

Terrorism and Human Smuggling in the U.S. Southwestern Border

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Engaging a qualitative methodology that includes in-depth interviews with 141 Mexican migrant smugglers, this paper proceeds from the following research question: Alliances between Mexican migrant smuggling networks and foreign terrorist groups could be established so that members of terrorist organizations could enter surreptitiously into the United States. This paper indicates that there is not a nexus between Mexican migrant smugglers and foreign terrorists. The control exercised by the drug cartels over much of the Mexican territory constitutes an obstacle and not an opportunity for terrorists to enter the United States.

Keywords: terrorism, human smuggling, migrant smuggling networks, drug cartels, United States

Introduction

In the globalized post-Cold War world soon emerged a growing concern against transnational organized crime and the problems posed by it, ranging from human trafficking to terrorism. In order to combat this threat, on November 15th, 2000, it was signed in Palermo the United Nations Convention against transnational organized crime and the Protocols against the smuggling of migrants and trafficking in persons. The preamble of the Convention against organized crime signed by the Secretary General Kofi Annan emphasizes the presence of terrorists and human traffickers, who take advantage of open borders, free markets, and technological advances, to harm society (United Nations, 2004, p. iii). Also, the preamble to the Protocol against the smuggling of migrants expressed deep concern in the activities of organized criminal groups in smuggling of migrants and other criminal activities (United Nations, 2004, p. 53).

Human smuggling and terrorism are seen as two related activities because the first is a potential source of funding for the last and it could facilitate the clandestine transportation of terrorists (Perrin, 2013, p. 142; Welch, 2016, p. 168). Fears about the possible link between human smuggling and terrorism has led to a fortification and militarization of the borders all over the world. In the case of the United States, on January 25th, just eight days since taking office, President Trump signed an executive order defining illegal immigration as a “clear and present danger to the interests of the United States”. The White House has stated that terrorists are among those who illegally enter from the southwestern border. Therefore, in order to prevent

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illegal immigration and acts of terrorism, it was ordered the immediate construction of a contiguous impassable physical wall on the southern border, 5,000 additional Border Patrol agents being hired as soon as it was practicable (Trump, 2017).

This article, based on qualitative interviews with 141 Mexican human smugglers, aims to examine the links between terrorism and human smuggling in the US southwestern border. We first examine the literature on terrorism and human smuggling; then we go on to describe the methodology, and finally we examine interviewees' opinions about the nexuses between migrant smuggling and terrorism.

Human Smuggling and Terrorism: The Empirical Evidence

Anxieties about the possible association between human smuggling and terrorism are not new. This has been a concern for US authorities from the mid-1950s (Spener, 2009, p. 104). Accordingly, 1981 Executive Order 12333 acknowledged the global threat of terrorism and authorized government agencies to coordinate sweeping efforts to gather intelligence (Welch, 2016, p. 179). Since September 11th, the conflation of the migrant smuggler with the terrorist has received greater attention (Kapur, 2018, p. 134; Welch, 2016, p. 177), because two months before the attacks, a CIA report warned of the possible link between human traffickers and terrorist groups like Hamas, Hezbollah, and the Egyptian Islamic Jihad (9/11 Commission, 2004, p. 61). The association between human smuggling and terrorism was made explicit for the first time in the Directive 22 of National Security, signed on December 16th, 2002. Two years later, the Center of Trafficking and Migrant Smuggling was created in order to study the links between human smuggling and terrorism (General Accounting Office, 2010, p. 12), and in 2005 it was formed a working group to study the connections between human trafficking and the financing of terrorist activities (Rizer & Glaser, 2011, p. 70). Although, official reports point at "possible ties" (9/11 Commission, 2004, p. 61) not at demonstrated connections between human smuggling and terrorism.

Academic work on the association between migrant smuggling and terrorism has developed two opposing hypotheses. One hypothesis links human smuggling and terrorism, while the other hypothesis denies any kind of connection between migrant smugglers and terrorist organizations. These hypotheses differ in four elements. According to the first hypothesis: (i) The nature of human smuggling has changed from a small-scale "mom and pop" operation to a mafia-like organization (Coonan & Thompson, 2005); (ii) Migrant smuggling is operated by transnational organized crime (Omelicheva & Markowitz, 2018; Napoleoni, 2016, p. 55; Shelley, 2014); (iii) Human smuggling and terrorism cannot be analyzed as entirely distinct activities (Shelley, 2014); and (iv) The association between terrorism and human smuggling is undeniable (Welch, 2016, p. 181). By contrast, according to the second hypothesis: (i) The nature of migrant smuggling has not changed in the last three decades (Spener, 2009; 2011); (ii) The smuggling of migrants is operated by ordinary people (Sanchez, 2016; Izcara Palacios, 2013b; 2017c); (iii) Migrant smuggling and terrorism are entirely distinct activities; and (iv) Any connection between human smuggling and terrorism would be coincidental rather than deliberate (Zhang, 2007, p. 134).

The first hypothesis is underpinned in studies based in secondary sources (official reports and unpublished police reports) and talks with experts from the Departments of Justice and the Police (Cornell, 2009, p. 48; Shelley, 2010, p. 70; Sheinis, 2012, p. 73; Perrin, 2013, p. 142; Welch, 2016, p. 181). One exception is İçli, Sever, and Sever's (2015, p. 10) study on the profile of human smugglers in Turkey. This study, based on interviews and questionnaires applied to 174 migrant smugglers who were detained from 2007 to 2013 in

Istanbul, concluded that more than one fourth of migrant smugglers had criminal records on terrorism.

On the contrary, the second hypothesis is based on information provided by the smugglers themselves. These studies are grounded in primary sources, and derive its conclusions from in-depth interviews with migrant smugglers conducted with an open-ended questionnaire (Zhang, 2007; 2008; Spener, 2009; Izcara Palacios, 2012; 2017b; Sanchez, 2014; 2017). These studies are very critical with official documents and sources, which are described as doubtful (Spener, 2011, p. 162), and depict human smugglers as ordinary people who make a living helping migrants driven by economic and family-oriented factors to reach the United States (Izcara Palacios, 2018; Izcara Palacios & Andrade Rubio, 2016). According to Sanchez (2016, p. 387) “Smuggling actors are neither predators nor victimizers, but rather ordinary people experiencing the tensions abundant in the precarity of contemporary, neoliberal life”.

Methodology

A qualitative methodology was used given the nature of the study. The technique used to collect the information was the in-depth interview with an open-ended questionnaire. Contact with interviewees was made via social networks and snowballing in different Mexican states: Tamaulipas, Nuevo León, San Luis Potosí, Veracruz, Mexico City, the State of Mexico, and Chiapas.

Fieldwork was conducted between 2011 and 2017, and 141 human smugglers ranging from 21 to 48 years were interviewed. All had considerable experience in the business of human smuggling, ranging from four to 21 years. Respondents had 0-17 years of schooling, and the age at which they started working as human smugglers ranged from 15 to 45 years old (see Table 1).

Table 1

Characteristics of the Interviewees

	Average	Mode	Median	Min	Max	Standard deviation
Age	36.9	35	37	21	48	5.2
Number of years involved in human smuggling	9.6	7	9	4	21	4.0
Years of schooling	5.6	6	6	0	17	3.4
Age when started working as migrant smugglers	27.4	29	28	15	45	5.4

Source: Compiled by the authors from data recorded in the interviews.

The methodological rigor of this study is anchored in the following elements: (1) the recording and literal transcription of all qualitative material, (2) the use of a guide that included a few minimum information requirements, (3) the selection of informants willing to talk extensively about their experiences, (4) the continuation of data gathering to the point of saturation, (5) prolonged residence in the field, (6) guaranteed anonymity regarding the information collected, and (7) the selection of a large number of locations for fieldwork.

Respondents' Narratives on the Links Between Smugglers and Terrorists in the US Southwestern Border

Migrant smugglers are seen as a risk to US national security because of its possible ties to terrorist organizations (9/11 Commission, 2004, p. 61; House Committee on Homeland Security, 2006, p. 28; General Accounting Office, 2010). Under 18 U.S.C. 2339B (approved in the mid-1990s and amended under the 2001

Respondents used two lines of argumentation to describe the links between migrant smuggling and terrorism: Half (50.4%) of the interviewees thought that terrorists could enter the United States by using established human smuggling networks.

Half (49.6%) of the interviewees did not believe that terrorists could be smuggled into the United States by using Mexican migrant smuggling networks.

Arguments Supporting the Thesis of the Association Between Migrant Smuggling and Terrorism

Government reports (9/11 Commission, 2004, p. 61; House Committee on Homeland Security, 2006, p. 28) and some academic studies (Sheinis, 2012, p. 73; Shelley, 2010, p. 3) point out that human smuggling should be considered a serious threat to the United States, since Mexican human smugglers and terrorists could collude. According to this thesis, criminal organizations generate economies of scale integrating different illicit activities. Therefore, as human smuggling is a profit-driven industry, migrant smugglers would have no problem in transporting terrorists for a profit (Sheinis, 2012, p. 75; Cornell, 2009, p. 48).

Half (50.4%) of respondents were unaware of the passage of terrorists to the United States through the southwestern border with Mexico. However, they presented arguments similar to those expressed in the official discourse and disseminated through the media, to indicate that it was possible for terrorist to cross the border into US territory using established human smuggling networks.

More than one third (35.5%) of respondents made the following argument: If undocumented migrants from Mexico and Central America can be smuggled into the United States without being detained by US immigration authorities, also terrorists could cross the border without being apprehended.

Less than one tenth (7.8%) of the interviewees pointed out that migrant smugglers working in complex networks were unaware of the intentions of their clients. Migrant smuggling networks can be grouped into two types: simple and complex. Simple networks are composed of one cell led by a migrant smuggler, with the support of a small number of assistants, and operate part-time, migrant smuggler's income coming mainly from legal activities. On the contrary, complex networks are composed of one or more lines; each line has several cells, and each cell appears to be led by a migrant smuggler who has the support of several assistants, and operate full-time, migrant smuggler's income coming only or mainly from illegal activities (Izcara Palacios & Yamamoto, 2017; Izcara Palacios, 2014; 2015). Respondents argued that the border was crossed by people from different nationalities, and migrant smugglers in complex networks did not know the people being smuggled. As a result, human smugglers could be helping terrorists without having knowledge of this. As can be seen from Table 4 in the span of seven years, while the study was conducted, simple networks were declining while complex networks were growing. If we consider that smugglers in simple networks know closely the people they transport, while smugglers in complex networks do not know who are the people smuggled, we can conclude that the probability of Mexican human smuggling networks carrying terrorists without having knowledge of that could have increased in the last years.

Seven interviewees (5%) pointed out that if weapons and drugs were smuggled regularly through the border, also terrorists could be smuggled. Some cited the failed operation "fast and furious" that was implemented in 2009 by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) to sell weapons to Mexican drug cartels and then identify to those responsible, but it was not reported to the Congress of the United States, and they insinuated that U.S. authorities could do the same with terrorists. Migrant smugglers argued that terrorist could be allowed by US Government to enter the country in order to surveil them. Finally, three respondents

(2.1%) pointed out that corruption was the main weakness of US border security (Izcara Palacios, 2013a). Therefore, terrorists could bribe US immigration agents in order to enter the United States.

Although half of respondents thought that it could be possible for terrorist to cross the border between Mexico and the United States by using the services provided by migrant smuggling networks, none offered any kind of evidence to sustain this argument. The answers of the interviewees indicated that ties of mutual aid or contacts between Mexican migrant smuggling organizations and foreign terrorist groups had not been formed.

Table 4

Classification of Human Smuggling Networks Studied

Networks		2011	2012	2013	2014	2015	2016	2017	Total
Simple	n	23	36	8	7	3	3	0	80
	%	82.1	78.3	22.2	50	33.3	75.0	0	56.7
Complex	n	5	10	28	7	6	1	4	61
	%	17.9	21.7	77.8	50.0	66.6	25.0	100	43.3
Total	n	28	46	36	14	9	4	4	141
	%	19.9	32.6	25.6	9.9	6.4	2.8	2.8	100

Source: Compiled by the authors from data recorded in the interviews.

Arguments Supporting the Thesis of the Lack of Links Between Migrant Smuggling and Terrorism

Empirical studies on migrant smuggling tend to emphasize that this activity is not terrorism-related (Zhang, 2007; Spener, 2009; Sanchez, 2016; 2017; Izcara Palacios, 2017a). According to Zhang (2007, pp. 132-134), migrant smugglers and terrorists have diametrically different agendas, and are operationally and ideologically dissimilar. Migrant smuggling is an irregular form of profit seeking while terrorists have a political agenda. Therefore, it is unlikely that they could collaborate. Human smugglers seek a profit without drawing attention, while terrorist organizations pursue political objectives and seek to publicize their acts, their targets being chosen to draw the most attention. Likewise, Andreas (2015, p. 786) points out that terrorist and migrant smugglers interests not only are not likely to converge, but may clash, as the migrant smuggling business would be undermined by a border shut down in the wake of a major terrorist border incident. Therefore, an association between smugglers and terrorists is seen as unlikely to occur because it will provoke negative attention from US Government. Accordingly, there have not been terror attacks in the US linked to the southwestern border, and it has not been documented the entrance of terrorists from the southwestern border (Payan, 2016, p. 21).

Two-fifths (39.7%) of respondents believed that terrorists could not cross through the border between Mexico and the United States. More than one fifth (22.7%) of respondents did not believe that terrorists could enter the United States through the southwestern border because during his long experience as human smugglers they had never witnessed the passage or detention of terrorists. Some pointed out that the places where the terrorists came were located far away from Mexico. They thought that it was unlikely that people from the Middle East, who did not speak Spanish, could contact with migrant smugglers in Mexico to enter the US territory. Although, there are reports indicating the contrary (Miró & Curtis, 2003, p. 28; 9/11 Commission, 2004, p. 67). Other respondents indicated that migrants smuggled into the United States were pacific people in search for better economic opportunities, not terrorists.

More than one tenth (11.3%) of the interviewees did not think that terrorists were smuggled to the United States, but claimed that they could not offer a reliable response because his knowledge of the southwestern border was limited. Interviewees argued that they were involved in simple networks helping their countrymen

to reach the North, and they were not professional smugglers working full time in this activity. Migrant smugglers involved in simple networks crossed the border one or a very few times per year (Izcara Palacios, 2012, p. 48). Therefore, they pointed out that terrorist would never request their services.

The involvement of Mexican drug cartels in human smuggling and the links between drug trafficking and terrorism, has been used as an argument to associate the smuggling of migrants and terrorism (Shelley, 2010; Perrin, 2013). Accordingly, some reports point to the participation of Mara Salvatrucha (MS-13) in human smuggling activities and associate people in this organization with members of Al-Qaeda (Cornell, 2009, p. 50). Other reports indicate that Hezbollah and the Mexican drug cartels have had contacts to exchange information (Sheinis, 2012, p. 72; Shelley, 2010, p. 72). However, an argument that was repeated in some of the interviews was that by the territories controlled by drug cartels it was not possible to smuggle terrorists into the United States because these organizations would never allow the passage of dangerous people from overseas. According to respondents, the presence of terrorists in the territories controlled by Mexican drug cartels would be seen for the latter not as an opportunity to obtain mutual benefits; but as a form of unwanted competition. As it was pointed out by a migrant smuggler from Nuevo Leon:

I think that it is not possible for terrorists to cross the border; they should go through other frontiers or with papers; this is the only way they could enter the US. Here (the northeastern region of Mexico) there is so much violence that everything is controlled by the delinquency (drug cartels), and anybody who is not from Mexico or Central America cannot pass through.

Three interviewees said that the argument of the U.S. Government linking human smuggling with terrorism was not credible. For them this argument was unfounded and only reflected a pejorative view of the U.S. Government towards Mexico, blaming Mexico for all the bad things occurring in the United States.

On the other hand, near one tenth (9.9%) of the respondents thought that it was possible for terrorists to enter the United States; but, interviewees did not think that terrorists and labor migrants were using the same channels. According to this argument, labor migrants and terrorists were different groups using different mechanisms to enter the United States. Labor migrants were poor people accustomed to suffering. Therefore, they were willing to suffer while they were smuggled. On the contrary, respondents thought that terrorists were well-funded people with access to abundant economic resources, and accustomed to a luxurious or comfortable life. Therefore, they would not be willing to walk during long days through tortuous pathways using the services provided by Mexican migrant smuggling networks. On the contrary, they would use comfortable means of transportation. Eleven interviewees (7.8%) indicated that terrorists were travelling by plane and entered the United States through its airports; while three respondents (2.1%) pointed out that terrorist could enter the US through the border customs located in the southwestern frontier between Mexico and the US; but not by making use of the services provided by Mexican migrant smuggling networks.

Views of migrant smugglers operating simple networks were different from those operating complex networks. The former were more likely to think that terrorists were not smuggled into the United States through Mexico, while the latter were more inclined to think that terrorist could take advantage of Mexican migrant smuggling networks.

Conclusion

In the last two decades, the number of border patrol agents in the US southwestern border has increased six-fold and military personnel has been recruited to stop both the entrance of terrorists and the entry of weapons

of mass destruction. However, data collected in this study indicates that it is unlikely that alliances between Mexican migrant smugglers and foreign terrorist groups could be established, so that members of terrorist organizations could enter the United States. The control exercised by the drug cartels over much of the Mexican geography is more an obstacle than an opportunity for the passage of terrorists. Undocumented migrants in transit through Mexico constitute a copious source of revenue for the drug cartels. Immigrants are allowed to pass through the territories occupied by criminal organizations upon the payment of a fee. These territories are constantly in dispute, so that migrants are deeply scrutinized. People who could become a threat to the drug cartels hegemony (i.e.: those who do not fit the profile of non-violent labor migrants) are not allowed to transit through these territories. Therefore, terrorists would be at a serious risk if they try to reach the United States through territories dominated by Mexican drug cartels.

Migrant smugglers involved in simple networks are more inclined to express arguments denying the existence of links between terrorism and human smuggling. By contrast, those involved in complex networks are more predisposed to think that a terrorist could enter the United States using the same channels used by labor migrants. However, neither the former nor the latter have witnessed terrorists to cross the border; even they have not heard rumors about foreign terrorists using the services provided by Mexican migrant smuggling networks. Therefore, data gathered in this study indicates that there is not a nexus between Mexican migrant smuggling networks and foreign terrorists.

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