

Narco-Terrorism: The New Discovery of an Old Connection

Donnie Marshall

Follow this and additional works at: <http://scholarship.law.cornell.edu/cilj>

 Part of the [Law Commons](#)

Recommended Citation

Marshall, Donnie (2002) "Narco-Terrorism: The New Discovery of an Old Connection," *Cornell International Law Journal*: Vol. 35: Iss. 3, Article 9.
Available at: <http://scholarship.law.cornell.edu/cilj/vol35/iss3/9>

This Article is brought to you for free and open access by Scholarship@Cornell Law: A Digital Repository. It has been accepted for inclusion in Cornell International Law Journal by an authorized administrator of Scholarship@Cornell Law: A Digital Repository. For more information, please contact jmp8@cornell.edu.

Narco-Terrorism: The New Discovery of an Old Connection

Donnie Marshall†

Newly focused attention on the connection between illegal drugs and terrorism is both encouraging and frustrating. I was a thirty-year career Special Agent of the Drug Enforcement Administration (DEA), and served my last two years as the head of the agency. This attention is encouraging because American people and policy makers finally seem to get the point that there is a connection. I hope the public and our policy makers realize this connection is significant, that the importance of this connection will grow, and that we must respond to this connection if we are to succeed in the war against global terrorism. Nonetheless, this new attention is frustrating because for some time we have known a drug-terror nexus exists. Yet, we have been reluctant to treat drug organizations as terrorists, and terrorist organizations as drug traffickers, sacrificing effectiveness in combating narco-terrorism, in favor of bureaucratic compartmentalization of these two intricately intertwined issues.

In order to understand today's situation, and how it developed, it is essential to understand a bit about the history of international drug trafficking over the past three decades. Until the early 1960s, the United States was a relatively drug free society (at least when compared with the United States of the late 1970s and beyond). Drug abuse in our country had been at relatively low levels for several decades prior to the early 1960s. As drugs' popularity increased through the early 1960s, American society simply did not understand the true dangers of drugs in our society. As a result, many people in the United States believed the increased drug use was inconsequential. Many people even referenced the 1936 movie "Reefer Madness"¹ to ridicule warnings against the dangers of drug abuse. A significant portion of the public viewed the government's counter drug programs with skepticism, apathy, and even outright hostility. The fact that consequences of drug abuse – such as overdoses, lost economic productivity, and drug related crime and violence – did not become highly visible for several years reinforced public skepticism.

As the drug problem became endemic, law enforcement officials had a better understanding of the crime itself and social consequences that would eventually follow. However, even law enforcement officials did not

† Director, U.S. Drug Enforcement Administration, 2000–2001.

1. REEFER MADNESS (GH Films 1936). For information about the movie, see film website at <http://www.reefer-madness-movie.com> (describing movie as “[a] propaganda film from 1936 that has become a cult hit because of its dated outlook on marijuana use . . . focus[ing] on almost slapstick scenes of high school kids smoking pot . . .”).

fully recognize the huge potential impact on economics and terrorism that the United States would face in later years as the international drug trade grew and matured. In fact, law enforcement officials at that time did not even identify the problem as a global criminal enterprise. Rather, law enforcement officials treated the growing drug trade more as a problem of small businesses and individual entrepreneurs. Law enforcement officials perceived potential loose connections among small enterprises, but did not tie them together into a worldwide criminal conspiracy, which we later came to understand that it was. Consequently, most law enforcement agencies worked on an isolated investigation, closed it out, and moved onto another case, frequently without attempting to determine the actual extent of connections between criminal organizations.

By the late 1970s, more and more observers recognized consequences of the drug problem in the United States as drug abuse became epidemic; more types of dangerous drugs were abused, and the illegal drug business grew from cottage industries to huge, enormously wealthy international syndicates. Consequences included massive drug violence, criminal turf wars, and the deaths of innocent civilians caught in crossfire. Additional consequences included rise in property crimes, deaths and injuries from overdose, lost business productivity, rise in child neglect and abuse, the birth of crack and heroin babies, and countless tragic wastes of individual lives and potential.

In response, the country began to address the problem more aggressively in the early 1980s, using a combination of education, prevention, and treatment programs with heightened law enforcement. Support and guidance came directly from the White House.² Law enforcement officials became much more effective with financial investigations, analyzing the connections among criminal groups, constructing historical conspiracies, examining documentary and computer records, and using sophisticated intelligence analysis tools. By the early to mid-1990s, law enforcement officials had wiped out the huge Colombian cartels, eliminated the first wave of Ecstasy, made LSD virtually disappear, had all but eliminated Southeast Asian heroin from our streets, and reduced the availability and use of methamphetamines. In the aggregate, combined measures worked so well by the early 1990s, surveys showed there were roughly one-half the number of regular drug users from the peak of the drug epidemic in the late 1970s and early 1980s.

By the early to mid-1990s, there were only a couple of small problems impeding our continued progress on the issue. First, with reductions in drug abuse and its correlating crime and violence, many in the United States mistakenly thought we had already won the day. High profile issues, like the cocaine cowboys³ and crack babies, were off the front pages and

2. See e.g., Debate Series, *The War On Drugs: Fighting Crime or Wasting Time?*, 38 AM. CRIM. L. REV. 1537, 1539 (2001) (discussing measures passed by Reagan and Bush White Houses established to fight "War on Drugs").

3. Cocaine cowboy is a term used to describe young urban youths who ascended to the status of rich gangsters by selling and trafficking drugs; named to capture "the auda-

there were general declines in many types of drug related crime. The general public and our elected national leadership relaxed. As former Clinton drug czar Barry McCaffrey characterized it: "We took our eye off the ball."⁴ Drug abuse began to rise again. Second, by the mid 1990s, illegal drug trafficking had become a highly organized, specialized, compartmentalized, and well-financed business that was much harder to attack. Criminal organizations had specialists in drug transportation, smuggling, processing, protection and enforcement services, retailing, money laundering, and even marketing. By the time we realized the consequences of relaxing our efforts in combating the drug problem, the fix had become much more complicated and difficult. Drug abuse and trafficking was on the rise again.

Between the early 1970s and the early 1990s, political, regional insurgent, revolutionary and even terrorist groups began to use illegal drug traffic to finance their activities and as a weapon against their enemies. The Sendero Luminoso of Peru, the FARC, ELN and M-19 of Colombia, the Taliban and Al Qae'da all became involved to some extent in illegal drug trafficking.⁵ Traditional drug traffickers in Colombia, Mexico and Southeast Asia became more violent. Lines between revolutionaries, insurgents, terrorists, and drug traffickers became blurred, indistinct, and confusing. There are many examples where these lines become blurred.

For instance, in Colombia, the Fuerzas Armadas Revolucionarios de Colombia (FARC), the Ejercito de Liberation National (ELN), and the M-19 all originated as ideological groups. They had traditionally stayed away from drug trafficking, relying on other means to finance their activities. Yet, over the years, all of these groups utilized drug trafficking for income. Initial involvement was limited to taxing and protecting cocaine, but later expanded to include refining, transporting, stockpiling and selling cocaine. Colombian drug criminals began using terrorism, murdering thousands of police and judicial officials in Colombia, kidnapping public officials, murdering a presidential candidate, bombing public buildings, and even blowing up a Colombian airliner that killed over 100 people.⁶ These acts clearly amounted to terrorism.

In Peru, the Sendero Luminoso (the "Shining Path") has been involved in the taxation and protection of drug trafficking since the early 1980s. The Shining Path has murdered hundreds of public officials, mostly police and armed forces personnel. In 1994, the DEA lost five Special Agents in an airplane crash in the foothills of the Andes Mountains near Santa Lucia,

cious nature of some of their public shootouts." See Steven Wisotsky, *Exposing the War on Cocaine: The Futility and Destructiveness of Prohibition*, 1983 Wis. L. Rev. 1305, 1402 n. 489 (1983).

4. Transcript, *There Not Saying "No,"* Online Newshour, available at http://www.pbs.org/newshour/bb/health/august96/teen_drug_abuse_8-20.html (Aug. 20, 1996).

5. Information generally on these and other terrorist organizations is available online at <http://www.fbi.gov/terrorinfo/ftolist.htm>.

6. See generally Richard L. Fricker, *A Judiciary Under Fire: In Bogotá, Bullets and Hard Questions about U.S. Drug Policies*, 76 A.B.A. J. 54 (Feb. 1990).

Peru. Initial reports stated that the Shining Path had downed the aircraft with gunfire. However, subsequent investigation revealed the aircraft had flown into an unfamiliar mountain valley, was unable to maneuver out, and crashed near the base of the steep canyon wall. I went to the site along with other personnel from the DEA, and the Peruvian and U.S. armies. Peruvian pilots flew us in Russian helicopters courageously and flawlessly to the crash site. Sadly, when we reached the crash site we learned all five Special Agents aboard had died instantly in the crash. For the entire three days we were at the crash site, U.S. and Peruvian army personnel monitored communications that identified a party of Shining Path approaching on foot to assault our position as retribution against U.S. and Peruvian success in wiping out coca processing sites. The Peruvian government arrested the head of the Shining Path several years ago, and the organization disappeared. However, the Shining Path appears to be making a comeback, and is expected to become more active.

In Mexico, drug trafficking groups have long been involved in kidnapping, torture and murder, along with the assassination and intimidation of public officials and citizens alike. These groups, who even killed a Catholic cardinal, have no political agenda. However, their terrorist acts have the same effect as politically motivated terrorists: they render political, judicial, economic and commercial institutions ineffective, and destabilize the government and the economy.

In Southeast Asia, the Shan United Army and the United Wa State Army maintained control of their drug empires largely through violence and intimidation, sometimes politically motivated and other times solely financially motivated.⁷ In Southwest Asia and the Middle East, it is generally accepted and fairly well documented that the Taliban and al Qae'da derived profits from illegal drug trafficking.⁸ U.S. authorities began tracking Osama bin Laden's involvement in drugs in 1998. The United States has had difficulty accurately determining the extent of bin Laden and al Qae'da's business because of their methods of operation. However, it is clear bin Laden used drugs as a weapon to try to destroy Western culture and to finance his terror organization. The Taliban allowed opium production to increase dramatically in Afghanistan under their rule. Moreover, they derived significant income from it. Even the Taliban's ban on opium cultivation a few years ago was largely a sham maneuver to attempt to shed their international image as a drug producing state. In reality, prior to the cultivation ban, huge quantities of opium had been stockpiled in order to minimize any negative impact on income from the reduced opium production.⁹ Additionally, profits from drug trafficking were accompanied by a

7. Information on these paramilitary organizations involved in heroin trafficking is available online at <http://www.usdoj.gov/dea/ongoing/narco-terrorism.html>. See also <http://www.globalsecurity.org/military/world/para>.

8. International Information Programs, *Text: DEA Administrator Testifies on Taliban and Drug Trafficking*, U.S. Department of State, available at <http://usinfo.state.gov/topical/global/drugs/0110302.htm> (Oct. 3, 2001).

9. *Id.* (stating "up to 60% of each year's opium crop has traditionally been stored for future sale . . .").

convenient side-effect for al Qae'da. The illegal heroin traffic immensely harmed Western societies who suffered from destructive effects of increased drug addiction.

When speaking of narco-terrorism, we cannot afford to overlook its effects in cities, towns, and neighborhoods right here in the United States. Drug related violence plagues too many communities and violent drug gangs terrorize too many good decent citizens on a daily basis in their own neighborhoods. A few years ago, as Administrator of the DEA, I visited a neighborhood in Philadelphia referred to as "The Badlands."¹⁰ I heard horrifying stories from residents about drug traffickers and addicts committing rapes, muggings, assaults, murders, robberies, and burglaries. I was not naive after thirty-plus years in law enforcement, but I could not imagine living with my family in those conditions. Later, at home, I came to tears as I told my own family of the experience. This terrorism is every bit as real and horrifying to the citizens in those communities as the World Trade Center and Pentagon images are to the nation.

When one considers these facts together, it is easier to see the connection between drugs and terror and understand the meaning of the term "narco-terrorism." In a very large sense the domestic drug problem aids terrorism. Addicts poison themselves and drug traffickers create crime and violence and immeasurable other ills in our society. In turn, terrorists use profits to murder even more of us, and forever change the world in which we live.

We must now consider what the future holds. Not only for security against terrorism, but for our struggle against the tragedy of drug abuse, and the crime and violence that accompany drug trafficking. These issues are inextricably linked. They are linked because violence is terrorism, whether an airplane is hijacked or an elderly woman is mugged. They are linked because terrorists and drug traffickers are often the same people, or at least closely associated. They are linked because drug trafficking finances terrorism. They are linked because techniques used to evade authorities are almost identical in drug trafficking and terrorism. Drug traffickers' criminal methodology is applicable to terrorists, and vice-versa. For those reasons we cannot have measurable success against terrorism without measurable success against drug abuse and drug trafficking. Over the long term, we *will* be successful in driving terrorist organizations even more underground. We *will* be successful in denying terrorists state sponsorship to the degree that they now enjoy. As those things happen, terrorists will seek to derive increased amounts of financing through other means, the most important of which is likely to be drug trafficking.

The American people and our elected and appointed leaders need to know that illegal drug trafficking feeds terrorism, just as it feeds crime and

10. Referring to Philadelphia's East Division neighborhoods of Kensington and Fairhill, an area that once thrived but has been overrun by drug dealers, especially those selling heroin. See Andrea Fine, *Philadelphia Launches Dagnet to Rid the 'Badlands' of Drugs*, The Christian Science Monitor, available at <http://www.csmonitor.com/durable/1998/07/07/p3s2/htm> (July 7, 1998).

violence in our communities, and destroys the families and lives of individual drug abusers. More importantly, we need to act on that knowledge. Law enforcement alone is not the answer to the problems of drugs or terror. Aggressive coordinated programs of public awareness, education, prevention, civic action, corporate involvement, along with aggressive use of law enforcement and the criminal justice system are essential if we are to prevail over terrorism and the drug epidemic. Just as these methods succeeded in reducing drug usage by half between the late 1970s and the early 1990s, they can and will work in the 21st century.