is the same as defeating guerrillas—a national government that functions under law, that can protect the rights and property of its people, with sufficiently efficient security forces and courts to defeat, apprehend, try and imprison offenders. “Defeating” criminals is not only possible, but has been done.

Second is the concept, mentioned above, that effective civil governance is the key to defeating criminal insurgencies. Closely associated with the actual defeat of the insurgencies—of any insurgency, in fact, regardless of its origin or motivating factor—is the rehabilitation of criminal insurgents and their reintegration into a civil society that respects human dignity, rewards enterprise and protects property.

The issue is scale. When individual criminals break the law, whether for profit or to further an ideological agenda, they are dealt with by police and criminal courts. When thousands of criminals band together as insurgents to challenge the authority of the government, the state’s interest is not only to contain and defeat the insurgency, but to return these thousands to useful civil life, not to spend millions in wasteful detention for long periods.<sup>5</sup> Thus in Colombia today, members of the FARC are detained under the Colombian justice system, and an elaborate system of Disarmament, Demobilization and Reintegration (DDR), *common in its intent to all insurgencies*, is applied to most FARC members, or members of other criminal bands, who voluntarily “come in” from the field.<sup>6</sup> Clearly, defeat of large-scale transnational criminal networks requires not only some form of legal detention, but also a system that permits criminal “soldiers” to return to civil society.

An overall U.S. effort to defeat the criminal networks operating both outside our borders and inside our cities and towns must not only be horizontally integrated across federal government agencies, but also reflect the vertical organization of the American federal system. Domestically, the most effective antigang agencies are local police forces with their intimate knowledge of the streets and neighborhoods in which criminal gangs and networks operate. Federal support to local law enforcement, whether indirectly through law enforcement agencies like the Drug Enforcement Agency or the Federal Bureau of Investigation, or directly in the form of grants and other fiscal aid, is key to success. Local police, who must compete for funding with fire departments, garbage pickup and schools, need help with the most updated technology, with intelligence

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<sup>3</sup> Latino street gangs are a new, growing and deadly element in American crime. There are many sources of information on these groups, but a good place to start is *CRS Report to Congress; the MS-13 and 18<sup>th</sup> Street Gangs; Emerring Transnational Gang Threats*. Congressional Research Service, Washington, D.C., January 2008.

<sup>4</sup> These associations are detailed further in *Crime Wars: Gangs, Cartels and U.S. National Security*, Jennifer Bernal and Robert Killebrew, Center for a New American Security, Washington, D.C., pp 22 – 34.

<sup>5</sup> The Colombian experience, at least, argues strongly that insurgents should not be granted a status as combatants under the Geneva Conventions, but should instead be regarded as criminals by the host country, to the extent that whatever military or police forces are required, captured insurgents should be given legal rights common to all citizens under the justice system in force at that place.

<sup>6</sup> A roughly similar process is underway in Afghanistan and has been applied in Iraq, where reintegration efforts in U.S.-run prisons reduced recidivism to single-digit numbers. This is a difficult, frustrating and sometimes unsuccessful process that is nevertheless essential to defeating widespread criminal activities, regardless of motivation.

analysis and with rapid access to data bases that cover criminal activity. On the national level, immigration reform would strip away gang members' hiding places among fellow Latinos who are now afraid to go to the police, and would remove the chance of a long-term, embittered and alienated minority class in the United States. Prison reforms that embrace rehabilitation and reintegration are vitally necessary to cut down the revolving-door "crime academies" extant in prisons in the United States. Finally, federal, state and local programs to fight gang recruitment in elementary and secondary schools are vitally needed: one Los Angeles police officer recently observed that "We can convince people to stop smoking and wear seat belts—why can't we convince kids than joining gangs is a bad thing to do?"<sup>7</sup>

U.S. strategy outside our borders must be focused on assisting our allies in the region to rebuild their own security and investigative agencies and to reinforce justice systems that look after the security concerns of all citizens. Challenged states must reestablish legitimate, capable national governance systems under the rule of law, and they must reintegrate lower-level criminals into societies that support economic and social justice. More specifically, U.S. policy should work with and through governments in the region, beginning primarily with two specific states—Mexico and Colombia—that have the resources to mobilize against the cartels.<sup>8</sup> In Mexico's case, no nation in the Western hemisphere is more important to the defense of the United States. Mexico's determination and courage in fighting its own domestic insurgency, and its wiliness to stay the course, are vital to the wellbeing of the United States. In the case of Colombia, decades of U.S. aid and the Colombians' own determination to take their country back has seen not only success inside Colombia, but a willingness by the Colombian government to provide aid in its turn to fellow regional states; at this writing, Colombia is providing training and other kinds of assistance to Mexico, Guatemala, Honduras, Costa Rica and Panama. The United States' proper course of action should be to increase assistance to those two vital countries as building-blocks to a regional strategy, engage directly and bilaterally when appropriate throughout the region, but focus on behind-the-scenes support to initiatives of the beleaguered states themselves, working to strengthen local justice systems through training and indirect support, rather than trying to override local governments for short-term gain. U.S. assistance to Colombia from about 2000 to the present should be the model for successful intervention in crime wars.

Transnational criminal networks attacks on the foundations of legitimate government are ongoing, not only in Mexico, but throughout the region, including the United States. The growth of such criminal activity, aided by technology and operating globally, may well be the most potent danger to civil society since the retreat of Soviet-style communism in the 1990s. Criminal terrorists and insurgents can be beaten; their great vulnerability is that they offer no vision to ordinary citizens, and thus have little appeal other than violence. Governments that serve their people, secure their rights and apply justice are the long and short-term answers to criminal attack. The United States, which led the fight against global communism in the last half of the 20<sup>th</sup> century, must now lead the fight against global and regional crime.

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<sup>7</sup> Author's notes.

<sup>8</sup> See, for example, the Center for a New American Security policy brief, "Security Through Partnership; Fighting Transnational Cartels in the Western Hemisphere," Center for a New American Security, Washington, D.C. March 2011.