

Attacking Transnational Organized Criminal Networks: Applying Principles of Irregular Warfare to an Emerging Salient Threat

A Monograph

by

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The opinions and conclusions expressed herein are those of the student author and do not necessarily represent the views of the U.S. Army Command and General Staff College or any other governmental agency. (References to this study should include the foregoing statement.)

Abstract

Attacking Transnational Organized Criminal Networks: Applying Principles of Irregular Warfare to an Emerging Salient Threat, by MAJ Steven T. Brackin, 59 pages.

While the 2011 Department of Defense Counternarcotics and Global Threats Strategy (DoD CN> Strategy) acknowledges the complexity of the strategic environment and provides an expanded interpretation of its existing authorities that allows for the integration of unique DoD competencies within a whole-of-government approach, it foregoes the opportunity to articulate a theory of action and instead repackages objectives from national level strategies within the scope of DoD capabilities. Through an exploration of theories of irregular warfare (IW) and competing cultural tendencies within the DoD, this monograph seeks to offer a theory of action that underwrites an alternative approach to combating TCOs to integrate more effectively tactical actions in time, space, and purpose with national strategic aims. Considering the many structural parallels between insurgent organizations and TCOs, it is likely that theories of IW will have indirect, if not direct, application to contemporary efforts to confront TCOs. With the intent of discerning certain of these relevant aspects, this monograph examines two important IW theories—Nathan Leites’ and Charles Wolf’s supply-side approach to COIN and Dr. Geoff Demarest’s consideration of the utility of anonymity. Furthermore, the author attempts to conceptualize Dr. Demarest’s ideas within a behavioral economic model in an effort to integrate his complementing theory with Leites’ and Wolf’s rational actor framework.

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Acronyms

ADM	Army Design Methodology
AOR	Area of Responsibility
AtN	Attack the Network
CCMD	Combatant Command
CD	Counterdrug
CN>	Counternarcotic and Global Threats
CoG	Center of Gravity
COIN	Counterinsurgency
DASD	Deputy Assistant Secretary of Defense
DASD-CN>	Deputy Assistant Secretary of Defense for Counternarcotic and Global Threats
D&M	Detection and Monitoring
DoD	Department of Defense
GCC	Geographic Combatant Commander
H&M	Hearts and Minds
IA	Interagency
IED	Improvised Explosive Device
IW	Irregular Warfare
JIATF	Joint Interagency Task Force
LEA	Law Enforcement Agency
LOE	Lines of Effort
NDAA	National Defense Authorization Act
NDCS	National Drug Control Strategy
NSS	National Security Strategy
NSS-CTOC	National Security Strategy to Combat Transnational Organized Crime
OE	Operational Environment

PN	Partner Nation
TCO	Transnational Criminal Organization
TOC	Transnational Organized Crime
UN	United Nations
VNSA	Violent Non-state Actors
WEF	World Economic Forum

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Introduction

Over the course of two decades, transnational organized crime has crossed a threshold from law enforcement concern to national security threat. Transcending the narrow ends, ways and means of illicit drug trafficking, Transnational Criminal Organizations (TCOs) leverage sophisticated clandestine organizations and substantial illicit profits to source and sell an increasingly diverse array of illicit commodities. Through a combination of anonymity, coercion, and corruption, strategic-minded TCOs circumvent the rule of law to leverage legitimate systems and infrastructure to increase their illicit profits.¹ As the central force driving the expansion of the illicit global economy, TCOs have emerged as the center of gravity (CoG) of a salient threat to global stability.

The emergence of strategic TCOs has compelled a shift in US security policy. Concern with the first order effects of drug trafficking—the implications of illicit drug abuse on economic productivity, individual health, and the disruption of families—is now subordinated to the second and third order effects that undermine prosperity and create the conditions for instability and violent conflict. A growing interdisciplinary consensus points to the correlation between the nexus of illicit trafficking, corruption, and organized crime and the proliferation of fragile states, insurgency, and terrorism. This consensus links the causal chain of corruption and organized crime to the subversion of legitimate political economies, state governance, and the rule of law. This in turn fuels the grievances of increasingly disenfranchised populations and delegitimizes already vulnerable states.²

¹ World Economic Forum, *Global Risks 2011 Sixth Edition: An Initiative of the Risk Response Network* (Geneva: World Economic Forum, January 2011), 23. Now estimated at \$1.8 trillion or 10 percent of the licit global economy.

² Ibid., 23-25; National Security Council, *National Security Strategy 2010* (Washington, DC: National Security Council, 2010), 49.

Acknowledging the complexity of the strategic environment and the emerging threat of transnational criminal threats to global security, US national security strategies are reorienting efforts in an attempt to address root causes of instability. The 2010 *National Security Strategy* (NSS) speaks to the linkage between failing states, criminal networks, and insecurity and for the first time outlines a whole of government approach to disrupt and dismantle TCOs.³ Following the lead of the 2010 NSS, the executive office of the President that coordinates the nation's counterdrug (CD) strategy, the Office of National Drug Control Policy, incorporates specific measures in its National Drug Control Strategy (NDCS) intended to focus national efforts on the transnational criminal threat.

Most significantly, in 2011 the United States framed a single-issue National Security Strategy to Combat Transnational Organized Crime (NSS-CTOC). Expanding on the transnational criminal threat identified in the 2010 NSS, the NSS-CTOC depicts in greater depth the nature of the illicit economy, defines national aims, and describes an approach that leverages the unified action of all instruments of national power—the critical capabilities of the Department of Defense (DoD) included—to identify and dismantle the most dangerous TCOs.⁴

The DoD has in turn responded to this evolving guidance. In consideration of these national strategic aims, the DoD continues to adapt existing processes, organizations, and legal authorities to contribute to a unified effort to confront TCOs.⁵ Anchoring DoD's support to these evolving strategic efforts is its original charter as the single lead agency responsible for detection and monitoring (D&M) of aerial and maritime domains to interdict the trafficking of illegal drugs

³ National Security Council, *National Security Strategy 2010*, 15.

⁴ Section III of the NSS-CTOC details the strategic objectives categorized generally by the critical capabilities of the various executive agencies that represent that elements of national power.

⁵ In the Strategic Context section of its strategy, the DASD-CN> lists the national strategic guidance to which it responds.

into the United States.⁶ Pivoting on existing legal authorities to establish the necessary freedom of action to contribute to NSS-CTOC objectives, the DoD articulated in its 2011 *Counternarcotics and Global Threats Strategy* (hereinafter referred to as *DoD CN> Strategy*) a broader interpretation of its existing legal authorities by establishing the link between illicit drug trafficking and the larger transnational organized criminal threat.

While this iteration of the *DoD CN> Strategy* acknowledges the complexity of the strategic environment and provides an expanded interpretation of its existing authorities that allows for the integration of unique DoD competencies within a whole-of-government approach, it foregoes the opportunity to articulate a theory of action and instead repackages and scopes objectives from national level strategies. Moreover, the 2011 *DoD CN> Strategy* fails to confront explicitly the problem of anonymity—the critical factor that strategic TCOs leverage to conduct their illicit activities. Through an exploration of theories of irregular warfare (IW) and competing cultural tendencies within the DoD, this monograph seeks to underwrite an alternative approach to combating TCOs with a theory of action that integrates more effectively tactical actions in time, space, and purpose with national strategic aims. To this end, this monograph examines and attempts to synthesize two important theories of IW—Nathan Leites’ and Charles Wolf’s structural approach to COIN and Dr. Geoff Demarest’s insights into the utility of anonymity.

⁶ The environmental frame of this monograph expands on the Title 10 and NDAA authorities that frame DoD counterdrug support to national strategies. Chairman Joint Chiefs of Staff, Joint Publication 3-07.4, *Joint Counterdrug Operations*, surveys the history, legal authorities, DoD policies and organizations that related to the DoD’s support to law enforcement and national strategies related to counternarcotics and counterillicit trafficking strategies.

Research Methodology

Given the action-oriented purpose of this monograph, it proceeds from an ontologically positivist worldview that pragmatically attempts to answer both practical and applied research questions.⁷ Considering the complex social interaction from which the nexus of illicit trafficking, corruption, and organized crime emerges, the study acknowledges a relativist, constructivist epistemological approach.⁸ This circumstance, compounded by the lack of applicable large-N data, compels the study's qualitative nature. To answer the questions posed, the study approaches the problem through a comparative case study of competing institutional cultures within the DoD, specifically the culture of interdiction exemplified by those DoD organizations that implement its CN> strategy and the culture of intelligence-based operations captured by the emerging doctrinal concept of Attack the Network (AtN).

Principle sources for this study include academic and professional journal articles, reports and books, as well as national security strategy documents and joint service doctrine supplemented by participant observations. The comparative case study examines two competing cultural tendencies within the DoD—interdiction and intelligence-based operations. To explore the culture of interdiction, the monograph analyzes the roles and responsibility of the Deputy Assistant Secretary of Defense for Counternarcotics and Global Threats (DASD-CN>), the

⁷ The positivist paradigm assumes an objective reality separate from human knowledge. This ontological position provides for the ability of prediction and control as well as empirical verification meaning that patterns of cause and effect that predict and control natural events can be discerned and that human observation of these patterns is indeed reliable. See Heiki Patomaki and Colin Wight, "After Postpositivism? The Promises of Critical Realism," *International Studies Quarterly* 44, no. 2 (June 2000): 213-237 for an in-depth description of "Critical Realism" that best characterizes the ontological and epistemological position of the author.

⁸ A constructivist epistemology acknowledges an objective reality separate from human perception, but knowledge of that reality emerges from a social construction that is inherently subject to bias and degrees of inaccuracy notwithstanding the application of objective scientific methodologies. See Patomaki and Wight for an in-depth description of "Critical Realism" that best characterizes the ontological and epistemological position of the author.

2011 *DoD CN> Strategy* for which it is responsible, as well as the organizations resourced by the DASD-CN> and guided by its strategy. To better understand the competing cultural tendency of intelligence-based operations, the monograph examines the emerging doctrinal concept of AtN, as presented by the 2011 *Commander's Handbook for Attack the Network* and the history of the Joint Improvised Explosive Device Defeat Organization. These competing cultural trends are contrasted with relevant theories of IW to discern meaningful conclusions that contribute to the development of an alternative DoD approach to combating TCOs.

Literature Review

The Threat

In its report, *Global Risks 2011 Sixth Edition: An Initiative of the Risk Response Network* (hereinafter referred to as *Global Risks 2011*), the World Economic Forum (WEF) described the highly connected nexus of illicit trade, organized crime, and corruption that represents the illegal economy as a risk of central importance to global security.⁹ It articulated a feedback loop between the nexus of the illegal economy, economic disparity, and the subversion of state institutions, which in turn create the conditions for the emergence of fragile states, terrorism, and global conflict. The United Nations (UN) Office on Drugs and Crime 2010 report, *The Globalization of Crime: A Transnational Organized Threat Assessment* (hereafter referred to as *UN Threat Assessment*), corroborates this assessment, asserting that, “crime is fuelling corruption, infiltrating business and politics . . . hindering development . . . and undermining governance by empowering those who operate outside the law.”¹⁰ Extending this argument, the 2011 US NSS-CTOC identifies TCOs as a strategic threat to Americans and US interests,

⁹ World Economic Forum, *Global Risks 2011*, 22.

¹⁰ United Nations Office on Drugs and Crime, *The Globalization of Crime: A Transnational Organized Crime Threat Assessment* (New York: United Nations, 2010), ii.

concluding that they constitute the critical entity driving the expansion of the illegal global economy.¹¹

Though examined from divergent perspectives—economic, international, state—a broad consensus emerges that reveals the complexity of the problem. The independent analysis of each study finds a correlation between the factors that drive economic globalization and the expansion of a shadow illicit global economy. As articulated by Antonio Maria Costa, Executive Director of the United Nation’s Office of Drugs and Crime, the “unprecedented openness in trade, finance, travel and communication (that) has created economic growth and well-being . . . has also given rise to massive opportunities for criminals to make their business prosper.”¹² The WEF highlights the fact that TCOs leverage the international banking and real estate systems to manage their own finances, launder money, and conceal their illicit profits.¹³ To facilitate their illicit activities, TCOs rely on clandestine networks of criminal agents and corrupt facilitators to access these legal mechanisms. Where the value of anonymity and corruption diminish, TCOs rely on coercion through the use or threat of instrumental violence. Given this ultimate reliance on violence to backstop their illicit operations and enforce extra-judicial contracts, TCOs fall squarely within the category of violent non-state actors.

Beyond the inherent iniquity of TCOs, the emergent properties they perpetuate harm the global good. Figure 1 graphically represents the causal chain that links the nexus of the illegal economy to global insecurity. It depicts the illegal economic nexus of illicit trafficking to which corruption and crime are in close proximity and contributing to the subversion of legitimate political economies and the rule of law that together erode a state’s capacity and authority to

¹¹ National Security Council, *Strategy to Combat Transnational Organized Crime* (Washington, DC: Office of the President of the United States, 2011), 5.

¹² United Nations Office on Drugs and Crime, *The Globalization of Crime*, ii.

¹³ World Economic Forum, *Global Risks 2011*, 22.

govern effectively. Subversion in turn undermines state authority and capacity to govern while contributing to the accumulation of grievances within the population. The combined effects create the conditions for the emergence of fragile states that are highly susceptible to capture, or disruption at a minimum, from malevolent elements willing to leverage instrumental violence to achieve political objectives.¹⁴ Depending on the objectives of these malevolent forces—political, economic, or both—fragile states often succumb to internal violent armed conflict in the form of insurgency or spiraling homicide and contribute to the spread of instability by providing sanctuary to criminal, insurgent, and terrorist elements that prey on neighboring states. The 2010 UN *Threat Assessment* affirms the correlation between what the WEF characterizes as the nexus of the illegal global economy, state subversion, and violence in six different regions of the globe, from the Western Hemisphere, South-East Europe, and Africa to Central, South-West, and South-East Asia.¹⁵

¹⁴ The 2011 NSS CTOC refers specifically to the West African nation of Guinea-Bissau as an example of this phenomenon. Although the NSS CTOC refers to the region of Central America and does not name specific countries, the inability of the state to control the high rates of homicide correlated with the activities of drug gangs in Honduras and El Salvador provide additional examples of emergent state fragility resulting from the nexus of the illicit economy. National Security Council, *Strategy to Combat Transnational Organized Crime*, 9-10.

¹⁵ United Nations Office on Drugs and Crime, *The Globalization of Crime*, 4-9.

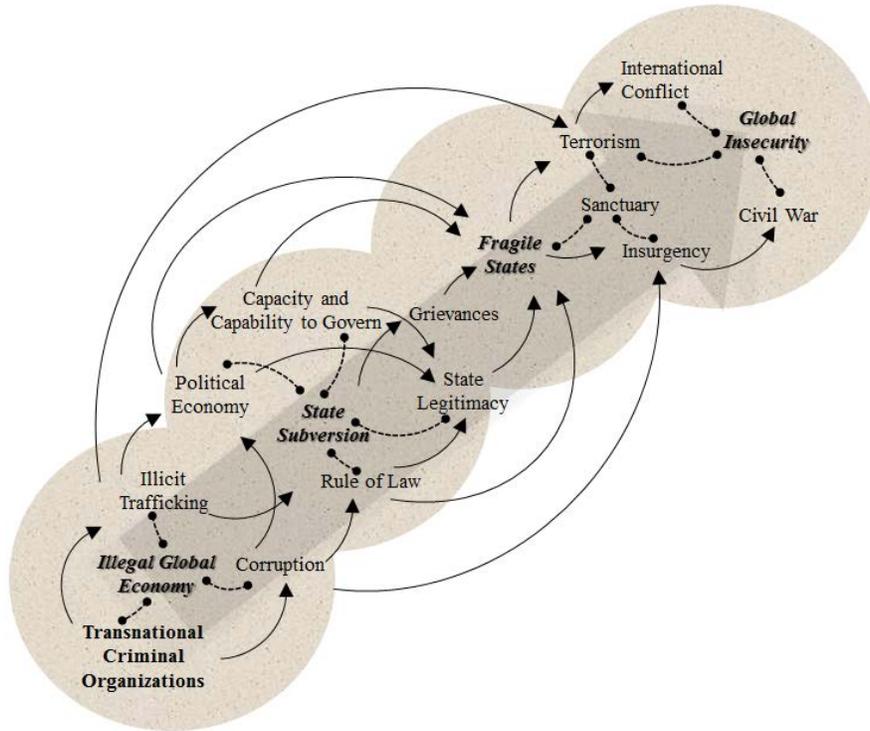


Figure 1. Causal Link from Illicit Trade to Global Instability.

Source: Created by author.

From their perspective as non-state entities—affiliations that lack the capabilities and authority of a state—the WEF and the UN emphasize the influence of structure over agency and offer remedies accordingly.¹⁶ In contrast, the US NSS-CTOC forcefully argues that the agency of TCOs constitutes the critical source of power that reinforces the nexus of illicit trade, crime, and corruption and that states must take the lead to protect their own interests through systemic intervention directed at this CoG. Though the NSS-CTOC does acknowledge the need for

¹⁶ World Economic Forum, *Global Risks 2011*; United Nations Office on Drugs and Crime, *The Globalization of Crime*.

cooperative international efforts to address the systemic structural aspects of the illicit nexus, it underscores the importance of disrupting and dismantling TCOs.¹⁷

The NSS-CTOC defines TCOs as the “self-perpetuating association of individuals who operate . . . for the purpose of obtaining power, influence, monetary and/or commercial gains, wholly or in part by illegal means” characterized by certain aspects.¹⁸ The organizational structure of TCOs take many forms, any and all of which serve the intended purpose of protecting and promoting their illegal activities.¹⁹ TCO conspiratorial criminal activities use or imply the threat of violence and attempt to gain influence in government, politics, and commerce by corrupt as well as legitimate means.²⁰ Furthermore, TCOs employ transnational arbitrage, leveraging both legal and illegal methods to exploit the differences between countries to expand their influence and further their principal goal of economic gain.²¹ With a definition of TCOs established and a survey of the systemic nature of the illicit economy and its impact on global stability complete, there is value in examining the specific aspects of illicit trade.

The illegal global economy emerges from the interaction between the supply and demand of illicit goods and services and the clandestine efforts of criminal organizations and corrupt facilitators to establish equilibrium between these forces. Much like the legal economy, each region of the globe possesses a peculiar commercial competitive advantage that emerges as a function of its physical and cultural geography combined with its access to globalized networks of finance, communications, and transportation. This section surveys the increasingly diversified

¹⁷ National Security Council, *Strategy to Combat Transnational Organized Crime*, i-iii.

¹⁸ *Ibid.*, i.

¹⁹ *Ibid.*

²⁰ *Ibid.*

²¹ *Ibid.*; World Economic Forum, *Global Risks 2011*, 23.

and expanding number of illicit commodities and services and the interaction between the supply and demand of these elements that together make up the contemporary illegal global economy.²² The intent is to establish an understanding of the scope of illicit trafficking to provide insight into the dynamic interaction between TCOs and corrupt state actors and to reinforce the saliency of the global illegal economy nexus as a threat to US interests.

Approaching a market size of \$322 billion, illicit drugs constitute a significant proportion of total illegal global trade.²³ A function of the geography of demand, supply, and the specific qualities of each drug determines the nature of its respective market. The four traditional categories of illicit drugs include opiates, cocaine, cannabis, and amphetamine-type stimulants.²⁴ The qualities of heroin, cocaine, and amphetamines lend them to global trafficking and help account for their status as the most lucrative of illicit commodities. The combination of high potency, malleability, and persistency facilitate their concealment within the ubiquitous commercial containers used in shipping, rail, and road transport networks or false compartments of private vehicles.²⁵ This explains why most heroin, cocaine, and amphetamine seizures take

²² Given the nature of illicit commerce, it is difficult if not impossible to quantify with precision the scale of illicit transactions. Beau Kilmer, Jonathan P. Caulkins, Brittany M. Bond, and Peter H. Reuter in the 2010 RAND Corporation study on *Reducing Drug Trafficking Revenues and Violence in Mexico* provide a transparent view of credible methodologies used to quantify illicit commerce.

²³ United Nations Office on Drugs and Crime, *2005 World Drug Report, Volume 1, Analysis* (Vienna: United Nations, 2005), 127. The UN world drug reports, particularly the 2005 and 2010 report, detail the nature and quantities of illicitly trafficked commodities throughout the world. Additionally, the US Department of Justice annual drug threat assessments provide details of illicit drugs within the context of US markets.

²⁴ United Nations Office on Drugs and Crime, *2010 World Drug Report* (Vienna: United Nations, 2010), 39-45; United Nations Office on Drugs and Crime, *2014 World Drug Report* (Vienna: United Nations, 2014), 39-45.

²⁵ National Drug Intelligence Center, *The Economic Impact of Illicit Drug Use on American Society, National Drug Threat Assessment 2010* (Washington, DC: US Department of Justice, 2010), 19-21; United Nations Office on Drugs and Crime, *2014 World Drug Report*, 21-22.

place at legitimate international ports of entry where thousands of containers and private individuals cross on a daily basis.²⁶

In addition to drugs, trafficking in persons for sexual exploitation and human smuggling of migrant workers constitutes a major clandestine illicit trade activity.²⁷ In the case of sex trafficking, an estimated 70,000 victims, mostly women from the Balkans and former Soviet Republics, often work in coercive environments—sometimes in indentured servitude—serving the three billion dollar annual sex industry in Central and Western Europe.²⁸ In instances of trafficking for labor exploitation, developing countries supply illicit labor for those labor-intensive enterprises that the labor force in developed countries is unwilling or unable to take on because of uncompetitive wages.²⁹ Organized criminal networks take in as much as seven billion dollars annually facilitating the illegal migrant flow between Latin America and the United States and between Africa and countries of the European Union.³⁰

While less significant in monetary terms, the impact of illicit firearms trafficking on human suffering and global security is considerable. Estimated at \$320 million annually, the trade

²⁶ World Customs Organization, *2012 Illicit Trade Report* (Brussels: World Customs Organization, 2013), 41-70.

²⁷ The NSS-CTOC defines human smuggling as the facilitation, transportation, attempted transportation, or illegal entry of a person or persons across an international border, in violation of one or more countries' laws, either clandestinely or through deception, whether with the use of fraudulent documents or through the evasion of legitimate border controls. Distinct from human smuggling, trafficking in persons (TIP), or human trafficking, refers to activities involved when one person obtains or holds another person in compelled service, such as involuntary servitude, slavery, debt bondage, and forced labor. National Security Council, *Strategy to Combat Transnational Organized Crime*, 6-7.

²⁸ United Nations Office on Drugs and Crime, *The Globalization of Crime*, 44.

²⁹ *Ibid.*, 41.

³⁰ United Nations Office on Drugs and Crime, *The Globalization of Crime*, 4-5.

in illicit firearms facilitates demand from either criminal organizations or insurgent groups.³¹ According to the UN, the largest transnational flow of guns to support criminal activity is between the United States and Mexico, whereas the former Soviet Republics, Ukraine in particular, constitute the principal source of weapons used in conflicts throughout Africa.³² On account of the durable nature of firearms, they continue to circulate throughout the affected regions with corralitive effects on violence and instability.³³

Another concern cited by the NSS-CTOC is what it designates as the crime-terror-insurgency nexus. Though acknowledged as a mostly opportunistic phenomenon, the strategic estimate of the strategy indicates that terrorist and insurgent organizations leverage TCO networks to access denied areas as well as a source for funding and logistical support. The NSS-CTOC cites the fact that the US Department of Justice has listed twenty-nine of the sixty-three most dangerous TCOs as associated with terrorist groups.³⁴ This nexus also includes criminal collaboration to kidnap for ransom as well as extortion to generate revenue to advance their

³¹ United Nations Office on Drugs and Crime, *The Globalization of Crime*, 129.

³² *Ibid.*, pg 131. In the case of the US-Mexico firearm trafficking, organized smuggling efforts leverage US laws to move handguns, military-style assault rifles, and ammunition into Mexico for use and further trafficking by criminal organizations. With the collapse of the Soviet Union and the Warsaw Pact in the early 1990s, accountability of significant military stockpiles of small arms and other weapons was lost due to mismanagement and corruption and subsequently sold throughout Africa to supply the demand for insurgent and other armed groups that proliferated during the same time period.

³³ *Ibid.*

³⁴ National Security Council, *Strategy to Combat Transnational Organized Crime*, 6. The Taliban in Afghanistan and the Revolutionary Armed Forces of Colombia constitute two definitive examples. The NSS CTOC also cites concern regarding the suspected nexus between illicit traffickers—narcotics traffickers in particular—and Hizballah, al-Shabaab and al-Qa'ida in the Lands of the Islamic Magreb.

political aims.³⁵ Other areas of illicit trafficking include smuggling of natural resources, intellectual property theft, and cybercrime.³⁶

Separate from, but directly related to, illicit commodity trafficking is the threat of corruption. As described in the introduction, TCOs seek to leverage power and influence with legitimate business and governmental actors to gain access to source zones, transportation infrastructure, or retail markets.³⁷ Corruption takes many forms. From petty corruption where individual actors are paid on single, independent transactions, to more pervasive condominiums where TCOs and government officials establish broad quid pro quo agreements defining territorial and procedural regimes.³⁸ More pervasive still, as TCOs operate in both the legal and illegal economies, front organizations covering TCO interests establish political organizations that resource sympathetic candidates at local, state, and national levels of elected office.³⁹ Corruption of this order of magnitude undermines the rule of law within the affected society as

³⁵ National Security Council, *Strategy to Combat Transnational Organized Crime*, 6.

³⁶ United Nations Office on Drugs and Crime, *The Globalization of Crime*, 131. Smuggling of environmental resources constitutes a growing illicit commodity as well. Exploiting vulnerable states and populations, TCOs facilitate the sourcing, transshipment and sale of diamonds, gold and other precious minerals as well as illicitly harvested natural resources such as timber and threatened animal species for sale in developed or developing nations. Intellectual property theft and trafficking in counterfeit goods constitutes another lucrative source of illicit profits for TCOs; Product counterfeiting, or theft of intellectual property, varies from imitation merchandise leveraging the reputation of known and trusted brand names to theft of high-tech designs and manufacturing processes to illicit copying and sale of music, video games and movies. United Nations Office on Drugs and Crime, *The Globalization of Crime*, 173-190. Cybercrime is yet another source of illicit profit leveraged by TCOs. Developed countries, particularly the United States, constitute the principal target of cybercrime. Beyond the impact to individual victims, cybercrime threatens the integrity of the global financial system upon which the world economy relies.

³⁷ European Commission, *EU Anti-corruption Report* (Brussels: European Commission, 2014), 1-3; Transparency International, *Global Corruption Barometer 2013* (Berlin: Transparency International, 2013), 3,4.

³⁸ European Commission, *EU Anti-corruption Report*, 16.

³⁹ European Commission, *EU Anti-corruption Report*, 9.

well as the integrity of the international economic system.⁴⁰ Having established the necessary context with respect to the nature of the transnational criminal threat, the literature review now adjusts its focus to the US response. The following section surveys the evolving national level strategic guidance pertaining to TCOs scoped to the specific capabilities of the DoD. The section goes on to examine the DoD's efforts to implement these policies.

National Guidance to Counter the TCO Threat and DoD's Culture of Interdiction

As articulated in the introduction, US national security strategy has adapted to the threat posed by TCOs. Refining the 2010 NSS guidance to defeat TCOs and disrupt the nexus between TCOs and terrorist networks, the 2011 NSS-CTOC expands on the national effort required to counter the TCO threat. Given the capabilities of the DoD, the most applicable of these goals is the defeat of TCO networks “that pose the greatest threat to national security by targeting their infrastructures, depriving them of their enabling means, and preventing the criminal facilitation of terrorist activities.”⁴¹ Also relevant is the goal to strengthen partner nation (PN) governance to break the corruptive power of TCOs and sever state-crime alliances.⁴² Reinforcing these strategic aims, the 2014 NDCS establishes the strategic goal of strengthening international partnerships for the purpose of reducing the availability of foreign-produced drugs in the United States. Most significantly, this strategy articulates an objective to attack the vulnerabilities of key TCOs by

⁴⁰ European Commission, *EU Anti-corruption Report*, 1-3; Transparency International, *Global Corruption Barometer 2013*, 3,4.

⁴¹ National Security Council, *Strategy to Combat Transnational Organized Crime*, 14; National Security Council, *2010 National Security Strategy*, 49.

⁴² National Security Council, *Strategy to Combat Transnational Organized Crime*, 13.

expanding and refining collaborative intelligence collection and analysis to identify TCO networks and target their financial operations and leadership.⁴³

The 2014 *Quadrennial Defense Review* provides guidance that the DoD employ innovative approaches to confront the full spectrum of potential threats while preserving the experience gained during ten years of counterinsurgency (COIN) in Iraq and Afghanistan. As part of its efforts to protect the homeland, build global security, project power, and win decisively, the DoD will sustain continuous, distributed counterterrorism operations and assure allies through forward presence and engagement. Each of these strategies describe their support to and interdependence with the broad US interests identified in the 2010 NSS, including the security of the United States and its allies and partners, a strong economy in an open economic system, respect of universal values, and an international order that promotes peace, security, and opportunity through cooperation.⁴⁴ Moreover, these strategies consistently speak to the imperative of unified action across the elements of US national power and cooperation within a community of PNs and allies in order to accomplish these objectives.

The DoD organization responsible for developing TCO policy, administering resources, and assessing performance is the DASD-CN>.⁴⁵ It communicates this guidance through a

⁴³ Office of National Drug Control Policy, *2014 National Drug Control Strategy* (Washington, DC: Office of National Drug Control Policy, 2014), 58-59.

⁴⁴ US Department of Defense, *Department of Defense Counternarcotics and Global Threats Strategy* (Washington, DC: US Department of Defense, 2011), 79; US Department of Defense, 2014 Quadrennial Defense Review (Washington, DC: US Department of Defense, 2014), V; Office of National Drug Control Policy, *2014 National Drug Control Strategy*, 79; National Security Council, *Strategy to Combat Transnational Organized Crime*, 3-4.

⁴⁵ US Department of Defense, *Department of Defense Counternarcotics & Global Threats Strategy* (Washington, DC: US Department of Defense, 2011); Chairman Joint Chiefs of Staff, Joint Publication 3-07.4, *Joint Counterdrug Operations* (Washington, DC: Joint Chiefs of Staff, 2013), I-1. Central to the purpose of this monograph, in the strategic vision and mission statement of the 2011 DoD CN> strategy, the DASD-CN> asserts responsibility for the development, oversight, resourcing and evaluation of DoD policy related to the national security threats that emerge from the nexus of organized crime, illicit trade and corruption.

DoD CN> Strategy. The DASDs occupy critical positions within the DoD. As the so-called engine rooms of the Assistant Secretaries of Defense, the DASDs bridge the gap between national strategic guidance and the execution of military operations.⁴⁶ Whereas the role of the geographic DASDs is essentially limited to policy development, functional DASDs have the authority to allocate purpose-directed appropriations and thereby shape the implementation of policy directives.⁴⁷

Situated within the office of the Assistant Secretary of Defense for Special Operations and Low Intensity Conflict, DASD-CN> shares primary responsibility for developing and directing internal policy to counter asymmetric threats to national security with the DASD for Special Operations and Counterterrorism.⁴⁸ While the DASD for Special Operations and Counterterrorism develops and implements policy to counter the ideologically motivated violent non-state actors (VNSAs), the DASD-CN> has taken on parallel responsibilities for profit-motivated TCOs.⁴⁹

The 2011 *DoD CN> Strategy* establishes strategic goals and objectives in support of national-level guidance intended to “enable DoD to limit substantially and sustainably the impact

⁴⁶ The description of the DASDs as “engine rooms” of the ASD was made by a former DASD in his remarks to the Army School of Advanced Military Studies Class 14-02.

⁴⁷ In the case of the DASD-CN>, it not only develops policy but resources Counternarcotics Program Offices in each of the geographic CCMD, the Title 32 Counterdrug Program as well as the operational requirements of the standing Joint Interagency Task Forces and counterdrug-related training executed by Special Operations Command. Chairman Joint Chiefs of Staff, Joint Publication 3-07.4, details the role of the DASD-CN> and its relationship with the GCCs.

⁴⁸ Undersecretary of Defense for Policy, “Assistant Secretary of State for Special Operations and Low Intensity Conflict,” US Department of Defense, July 26, 2014, accessed July 26, 2014, <http://policy.defense.gov/OUSDP/Offices/ASDforSpecialOperationsLowIntensityConflict.aspx>.

⁴⁹ *Ibid.*; Joint Chiefs of Staff, Joint Publication 3-07.4, I-3. See the US Department of Defense, *Department of Defense Counternarcotics and Global Threats Strategy*, 5-11 for a description of the Illicit Exchange Continuum and the Global Threats Model.

of illegal drugs and other illicit trafficking organizations or networks . . . to counter the threats transnational organized crime pose to US national security.”⁵⁰ Consistent with the CN> vision that its strategy integrate DoD efforts with those of the other elements of national power in accordance with nation-level policy guidance, the strategic goals and supporting objectives articulated within the *DoD CN> Strategy* resonate with the strategic aims and objectives of the NSS-CTOC and the Office of National Drug Control Policy’s NDCS.⁵¹ The case can be made, however, that DoD CN> strategies and objectives simply scope national level strategic guidance, specifically those articulated in the 2010 NDCS, and reassemble them within the frame of DoD capabilities. With several exceptions that establish original and unique objectives, a majority of the strategic aims emphasize support to interdiction prioritized by geography.⁵² In all

⁵⁰ US Department of Defense, *Department of Defense Counternarcotics and Global Threats Strategy*, 7-11. The strategy articulates two separate mission statements, one for the DoD and one for the DASD-CN>.

⁵¹ US Department of Defense, *Department of Defense Counternarcotics and Global Threats Strategy*, 13-14. See the CN> strategy for detailed description of the three strategic goals and supporting objectives. CN> Goals 1 and 2 and their respective supporting objectives are derived from the Office of National Drug Control Policy, *2010 National Drug Control Strategy* (Washington, DC: Office of National Drug Control Policy, 2010), Strategic Goal 6—Strengthen International Partnership, goals 2.B as well as and 2.A. 2.C, respectively. CN> Goal 3 is a paraphrasing of the language in the National Security Council, *National Security Strategy 2010*, 49.

⁵² See the Office of National Drug Control Policy, *2010 National Drug Control Strategy*, 77-88. US Department of Defense, *Department of Defense Counternarcotics and Global Threats Strategy*, 13-17 list the strategic objectives. Of the twenty-seven intermediate objectives in the CN> strategy, fifteen, or fifty-six percent, dictate interdictive-type activities. One-hundred percent of the intermediate objectives supporting strategic goal two are interdictive in nature, ranging from “interdicting 40 percent of cocaine” and “interdicting bulk cash and illicit weapons” to “securing borders” and “deny(ing) . . . the use of territory, airspace, and . . . sea lines of communication” to illicit traffickers. Of the eighteen supporting objectives to strategic goal three, nine describe similar objectives to build partner nation capacity to “deny the use of . . . territories and sea lines of communication” to illicit traffickers in twelve specific geographic regions. Other supporting objectives target a specific threat capability such as piracy or weapons while others specify the resource to be employed such as the use of the National Guard or the development and employment of technology. Of the twenty-seven supporting objectives, eight can be categorized as intelligence or investigative-type activities. These eight objectives describe efforts to target illicit finance activities specifically or the nexus among TCOs, illicit drug trafficking,

cases, the strategic goals and objectives assume that threat networks have been identified and mapped to support unilateral or PN interdiction or dismantling, an assumption that may not be supported given the reality of limited GCC knowledge, expertise, resources, or prioritized interest with respect to TCOs and illicit trafficking in general.

Transitioning to consideration of DoD's culture of interdiction, it is important to understand the context of the DoD counterdrug mission, the mandate that preceded and shaped the 2011 CN> strategy. This section explores the history of the DoD CD mission, the legal authorities that provide its charter, the instructions that guide its implementation, and how the DoD organized itself to accomplish this mission. As the point of departure, a brief survey of the US 'War on Drugs' establishes the initial context for an examination of the DoD CD mission.

In 1986, in response to increased trafficking of Colombian cocaine into the United States, both the executive and legislative branches of the US government took action. The Reagan Administration issued National Security Directive 221 declaring drug trafficking a national security threat while the Congress passed the Anti-Drug Abuse Act enhancing executive authority to prosecute a 'War on Drugs.'⁵³ Recognizing the need to institutionalize planning and oversight

foreign terrorist organizations and militant movements in general. Of particular note is supporting objective thirteen to strategic goal three that directs that DoD "Work with partners to disrupt and dismantle critical networks (financial, transportation, human capital, and supply chain) in the transatlantic and transpacific drug trafficking vectors that run from Central and South America to Africa, Pakistan, and Asia, en route to Europe and the United States." This objective is arguably too broad to satisfy the CN> criteria that the "strategy . . . provide(s) guidance for prioritizing programs and activities." Only two of the twenty-seven supporting objectives specifically establish the aim of identifying threat networks as a strategic goal. Supporting objective four to strategic goal one and supporting objective eight to strategic goal three: Objective 4: Identify threat finance activities impacting US national security interests in Afghanistan and Pakistan that form the nexus among illicit drug traffickers, terrorists, and insurgents so that the financial and economic infrastructures can be targeted and dismantled . . . and Objective 8: Identify threat finance activities impacting US national security interests in Iraq and the Gulf region (Middle East).

⁵³ Chairman Joint Chiefs of Staff, Joint Publication 3-07.4, I-1.

of this national effort, Congress passed the Anti-Drug Abuse Act of 1988 that established the Office of National Drug Control Policy within the Executive Office of the President.⁵⁴

Recognizing the need to establish a defense in depth, the Congress expanded the Title 10 authority of the DoD, delegating to it specific interdiction responsibilities and expanding its ability to provide support to US law enforcement agencies and foreign partner nations. Consequently, by extending the operational reach of law enforcement beyond the territorial waters, land borders, and ports of entry of the United States, the US Coast Guard and Customs and Border Patrol no longer constitute the single, passive line of territorial defense against illicit trafficking. In 1989, Congress amended Title 10, United States Code, adding Section 124 to designate the DoD as the lead federal agency for the D&M of aerial and maritime trafficking of illegal drugs into the United States in support of law enforcement CD operations.⁵⁵ Additionally, Title 32 Section 112 expanded the legal authority of the National Guard to support law enforcement CD operations.⁵⁶

As both a mechanism for financing DoD CD operations and as a vehicle for the expansion of DoD legal authorities, the Congress leverages the National Defense Authorization Act (NDAA) process. Section 1004 of the 1991 NDAA constitutes the single most significant expansion of DoD CD responsibilities beyond the D&M mission.⁵⁷ Section 1004 of the NDAA

⁵⁴ Chairman Joint Chiefs of Staff, Joint Publication 3-07.4, III-2–III 3; US Government Accounting Office, *Reauthorization of the Office of National Drug Control Policy*, Report to the Committee on Government Operations, House of Representatives (Washington, DC: US General Accounting Office, 1993), 1-2, 7.

⁵⁵ Chairman Joint Chiefs of Staff, Joint Publication 3-07.4, x; Subsequent amendments adding Sections 372 and 274 further expand DoD's ability to provide logistic and operational support to law enforcement in support of NDCS-sanctioned law enforcement operations.

⁵⁶ *Ibid.*

⁵⁷ *Ibid.*, x-xx; Significant to note is the fact that no resources have been obligated to support these authorities through the Program Objective Memorandum budget process that

amended in 1991 authorizes the DoD to conduct additional activities, to include: engineer support to protect US borders, intelligence service support, aerial and ground reconnaissance, as well as the establishment of bases for the purpose of training and ongoing law enforcement counterdrug operations.⁵⁸ To provide guidance for the implementation of the NDAA 1004 authorities, the DoD established Chairman Joint Chiefs of Staff Instruction 3710.01B, *DoD Counterdrug Support* (hereinafter referred to as CJCSI 3710.01B).⁵⁹ This instruction guides the implementation of DoD legal authorities for all affected services and components and delegates to the Geographic Combatant Commanders (GCC) the ability to conduct the two principle categories of DoD CD support: D&M as well as Support to Foreign Countries.

DoD's mandate to support the continuum of interdiction through D&M is executed by two Joint Interagency Task Forces (JIATFs) commanded by GCCs. In cooperation and coordination with the Department of Homeland Security's Air and Maritime Operations Center, JIATF-South and JIATF-West, respectively under the Operational Control of US Southern Command and US Pacific Command, detect, monitor, and handoff suspected illicit traffickers to appropriate law enforcement agencies in their assigned areas of responsibility.⁶⁰ These DoD efforts support what the 2014 NDCS describes as the interdiction continuum. This strategy affirms that interdiction "reduces the availability of illicit drugs while providing valuable intelligence that contributes to drug seizures, arrests, prosecution and the ultimate disruption and

provides long-term financing for traditional Title 10 activities but rather through the annual NDAA.

⁵⁸ Chairman Joint Chiefs of Staff, Joint Publication 3-07.4, x-xx.

⁵⁹ *Ibid.*

⁶⁰ *Ibid.*

dismantling of international drug trafficking organizations” which, if successful, perpetuates a self-sustaining cycle of actionable intelligence.⁶¹

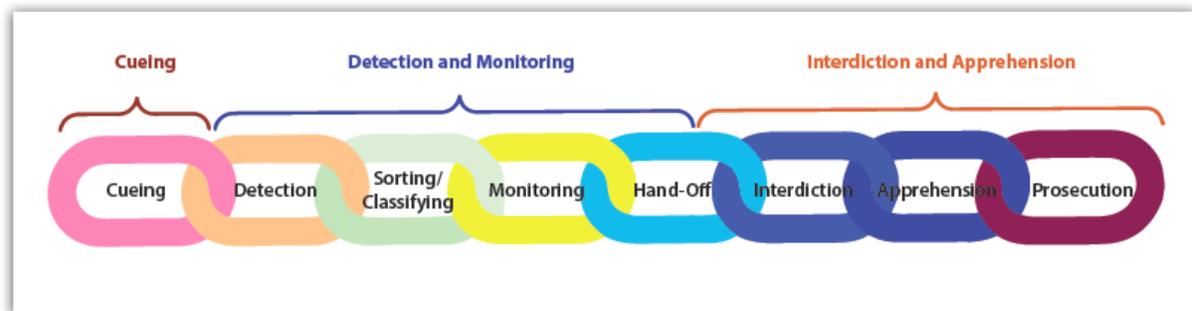


Figure 2. The Interdiction Continuum

Source: Office of National Drug Control Policy, *2014 National Drug Control Strategy* (Washington, DC: Office of National Drug Control Policy, 2014), 50.

Two additional DoD entities extend NDAA Section 1004 authorities to support domestic law enforcement CD operations within the land domain of the continental US. US Northern Command’s Joint Task Force-North coordinates the activities of active duty military forces by soliciting, planning, and coordinating the mission essential training of Title 10 units that provide incidental engineering support to border infrastructure, intelligence service support or ground and aerial surveillance support to Department of Homeland Security’s Customs and Border Protection primarily along the US Southwest border. Independent of Joint Task Force-North, the National Guard of each state, through a DASD-CN>-funded Title 32 Counterdrug Task Force, provides counterdrug surveillance and investigative support to requesting Federal, State, and Local law enforcement agencies.⁶²

⁶¹ Office of National Drug Control Policy, *2014 National Drug Control Strategy*, 49.

⁶² Office of National Drug Control Policy, “Policy and Research,” The White House, May 4, 2012, accessed May 4, 2012, <http://www.whitehouse.gov/ondcp/policy-and-research>;

In addition to the D&M interdiction mission in the US Northern Command, US Pacific Command, and US Southern Command areas of responsibility (AORs), CJCSI 3710.01 delegates authority to the GCCs to perform additional NDAA 1004 authorized programs.⁶³ In the GCCs where D&M is not mandated or the JIATF excludes these additional tasks, a DASD-CN>-funded joint service interagency (IA) Counternarcotics and Law Enforcement Support Division performs these functions.⁶⁴ The Counternarcotics and Law Enforcement Support Division is a joint and IA-staffed contingent with significant US Coast Guard representation, DoD civilian intelligence, and counter-illicit finance specialists as well as agents from the Drug Enforcement Administration and Homeland Security Investigations, among other IA representatives.

The main effort of the GCC Counternarcotics and Law Enforcement Support Division is to build the capability and capacity of willing Partner Nations (PNs) to conduct CD-related operations within their sovereign territories through information sharing, training and equipping, and infrastructure development.⁶⁵ In accordance with DoD CN> strategic priorities, the GCC

Office of National Drug Control Strategy, *The Interdiction Committee Charter 2010*, The White House, June 2010, accessed May 15, 2014, http://www.whitehouse.gov/sites/default/files/ondcp/international-partnerships-content/tic_charter_2010.pdf. To synchronize the whole of government interdiction effort in the Western Hemisphere and integrate the efforts of the JIATFs and Joint Task Force-North into the broader NDCS, the Office of National Drug Control Policy established the National Interdiction Command and Control Plan. The directors of the JIATFs and Joint Task Force North are principal members of the Office of National Drug Control Policy's Interdiction Committee responsible for drafting the National Interdiction Command and Control Plan.

⁶³ Chairman Joint Chiefs of Staff, Chair Joint Chiefs of Staff Instruction 3710.01, *DoD Counterdrug Support* (Washington, DC: Joint Chiefs of Staff, 2007), A9-A17.

⁶⁴ The title of these DASD-CN>-funded staff elements, their internal task organization as well as their placement within the staff structure of the Component Command vary by GCC.

⁶⁵ Chairman Joint Chiefs of Staff, Chair Joint Chiefs of Staff Instruction 3710.01, A-6, prescribes policy for the execution of CD support to foreign nations. Significant examples include, but are not limited to, DoD efforts in Colombia, Mexico and Afghanistan. For details on the efforts in Colombia, see the US Government Accounting Office, *Report on Plan Colombia* (Washington, DC: US Government Accounting Office, 2007). The US Government Accounting

Counternarcotics and Law Enforcement Support Divisions coordinate, develop, contract, and assess CD support in their respective GCC AORs. Given the small scale and limited staff functions performed by the Counternarcotics and Law Enforcement Support Divisions, civilian contractors or the respective IA or Service Component force providers provide the actual training and material support. As an exception, DoD resources the US Special Operations Command directly for CD-related training of PNs that the respective GCC Sub-unified Theater Special Operations Commands coordinate and direct.⁶⁶

In addition to these tasks, CJCSI 3710.01B delegates authority to the GCCs, within the limitations already outlines, to conduct CD-related operations within their AOR. Intelligence-related authorities include the ability to collect intelligence against TCOs to support cueing of foreign or domestic law enforcement agency (LEA), collection and dissemination of all-source drug-related intelligence, and counterintelligence support to CD operations. CJCSI 3710.01 delegates authority to the GCCs to provide logistic support, direct or otherwise, and to establish and maintain connectivity in CD communications systems in support of US and PN LEAs.⁶⁷ Additionally, the instruction authorizes GCCs to conduct long-range planning, to develop CD campaign strategies, and to coordinate those efforts with the IA and PNs.⁶⁸ It is important to note that although the GCCs are delegated the authority to conduct these operational tasks, they are not compelled to do so and some do not.

Office, *Report on Drug Control Programs in Mexico* (Washington, DC: US Government Accounting Office, August 2007) details counternarcotic support to Mexico.

⁶⁶ William F. Wechsler, *Statement for the Record of William F. Wechsler* (Washington, DC: US Senate Armed Services Committee, 2011). While the Theater Special Operations Commands typically conduct informal coordination, there is no formal requirement to integrate this training with the GCC campaign plan or Counterdrug and Law Enforcement Division's priorities as required by law or DoD policy.

⁶⁷ Chairman Joint Chiefs of Staff, Chair Joint Chiefs of Staff Instruction 3710.01B.

⁶⁸ *Ibid.*

To visualize the current disposition of DoD CN> efforts in conceptual space, Figure 3 graphically depicts the distribution of DoD CN> efforts in support of US and PN law enforcement. LEAs are task-organized and equipped to conduct different tasks to accomplish specific effects necessary to implement and enforce the rule of law. One way to conceptualize these differences is through a comparison of the dimensions of time and specialization.

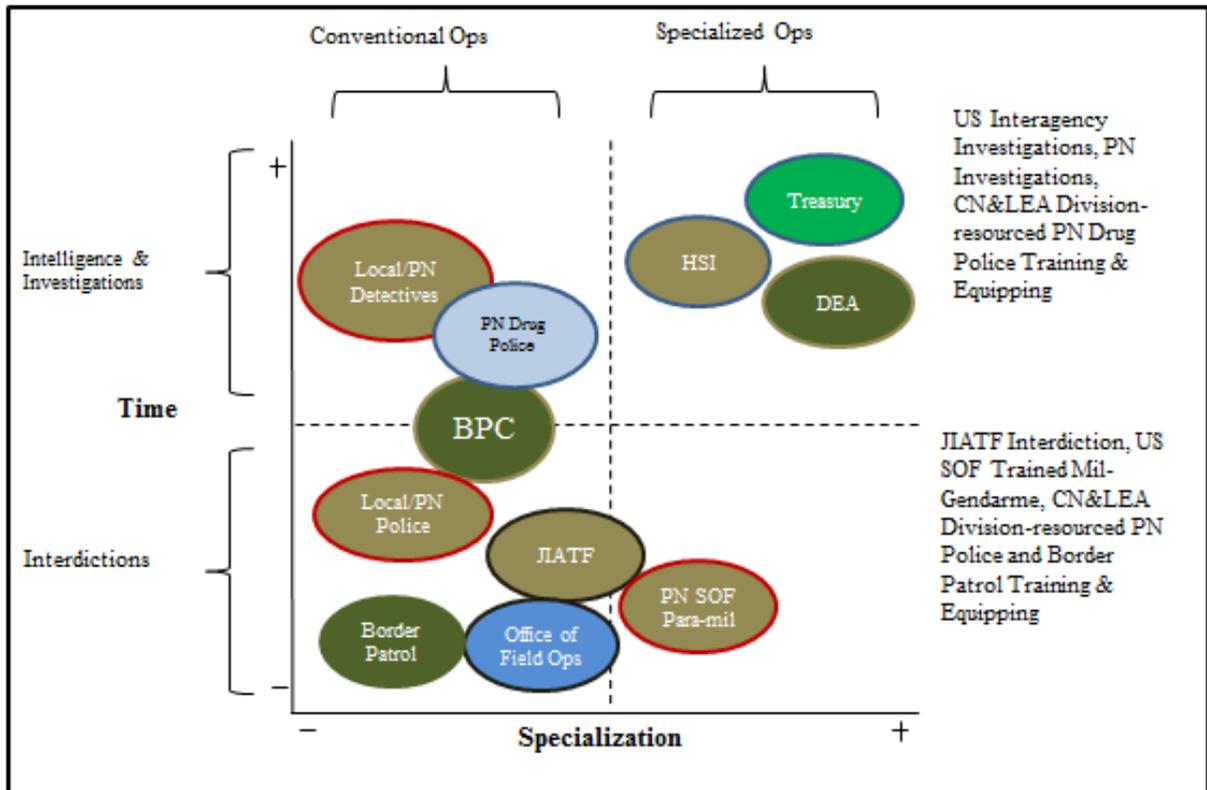


Figure 3. Current State of DoD Support to Law Enforcement Effort

Source: Created by author.

In this graphic, time indicates the duration required to perform a specific task to achieve a desired condition. The concept of specialization conveys the degree of unique and complex processes and technical expertise required to perform the task. When framed within a Cartesian

diagram where time is represented on the vertical axis and specialization on the horizontal axis, it is possible to conceptualize, distinguish, and represent the distinct categories and domains of law enforcement operations. The two divergent domains of law enforcement activity, interdiction and investigation, occupy the two poles of the time dimension—investigation requiring more time than interdiction to accomplish desired effects. Other domains emerge as well—those of conventional and specialized operations. By dividing the diagram into separate quadrants, it is possible to categorize the investigative and interdiction domains into conventional and specialized operations. Figure 3 depicts a majority of DoD CN> efforts falling within the domain of conventional interdiction. The appendix to this monograph leverages the time-specialization framework from Figure 3 to depict the desired disposition of DoD efforts guided by an alternative operational approach that emphasizes the decisive action of investigation and intelligence-based operations.

Attack the Network

This section of the literature review transitions to a competing cultural trend within the DoD that has emerged from the challenges the military services confronted in the campaigns in Iraq and Afghanistan in particular, as well as the nation's broader experience combating global terrorism. This cultural trend is best captured by the concepts articulated within the emerging joint doctrinal paradigm known as AtN, concepts that frame the forthcoming Joint Publication 3-25, *Countering Threat Networks*. A brief survey of its intent, historic context, and conceptual framework reveal the distinguishing characteristics of the force-oriented approach advocated by the AtN methodology relative to the defensive, terrain-oriented *DoD CN> Strategy* that emphasizes interdiction.

Published by the Joint Warfighting Center in May of 2011, the *Commander's Handbook for Attack the Network* constitutes an initial joint service effort to establish the foundation for future doctrine. While acknowledging the role of the US military to protect the homeland,

maintain the global commons, and reassure partners and allies while deterring adversaries and, when required, fighting and winning wars, this document asserts that the approach to achieving these ends must be adapted to the complexity of the contemporary environment.⁶⁹ Characterized by uncertainty, instability, and the diffusion of power to transnational non-state actors, the United States and its international partners and allies must confront the reality that these adversaries not only refuse to be bound by the rules of the international order, they seek to leverage the constraints that it places on state actors to exploit asymmetric vulnerabilities.⁷⁰

Future adversaries, state and non-state, will pursue cost-effective asymmetric countermeasures that mitigate the tactical over-match of US technologies and weapon systems. Moreover, in this complex future, the contestants of armed conflict will intentionally obscure their agency to challenge the distinction between state actors, insurgents, terrorists, or criminal organizations in order to confuse or paralyze counteraction on the part of states and the international community.⁷¹ To meet the challenges of this complex environment, AtN seeks to address the gap in US military doctrine through the development of a doctrinal framework that broadens the range of military options to contend with these evolving threats. Specifically, it details the objectives and required whole-of-government capabilities to bridge this conceptual gap and provides guidance to planning and execution within an overarching campaign plan.

The history of AtN methodology is embedded in the DoD experience to counter improvised explosive devices (IEDs) in Iraq. With IED attacks in Iraq proliferating from a rate of one-hundred a month in the second half of 2003 to one every fifteen-minutes by 2007, the DoD

⁶⁹ US Joint Forces Command, *Commander's Handbook for Attack the Network* (Suffolk: Joint Warfighting Center, 2011), i.

⁷⁰ *Ibid.*

⁷¹ *Ibid.*, i-ii. The background to the AtN handbook provides a provocative yet concise account of the emerging operational environment that has been borne out by recent geopolitical events.

was compelled to confront the challenge of the emerging operational environment if it was to avoid certain strategic defeat in Iraq.⁷² Besides the quantitative increase in the number of IED attacks over time, qualitative characteristics indicated the emergence of an adaptive enemy supported by a network that extended beyond the contested space in Iraq.⁷³ The enemy demonstrated not only the capacity to increase the production and deployment of IEDs, but also the ability to adapt their construction to defeat US countermeasures, and most importantly, to exploit their effects through an integrated strategic information campaign that sought to attrit US popular will while rallying the morale of its own support base.⁷⁴

To regain the initiative from the enemy, a transition from a defensive posture to the offense became imperative. Recognizing that it confronted a world-wide threat employing a range of military operations, the DoD developed the Joint IED Defeat Organization to lead, advocate, and coordinate a comprehensive, offensive approach.⁷⁵ The implementing policy that established the Joint IED Defeat Organization, DoD Directive 2000.19, *Joint Improvised Explosive Device Defeat Organization*, directed the new organization to integrate intelligence, operations, policy, and resourcing. The directive provided specific guidance to the Joint IED Defeat Organization, namely, that it establish institutional continuity within the DoD in accordance with the tenets of assured mobility to predict, detect, prevent, neutralize and mitigate threat efforts to deny access.⁷⁶ Moreover, DoDD 2000.19 prescribed the three principal lines of effort (LOE) that provided the

⁷² Rick Atkinson, "Left of Boom," *Washington Post*, September 2007.

⁷³ US Joint Forces Command, *Commander's Handbook for Attack the Network*, I-1.

⁷⁴ *Ibid.*

⁷⁵ US Department of Defense, Department of Defense Directive 2000.19, *Joint Improvised Explosive Device Defeat Organization* (Washington, DC: Department of Defense, 2006).

⁷⁶ *Ibid.*, 2.

organizing construct to accomplish DoD policy: Defeat of the IED, Training the Force, and Defeat of the IED system – the methodology now known as AtN.⁷⁷ The Joint IED Defeat Organization strategic plan characterizes AtN as enabling offensive operations against complex networks and their supporting infrastructure, focused on information fusion, comprehensive collaboration and analytical capability and capacity. In its strategic plan, the Joint IED Defeat Organization attributes its effectiveness to the integration of intelligence and operations enabled by the AtN methodology.⁷⁸

The joint *Commander's Handbook for Attack the Network* expands on the fundamental actions and framework of the AtN methodology. The fundamental actions speak to the coordinated efforts that enable unified action to include the four broad concepts of building a better friendly network, empowering the exchange of information, employing all unified action partners and exploiting opportunities through information operations.⁷⁹ Building on these tenets, the framework within this emerging doctrine articulates the efforts required to identify threat networks and apply friendly capabilities to attack and disrupt their operations. The conceptual LOEs within this framework include understanding the operational environment, planning, organizing, engaging threat networks, and assessments.⁸⁰

⁷⁷ US Department of Defense, Department of Defense Directive 2000.19, 2. The directive defines Defeat of the IED System as “actions and activities designed to reduce the effects and interrupt the insurgent chain of IED activities through intelligence, surveillance, reconnaissance, information operations, counter-bomber targeting, device technical and forensic exploitation, disposal of unexploded and captured ordnance, and persistent surveillance.”

⁷⁸ Joint Improvised Explosive Device Defeat Organization, *Strategic Plan 2012-2016* (Washington, DC: Joint Improvised Explosive Device Defeat Organization, 2012), 8.

⁷⁹ US Joint Forces Command, *Commander's Handbook for Attack the Network*, I-3-I-12.

⁸⁰ *Ibid.*, I-12. The joint AtN handbook organizes the chapters within it around this framework and expands on each concept in detail.

Building on Joint Intelligence Preparation of the Operational Environment to describe the operating environment (OE) in terms of its physical, informational, and operational frameworks, AtN methodology expands understanding of the OE to include its embedded adversarial networks for the purpose of determining their characteristics and components and to define their structures and methods. With this detailed analysis of the networks operating within the OE, intelligence supports operations by developing the information required to conduct targeting and operational assessments.⁸¹

Planning, within the context of AtN, entails the design of operations to neutralize adversary and enemy networks integrated and synchronized with the GCC strategy and supporting campaign plans. Key to AtN planning is the application of the elements of operational design, specifically COG analysis.⁸² In the context of AtN, CoG analysis supports several elements of effective operations. Through the identification of critical capabilities, both threat and friendly, CoG analysis supports the development of LOE specific to the context of the OE that conceptually organizes friendly efforts and enables offensive, unified efforts. Moreover, identification of critical requirements directly supports friendly targeting efforts and facilitates the protection of potential vulnerabilities.⁸³

The framework concept to “organize for the fight” makes explicit the imperative of integrating unified action partners and allies into AtN efforts, as well as the reality that confronting clandestine adversarial networks requires specialized knowledge and expertise.⁸⁴

⁸¹ US Joint Forces Command, *Commander’s Handbook for Attack the Network*, chapter III details the JIPOE process as it applies specifically to AtN.

⁸² *Ibid.*, IV-1, IV-2. Joint doctrine establishes the elements of operational art and operational design to facilitate the integration and synchronization of tactical action in time, space and purpose.

⁸³ *Ibid.*, IV-2.

⁸⁴ *Ibid.*, I-12.

Organizing for the fight includes the development and coordination of specialized working groups specific to the designed operational approach. Engaging the network constitutes those efforts to conduct dynamic targeting, non-lethal as well as lethal, differentiated as support to friendly networks, influencing neutral networks, and neutralizing threat networks. Lastly, emerging AtN doctrine details the requirement to establish an effective assessment framework to monitor, evaluate, and make recommendations based on careful measures of performance and effectiveness.

Theories of Irregular Warfare

Considering the many structural parallels between insurgent organizations and TCOs, it is likely that theories of IW will have indirect, if not direct, application to contemporary efforts to confront TCOs. With the intent of discerning certain of these relevant aspects, this monograph examines two important IW theories —Nathan Leites’ and Charles Wolf’s supply-side approach to COIN and Dr. Geoff Demarest’s consideration of the utility of anonymity. Furthermore, the author attempts to conceptualize Dr. Demarest’s ideas within a behavioral economic model in an effort to integrate his complementing theory with Leites’ and Wolf’s rational actor framework.

In the late 1960s, working with the RAND Corporation’s Advanced Research Projects Agency, Nathan Leites and Charles Wolf sought to develop a general theory that explained the interaction between governments, civilian populations, and insurgent groups in IW.⁸⁵ Their intent was to establish a theoretical rational choice model comparable to the sophisticated theories that informed deterrence policy in the “first nuclear era.”⁸⁶ What emerges from their 1970 work,

⁸⁵ Nathan Leites and Charles Wolf, *Rebellion and Authority: An Analytic Essay on Insurgent Conflicts* (Chicago: Markham Publishing Company, 1970).

⁸⁶ Colin Grey, *Another Bloody Century* (Phoenix: Phoenix Press, 2006), 274. Grey refers to the Cold War as the “first nuclear era.” The implication is that a “second nuclear era” has emerged with more ambiguously understood rules.

Rebellion and Authority, is both a theory of the phenomenon of irregular war as well as a theory of action. Leveraging the interdisciplinary concepts and models of microeconomics, Leites and Wolf articulate an all-inclusive theory of victory as applicable to the insurgent as it is to the governing authority. Discounting the demand-pull concept that explains insurgency as a political rather than a military conflict—ideas that constitute the theoretical underpinnings of the hearts and minds (H&M) paradigm—Leites and Wolf offer an alternative systems-based approach to understanding insurgent conflict. Because of its centrality to the purpose and conclusions derived by this monograph, the literature review expands on the concepts introduced by Leites and Wolf.

For the sake of contrasting the differences between the two approaches, a brief summary of the H&M demand-pull theory is required. As described by Leites and Wolf, the commonly held H&M theory maintains that the attitudes, sympathy, and support of the civilian population are decisive to the appearance, consolidation, and ultimate success of insurgent groups.⁸⁷

Describing ideologically motivated insurgency, David Galula argued in his work *Counterinsurgency Warfare: Theory and Practice* that to succeed, insurgents require a cause buttressed by enduring grievances with state authority.⁸⁸ Contemporary joint and service doctrine seem to reflect the H&M theory in their definition of IW and emphasis on the requirement of population compliance or outright support to the insurgent narrative, strategy and organization.⁸⁹

⁸⁷ Leites and Wolf, 6.

⁸⁸ David Galula, *Counterinsurgency Warfare: Theory and Practice* (Westport: Greenwood Press, 1964), 17-23.

⁸⁹ Headquarters, Department of the Army, Field Manual 3-24: *Insurgencies and Countering Insurgencies* (Washington, DC: US Government Printing Office, 2014), 5-2. “One of the primary goals of local insurgency is population control.”; Chairman Joint Chiefs of Staff, Joint Publication 3-24, *Counterinsurgency* (Washington, DC: Joint Chiefs of Staff, 2013), III-8 “While improving the capacity of the HN government to control territory and population is key, addressing the core grievances is also necessary to end the insurgency;” Chairman, Joint Chiefs of Staff, Joint Publication 1, *Doctrine for the Armed Forces of the United States* (Washington, DC: Joint Chiefs of Staff, 2013), I-6, “(Irregular warfare) is characterized as a violent struggle among state and non-state actors for legitimacy and influence over the relevant population.”

The theory of victory in the H&M approach to COIN aims at increasing the civilian populations' preference for state authority by increasing the benefits they receive—addressing core grievances, improving infrastructure and services—thereby motivating cooperation and compliance with state authority and reducing the populations' preference for the insurgent.⁹⁰

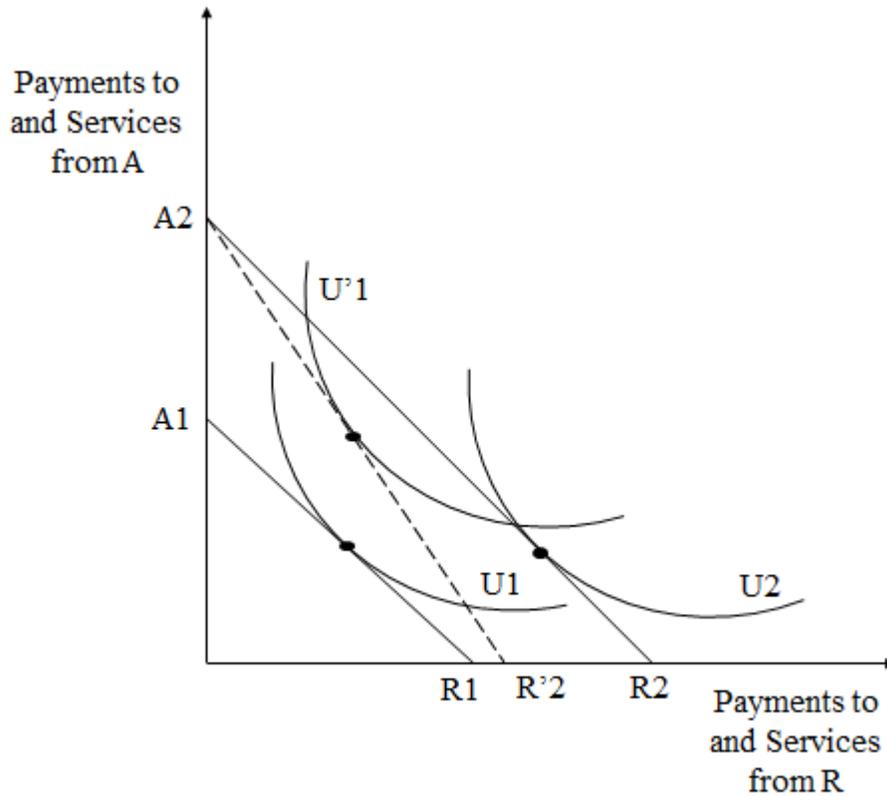


Figure 4. Income, Preference, and Substitution Effects of Economic Improvements.

Source: Nathan Leites and Charles Wolf, *Rebellion and Authority: An Analytic Essay on Insurgent Conflicts* (Chicago: Markham Publishing Company, 1970), 26, 27.

Leites and Wolf depict the H&M theory in a rational choice model that helps to reveal the challenges of this approach to COIN (figure 4). As the authority (A on the vertical dimension)

⁹⁰ Leites and Wolf, 24. Summary of chapter 2 which articulates and models the H&M theory of counterinsurgency. Leites and Wolf use the term “benefits” and “costs” to describe their model.

addresses core grievances and improves the material condition of the population, the income effect shifts budget line A1R1—the previous equilibrium between payments to the authority and the insurgent (R) —to A2R2. If the civilian populations’ preferences remain the same (U1), the shift in the income effect benefits the insurgent (U2). For the authority to gain from growth in the budget line, it must take actions to pivot the budget line clockwise (A2R’2) to move civilian preferences in its direction (U’1) by ensuring rewards are allocated to those who cooperate and are withheld from those who do not.⁹¹

As an alternative to the H&M demand-pull theory of COIN that focuses on popular sympathies and economic conditions, Leites and Wolf examine insurgency from a cost-push perspective to present a systems theory that emphasizes the internal structural factors that influence an insurgent groups’ capabilities and growth.⁹² A focus on supply conditions is important to the authority in several respects. Most fundamentally, the supply-side perspective acknowledges that individuals and groups make decisions based as much on opportunities and costs as they do on preferences.⁹³ Additionally, the effects of changes in supply conditions—opportunities and costs—are more responsive and immediate.⁹⁴ Moreover, relative to demand preferences, the strength and intent of which can be difficult to discern, opportunities are straightforward and plainly evident. In contrast, the results from efforts to address unmet and uncertain demand preferences are slow to materialize and do nothing to mitigate the immediate grievances that persist in the interim.⁹⁵ Because of the asymmetric advantage that this presents the

⁹¹ Leites and Wolfe, 24.

⁹² *Ibid.*, 28.

⁹³ *Ibid.*

⁹⁴ *Ibid.*, 29.

⁹⁵ Leites and Wolf, 29.

insurgent group, it makes sense that it would focus its attention on demand while the authority allocates resources to increase costs on the supply side.⁹⁶

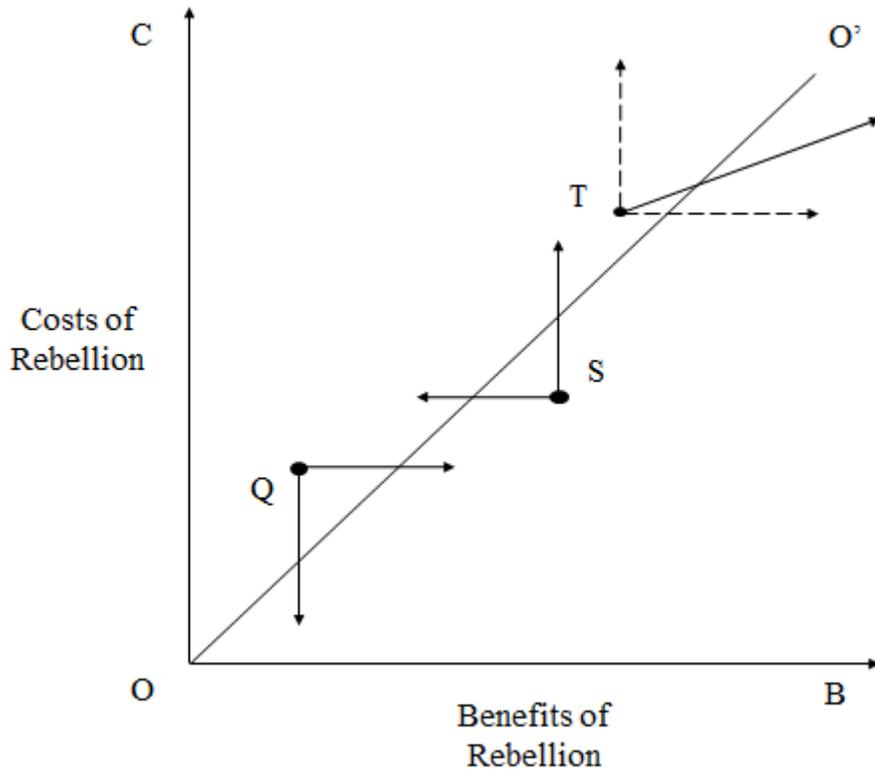


Figure 5. Cost Benefit Calculation and Behavior.

Source: Nathan Leites and Charles Wolf, *Rebellion and Authority: An Analytic Essay on Insurgent Conflicts* (Chicago: Markham Publishing Company, 1970), 46.

To represent graphically this alternative, supply-side approach to COIN (figure 5), Leites and Wolf construct a rational choice model that depicts the costs and benefits of insurgency from the perspective of the population. With costs represented on the vertical dimension and benefits on the horizontal dimension, OO' represents equilibrium between costs and benefits. For state

⁹⁶ Ibid.

authority, the preferred region lies above OO', and for insurgents, below. For a variety of motivations, which include preferences, desire to profit-maximize, and desire to avoid loss, individuals locate themselves in one of these regions. To Leites' and Wolf's point, an individual in the authority has preferred region may merely be a non-supporter of the insurgent, not necessarily an authority supporter, and vice-versa. The objectives of the authority and the insurgent are to shift individuals into their preferred region; the insurgent tries to move Q down and right, whereas the authority tries to move S up and left. Because of the competition between authority and insurgent, movement occurs in a vector. A steeper vector favors the authority while a flatter vector supports the insurgent (T). In terms of supply and demand, upward movement represents an increase in costs and therefore a reduction in insurgent supply. Movement to the right represents a positive shift in demand. Given the insurgent's asymmetrical advantage at shifting demand in its favor, the model illustrates why an authority's focus on increasing costs is more efficient in terms of both resources and time. This circumstance notwithstanding, the authority ignores insurgent efforts to manipulate demand at the risk of offsetting its own efforts to increase insurgent costs.⁹⁷

To leverage the authority's supply-side advantages, Leites' and Wolf's approach to COIN focuses on the insurgent's operating system.⁹⁸ Once identified, the counterinsurgent can target the insurgent's systems to increase its costs wherever possible. The immediate objective of this approach is to make the cost of supporting the insurgent exceed the price that internal and external supporters are willing to pay.⁹⁹ By making insurgent inputs more expensive and outputs less valuable, the counterinsurgent can effectively reduce the scale of the insurgency, forcing it

⁹⁷ Leites and Wolf, 46, 47.

⁹⁸ Ibid., 32.

⁹⁹ Leites and Wolf, 38.

below a self-sustaining threshold, or eliminating the conditions in which an insurgency can emerge.¹⁰⁰

Leites and Wolf divide the insurgent operating system into three separate elements: inputs, a conversion mechanism that processes the inputs into useful instruments, and outputs – the application of relevant instruments toward the attainment of the organization’s strategic objective. Inputs, derived internally from the local environment or externally from a sponsor or contiguous sanctuary, include such things as recruits, food and shelter, as well as cadre, material, information, and financing. Leites and Wolf assert that an insurgency’s stage of development largely determines the extent to which it relies on external support for these inputs.¹⁰¹ To gain access to these inputs from the local environment, insurgents rely on persuasion and coercion—the combination of which is determined by the context of the situation and the environment. For an insurgent, persuasion can take the form of ideological indoctrination, discrediting of the authority, or payment. Coercion includes either the threat or actual application of violence—kidnapping, assassination, torture—or the forcible collection of taxes and seizure of assets.¹⁰² However acquired, these inputs require conversion to usable outputs. The insurgency organizes itself to perform these necessary functions. Critical conversion-type operations can range from organizing personnel, logistics and communications, to planning and oversight of operational branches, as well as the financial management of the organization and intelligence operations.¹⁰³ To achieve their political oriented objective, defined as the collapse and overthrow of the existing

¹⁰⁰ Kitson, Frank. *Low Intensity Operations: Subversion, Insurgency and Peacekeeping*. (London: Faber and Faber, 1971), 32.

¹⁰¹ Leites and Wolf, 33.

¹⁰² Ibid.

¹⁰³ Kitson, 49.

authority, outputs of the insurgency include sabotage, public demonstrations, small and large-scale attacks, as well as the administration and governing of territories that it controls.¹⁰⁴

From this system's perspective emerge four counterinsurgent methods, according to Leites and Wolf. The first two methods, characterized as "counterproduction," seek to either deny inputs to the insurgency or significantly disrupt its ability to convert inputs to effective outputs.¹⁰⁵ The third method is "traditional counterforce," or the application of firepower to destroy insurgent capabilities.¹⁰⁶ The fourth method seeks to increase the authority's and the population's capacity to absorb insurgent outputs.¹⁰⁷

The first line of effort seeks to reduce the availability of resources to an insurgency through supply and price control. These efforts at input denial range from active interdiction in aerial, maritime, and land domains and the construction of barriers that support population control to target external sources of support to preemptive buying programs that target critical internally available inputs.¹⁰⁸ Methods aimed at input denial must be balanced to avoid the "air defense" dilemma where the requirement for defense becomes a function of the number of targets that require protection versus the actual enemy force.¹⁰⁹

Impeding the insurgent's ability to convert inputs to useful outputs constitutes the second line of effort. Here the counterinsurgent degrades insurgent efficiency by targeting its internal

¹⁰⁴ Boot, Max. *Invisible Armies*. New York: Liveright Publishing, 2013, 369. Boot's description of the tactics leveraged by insurgents in Algeria illustrate this point.

¹⁰⁵ Leites and Wolf, 34.

¹⁰⁶ *Ibid.*

¹⁰⁷ *Ibid.*, 36-37, 76-78.

¹⁰⁸ Leites and Wolf, 36, 79.

¹⁰⁹ *Ibid.*, 68.

structure directly and forcing it to dedicate more resources to survival.¹¹⁰ Efforts to attract defectors and the use of deception can have the effect of increasing anxiety within the insurgency, thereby impairing its efficiency.¹¹¹ Targeting the insurgent's internal structure must be preceded by an intelligence effort to first identify the structure and then to assess the effects of counterinsurgent operations upon it.

Reducing the insurgent force directly through the application of firepower is the fourth method. Here again, reducing insurgent forces by firepower requires detailed intelligence so as not to increase demand for the insurgent as a result of collateral damage that impacts innocents within the civilian population. Increasing the authority's and the civilian population's ability to absorb insurgent outputs, in other words, reducing the insurgent's effectiveness, entails establishing passive and active defenses as well as enhancing overall capacity.¹¹² Whereas passive defense includes the construction of fortifications to protect the population and key infrastructure, active defenses include police and paramilitary forces capable of defending local areas until a larger military force can respond. Enhancing overall capacity includes those long-term nation-building activities that enhance the authority's ability to judiciously control, protect, and punish accordingly.

In addition to the insurgent's asymmetrical advantage to influence demand preferences discussed earlier, the relatively high cost of information for the authority constitutes another significant point of leverage for the insurgent.¹¹³ Whereas the authority is large, visible, and

¹¹⁰ Kitson, 67.

¹¹¹ Leites and Wolf, 68.

¹¹² *Ibid.*, 83.

¹¹³ Leites and Wolf, 132.

easily penetrated, the insurgent is small, clandestine, and security conscious.¹¹⁴ Exploiting the expensive, unreliable, and delayed information available to the authority, the insurgent can plan, prepare, and act with relative impunity.¹¹⁵ Given this circumstance and the methods supported by the supply-side theory, information is critically important to the counterinsurgent. Beyond identifying the internal structure of the insurgent organization, the authority seeks to discriminate between those who cooperate with it and those who do not in order to deliver penalties with minimal error.¹¹⁶ This capacity to allocate properly reward and punishment, according to Leites and Wolf, constitutes the most effective means of enhancing legitimacy and respect for state authority.¹¹⁷ The supply-side approach to COIN demands that the authority invest in its intelligence capabilities. According to Leites and Wolf, “in the conduct of an effective counterrebellion, intelligence operations demand the highest priority in resources, people, and ingenuity.”¹¹⁸

While Leites and Wolf imply the importance of anonymity as it relates to insurgents, they only discuss the concept explicitly in a discussion of techniques to facilitate insurgent defection.¹¹⁹ In his work, *Winning Insurgent Wars*, Dr. Geoff Demarest expands on the concept of anonymity, pointing out the dynamic relationship between anonymity and coercive power.¹²⁰

¹¹⁴ Tse-Tung, Mao. *On Guerilla Warfare*, trans. Samuel Griffith. (New York: Praeger Publishers, 1961), 96-98.

¹¹⁵ Leites and Wolf, 135.

¹¹⁶ Galula, 115-121.

¹¹⁷ Leites and Wolf, 137.

¹¹⁸ Leites and Wolf, 145.

¹¹⁹ *Ibid.*, 141.

¹²⁰ Geoff Demarest, *Winning Insurgent War* (Fort Leavenworth, KS: The Foreign Military Studies Office, 2011).

Moreover, he finds that anonymity is instrumental to the ability of relatively disadvantaged violent non-state actors (VNSA) to operate purposively in an environment where competitive actors—either state or other VNSAs—seek their destruction.¹²¹ Similar to Leites and Wolf’s description of the stages of insurgent development, as the relative power and influence of a VNSA increases, so too does the ability of its leadership to grant impunity for the application of instrumental violence on its behalf.¹²² As this occurs, the necessity and utility of anonymity diminishes proportionally.¹²³ When VNSAs achieve a position of relative power within their operational environment, through either cooptation or the accumulation of coercive means, they are capable of asserting their interests more directly and openly without the threat of annihilation.¹²⁴

This important relationship notwithstanding, unlike insurgencies that ultimately seek the overthrow of state authority, strategic-minded TCOs maintain an interest in preserving a degree of anonymity under any circumstance.¹²⁵ The relationship between parasite and host is a useful analog to understanding the dynamic interaction between TCOs and the states within which they operate. Given the nature of transnational crime—the exploitation of both legal and illegal commercial and communications mechanisms—TCOs benefit from both the reality and the perception of their host-state’s legitimate authority and capacity to govern. To the extent that a state builds and maintains the infrastructure necessary to support a viable political economy and its perceived external legitimacy facilitates international commerce with developed nations, a

¹²¹ Demarest, xi. The author’s preface articulates the relationship between impunity and anonymity as a key theme throughout this work.

¹²² Leites and Wolf, 69.

¹²³ *Ibid.*

¹²⁴ Leites and Wolf, 69.

¹²⁵ *Ibid.*, 63.

strategic TCO stands to enhance its profits as a result of reduced marginal costs and increased market access. The challenge of a TCO then is to balance opportunities to maximize profits with the requirement to avoid annihilation, either because of violent reaction from, or because of the premature demise of its host.

Analysis

Increasing Costs by Attacking Anonymity

While Leites and Wolf developed their supply-side theory of insurgency as a counterpoint to the prevailing demand-side COIN approach, the supply-side perspective is arguably more applicable to profit-motivated criminal organizations than to politically motivated insurgents. Whereas an insurgency leverages grievances and offers alternative goods and services to compete with state authority for the hearts and minds of the population, criminal organizations have little interest or incentive to enter into such a competition.¹²⁶ To begin with, demand for illicit goods and services often emerge organically, independent of the populations' loyalty to the state. Moreover, as discussed in the literature review, criminal organizations seek opportunities to ride free on public infrastructure investments in order to keep their costs as low as possible. Therefore, state investments aimed at increasing popular support should be made independent of efforts to counter organized criminal threats. This is because the targeted population is likely not to make the connection between the government's efforts and their behavior, and secondly, criminal organizations will exploit these investments to their own advantage.¹²⁷

Given these implications, it makes sense that states would focus on supply-side efforts that seeks to price criminal organizations and the illicit goods and services they provide out of the market, both metaphorically and literally. The systems-approach offered in *Rebellion and*

¹²⁶ Galula, 7.

¹²⁷ Leites and Wolf, 26-27.

Authority postulates such a theory of action. The question then is how to place the theory into action. The analysis and conclusions offered by this monograph seek to underwrite a supply-side counter-TCO conceptual approach for the DoD.

Leites and Wolf identify inputs, a conversion mechanism, and outputs as the three critical elements of the subversive system.¹²⁸ As described in the literature review, current DoD counternarcotics efforts focus on the interdiction of outputs and inputs while largely ignoring the conversion mechanism.¹²⁹ In the vernacular of emerging US military doctrine, the conversion mechanism of a subversive organization, be it an insurgency or a TCO, is the threat network itself. While circumstances may dictate the emphasis of one element over another, an effective systems-based strategy should arguably provide for a comprehensive approach that considers and contends with all relevant systemic variables. Considering the high payoff that decisive action against the conversion mechanism can achieve and DoD's efforts to develop such a capability over the course of ten-plus years of irregular warfare, incorporating this dimension as the centerpiece of the DoD's CN> strategic theory of action makes sense. This opportunity to consolidate intellectual gains notwithstanding, it is for good reason that the DoD has focused on interdicting inputs and outputs. Offsetting a TCO's asymmetric information advantage requires a significant commitment to, and investment in, intelligence. Moreover, fully knowing the risks of losing this information advantage, TCOs exercise relentless entrepreneurial creativity to conceal their networks by adapting to and actively countering state efforts.

While Leites and Wolf model the general relationship between subversive organizations and the state, the paradigm they offer does not account for the element of anonymity – a critical factor in the dynamic interaction between these competing entities. Because of its centrality to the

¹²⁸ Leites and Wolf, 32-41.

¹²⁹ See section on *National Guidance to Counter the TCO Threat and DoD's Culture of Interdiction*.

effective conversion of inputs to outputs, a theory of action to confront subversive organizations should address explicitly the concept of anonymity. With the intent of demonstrating that TCO's calculate their preferred level of anonymity based on an assessment of costs, the author extrapolates from Demarest's theory of anonymity to build a rational choice model that incorporates his ideas into Leites and Wolf's supply-side COIN theory. Through intelligence-based operations aimed at reducing or eliminating TCO anonymity, the state sets the conditions for the application of what Leites and Wolf describe as direct methods of counterproduction, the most efficient and effective means of driving up TCO costs.

Figure 6 depicts what may be characterized as the single most important critical factor in an analysis of illicit non-state actors in general and of TCOs in particular, the relationship between anonymity and the ability to grant impunity, as articulated by Dr. Demarest.¹³⁰ As described, TCOs evaluate their requirement for anonymity based on the relative capacity and willingness of the state to exercise its authority to establish and enforce the rule of law.¹³¹ To the degree that the host-state governs effectively, the requirement for TCO anonymity is high. High anonymity impedes the ability of TCOs to function at their most efficient and effective capacity, reducing TCO opportunities to exploit the market to its full advantage, thereby limiting potential profits.¹³² The Cartesian diagram representing this relationship, Figure 6, depicts a parabolic, non-linear relationship between TCO anonymity and its ability to grant impunity. Whereas a small reduction in the requirement for anonymity may lead to a substantial initial increase in profits, the returns on power and profit diminish.

¹³⁰ Demarest, xi.

¹³¹ Leites and Wolf, 69.

¹³² Ibid.

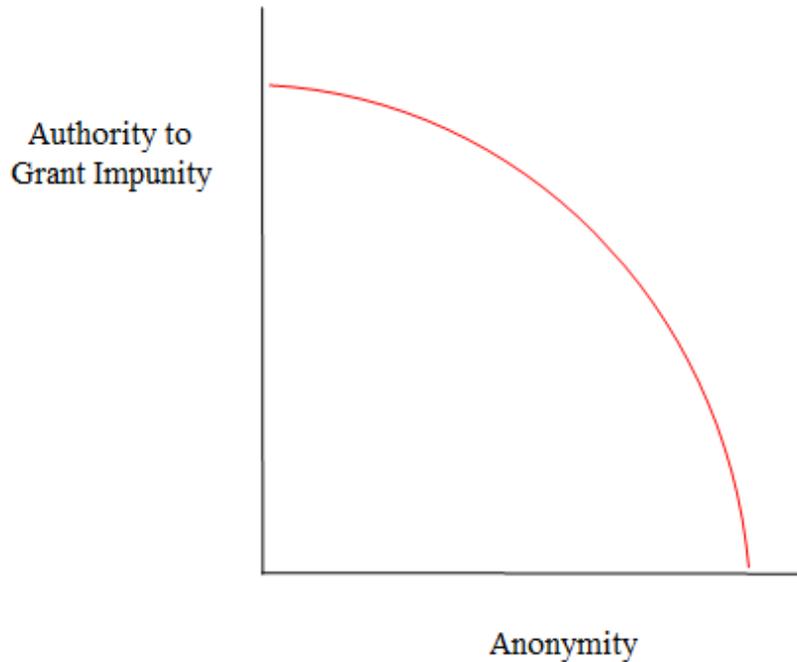


Figure 6. Anonymity-Impunity Continuum.

Source: Created by author.

A second Cartesian diagram depicts the classic microeconomic relationship between average and marginal costs and optimized net profits. In the context of determining relevant critical factors necessary for an analysis of TCOs, this framework best depicts the strategic nature inherent in TCO decision making and behavior. While all strategic capitalists seek to utilize the marginal cost framework to determine the most efficient rate of production, given their operational constraints, TCOs extend the model's utility to reconcile the costs and benefits of their own anonymity relative to the host-state's authority, capacity, and willingness to govern.

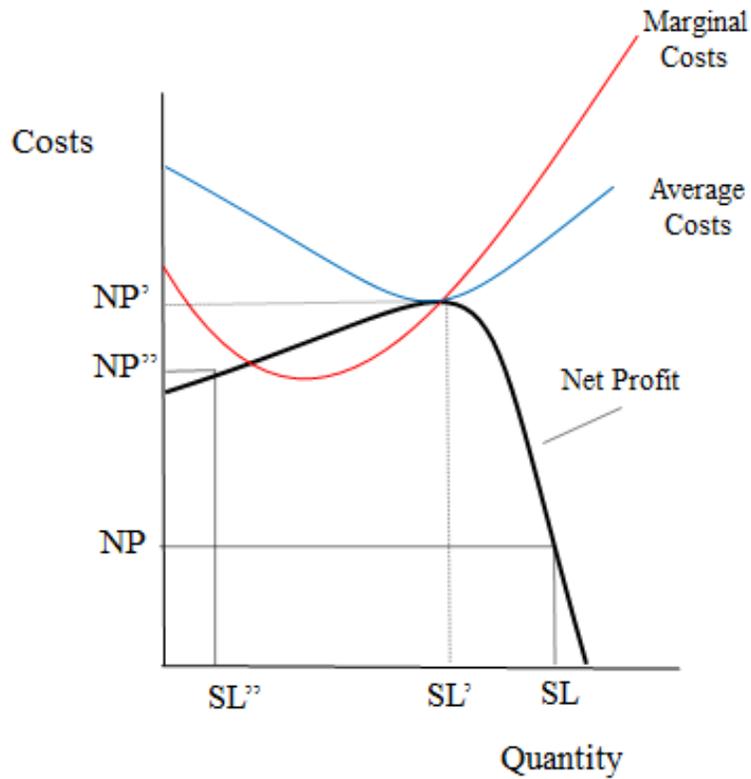


Figure 7. Illicit Net Profit and Marginal and Average Costs

Source: Created by author.

In host-states where capacity is high, efficient infrastructure and market access compensate for the increased costs and lower productivity attributable to maintenance of anonymity. Moreover, in host-states with strong capacity, while reduced anonymity may result in short-term gains, the reaction that it provokes from the host-state may lead to the TCO's annihilation.¹³³ Alternatively, TCO's may reduce costs and increase efficiency related to anonymity when state capacity or willingness to exert authority is low, but often as a tradeoff for increased infrastructure costs and the necessity to purchase access through bribery and

¹³³ Demarest, 30.

corruption.¹³⁴ To amplify a point previously made, in all theoretical instances, it is in the interest of a TCO to maintain some degree of anonymity in order to subvert host-state authority while sustaining access to legitimate commercial mechanisms.

A composite of these two diagrams, labelled as Figure 8, communicates the interrelationship between these concepts. It depicts graphically how TCOs determine the appropriate level of anonymity within a particular host-state given the state's relative capacity, authority, and willingness to govern and an estimate of optimized profits derived from a calculation of assessed marginal costs.¹³⁵ While it is necessary to maintain a high level of anonymity within host-states that possess strong authority, capacity, and willingness to assert their power, TCOs can enhance their power and influence in weak states through corruption and coercion at reduced levels of anonymity.¹³⁶

¹³⁴ Leites and Wolf, 60.

¹³⁵ *Ibid.*, 52-53.

¹³⁶ Demarest, 223-226.

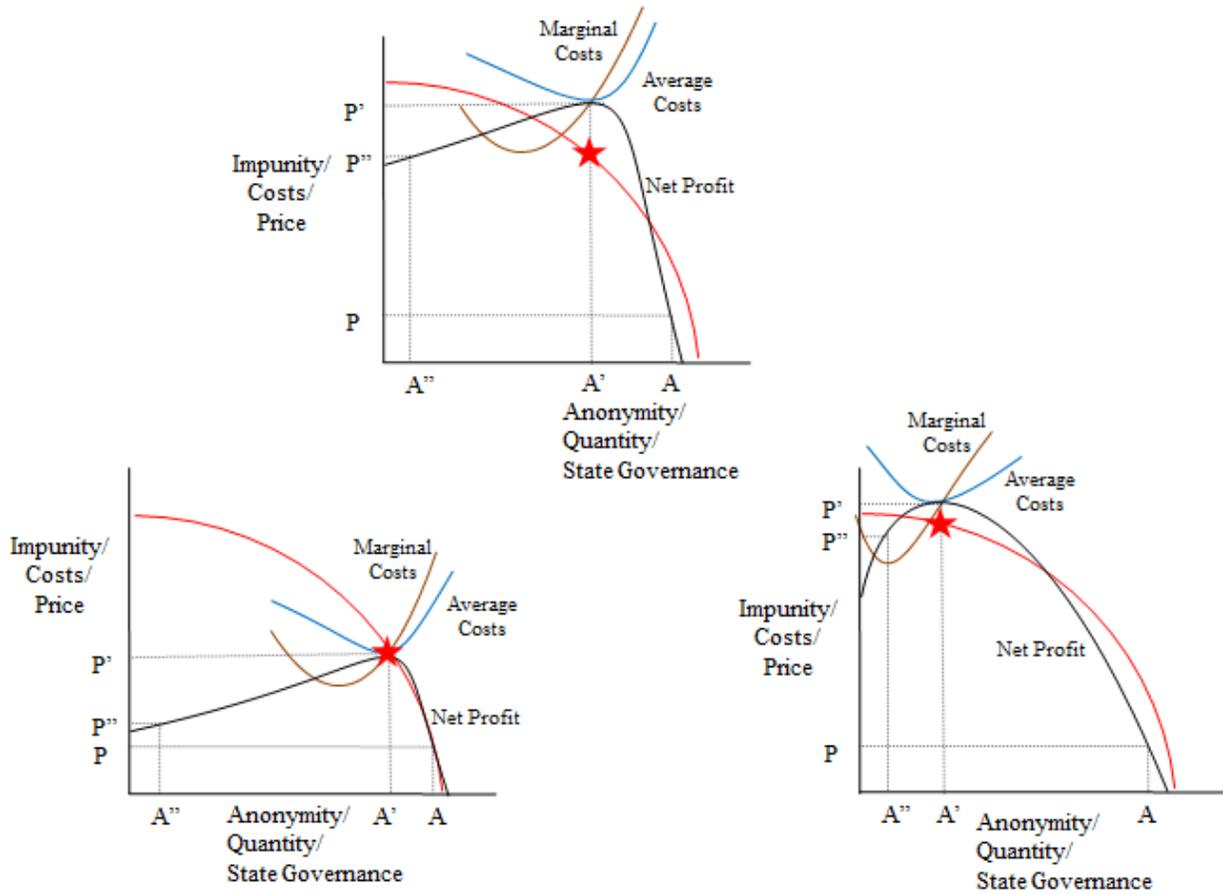


Figure 8. TCO Determination of Anonymity-Impunity Relative to Assessment of Costs

Source: Created by author.

Further analysis of this model leads to additional conclusions important to understanding TCO behavior as well as to the visualization and development of potential state efforts to counter TCOs. With respect to understanding TCO behavior, Figure 9 depicts the TCO desired future state.

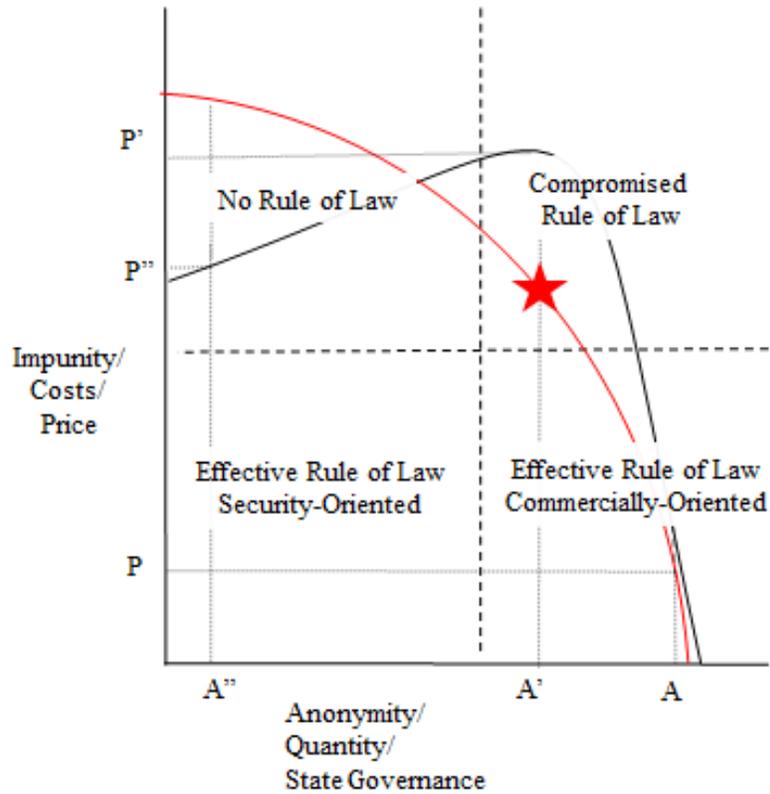


Figure 9. Categories of State Governing Competency

Source: Created by author.

The red star indicates the position along the anonymity-power continuum where the TCO maximizes illicit profits by exploiting state-investments in infrastructure and market access while minimizing marginal costs related to maintenance of clandestine networks and assured access through corruption and coercion. Two corollary conclusions can be derived from this inference. First, a strategic TCO will limit its own power and maintain anonymity, at a cost to short-term gains, to support a degree of host-state authority and capacity to optimize long-term profits. Secondly, when challenged by the state, a strategic TCO will increase anonymity at the cost of

short-term profits in order to assure long-term viability and avoid potential annihilation.¹³⁷ Also of value is the framework that the model provides for the categorization of relative state capacity. Dividing the Cartesian diagram into quadrants, four categories of state authority emerge. The upper left quadrant represents failed states whereas the upper right quadrant depicts fragile states where rule of law is compromised by weakened state authority and capacity to govern. The bottom two quadrants represent states with effective rule of law. The bottom right quadrant represents states where rule of law prioritizes commercial exchange. The bottom left quadrant represents the category of strong states where security interests subordinate commercial interests.

To reiterate, TCOs operate transnationally by both legal and illegal means, leveraging combinations of anonymity, corruption, and coercion to exploit legitimate transnational commerce and communications mechanisms to obtain power and influence for the purpose of monetary and commercial gain.¹³⁸ As articulated by the WEF, TCOs engage in legal and regulatory arbitrage, reducing their marginal costs by exploiting the relative capacity of states to enforce the rule of law.¹³⁹ Where state capacity is relatively strong and rule of law effectively enforced, anonymity is imperative to the functioning of illicit commerce. Such is largely the case in developed nations—the largest market for illicit commodities—where substantial profit margins compensate for the costs of establishing and sustaining clandestine networks. In those countries where the combination of state capacity and willingness to govern effectively is relatively weak—often where illicit commodities are sourced or transshipped—the ability of TCOs to obtain power and influence by means of corruption and coercion offset the requirement for anonymity.

¹³⁷ Leites and Wolf, 60-63.

¹³⁸ Paraphrase of NSS CTOC definition of transnational organized crime.

¹³⁹ World Economic Forum, *Global Risks 2011*, 23.

Findings and Conclusions

Consistent with the overarching NSS-CTOC strategic end state—to reduce TOC from a national security threat to a manageable public safety problem—the purpose of DoD efforts in the CN> domain is to help establish, through unified action, conditions in the near term that mitigate immediate threats to security in support of longer term structural transformation. The most fundamental problem that must be acknowledged concerns the systemic nature of the illicit economy, that its ultimate resolution lies in structural change. In this respect, the conclusions and solutions offered by the UN, WEF and NSS-CTOC that address dysfunctional global governance are key to resolving the long-term challenges that the illegal economy poses to global stability and security. Moreover, a positive sustainable equilibrium that mitigates the negative effects of the illegal global economy must be attained through attraction and the internalized commitment of its participants rather than through coercion and compulsion. From these conclusions, two ancillary challenges emerge. Structural change requires unity of purpose and action on the part of those who seek an alternative future, and secondly, all action, constructive and coercive, must be framed and communicated as part of the larger, positive desired end.

This fundamental recognition notwithstanding, as the NSS-CTOC strategic estimate indicates, the deliberate, strategic agency exercised by TCOs to leverage dysfunction within the globalized political-economic system to their advantage catalyzes malevolent feedback from the illegal economy that exacerbates global instability. This condition constitutes a significant challenge to the United States and its international partners who seek to defend the rule of law that governs and sustains the legal global political economy. Given this circumstance, it is apparent that the agency of TCOs must be confronted, by coercive means when necessary, to enforce the rule of law in the near term and to establish the structural conditions that over time reduce TCOs to irrelevancy, a function to which DoD capabilities lend themselves. By stating its purpose in these terms, the *DoD CN> Strategy* could convey to both internal and external

audiences the limitations of DoD capabilities, establish realistic expectations of outcomes short of enduring whole-of-government efforts, and acknowledge DoD's supporting role to unified action.

To this end, the 2011 *DoD CN> Strategy* represents a significant evolution in the DoD's efforts to confront a significant non-state threat to global stability. The *DoD CN> Strategy* acknowledges the complexity of the strategic security environment and places narcotic trafficking within the larger context of the illegal global economy. Through this linkage, the *DoD CN> Strategy* substantiates the need for an expanded interpretation of existing DoD authorities that allows for the application of other critical competencies, focused not only on countering illicit commodity trafficking, but directed toward the disruption and defeat of the TCOs that enable and drive the illegal economic system. This progress notwithstanding, by foregoing the opportunity to articulate a comprehensive theory of action, the *DoD CN> Strategy* fails to make an argument that justifies its priorities or communicates DoD actions within the broader context of the NSS-CTOC.

By adopting a theory of action that incorporates the supply-side systems perspective to subversive organizations, the *DoD CN> Strategy* can address these deficiencies. Not only can this theory of action prioritize DoD's efforts and convey its role within the larger context of unified action, it presents an opportunity to integrate with existing counternarcotics operations the emerging capabilities derived from a decade of experience fighting irregular wars. Consistent with the concept described by the NDCS interdiction continuum, a supply-side approach to countering TCOs emphasizes the importance of leveraging actionable intelligence derived from interdiction efforts to the decisive action of dismantling criminal networks. Leveraging the AtN methodology, a supply-side systems-based CN> strategy can integrate and synchronize the DoD's current support to illicit trafficking interdiction with other elements of national power to establish a common understanding of, and execute decisive action against, the most dangerous criminal networks that threaten US interests and security.

Appendix A

An Alternative Operational Approach

This appendix offers an alternative operational approach that builds on the 2011 *DoD CN> Strategy* by amplifying key concepts already addressed, providing a contextual narrative that explicitly articulates a theory of action which underwrites DoD CN> activities, and framing the conceptual LOE that logically integrate the efforts required to implement the theory of action. Extending the excellent strategic assessment of the threat articulated in the 2011 *DoD CN> Strategy* that describes the complexity of the environment, the adaptability of TCO networks and connects illicit trafficking to instability, violent conflict, and terrorism, future iterations of the strategy ought to articulate a positive purpose and a theory of action. While acknowledging the current strategy's justifiable reluctance to include specific actions and activities, providing an explicit positive purpose and a theory of action moves the *DoD CN> Strategy* beyond a recitation of constraints and repackaging of higher strategic objectives to provide the guidance necessary to inform campaign planning, tactical action, and operational assessment.

Moreover, the *DoD CN> strategy* must support GCC priorities. Given the nature of the TCO problem, few military professionals have an understanding of its complexities or its relation to the central role of the GCC to prevent and deter conflict and prevail in war. To gain the commitment and enthusiastic support of the GCCs and its component elements, the *DoD CN> Strategy* must demonstrate its value to the larger GCC strategy and overcome the perception of an additional peripheral, additive requirement. Overcoming this perception will require the DASD CN> to expand its current efforts to resource the human capital required to plan, direct, and execute operations in support of an integrated *DoD CN> Strategy*.

These challenges are compounded by the constraints of the DoD and the GCCs. Given the competing requirements and cultural values within the DoD, the challenge to unified action is

significant. The *DoD CN> Strategy* must contend with its limited ability to adapt existing CD authorities and the inertia of its own institutional cultural biases while confronting an evolving operational environment and the changing guidance of national security policy. While the 2011 iteration of the *DoD CN> Strategy* admirably bridges the conceptual link between illicit drug trafficking, TCOs, and violent conflict, the marked absence of the terms anonymity and clandestine reveals the unwitting institutional cultural bias toward interdiction. Moreover, in omitting this central concept, the strategy fails to identify explicitly the unique critical factor from which TCO vulnerabilities may be derived.

Additionally, an offensive strategy that leverages intelligence in support of investigations and prosecution has several inherent limitations; it requires significant time, resources, and efforts and effects are challenging to measure. These factors impact budget execution and assessment frameworks that in turn require unique planning and managerial expertise. To adjust its strategy to incorporate the critical DoD capabilities of intelligence in support of IA and PN investigations and prosecutions, the CN> strategy must adapt its assessment framework to account for the indirect effects and delayed responses inherent to interventions in complex systems. The conceptual approach offered here attempts to address these issues while incorporating the finding from this monograph.

The following graphics intend to present the current and desired conditions with respect to the threat and the disposition of CN> efforts as they relate to this theory of action. Building on Figure 10 from the monograph analysis, where the red star along the anonymity-impunity continuum depicts the current condition at which strategic TCOs calculate their requirement for anonymity to optimize profits, the blue star indicates the DoD's desired future condition. By attacking TCO anonymity, the DoD sets the conditions for decisive unified action. As anonymity is stripped away, networks fracture, capacity declines and the cost of doing business climbs.

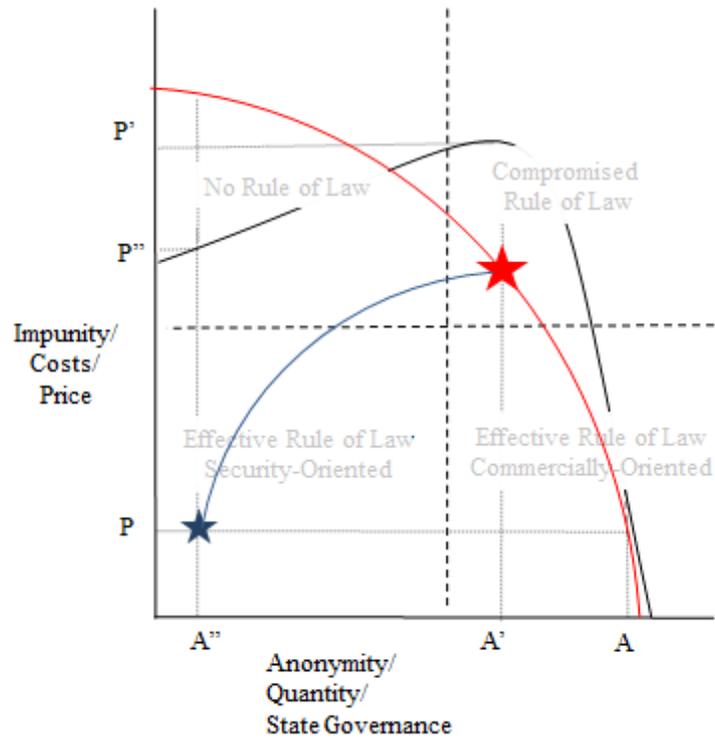


Figure 10. Desired Condition–Reduce TCO Anonymity and Impunity

Source: Created by author.

Similarly, Figure 11 builds on the graphic in the environmental frame that represents the current disposition of DoD CN> efforts along the dimensions of time and specialization.¹⁴⁰ It indicates the desired transition of DoD CN> efforts from conventional interdiction characterized by passive, terrain oriented defense, to an active defense in support of offensive-oriented operations in the domains of intelligence and investigations, ideally situated in the decisive quadrant of specialized operations. In this desired future state, unilateral interdiction by the JIATFs, Joint Task Force-North, and Title 32 Counterdrug Task Forces orient to support IA law enforcement investigations and prosecutions. Capacity-building efforts in support of the

¹⁴⁰ See figure 6 on page 43 for a detailed description of the diagram dimensions.

GCCs, to include Special Operations Forces' training, focuses on PN capabilities that have a direct or close link to US IA investigative or counterterrorism operations supporting decisive action.

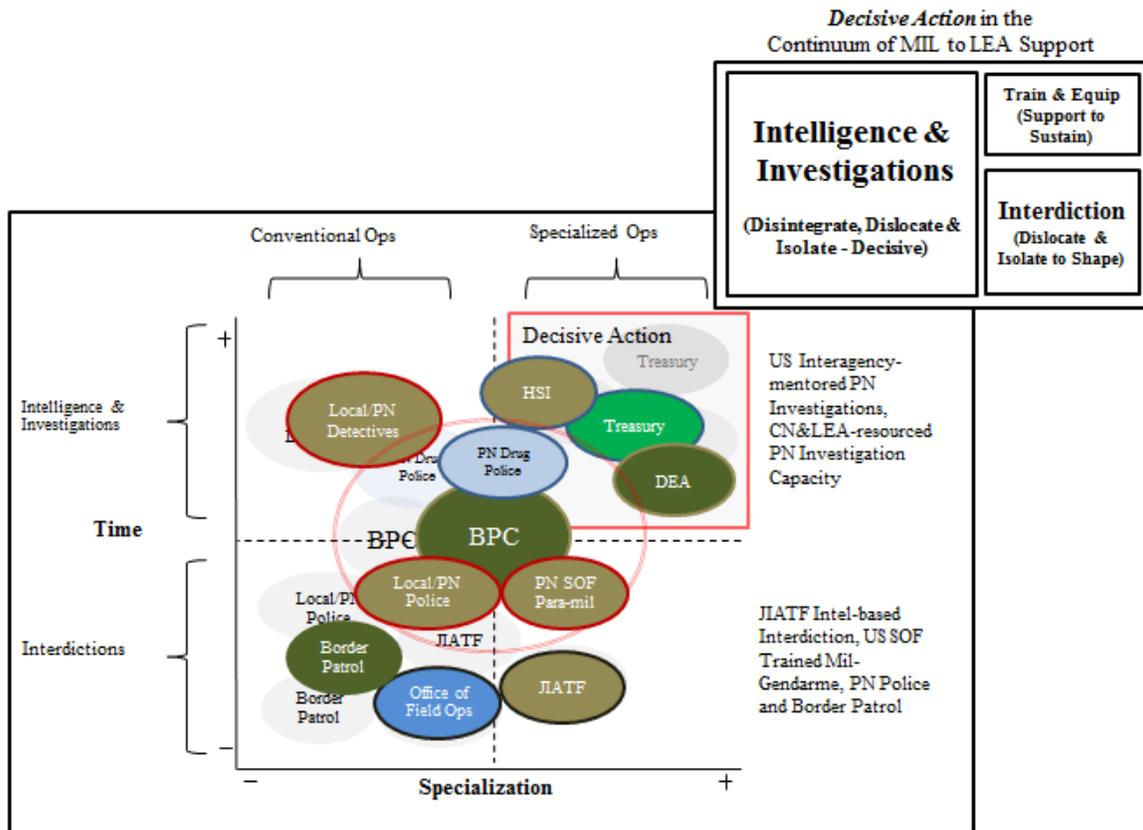


Figure 11. Desired Disposition of DoD CN> Efforts

Source: Created by author.

Framed in broad defeat and stability mechanisms, the intent of all CN> efforts should be to conduct, shape, or sustain decisive action. Building partner capacity activities should provide support in order to establish, reinforce, or set the conditions necessary for US and PN law enforcement to operate effectively. Shaping the operational environment through active interdiction, direct and indirect DoD CN> activities dislocate and isolate TCO networks and

enablers by denying them access to key terrain and critical capabilities. Through the combination of dislocation, isolation and disintegration—the disruption and degrading of TCO leadership and control mechanisms—CN> intelligence operations, conducted either unilateral or in combination with IA investigations, contribute to the decisive effort to ultimately destroy and dismantle the most dangerous TCO networks.¹⁴¹

The alternative operational approach offered by this monograph frames the key and essential tasks necessary to achieve the desired ends and purpose along the five AtN LOEs within the conceptual operational framework of “security,” “close,” and “deep.”¹⁴² “Security” captures all CN> planning, intelligence analysis, and targeting activities conducted within DoD organizations.¹⁴³ Activities related to the interdiction continuum in which the DoD directly participates, particularly the D&M mission, fall within the category of the “close” fight.¹⁴⁴ Lastly, “deep” operations represent the decisive efforts of the IA and PN law enforcement that lead to the prosecution, dismantling, and defeat of TCO networks—activities that the DoD supports indirectly (see figure 12).¹⁴⁵

¹⁴¹ ADRP 3.0, 2-9.

¹⁴² *Ibid.*, 1-10 to 1-12.

¹⁴³ *Ibid.*

¹⁴⁴ *Ibid.*

¹⁴⁵ *Ibid.*

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	Security	Close	Deep		
	Planning, Intelligence Analysis, Targeting	Detection & Monitoring, Interdiction Continuum	Investigations & Prosecutions		
Organize for the Fight	Integrate CN> Intel Analysis with GCC J2	Within GCC's LEASPT DIV & JIATFs, DAsD Resource & Establish the core of TCO AtN Cells & WGs: Intel Cell Planning & Assessment Cell Targeting Cell		Build a Better Friendly Network	
Understand the OE	Identify TCO networks & PN corruption links to support GCC Strategic Intel Assessment	DAsD provides education/training/planning support to GCC LEASPT DIV & JIATF Planners	Require COG Analysis of TCO-PN Corruption Networks in GCC AOR	Prioritize TCO Threats in GCC AO for Targeting	Empower Info Exchange
Plan Joint Operations	DAsD require comprehensive operational design of GCC CN> effort	Develop Integrated Collection Plan to Coordinate Combined, Joint, IA Intel Efforts	DAsD resourced TCO AtN Cells support GCC Strategy, Campaign Plan, Assessment Development		Employ Enablers
Engage the Networks	Target Network Anonymity through Combined, Joint, Interagency Collection	DAsD resourced divisions required to produce targeting nominations to GCCs	Focus Operations in support of IA/PN Investigations	Make PN capacity building contingent on corruption mitigation	Exploit Opportunities for IO
Assess	Develop indicators that support decisive operations and strategic effects		Establish Measures of Effectiveness in support of IA & PN Investigations & Prosecutions		Decisive Results

Figure 12. Attack the TCO Network Operational Approach

Source: Created by author.

Consistent with the fundamental tenets defined in emerging AtN theory, the LOEs seek to conceptually organize integrated, mutually supporting tasks in support of the desired end state to defeat the most dangerous TCOs confronting US interests while severing state-crime alliances. The first LOE, “Organize for the Fight,” builds on existing CN> guidance to incorporate CN> activities within Combatant Command (CCMD) strategies and campaign plans.¹⁴⁶ To accomplish this objective, the DAsD-CN> should resource the human capital with the

¹⁴⁶ US Joint Forces Command, *Commander’s Handbook for Attack the Network*, I-12.

specialized expertise necessary to support the cells and working groups required to develop plans, conduct TCO AtN-specific Joint Intelligence Preparation of the Operational Environment, and support the targeting process. Trained military planners and analysts with IA experience will help the CCMDs overcome their limited understanding of complex TCO activities and better appreciate their relevance to the broader CCMD strategy.

“Understand the OE” LOE captures the integrated efforts and objectives that support the identification and prioritization of dangerous TCO networks.¹⁴⁷ In support of the CCMDs strategic intelligence estimate for the AOR, DASD-CN> resourced JIATFs and LEA support divisions should be made responsible for the production of AOR-specific AtN JIPOE estimates that detail the most dangerous TCO and corruption networks within the CCMD AOR. With this information, the GCCs can make better-informed decisions applicable to the entire spectrum of strategic interests and identify potential vulnerabilities that require mitigation. Moreover, AtN intelligence estimates are essential to and must precede planning efforts to engage the TCO networks. The DASD-CN> can support these efforts by resourcing education and training in planning and analysis techniques and procedures applicable across the CCMDs.

Building on these efforts and objectives, the LOE to “Plan Joint Operations”¹⁴⁸ envisions as an outcome the design of CN> annexes to CCMD-specific theater campaign plans. Consistent with GCC priorities, the knowledge and experience of DASD-CN>-resourced personnel, integrated with CCMD cells and working groups, should be leveraged to cooperatively design comprehensive counter-TCO operations with the input and guidance of the IA. To accomplish this, the DASD-CN> should establish the production of conceptual operational designs from their resourced LEA support divisions and JIATFs.

¹⁴⁷ US Joint Forces Command, *Commander’s Handbook for Attack the Network*, I-12.

¹⁴⁸ Ibid.

Activities within the “Engage the Networks”¹⁴⁹ LOE entail the development of non-lethal target lists specific to the design concepts that drive efforts in support of the interdiction continuum. Targeting should ultimately be focused on the decisive operations conducted by the IA and PN LEA in the “deep” fight.¹⁵⁰ Moreover, targeting should support the national security objective to sever state-crime alliances by informing the GCC of these links within their respective AORs and by making build partner capacity efforts contingent on PN efforts to mitigate these connections. Lastly, the “assess” LOE derives indicators, measures of performance, and measures of effectiveness from the TCO AtN operational design specific to each CCMD.¹⁵¹ The DASD-CN> should accommodate longer time horizons to account for the indirect nature of AtN operations and the complexity of the environment.

¹⁴⁹ US Joint Forces Command, *Commander’s Handbook for Attack the Network*, I-12.

¹⁵⁰ Ibid.

¹⁵¹ Ibid.

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