

Military Drug Interdiction in the Caribbean Basin

by
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Civilian anti-drug smuggling efforts thus far have had little impact on the supply or price of cocaine inside the United States; users have little difficulty in finding an abundant supply at a price they can afford. Public concern over the spread of cocaine and crack use and the violence associated with crack prompted the United States government to give a major anti-drug war role to the military in 1988. The role of the military in the national crusade against illicit drugs had been growing since 1981, but the Defense Authorization Act (1988) and the Omnibus Anti-drug Act (1988) dramatically increased that role by making the Department of Defense the lead agency in the nation's anti-smuggling effort.¹ The two acts increased the military effort beyond anti-smuggling, but this paper will focus on three issues: efforts against cocaine smuggling; the likelihood of success; and, finally, the potential consequences of military involvement. It will argue that the US Army, Navy, and Air Force should not be heavily involved in the campaign against drugs, and that such a role is good for neither the United States nor its armed forces.

THE PROBLEM

No one knows how much cocaine enters the United States. Published statistics are based on estimates of how much coca is being grown in the Andes, street prices in selected US cities, amounts confiscated, and the purity of cocaine obtained by law enforcement officers. The March, 1991 *International Narcotics Control Strategy Report* warns, however, that the estimates on coca production are imprecise.² Fluctuations in street price and purity may or may not reflect success in anti-smuggling campaigns. Other variables, such as weather, crackdowns by the Colombian government, and reorganizations of the cocaine business in South America may also account for such changes. In 1989, the Drug Enforcement Administration (DEA) estimated that between 348 and 400 metric tons of cocaine hydrochloride were being produced annually in Latin America, most of it destined for the American market. That year, DEA announced that over 100 tons were seized in 1988 (55 tons by US authorities).³ Therefore, hundreds of tons were unaccounted for. A reasonable conclusion is that much of it was introduced successfully into US markets, by crossing the Caribbean Basin.

The fundamental problem faced by anti-drug smuggling units has been trying to sort out the drug smugglers from all the "noise" in the Basin. The challenge is similar to anti-submarine warfare; the searchers must identify precise "targets" against a background of multiple sources of activity, and hence, many possible targets. The Basin (the Gulf of Mexico and the Caribbean Sea) comprises 1,664,500 square miles, making them equal in size to 46 percent of the land area of the United

States. Legitimate cargo or passenger ships might be transporting cocaine without the knowledge of the captain or owner. Even small pleasure boats can transport valuable amounts of cocaine. Similarly, commercial and private aircraft fly the Basin in sufficient numbers to make identification of drug-smuggling aircraft difficult.⁴

In a perfect world, American anti-drug smuggling forces would know which persons or means of conveyance traversing the Basin were carrying illicit drugs and know quickly enough to intercept them before they delivered the drugs to the United States. Ideally, anti-smuggling operations would detect the presence of the cargo as it left its source country. In the real world, however, this is not possible. US authorities do not know exactly how the drugs are imported into the United States. For example, in 1988, the US government believed that 45 percent of the cocaine seized came via private aircraft and over 20 percent of the cocaine seized came by private vessels, but both statistics were informed *estimates*. Neither explained how the *successfully-smuggled* cocaine arrived. The confiscation of twenty tons of cocaine from a Los Angeles warehouse in September, 1989 and five and one-half from a vessel in the Gulf of Mexico in October of the same year indicated that great amounts were getting through. No doubt much of it passed through the Caribbean Basin, but by what means? Were the twenty tons flown directly into the United States or were they transhipped overland via Mexico? Was it one load or many loads? In 1991, the guess was either that cocaine was being transhipped through Mexico, whence it travelled overland into the US, or that it entered the US via cargo containers. By the time the drugs reached the United States border, the original loads from Latin America probably had been subdivided into many loads, making the detection and interdiction task extraordinarily difficult. Only the traffickers know for sure.

The presence of sovereign nations in the Basin limits the actions of the US government, for this fragmented authority provides fissures through which smugglers can slip. Equally important, some of these nations have neither the means nor the inclination to patrol their jurisdictions as thoroughly as necessary to prevent drug smuggling. Indeed, some were suspected of profiting from the business. As Bill Walker points out in his masterful study, *Drug Control in the Americas*, interdiction efforts failed consistently over the years. During alcohol prohibition between 1919 and 1933, the US Coast Guard was unable to prevent liquor from being smuggled into the United States. Honduras, Costa Rica, and Panama were transshipment points in the 1930s. In 1932-33, Honduras imported enough morphine to meet its scientific and medical needs for 100 years; in 1934, enough came in for another 72 years. Hondurans then shipped this drug to New Orleans, but the US Coast Guard, in spite of considerable effort, could not stop this trade.⁵ In the 1960s and 1970s, the United States was unable to prevent marijuana smuggling even though marijuana more difficult to hide because of its bulk. Cocaine, which has high value by volume, can easily be hidden from law enforcement officials.

CIVILIAN AGENCIES AND THE DEFENSE DEPARTMENT ROLE

US civilian agencies have combatted smuggling since the beginning of the Republic. For over two hundred years, the US Coast Guard has been the first line of defense against smuggling. Until recent court decisions, the Coast Guard was the only US agency with jurisdiction outside the territorial limits of the United States, except for territory under military occupation. Coast Guard personnel are trained in the necessary investigative and interdiction techniques. With the outlawing of most psychotropic drugs by the Harrison Act of 1914, anti-drug smuggling was added to the many duties of the Coast Guard, but it had low priority until the dramatic increase in drug consumption during the 1960s and only slightly higher priority until the cocaine epidemic of the 1980s. The US Customs Service has been the second line of defense. Stationed in seaports, international airports, and land border crossings, Customs agents have been trained to detect smugglers and contraband and either tax or seize the latter. Although the primary mission of the Border Patrol has been immigration control, it also conducts anti-smuggling efforts.

Cocaine smuggling in the late 1970s and in the 1980s overwhelmed all three agencies. They did not have the personnel, equipment, and budget to meet the challenge, the scale of which had not been anticipated. Instead, the Coast Guard budget was actually cut precisely at a time when leaders in Washington were asserting that they were stepping up the national anti-drug campaign. Reality and rhetoric did not coincide.

The government therefore, turned to the armed forces in their campaign against drugs. There are several reasons for this decision. First, unlike the civilian agencies, the Defense Department, until very recently, had the political clout to obtain the appropriations necessary to carry out the job. Whereas virtually all members of Congress have defense contractors or military bases in their districts and could traditionally garner votes by supporting military appropriations, few would gain much by supporting the Coast Guard, Customs Service, and Border Patrol. Further, since the national anti-drug campaign had been termed a "war," many people expected the military to be used, since it has the "war-fighting" resources, especially ships and planes. Although the civilian services are just as capable, they lacked both that image in the public mind, and the resources.

After the 1981 amendment of the *Posse Comitatus Act* to allow DOD to give some logistical support to civilian police, the military loaned equipment to civilian law enforcement agencies. In subsequent years, as civilian law enforcement personnel became less and less able to cope with the drug epidemic, the demand for military involvement increased, as did funding for military anti-drug efforts. In 1982, in Operation BAHAMAS AND TURKS in the Bahamas, the US military first began aiding in the suppression of drug activities in the Caribbean. Four years later, US military personnel played the major role in planning and conducting Operation BLAST FURNACE in Bolivia. As part of Operation SNOWCAP, created in 1987, DOD personnel began teaching military skills to Drug Enforcement Administration (DEA) agents who were to be stationed in the Andes.

Second, so long as the Department of Defense could argue that there was a serious threat from the Soviet Union, it could resist most efforts to force it into such non-military activities as law enforcement. Until the fall of 1989, the Pentagon had argued that its traditional mission of defending the nation against foreign enemies was still valid and that using its soldiers, sailors, and pilots in civilian law enforcement activities would undermine its military mission.⁶ With the collapse of the Soviet Empire, however, the US military not only lost much of its immediate mission (the Gulf War notwithstanding), but also found it more difficult to resist civilian demands that it increase its role in the anti-drug campaign. Citizens wanted a bigger return on the trillion-plus dollar investment they made in the military in the 1980s. In 1989, President George Bush and Richard Cheney, his Defense Secretary, ordered the military into the fray. Within months, Eastern European nations unexpectedly opted out of the Soviet orbit and Americans began hoping for a “peace dividend,” a dramatic decline in military spending. Fortuitously for the Pentagon, the timing of the military commitment to the drug war presented an argument for preserving some of the DOD budget.

Finally, the decision to use the US military was not just caused by the inability of civilians to reduce drug smuggling drastically; the military can operate in some locales better than civilian agencies. Moreover, military assistance has given the US some influence over local militaries. A number of military officers in Caribbean Basin countries have received US military aid. In some countries, US military personnel work closely with their counterparts. US military bases on the US mainland and in the Basin provide valuable platforms from which to operate. Its ships and aircraft regularly transit the Basin while its radar devices and intelligence satellites capture and transmit information.

THE NEW MILITARY ROLE

To detect the aerial and maritime transit of illicit drugs into the United States, Congress and the President in 1988 commanded the Pentagon to establish a command, control, communications, and technical intelligence (C3I) structure for interdiction purposes.⁷ The goal was to establish a centralized intelligence gathering, analysis and dissemination system that could transmit information in real time so that law enforcement personnel could act quickly before the opportunity for search, seizure, and arrest disappeared. Intelligence data was to be funnelled into centralized databases created by the military and then transmitted to appropriate law enforcement agencies of the US and to public security forces of other nations.⁸

To detect aircraft DOD adopted a “Defense in Depth” strategy to provide blanket radar coverage across the southern US border.⁹ Partial radar coverage by both civilian and military units had been in place for years, but the new radar screen coordinates DOD, Coast Guard, Customs, and Federal Aviation Administration personnel and equipment to detect potential drug smuggling aircraft within 100 nautical miles of the land border and 500 nautical miles of the coastline. Headquarters for this effort were established under Coast Guard admirals at Joint Task Force

(JTF) 4 in Key West, Florida and JTF 5 in Alameda, California. In addition, the new DOD-directed plan is intended to provide detection coverage of known departure points and transit routes in the Caribbean, Central America, Gulf of Mexico, Atlantic Ocean, Pacific Ocean and the northern areas of South America. Finally, both detection systems will be connected through a comprehensive communications network reaching from Jacksonville, Florida to San Diego, California.

This "southern fence" uses aerostat radar balloons for southern land and maritime borders, mobile seaborne aerostat balloons for natural chokepoints between Caribbean land masses, and long-range radar equipped aircraft. In the Gulf of Mexico, the Pentagon uses aerostats, coordinated military and civilian radar, and fixed-wing aircraft. Under Pentagon auspices, C3I centers are operated across the southern United States with facilities in such places as Richmond Heights, Florida, Biloxi, Mississippi, Corpus Christi and El Paso, Texas, and Alameda, California. The system was to become fully operational in 1992; however, it will increase effective detection by only 25 percent.¹⁰

Round-the-clock surveillance requires twenty-five E-3 (AWACS) planes in five continuous orbits at an approximate annual cost of \$248.2 million or forty-eight E-2 (AWACS) planes in six continuous orbits at an annual cost of \$113.5 million. In addition, another \$246.4 million would be required for the necessary refuelling operations, other fixed wing aircraft, and helicopters. These are small amounts by Pentagon standards, but they represent only the beginning. The Pentagon has proposed using over-the-horizon radar (originally designed for air defense detection) to identify drug-smuggling planes. This controversial system, originally rejected by Congress, costs \$231 million.¹¹

In addition to being designated the key agent in aerial and maritime detection in the Basin, the military's interdiction role increased as well. The Posse Comitatus Act (1878) forbids military personnel from engaging in civilian law enforcement activities, which today includes drug interdiction. The 1988 Defense Appropriation Act reasserted that military personnel are not to engage in search, seizure, and arrest activities. The conference report accompanying the act explained that Congress does not want a radical break with the tradition of keeping the military out of civilian law enforcement.¹² But military aircraft and vessels *can* be used in some instances to transport civilian law enforcement personnel, and as a base of operations for law enforcement efforts outside the United States. For example, Coast Guard personnel are sometimes carried on naval ships to do the actual search, seizure, and arrest functions. This program, known as Law Enforcement Detachment, was expanded in 1988 by requiring that no fewer than 500 Coast Guard personnel, trained in law enforcement procedures and armed with arrest powers, be assigned to appropriate navy surface ships sailing in drug interdiction areas. However, the captains of these naval ships were given prior indemnification from civil or criminal liability if they fire upon or sink a suspected vessel in the course of an anti-drug search or seizure.¹³ That certainly approaches granting them police powers, since police have the authority to shoot at fleeing suspects.

The Pentagon shows little enthusiasm for participation in this new role. Many officers prefer to spend money on maintaining traditional military activities and on sophisticated weapons systems. They obey the orders of their civilian superiors, but continue to warn that military efforts are not the solution to the problem. Not all agreed, however. Southern Command (SOUTHCOM), based in Panama, saw the military's new role as a boon. General Maxwell Thurman, SOUTHCOM commander in 1989-91, argued that the Latin American drug war "is the only war we've got."¹⁴

Special Operations Forces (SOFs) might view the detection and surveillance of civilian aircraft, boats, and ships as useful training for low-intensity conflict, since the irregular forces they are likely to fight will use whatever means available. But, most LICs occur on land, not at sea, limiting the utility of maritime interdiction as training for the kinds of problems likely to be faced by the SOFs. Anti-drug smuggling efforts along the US-Mexican border more closely resembles the kinds of situations likely to be faced by these soldiers, but neither the US nor the Mexican government has given the military the free rein it enjoys during a real war. Thus, military officials realize that their participation in the anti-drug campaign in the Caribbean Basin provides limited benefit to their goal of maintaining a strong military capable of fulfilling traditional military missions.

ASSESSMENT

Will interdiction work; will it significantly reduce the supply of illicit drugs in the United States? The Pentagon and the General Accounting Office do not think so. Peter Reuter, the principal economist studying the issue, argues that even if non-land smuggling routes became high risk, the retail price of cocaine would only increase three percent and smugglers would change techniques or shift routes to meet the challenge. If this were to occur, the military role in the anti-drug campaign would have to increase as a countermeasure.¹⁵

Even with enhanced resources, interdiction efforts can achieve only limited success. This is certainly one meaning of the *National Drug Control Strategy* report when it says "indeed, our recent experiences with drug interdiction have persuasively demonstrated that interdiction alone cannot prevent the entry of drugs, or fully deter traffickers and their organizations."¹⁶ By 1991, the totality of US interdiction efforts spurred the smugglers to shift some of their routes through Mexico or via the Pacific, or to hide cocaine inside legitimate cargo or both. The smugglers have shown that they can outmanoeuvre the law enforcers in spite of the latter's high technology. The smugglers themselves also use high technology and have the comparative advantage because they comprise such a diffuse target in such a large area.¹⁷

There are inherent dangers in the military's C3I anti-drug role. The easiest, and thus most probable, technique for collecting intelligence data is to gather as much as possible and sort it out later. All kinds of data on the movement of people, goods, and transportation craft will be fed into gigantic computer banks and shared

by military and civilian officials. Inevitably, some of the data collected and disseminated will inevitably be about honest people. Such databanks are insecure; although it is illegal to do so, some policemen have used the national crime databanks to obtain information about third parties for police colleagues. Such sharing of information is dangerous to civil liberties.

Increasing military power in civilian affairs is politically dangerous both in the United States and in Latin America. The very fact that military forces are being used for civilian law enforcement is an admission of failure by the civilian government. This is particularly true for the United States with its historic tradition of keeping the military out of civilian affairs. Civilian law enforcement agencies such as the Coast Guard did not fail; they were never given the resources to do the job. By declaring "war" on the narcotics problem, political leaders took the route of least resistance, and raised unrealistic expectations about what the military could accomplish. When the US military is committed to a "war," the American people expect results. The political leaders have failed to grasp that illicit drug use is a domestic, civilian problem, one wherein free enterprise capitalists are servicing the American consumer market. Instead of attacking the root of the problem, they have chosen to trim the leaves, thus giving the appearance that the weed is being destroyed while actually doing too little to prevent the spreading infestation.

Although this paper argues generally against the appropriateness of using the Defense Department in anti-drug smuggling efforts, there is some merit in favor of this role. DOD involvement has made drug trafficking more difficult. Congress and the Executive branch may simply be buying time until the drug problem goes away, as it has in the past, or citizens quit worrying about it. Citizens have rejected such strong measures as zero tolerance or close control of the national borders. The well-publicized anti-drug-smuggling efforts reassure voters that their government is doing something about the problem, but, because these take place outside the US, they do not inconvenience these same voters. While waiting for some solution exogenous to governmental efforts, the United States is finding means by which to keep its military trained in some aspects of the military art. Using sophisticated detection technology against real targets is better practice for war than using dummy targets. Moreover, the exercise is not wholly without relevance given that the US expects that it will deploy its military in the future principally in the Third World, not against a major military power.

In real wars, the military is unleashed like a pit bull and then retrained once the conflict is over, but the "drug war" is not a war and will not end quickly. The Bush anti-drug strategy, now inherited by the Clinton administration, committed the military establishment to performing a civilian function indefinitely. In time, the US military could turn the Basin into a domestic lake, as it was earlier in the century. If this occurs, the chances that the military will become embroiled in local disputes is high.¹⁸ If true military emergencies occur, the military anti-smuggling effort could not be curtailed. Moreover, the smuggling problem does not just involve drugs. Terrorists and weapons also easily enter the country. The nation has little

control over its borders and American enterprise is being undercut by smuggled goods.¹⁹ Does this constitute a threat to national security, and if so, should the military be given potential authority over this aspect of civilian commerce? In short, it is a small, but significant step from using the military to interdict narcotics traffic to extending that role to the wider smuggling problem.

One solution is for Washington to strengthen the appropriate civilian agencies so that they can better accomplish their missions. If the drug problem is ever solved, the general smuggling problem will still exist. Building a civilian anti-smuggling system for the long-term makes more sense than institutionalizing border control as a military task. Granted that civilians still control the border, but the Pentagon's existing role may prove to be "the thin edge of the wedge."

Finally, the anti-drug smuggling role of the US military in the Caribbean Basin could undermine the military or public support for it. It cannot win this pseudo-war. In real wars, the military is given almost unlimited authority to take the steps necessary to obtain victory. Officers say that they are capable of doing the job but argue that civilians would not like the way they would do it. As Lieutenant General Stephen Olmstead, USMC (ret.), former DOD Deputy Assistant Secretary for Drug Policy and Enforcement, put it, they would use machine guns and not worry about Miranda rights. Merchants and tourists would not like the consequences of search techniques implemented at the borders or on the high seas.²⁰ The US will not allow the military to act like a military but instead demands that it act like a large coast guard. It is expected to fight a "war" that is not a war and which, for reasons beyond its control, cannot win. As this becomes apparent, public support for the military could decline. If this occurs, at a time when the military's role is already being questioned and its budget trimmed in favor of other national priorities, the US armed forces may be less capable of responding to a real war.

Endnotes

1. Donald J. Mabry, "The U.S. Military and the War on Drugs in Latin America," *Journal of Interamerican Studies and World Affairs* 30, no.2 (Summer-Fall 1988); for the specific legislation, see U.S. House of Representatives. *Conference Report to Accompany H.R. 4481, National Defense Authorization Act for Fiscal Year 1989*. Report 100-989. 100th Congress, 2nd sess. 28 September 1988; United States. Antidrug Abuse Act of 1988, Title VI, Subtitle C of PL 100-690 of 1988 printed as HR 5120, *Congressional Record-House*, 21 October 1988. 100th Congress, 2nd Sess. vol. 134; and United States. National Defense Authorization Act for FY 1989 (PL-100-456), *Congressional Record-House*, 100th Congress, 2nd sess., vol. 134.
2. U.S. Department of State. Bureau of International Narcotics Matters. *International Narcotics Control Strategy Report: March, 1991* (Washington, DC: Government Printing Office, 1991).
3. John Martsh, Comments in *Drugs and Latin America: Economic and Political Impact and U.S. Policy Options*, report of the Select Committee on Narcotics Abuse and Control, 101st Congress, 1st Session, Washington DC: US Government Printing Office, p. 22; W. R. Surret, *The International Narcotics Trade: An Overview of Its Dimensions, Production Sources, and Organizations*. Congressional Research Service Report No. 88-643-F. (Washington, DC: Library of Congress, 1988), pp. 5, 8.
4. See the testimony of Admiral Frank B. Kelso II, before the Senate Armed Services Committee, 15 June 1988; Peter Reuter's comments in Congressional Research Service, *Narcotics Interdiction*

- and the Use of the Military: Issues for Congress* (Washington, DC: Government Printing Office, 1988), pp. 29-30; General Accounting Office, *Drug Control: Issues Surrounding Increased Use of the Military in Drug Interdiction*, GAO/NSIAD-88-156. (Washington, DC: Government Printing Office, 1988), p. 17; and John C. Trainer, "Coping With the Drug Runners at Sea," *Naval War College Review*, 40 (Summer 1987), pp. 77-87.
5. William O. Walker III, *Drug Control in the Americas* (Albuquerque, NM: University of New Mexico Press, 1981).
 6. Stephen Duncan, testimony to hearing of Subcommittees on Legislation and National Security and Government Information, Justice and Agriculture, U.S. House of Representatives, 17 October 1989. 101st Congress, 1st Session. Mimeo.
 7. United States. National Defense Authorization Act for FY 1989 (PL-100-456), *Congressional Record-House*, 100th Congress, 2nd sess., vol. 134.
 8. The military, however, continues to be forbidden from conducting intelligence gathering inside the United States and must respect the provisions of the Privacy Act.
 9. Department of Defense, Report to House and Senate Armed Services Committee, accompanying 20 April 1989 letter from J.D. White, Office of National Drug Control Policy, to Les Aspin, Chairman, Committee on Armed Services, House of Representatives.
 10. Ibid.
 11. Los Angeles Times, 2 July 1990.
 12. U.S. House of Representatives, *Conference Report to Accompany H.R. 4481, National Defense Authorization Act for Fiscal Year 1989*. Report 100-989. 100th Congress, 2nd sess. 28 September 1989.
 13. United States. National Defense Authorization Act for FY 1989 (PL-100-456), *Congressional Record-House*, 100th Congress, 2nd sess., vol. 134 (1988).
 14. Los Angeles Times, 2 July 1990.
 15. Department of Defense, Report to House and Senate Armed Services Committee, accompanying 20 April 1989 letter from J.D. White, Office of National Drug Control Policy, to Les Aspin, Chairman, Committee on Armed Services, House of Representatives, v; General Accounting Office, *Drug Smuggling: Capabilities for Interdicting Private Aircraft are Limited and Costly*. (GAO/GGD-89-93), 9 June 1989. (Washington, DC: General Accounting Office, 1989); Peter Reuter, Testimony to Committee on Government Operations, U.S. House of Representatives. 17 October 1989, pp. 12-13. Mimeo.
 16. Office of National Drug Policy, *National Drug Control Strategy* (Washington, DC: Government Printing Office, 1989).
 17. Rear Admiral William P. Leahy, U.S. Coast Guard, testimony to the House Select Committee on Narcotics Abuse and Control, 20 June 1991. mimeo.
 18. Lester D. Langley, *The Banana Wars: United States Intervention in the Caribbean, 1898-1934*. (Chicago: Dorsey Press, 1985).
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 20. General Stephen D. Olmstead in *Narcotics Interdiction*, p. 15.