Tool or Distraction? The Strategic Role of Crime Control in U.S. military interventions in the early 21st century

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69,832 Words excluding bibliography

A thesis submitted for the degree Doctor of Philosophy

Summer 2024

Abstract

In both the Afghanistan and Iraq interventions, the United States confronted a pernicious crime-conflict nexus. This crime-conflict nexus often posed a dilemma for U.S. war strategy. On the one hand, crime spurred conflict by funding adversaries and contributing to grievances of the local population. Hence, the United States faced incentives to combat crime. On the other hand, crime was often an important avenue for civilians on the ground to make a living or crime financed important allies in the war. Hence, the United States was incentivised to ignore it. When and why did the United States seek to combat crime as part of its military strategy and when and why did it not? This thesis seeks to answer this question by building a theory which focusses on the politics of crime control in the United States. It argues that a mere demand for crime control efforts, based on the strategic requirements on the ground, is insufficient to lead to a strategic change in crime control. Instead, whether the United States decides to combat crime is dependent on domestic political considerations inside the United States. In particular, confronted with a decision on whether to implement crime control efforts in a military intervention, the U.S. President and his advisors will weigh the expected domestic audience costs from ignoring crime against the expected material and human costs of crime control. If the former outweighs the latter, the United States will implement crime control efforts in the military intervention. If not, then it will ignore crime in the military intervention.

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Acknowledgements

This thesis marks the end of a four-year journey that would not have been possible without the support, encouragement, and patience of a number of people.

First, I would like to thank my supervisor Prof. Janina Dill, whose excellent feedback, insights, and encouragement were invaluable in finishing this thesis. I was fortunate to benefit from her excellent supervision, and she always provided me with her valuable time to share her insights. Her supervision consistently challenged me to improve my critical and analytical thinking and inspired me throughout my DPhil.

In addition, I would like to thank all of my interviewees who graciously took time out of their busy schedules to speak to me about their experiences. They often went above and beyond to answer all of my questions and refer me to other people within their networks. Without individuals like them, researchers would be unable to do their work, and it a testimony to them that they were willing to sit down with a DPhil student to speak about their experiences.

Furthermore, I would like to thank the members of the Global Security Programme (GSP), specifically Prof. Annette Idler and Dr. Katerina Tkacova, for their mental and academic support. As a research assistant for the GSP I was able to benefit from their experience and guidance, and they always provided a source of inspiration for me during my research.

I would also like to thank Dr. Timor Sharan, who has helped me get in touch with some of my interviewees, shared with me his own experiences and insights, and was a great conversation partner to pitch ideas and thoughts.

A DPhil project can be a frustrating and difficult journey at times, and it requires a good network of friends and loved ones to be able to deal with such moments of frustration. First, would like to thank my partner Sekoah Kwon-Salkin whose love, patience, and encouragement allowed me to keep going throughout this journey. I would also like to thank

my friends, specifically Madhu Vankadari, Samuel Wiese, Adam Wells, Daniel Poh, Juliana Da Cunha Mota, Theodor Borrmann, Mei Takehana, Jessica Rahardjo, Arjun Shatrunjay, Emma Tobin, Aiman Kamarudin, Raphael Pietzsch and many of the other friends I made at Wolfson College and in/or around Oxford. I am incredibly lucky to have met you and it was a huge privilege discussing anything from research to everyday topics with you.

Last but definitely not least, I want to thank my parents and my family who have supported me throughout this DPhil journey. I am lucky to have had the privilege of having received unconditional love from them. I cannot ever repay them for their support, but I hope that I can express my gratitude at every possible moment.

List of Abbreviations

AEF	Afghan Eradication Force
ANSF	Afghan National Security Forces
API	1977 Additional Protocol I to the 1949 Geneva Conventions
ATFC	Afghan Threat Finance Cell
AQI	al-Qaeda in Iraq
CENTCOM	U.S. Central Command
CERP	Commander Emergency Response Programme
CIA	Central Intelligence Agency
CJTF	Criminal Justice Task Force
CJTF-7	Combine Joint Task Force-7
CJTF-OIR	Combined Joint Task Force - Operation Inherent Resolve
CNN	Central News Network
CNJC	Counternarcotics Justice Center
CPA	Coalition Provisional Authority
CPATT	Civilian Police Advisory Training Team
CPEF	Central Poppy Eradication Force
DDR	Disarmament, Demobilisation, and Reintegration
DEA	Drug Enforcement Administration
DoD	U.S. Department of Defense
DoJ	U.S. Department of Justice
DoS	U.S. Department of State
FAST	Foreign Advisory Support Teams
FCO	Foreign and Commonwealth Office

FBI	Federal Bureau of Investigation
HNT	Host Nation Trucking
ICITAP	International Criminal Investigative Training Assistance Program
INL	Bureau for International Narcotics and Law Enforcement Affairs
ISAF	International Security Assistance Force
ISIL	Islamic State in the Levant
ITCF	Iraq Threat Finance Cell
MCTF	Major Crimes Task Force
NATO	North Atlantic Treaty Organization
NCCV	Noncombatant Casualty Cutoff Value
NSC	National Security Council
OIR	Operation Inherent Resolve
ORHA	Office for Reconstruction and Humanitarian Affairs
PDPA	People's Democratic Party Afghanistan
PEF	Poppy Eradication Force
SACEUR	Supreme Allied Command Europe
SIGAR	Special Inspector General for Afghanistan Reconstruction
SIGIR	Special Inspector General for Iraq Reconstruction
SOUTHCOM	U.S. Southern Command
TF-333	Task Force 333
UNODC	United Nation Office for Drugs and Crime
U.S.	United States

Chapter 1. Introduction

> ‘At home, the approach is simplistic, almost theological. We project our views, ones that only apply to this point in our history, onto other cultures. You can never acknowledge that some actions that we might consider criminal in our *context* might be considered legitimate in other cultures. So, you can never say that we're going to accept certain types of criminality. You could never say that.’
>
> – Author interview with William Wechsler, former Deputy Assistant Secretary of Defense for Special Operations and Counterterrorism (2012-2015) as well as former Deputy Assistant Secretary for Counternarcotics and Global Threats (2009-2012), held on 7th June 2023, in Washington D.C.

In 2001, United States (U.S.) forces at Kandahar airport detained Haji Bashir Noorzai, an alleged co-founder of the Taliban and alleged Afghan drug trafficker.[1] However, after just six days in custody, Noorzai was released despite him being a co-founder of the Taliban and allegedly the biggest drug trafficker in Afghanistan.[2] Allegedly, Noorzai was an ally of the Central Intelligence Agency (CIA) and he reportedly helped U.S. forces identify Taliban weapons caches.[3] His alleged role as a CIA informant likely served as a ‘get-out-of-jail-free’ card.[4] However, four years later, in 2005, the United States conducted an elaborate sting operation to arrest Noorzai.[5] U.S. agents set up a rouse under which Noorzai flew to New York

[1] United States of America v. Bashir Noorzai, No. 05 Cr. 19 (LTS) (United States District Court Southern District of New York 2008).

[2] James Risen, ‘An Afghan’s Path from Ally of U.S. to Drug Suspect’, *New York Times*, 2007, A1; United States of America v. Bashir Noorzai.

[3] Risen, ‘An Afghan’s Path from Ally of U.S. to Drug Suspect’.

[4] Risen.

[5] United States of America v. Bashir Noorzai. Haji Bashir Noorzai was released as part of a prisoner deal with the Taliban in 2022. See Yaqoob Akbary and Christina Goldbaum, ‘U.S. Hostage Exchanged for Afghan Drug Lord in Prisoner Swap’, *New York Times*, 2022, https://www.nytimes.com/2022/09/19/world/asia/mark-frerichs-prisoner-swap-biden-taliban.html.

believing that he would be part of high-level negotiations with President Bush.[6] Upon his arrival in New York, Noorzai was promptly arrested on drug trafficking charges.[7]

The story of Haji Bashir Noorzai represents a larger arch of strategic shifts in how the United States dealt with crime in military interventions in Afghanistan (2001 to 2021), Iraq (2003 to 2011), and against the Islamic State in the Levant (ISIL) in the territories of Iraq and Syria (2014 to present)[8]. In each of these interventions, crime presented a strategic dilemma for the United States. On the one hand, crime aggravated the conflicts at hand. It helped insurgents and belligerents access political and material support to fight.[9] Criminal predation added to civilians' grievances who, in response to being exposed to crime, supported or joined belligerent groups to protect themselves against criminal predation.[10] This incentivised the United States to combat crime in military interventions. On the other hand, crime helped civilians cope with the shocks of war.[11] War often eroded the livelihoods of civilians on the ground, who in turn participated in criminal economies to make a living.[12] In addition, crime often financed and politically supported local powerbrokers that were allied with the United

[6] United States of America v. Bashir Noorzai.

[7] Risen, 'An Afghan's Path from Ally of U.S. to Drug Suspect'.

[8] At the time of writing, in 2024, the United States is still operating in Iraq and Syria to defeat ISIL. For more see 'CJTF-OIR History', accessed 17 September 2024, https://www.inherentresolve.mil/WHO-WE-ARE/History/.

[9] Phil Williams, 'Organized Crime and Corruption in Iraq', *International Peacekeeping* 16, no. 1 (February 2009): 115–35, https://doi.org/10.1080/13533310802485591; Vanda Felbab-Brown, *Shooting up: Counterinsurgency and the War on Drugs* (Washington, D.C: Brookings Institution Press, 2010).

[10] On how crime can lead to grievances see e.g.: Sarah Chayes, *Thieves of State: Why Corruption Threatens Global Security* (New York: W.W. Norton & Company, 2015). On how crime creates a demand for protection and can make civilians join existing armed groups see for example: Alice Hills, 'The Unavoidable Ghettoization of Security In Iraq', *Security Dialogue* 41, no. 3 (1 June 2010): 301–21, https://doi.org/10.1177/0967010610370224.

[11] Felbab-Brown, *Shooting Up*; John de Boer and Louis Bosetti, 'The Crime-Conflict "Nexus" State of the Evidence' (United Nations University Centre for Policy Research, 2015); Williams, 'Organized Crime and Corruption in Iraq'; Christina Steenkamp, 'The Crime-Terror Nexus in Syria and Iraq', in *The Nexus Between Organized Crime and Terrorism*, ed. Letizia Paoli, Cyrille Fijnaut, and Jan Wouters (Edward Elgar Publishing, 2022), 301–17, https://www-elgaronline-com.ezproxy-prd.bodleian.ox.ac.uk/edcollchap/book/9781788979306/book-part-9781788979306-21.xml; Jonathan Goodhand, 'Afghanistan in Central Asia', in *War Economies in a Regional Context : The Challenges of Transformation*, ed. Michael C. Pugh and Neil Cooper (Boulder, Colo.; London: Rienner, 2004), 45–89.

[12] Goodhand calls this the coping economy. See e.g.: Goodhand, 'Afghanistan in Central Asia'.

States.[13] When the United States decided to combat crime, it could expect to incur great human and material costs because local civilians or powerbrokers, who were reliant on crime, would violently resist U.S. efforts to combat crime, exposing U.S. personnel to harm.[14] Crime control efforts also yield material costs, as there is great uncertainty over when these crime control efforts will be successful, driving up costs spent on them. This incentivised the United States to avoid combatting crime.

Amid these complexities, the United States repeatedly faced a strategic decision on whether to combat crime in the conflict or not. On the one hand, it could use crime control efforts to address grievances emerging from crime and try to disrupt belligerent's revenue streams from criminal activity. This is what I call using crime control as a strategic tool. Or the United States could ignore criminal activity so as not to alienate local powerbrokers, civilians reliant on crime, and to avoid stretching its own resources, in what I call treating crime control as a strategic distraction.

The United States began each intervention by treating crime control as a strategic distraction. Crime control efforts were viewed as harmful to the achievement of strategic objectives, as they could alienate the local population and individual powerbrokers, put U.S. troops in danger or stretch the resources of U.S. forces across different tasks.[15] In Afghanistan, the United States allied with warlords who were reliant on crime to defeat the Taliban and U.S. decision-makers rejected British demands for U.S. support in counternarcotics missions.[16] In

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[13] Matthew P. Dearing, 'Turning Gangsters into Allies: The American Way of War in Northern Afghanistan', *Small Wars & Insurgencies* 30, no. 1 (2 January 2019): 101–39, https://doi.org/10.1080/09592318.2018.1552353.

[14] On this point see e.g.: Felbab-Brown, *Shooting Up*; Jane E. Stromseth, David Wippman, and Rosa Brooks, *Can Might Make Rights?: Building the Rule of Law after Military Interventions* (Cambridge, UK: Cambridge University Press, 2006), 4.

[15] Christopher J. Coyne, Abigail R. Hall Blanco, and Scott Burns, 'The War on Drugs in Afghanistan: Another Failed Experiment with Interdiction', *The Independent Review* 21, no. 1 (2016): 95–119; Williams, 'Organized Crime and Corruption in Iraq'.

[16] Philip A. Berry, *The War on Drugs and Anglo-American Relations: Lessons from Afghanistan, 2001-2011* (Edinburgh: Edinburgh University Press, 2019), 69–70, https://doi.org/10.1515/9781474421096; Dearing, 'Turning Gangsters into Allies'.

Iraq, the United States rejected demands by local officials on the ground to deploy police advisors to the country or otherwise resource and support crime control efforts.[17] And in the intervention against ISIL in the territories of Syria and Iraq, the United States, although targeting oil fields, rejected targeting oil trucks used for smuggling oil in Syria and Iraq.[18]

However, by 2005 the United States incorporated crime control efforts into its war strategy in both Afghanistan and Iraq. In Iraq, the shift occurred in 2004 with President Bush's decision to task the Department of Defense[19] with the building the Iraqi police, the influx of U.S. resources for this purpose, and the establishment of a separate military command to build the Iraqi police.[20] In Afghanistan, the change occurred in 2005, with the President's approval of the U.S. counternarcotics strategy for Afghanistan, the extension of military authorities to assist in counternarcotics operations in Afghanistan, the deployment of U.S. domestic law enforcement personnel to Afghanistan, and crucially new budget requests to the U.S. Congress to finance these efforts.[21]

In 2011 this strategy changed again. While the United States withdrew from Iraq in 2011, in Afghanistan the United States began to ignore criminal activity as it drew down its mentoring programs and withdrew political and material support from crime control efforts.[22] From 2011 onwards, the United States would no longer mentor anti-corruption investigations

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[17] Robert M. Perito, 'The Iraq Federal Police: U.S. Police Building under Fire' (United States Institute of Peace, 2011).

[18] Jeffrey Miller and Ian Corey, 'Follow the Money: Targeting Enemy War-Sustaining Activities', *Joint Force Quarterly* 87 (2017), https://ndupress.ndu.edu/Publications/Article/1325943/follow-the-money-targeting-enemy-war-sustaining-activities/https%3A%2F%2Fndupress.ndu.edu%2FMedia%2FNews%2FNews-Article-View%2FArticle%2F1325943%2Ffollow-the-money-targeting-enemy-war-sustaining-activities%2F.

[19] I use the U.S. American spelling of Department of Defense, as opposed to the British spelling of Defence, when referring to the U.S. Department. I use American English spelling in quotations from U.S. officials or books and publications published in American English.

[20] Perito, 'The Iraq Federal Police: U.S. Police Building under Fire', 2.

[21] Felbab-Brown, *Shooting Up*; Coyne, Hall Blanco, and Burns, 'The War on Drugs in Afghanistan: Another Failed Experiment with Interdiction'.

[22] Sarah Chayes, 'Afghanistan's Corruption Was Made in America: How Self-Dealing Elites Failed in Both Countries', *Foreign Affairs*, 2021, https://www.foreignaffairs.com/articles/united-states/2021-09-03/afghanistans-corruption-was-made-in-america?check_logged_in=1&utm_medium=promo_email&utm_source=lo_flows&utm_campaign=registered_user_welcome&utm_term=email_1&utm_content=20230729.

in Afghanistan and it reduced its support to established crime control efforts, such as Task Force Shafafiyat a military unit focussing on anti-corruption cases.[23]

In 2014, the United States re-intervened in Iraq and parts of Syria to combat the Islamic State in the Levant (ISIL).[24] As part of this intervention, the United States decided to target ISIL's financing streams, particularly from captured oil fields.[25] However, while it did bomb the oil fields and refineries ISIL used to retrieve oil, it did not target the oil trucks used to smuggle oil from ISIL.[26] Then from November 2015 to roughly 2017 the United States bombed oil trucks used by ISIL to smuggle oil, as part of this intervention.[27] Similarly, in 2017 the United States bombed drug laboratories in Afghanistan that were presumed to be connected to the Taliban.[28] After these two operations, crime was once again ignored in both wars. While the United States ignored crime in Afghanistan as part of its withdrawal until 2021, in Iraq and Syria the United States reduced its involvement in targeting ISIL oil trafficking operations as its coalition allies gained territory and moved closer to defeating ISIL.[29]

What explains this variation in U.S. strategy? How does the United States engage with criminal actors in conflict? And what determines whether the United States will try to tackle crime as part of its war strategy or ignore it?

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[23] Chayes, *Thieves of State*, 153–54.

[24] The group designated by the term the Islamic State in the Levant (ISIL) is also known as the Islamic State in Iraq and Syria (ISIS), simply the Islamic State, or its Arabic abbreviation Daesh. Each label comes with its own political connotations. For example, the simple Islamic State version is typically used by the Islamic State itself as a way to legitimise itself. I choose to use the abbreviation ISIL to be consistent with the way in which most U.S. officials under the Obama administration referred to the group. For an extensive discussion of the different connotations associated with the different abbreviations see: Jessica Stern, *ISIS: The State of Terror* (London: William Collins, 2015), 7–11.

[25] Becca Wasser et al., *The Air War against the Islamic State: The Role of Airpower in Operation Inherent Resolve* (Santa Monica, CA: RAND, 2021), 207–8.

[26] Miller and Corey, 'Follow the Money'.

[27] 'Economic Defeat of the Islamic State: Behind the Scenes of Operation Tidal Wave II' (Foundation for Defense of Democracies; Brookings Institution, 19 May 2019); Mason W. Watson, *Conflict with ISIS: Operation Inherent Resolve, June 2014-January 2020* (Washington D.C.: Center of Military History United States Army, 2021), 42.

[28] David Mansfield, 'Denying Revenue or Wasting Money? Assessing the Impact of the Air Campaign Against "Drug Labs" in Afghanistan' (LSE International Drug Policy Unit, 2019).

[29] Tia Sewell, 'Where's the U.S. Strategy for Counternarcotics in Afghanistan?', *Lawfare*, 2021, 343–54; Watson, *Conflict with ISIS*.

The most straightforward answer to these questions is that crime control efforts will be implemented when the strategic situation *on the ground* creates a demand for crime control efforts. For example, when crime finances enemy belligerents, then the United States implements crime control efforts to cut financing streams to the enemy. Similarly, when crime adds to local grievances, the United States may implement crime control efforts to win the 'hearts and minds' of local populations. Conversely, when crime does not materially contribute to the conflict or otherwise jeopardise mission success, then the United States will ignore it.

The central argument of this thesis is that an explanation solely based on the strategic requirements on the ground, measured in demands from officials on the ground, is incomplete. In explaining variation in U.S. crime control it is important to consider how strategic requirements on the ground lead to a demand for crime control by actors on the ground, but the absence or presence of crime control efforts does not always match the strategic requirements on the ground. For example, in the spring and summer of 2003 reports indicated that criminal actors in Iraq were contributing to insecurity, leading to a Department of Justice assessment team on the ground recommending the deployment of about 6,600 police advisors and 360 professional police trainers.[30] However, these demands were rejected by decision-makers in Washington DC.[31] In turn, when the United States decided to implement counternarcotics efforts in Afghanistan in 2005, there was little evidence that the Taliban were actually financed through the drug trade at that moment in time.[32] Indeed, the U.S. military was warning against

[30] UNODC, 'Addressing Organized Crime and Drug Trafficking in Iraq' (United Nations Office on Drugs and Crime, 2003), https://www.unodc.org/pdf/report_iraq_2003-09-01.pdf; Perito, 'The Iraq Federal Police: U.S. Police Building under Fire'; 'Iraq Police: An Assessment of the Present and Recommendations For the Future' (Baghdad: Coalition Provision Authority Interior Ministry, 30 May 2003), The National Archives, https://webarchive.nationalarchives.gov.uk/ukgwa/20171123123237/http://www.iraqinquiry.org.uk//media/226757/2003-05-30-report-cpa-interior-ministry-iraq-police-an-assessment-of-the-present-and-recommendations-for-the-future.pdf.

[31] SIGIR, 'Hard Lessons: The Iraq Reconstruction Experience' (Special Inspector General for Iraq Reconstruction, 2009), 125.

[32] Crucially, the Taliban did profit from the drug trade at other moments in time. However, as I will elaborate in chapter 3, in 2004, the then Director of the Drug Enforcement Administration (DEA), Karen Tandy, testified before congress arguing that there was not enough evidence to claim that the Taliban were directly

implementing counternarcotics in Afghanistan because they feared it would alienate local populations and hence would worsen the strategic conditions on the ground.[33] If the strategic requirements on the ground alone determined when and why the United States implements crime control efforts as part of its war strategy, the United States would have sent police advisors to Iraq in the summer of 2003 and it would not have implemented counternarcotics efforts in Afghanistan in 2005.

Additionally, the argument that demands for crime control will automatically translate into action ignores that politicians and other actors often manipulate information about crime in conflict at different stages in the policymaking process. Unsurprisingly, accessing independent data on crime in conflict is difficult and often the few bits of data that are collected are incomplete because criminals have an interest in having their activities be hidden and not measured.[34] The difficulty of accessing information on crime in conflict means that such information is prone to manipulation by politicians and other actors positioned at different steps of the policymaking process.[35] Hence, an explanation of the variation in crime control in U.S. military interventions needs to account for how the political interests of different actors in the decision-making process can influence depictions of crime in conflict.

Crime also presents a strategic dilemma and implementing crime control efforts comes at a cost. For example, on the one hand crime finances belligerents, harms civilians, and can contribute to socio-economic grievances that often underpin the conflict in the first place.[36]

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financed by the drug trade. See e.g.: 'Afghanistan: Drugs and Terrorism and U.S. Security Policy: Hearing Before the Committee on International Relations, House of Representatives' (U.S. Government Printing Office, 12 February 2004), 20.

[33] Conor Keane, 'The Impact of Bureaucratic Conflict on US Counternarcotics Efforts in Afghanistan', *Foreign Policy Analysis* 12 (2016): 295–314, https://doi.org/10.1093/fpa/orw024; 'Afghanistan', 12 February 2004.

[34] Peter Andreas and Kelly M. Greenhill, *Sex, Drugs, and Body Counts: The Politics of Numbers in Global Crime and Conflict* (Ithaca: Cornell University Press, 2011), 5, http://ebookcentral.proquest.com/lib/oxford/detail.action?docID=3137934.

[35] Andreas and Greenhill, 5.

[36] For a literature review on the crime conflict nexus see: de Boer and Bosetti, 'The Crime-Conflict "Nexus" State of the Evidence'.

Combatting crime can then be a strategic tool and address socio-economic grievances or cut funding streams to enemy belligerents. On the other hand, crime also fulfils socio-economic functions that allow civilians to cope with the shocks of war or can lead to pockets of relative stability and peace.[37] Crime can also support local powerbrokers.[38] If the United States implements crime control efforts, it is likely to generate violent resistance from actors reliant on crime; be they powerful political actors or regular individuals. Ignoring crime allows the United States to avoid provoking such types of violence, but doing so entrenches grievances among the civilian victims of crime and allows enemy belligerents to fill up their war chests.[39] How decision-makers act given this trade-off is important to understand and obscured by an explanation that assumes that a demand for crime control will automatically lead to a response to crime.

What explains variation in US crime control efforts in warfare, if not the situation on the ground as perceived by relevant decision-makers? I argue that the United States typically starts military interventions by treating crime control as a strategic distraction, because implementing crime control incurs both material and human costs. However, I argue that ignoring crime in military interventions carries latent domestic audience costs for the President and his advisors.[40] These audience costs are typically not a problem, because the public does not track conflict dynamics closely. However, when policy elites – defined as 'those with access

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[37] Goodhand, 'Afghanistan in Central Asia'; Anja Shortland and Federico Varese, 'State-Building, Informal Governance and Organised Crime: The Case of Somali Piracy', *Political Studies* 64, no. 4 (December 2016): 811–31, https://doi.org/10.1111/1467-9248.12227; Charles Tilly, 'War Making and State Making as Organized Crime', in *Bringing the State Back In*, ed. Peter B. Evans, Dietrich Rueschemeyer, and Theda Skocpol, 1st ed. (Cambridge University Press, 1985), 169–91, https://doi.org/10.1017/CBO9780511628283.008.

[38] For example, in Afghanistan, many of the initial U.S. allies were powerful warlords who were alleged to have been involved in criminal activity. Trying to control crime would have likely alienated these individuals and led to violent resistance from them. See e.g.: Dearing, 'Turning Gangsters into Allies'.

[39] These authors have written about a dilemma between crime control, and particular counternarcotics, and counterinsurgency strategies: Felbab-Brown, *Shooting Up*; Nigel Inkster and Virginia Comolli, *Drugs, Insecurity and Failed States: The Problems of Prohibition*, Adelphi (Series) 428 (Abingdon, UK: Routledge; International Institute for Strategic Studies, 2012), 73; Christopher M. Blanchard, 'Afghanistan: Narcotics and U.S. Policy' (Washington: Congressional Research Service, 18 June 2009), 13–14.

[40] All U.S. Presidents that were in power in the time periods discussed have been male, hence I use male pronouns when referring to the President.

to information and the decision-making process, and who could serve as cue givers to other elites or to the public' (excluding the President and his advisors) – issue a demand for crime control efforts, they can activate latent domestic audience costs for ignoring crime.[41] They can activate these domestic audience costs by sending informational cues to the U.S. public and other U.S. elites.[42] These informational cues can be effective when they either highlight that crime is an important driver in the conflict, regardless of whether this is true or not, or present crime as an indicator for a failing war effort. In the former case, not acting against crime will make the President look uncommitted to the war effort. In the latter case the President implements crime control efforts to counter the perception that the war effort is failing. Presidents then need to evaluate whether the expected domestic audience costs of ignoring crime in military interventions outweigh the expected human and material costs of implementing crime control efforts. The expected human and material costs of crime control efforts can matter either because they also incur domestic audience costs or because the President and his administration hold personal beliefs that make them more or less cost tolerant in any given situation. Importantly, the U.S. public does not need to be aware of crime in the military intervention, because the President and his advisors act on *expected* domestic audience costs rather than real domestic audience costs.[43]

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[41] The President and his advisors are also elites under this definition, however, I decide to distinguish between the President and his advisors and other elites. I use Saunders' definition of elites taken from: Elizabeth N. Saunders, *The Insiders' Game: How Elites Make War and Peace* (Princeton University Press, 2024), 4–5, https://doi.org/10.1515/9780691215822.

[42] C. William Walldorf, 'Narratives and War: Explaining the Length and End of U.S. Military Operations in Afghanistan', *International Security* 47, no. 1 (1 July 2022): 93–138, https://doi.org/10.1162/isec_a_00439.

[43] On how Presidents anticipate public opinion rather than react to it see: Douglas C. Foyle, *Counting the Public in: Presidents, Public Opinion, and Foreign Policy*, Power, Conflict, and Democracy (New York: Columbia University Press, 1999), 267; Philip J. Powlick and Andrew Z. Katz, 'Defining the American Public Opinion/Foreign Policy Nexus', *Mershon International Studies Review* 42, no. Supplement_1 (1998): 33, https://doi.org/10.2307/254443; Andrew Payne, *War on the Ballot: How the Election Cycle Shapes Presidential Decision-Making in War* (Columbia University Press, 2023), 2, https://doi.org/10.7312/payn20964.

If the expected material and human costs of treating crime control as a strategic tool outweigh the expected domestic audience costs of treating crime control as a strategic distraction, then crime control will continue to be treated as a strategic distraction. When the expected domestic audience costs of inaction against crime outweigh the material and human costs of treating crime control as a strategic tool, then crime control will be treated as a strategic tool. This is a necessary condition for treating crime control as a strategic tool. Other factors, such as the bureaucratic politics of U.S. decision-making, changes in individual elites and associated changes in the biases, experiences, and psychological dispositions of these elites, and the political power of individual criminals operate alongside the cost calculation of the President and his advisors.

In short, it is not the perceived costs and benefits of implementing crime control on the ground in Afghanistan or Iraq that determine the US approach to crime in its military interventions. It is the domestic political calculations that decide whether a demand, inspired by a perceived need for crime control on the ground, is followed by crime control being adopted as a strategic tool rather than dismissed as a strategic distraction.

Answering the question of when and why crime control efforts are established in U.S. military interventions has important implications for researchers and practitioners interested in studying crime-conflict nexuses and strategic decision-making. The United States has thus far been the most prolific intervening force in the 21st century. The way in which the United States interprets and responds to crime in the territories in which it intervenes greatly affects the lives of civilians on the ground.[44] Turning a blind eye to crime leaves civilians exposed to the harms that emerge from crime.[45] Conversely, misguided crime control policies can harm civilians,

[44] Stromseth, Wippman, and Brooks, *Can Might Make Rights?*, 7.

[45] On how ignoring crime can harm civilians see e.g.: Penny Green and Tony Ward, 'The Transformation of Violence in Iraq', *British Journal of Criminology* 49, no. 5 (1 September 2009): 609–27, https://doi.org/10.1093/bjc/azp022.

empower abusive state institutions, or erode the socio-economic functions criminal markets can fulfil in war settings.[46] Understanding when and why these mis-guided efforts are established could help tailor decision-making to address the humanitarian requirements on the ground.

Another implication is that if the implementation of crime control efforts is shaped by the expectation of domestic audience costs, then this thesis implies that many of these efforts fulfil a political, even performative function, rather than actually addressing strategic or humanitarian problems on the ground. By extension, analysts and researchers who produce workable frameworks for how to address crime in conflict, may need to communicate these analyses not only to elites but also to the wider public so that elites are to gain less from implementing performative but ultimately harmful crime control policies.[47]

This introductory chapter first reviews the existing literature on the topic of U.S. crime control efforts in military interventions. Second, I conceptualise the way in which crime control efforts can feature in U.S. war strategy. Third, I discuss the variation of U.S. crime control efforts in military interventions in the U.S. military interventions in Afghanistan, Iraq and against ISIL in Syria and Iraq. Fourth, I summarise my theoretical argument. Fifth, I detail the

[46] See e.g.: Jonathan H. C. Kelman, 'States Can Play, Too: Constructing a Typology of State Participation in Illicit Flows', *Crime, Law and Social Change* 64, no. 1 (August 2015): 37–55, https://doi.org/10.1007/s10611-015-9568-4; Vanda Felbab-Brown, 'Afghanistan Affectations: How to Break Political-Criminal Alliances in Contexts of Transition', Crime-Conflict Nexus Series (United Nations University Centre for Policy Research, 2017); David Mansfield, *A State Built on Sand: How Opium Undermined Afghanistan* (London ; New York: Oxford University Press, 2016); Jonathan Goodhand et al., 'Critical Policy Frontiers: The Drugs-Development-Peacebuilding Trilemma', *International Journal of Drug Policy*, Special Issue: Drugs, Conflict and Development, 89 (1 March 2021): 103115, https://doi.org/10.1016/j.drugpo.2021.103115.

[47] The point of the need for greater public dialogue and the inclusion of an informed public into crime policymaking has been made by criminologists in the past who similarly argued that crime policymaking is heavily politicised and that one remedy for such politicisation is an informed public. See e.g.: Ian Loader and Neil Walker, *Civilizing Security* (Cambridge: Cambridge University Press, 2007), https://doi.org/10.1017/CBO9780511611117; Ian Loader and Richard Sparks, *Public Criminology?* (New York: Routledge, 2011); David Garland, 'What's Wrong with Penal Populism? Politics, the Public, and Criminological Expertise', *Asian Journal of Criminology* 16, no. 3 (1 September 2021): 257–77, https://doi.org/10.1007/s11417-021-09354-3.

method used to advance my argument. Sixth, I provide a discussion of alternative explanations. Lastly, I conclude by providing a summary of the argument and its implications.

1.1. Literature review on crime control in U.S. foreign policy

Since the end of the Cold War, researchers have explored the myriad ways in which crime, often in its transnational and organised forms, can affect international security.[48] In this context, researchers have paid extensive attention to how a perceived threat of crime to international security has transformed domestic and international security institutions and practices.[49]

Andreas' and Nadelmann's *Policing the Globe: Criminalization and Crime Control in International Relations* analyses how states extended their domestic crime control efforts abroad.[50] They argue that since the second half of the 20th century, crime control efforts have become more internationalised as is reflected in the growth and homogenisation of criminal law, the expansion of budgets for agencies dealing with international crime control and police cooperation, the extension of enforcement powers for those agencies to target individuals abroad, the deployment of global surveillance technologies, increase in police cooperation between states, as well as the use of military and intelligence infrastructure and personnel for law enforcement operations.[51] In explaining these changes, they challenge conventional

[48] See e.g. Louise Shelley, 'Unraveling the New Criminal Nexus', *Georgetown Journal of International Affairs* 6, no. 1 (2005): 5–13; Mary Kaldor, *New & Old Wars*, 2nd ed (Stanford, Calif.: Stanford University Press, 2010); Tamara Makarenko, 'The Crime-Terror Continuum: Tracing the Interplay between Transnational Organised Crime and Terrorism', *Global Crime* 6, no. 1 (February 2004): 129–45, https://doi.org/10.1080/1744057042000297025.

[49] See e.g. Peter Andreas and Ethan Avram Nadelmann, *Policing the Globe: Criminalization and Crime Control in International Relations* (Oxford ; New York: Oxford University Press, 2006); Peter Andreas and Richard Price, 'From War Fighting to Crime Fighting: Transforming the American National Security State', *International Studies Review* 3, no. 3 (December 2001): 31–52, https://doi.org/10.1111/1521-9488.00243; Ian Loader and Sarah Percy, 'Bringing the "Outside" in and the "inside" out: Crossing the Criminology/IR Divide', *Global Crime* 13, no. 4 (November 2012): 213–18, https://doi.org/10.1080/17440572.2012.715402.

[50] Andreas and Nadelmann, *Policing the Globe*.

[51] Andreas and Nadelmann, 3–4.

assumptions that such changes are the natural response to a growth in transnational organised crime.[52] The authors critique this explanation as 'at best incomplete and at worst misleading.'[53] Instead, they argue that an eclectic view which considers constructivist, liberal, and realist factors can best account for explaining changes in international crime control practices.[54]

Elsewhere, Peter Andreas has analysed the role of smuggling in U.S. history.[55] Andreas argued that at various points in time, the United States used crime control efforts to extend the authority of the state, while ignoring crime helped defend the state during war time.[56] Andreas thus contextualises crime control efforts as a form of state-building in the United States.[57] These works have offered insightful perspectives on how one of the most significant changes in the practice of crime control over the last three decades. They suggest that the relationship between crime and crime responses is not as proportional as policymakers and law enforcement officials often claim.[58] However, these works do not explain when and why U.S. crime control efforts are implemented as part of a war strategy.

The crime-conflict literature has also traditionally eclipsed questions of crime control decision-making in conflict. Instead, the literature has focussed on how crime can drive conflict and vice vera.[59] For example, in her book 'New Wars' Mary Kaldor argues that contemporary conflicts are often characterised by a plethora of criminal actors who often impede peaceful resolution of the conflict as conflict continues to increase demand in criminal activities.[60] To the extent that the crime-conflict literature has investigated responses to crime in conflict, it

[52] Andreas and Nadelmann, 7–13.
[53] Andreas and Nadelmann, 7.
[54] Andreas and Nadelmann, 7–13.
[55] Peter Andreas, *Smuggler Nation: How Illicit Trade Made America* (Oxford University Press, 2013).
[56] Andreas.
[57] Andreas.
[58] Andreas and Nadelmann, *Policing the Globe*, 7.
[59] de Boer and Bosetti, 'The Crime-Conflict "Nexus" State of the Evidence'.
[60] Kaldor, *New & Old Wars*.

has mainly tried to explain success or failure of these responses as opposed to understanding the decision-making behind it.[61]

Elsewhere, researchers have investigated how the United States deals with governance issues in military interventions, including crime. However, they offer a pessimistic view on the establishment of U.S. crime control efforts in military interventions.[62] In her study on U.S. efforts to establish post-war governance, Nadia Schadlow argued that the United States suffers from what she calls 'American Denial Syndrome' which leads to the United States to neglect governance issues, including crime control, in military interventions.[63] Schadlow argues that the American Denial Syndrome is rooted in larger, cultural factors such as concerns about the military's function in governance operations, a normative reluctance in the United States to govern others, as well as a related belief that governance functions should be administered by civilian institutions.[64] Similarly, Robert Perito in his study on post-war policing has argued that the United States lacks the institutional capacity, such as a constabulary force, to adequately control for crime in military interventions.[65] In addition, U.S. strategic culture is considered to be based on the overwhelming application of force in military interventions, leaving little to no room for the implementation of crime control efforts, which require the management of the use of force as opposed to the overwhelming use thereof.[66] This work collectively suggests that the

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[61] Tuesday Reitano, Sasha Jesperson, and Lucia Bird Ruiz-Benitez de Lugo, *Militarised Responses to Transnational Organised Crime : The War on Crime* (Cham, SWITZERLAND: Springer International Publishing AG, 2017), http://ebookcentral.proquest.com/lib/oxford/detail.action?docID=5097021.

[62] See e.g.: Nadia Schadlow, *War and the Art of Governance: Consolidating Combat Success into Political Victory* (Washington (D.C.): Georgetown university press, 2017); Robert Perito, *Where Is the Lone Ranger? America's Search for a Stability Force*, Second edition (Washington, D.C: United States Institute of Peace Press, 2013); Felbab-Brown, *Shooting Up*; Vanda Felbab-Brown, *Aspiration and Ambivalence Strategies and Realities of Counterinsurgency and State Building in Afghanistan* (Washington, D.C: Brookings Institution Press, 2013).

[63] Schadlow, *War and the Art of Governance*.

[64] Schadlow.

[65] Perito, *Where Is the Lone Ranger?*

[66] Cornelius Friesendorf, *How Western Soldiers Fight: Organizational Routines in Multinational Missions*, 1st edition (Cambridge: Cambridge University Press, 2018); Dima Adamsky, *The Culture of Military Innovation: The Impact of Cultural Factors on the Revolution in Military Affairs in Russia, the US, and Israel* (Stanford, Calif: Stanford Security Studies, 2010); Peter Neuteboom and Joseph Soeters, 'The Military Role in

United States will rather ignore crime than combat it. To the extent that crime control efforts are established these authors claim that these efforts have been largely ineffective.[67]

This then poses a puzzle as to why crime control efforts are implemented in U.S. military interventions in the first place. If the United States is institutionally and culturally set up to treat crime control as a strategic distraction, why does it implement crime control efforts in military interventions?

Criminological scholarship offers explanations for variations in crime control efforts, but applies these only in domestic contexts and focusses mostly on larger, structural drivers of crime control policymaking.[68] Most notably, David Garland's *Culture of Control* analysed changing patterns of punishment and crime control in the United States.[69] In explaining why the United States moved from a rehabilitative to a punitive criminal justice system, Garland argues that socio-economic and demographic changes in the United States have led to an erosion of the welfare state and associated norms, which in turn, has allowed for the rise of a more punitive criminal justice system.[70] Garland hence points to the role of the U.S. political economy in crime control. Garland's seminal work describes aptly how criminal justice practices changed over time in the United States. However, it conceives of crime control efforts as slow changing. For the purposes of this study, larger societal changes in the demographic and socio-economic make-up of societies fail to explain changes in the strategic role of crime control in military interventions.

Filling the Security Gap After Armed Conflict: Three Cases', *Armed Forces & Society* 43, no. 4 (October 2017): 711–33, https://doi.org/10.1177/0095327X16667087.

[67] See also: Vanda Felbab-Brown, 'Pipe Dreams: The Taliban and Drugs from the 1990s into Its New Regime', *Small Wars Journal*, 2021, https://smallwarsjournal.com/jrnl/art/pipe-dreams-taliban-and-drugs-1990s-its-new-regime; Vanda Felbab-Brown, 'Drugs, Security, and Counternarcotics Policies in Afghanistan' (United Kingdom House of Lords, 2020).

[68] David Garland, *The Culture of Control: Crime and Social Order in Contemporary Society* (Oxford: Oxford University Press, 2002); David Garland, 'Penal Controls and Social Controls: Toward a Theory of American Penal Exceptionalism', *Punishment & Society* 22, no. 3 (1 July 2020): 321–52, https://doi.org/10.1177/1462474519881992.

[69] Garland, *The Culture of Control*.

[70] Garland.

Taking stock of the existing literature, International Relations (IR) scholars have recognised both the impact of crime on conflict dynamics and the failure of existing crime control efforts to be effective. However, in contrast to their colleagues in criminology, IR scholars have thus far not asked why these crime control efforts are implemented in the way they are in the context of military interventions. Criminologists, for their part, have offered arguments about why crime control efforts are implemented and how they take the shape that they do, but they have so far ignored explaining the variation in crime control efforts in military interventions.

A notable exception is Winifred Tate's *Drugs, Thugs, and Diplomats*.[71] In explaining U.S. counternarcotics policy in Colombia, Tate analysed U.S. policymaking toward Colombia from an anthropological perspective.[72] Tate argues that 'policymaking consists of producing narratives that justify political action in the present and unite disparate bureaucratic projects.'[73] Tate hence draws a direct connection between domestic crime policy making and the war on drugs inside the United States and the militarised response to drug trafficking in Colombia.[74] However, Tate's analysis focusses on Colombia, where U.S. interests were directly tied to the drug trade in the country. In Afghanistan, Iraq, and Syria the United States had larger political goals that were not focussed on criminality in the theatre of operation.[75]All in all, why crime control efforts during U.S. military interventions fluctuate remains not fully understood.

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[71] Winifred Tate, *Drugs, Thugs, and Diplomats: U. S. Policymaking in Colombia* (Palo Alto: Stanford University Press, 2015), http://ebookcentral.proquest.com/lib/oxford/detail.action?docID=3568942.

[72] Tate.

[73] Tate, 4.

[74] Tate, *Drugs, Thugs, and Diplomats: U. S. Policymaking in Colombia*.

[75] This statement should not be interpreted that I do not consider crime to be a political activity. As has been argued elsewhere, crime represents a political activity. However, I make this juxtaposition between crime and political goals to differentiate between interventions aimed at curbing crime and interventions that seek to change the political circumstances of another country. On how crime represents a political activity in conflict see: James Cockayne, *Hidden Power: The Strategic Logic of Organized Crime* (New York: Oxford University Press, 2016).

1.2. Crime control and U.S. war strategy

Confronted with crime in military interventions, the U.S. Presidents and their advisors need to make decisions on whether to implement crime control efforts as part of U.S. war strategy or not. I focus on decisions made by the U.S. Presidents and their advisors defined as 'White House staff such as the National Security Advisor and cabinet members or even deputies as long as they are of sufficiently high rank to influence policy and attract media attention'.[76] While local commanders and officials on the ground also make decisions on crime control efforts, Presidential decisions are more impactful than local decisions and set the overarching frame in which local decision-makers can act. For example, if the President does not extend the militaries' authorities to support local law enforcement efforts, commanders are limited in their ability to do so on their own.

I call the use or non-use of crime control in military interventions the *strategic role of crime control* because it designates the role that crime control fulfils in the ways, ends, and means chain that comprises U.S. war strategy. For the purposes of this thesis, I define strategy as a set of ideas (ways) of how belligerents can deploy their resources (means) to achieve their desired strategic outcomes (ends), which express itself in formulated plans of the United States.[77] I discuss my conceptualisation of strategy in greater detail in chapter two.

There are two basic ways in which the United States can decide to deal with crime in military interventions. It can either treat crime control as a strategic tool or it can treat it as a strategic distraction.

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[76] Elizabeth N. Saunders, 'Leaders, Advisers, and the Political Origins of Elite Support for War', *Journal of Conflict Resolution* 62, no. 10 (November 2018): 2120, https://doi.org/10.1177/0022002718785670.

[77] I derive this definition from both Larsdotter and Silove. See e.g.: Kersti Larsdotter, 'Military Strategy in the 21st Century', *Journal of Strategic Studies* 42, no. 2 (23 February 2019): 155–70, https://doi.org/10.1080/01402390.2018.1559151; Nina Silove, 'Beyond the Buzzword: The Three Meanings of "Grand Strategy"', *Security Studies* 27, no. 1 (2018): 27–57, https://doi.org/10.1080/09636412.2017.1360073.

Treating crime control as a strategic tool can express itself in numerous ways. I measure whether the United States treats crime control as a strategic tool in any given period by checking for the presence of three indicators: (1) the deployment of U.S. domestic law enforcement personnel to the military intervention to aid or mentor local law enforcement in their operations or conduct their own operations (2) the presence of capacity building programs aimed at building local law enforcement capacities (e.g. police-building programs) and (3) the extension of military authorities to assist local law enforcement agencies in their operations or to directly target criminals, including the establishment of military task forces that seek to combat crime or assist in crime control.[78] When one of these indicators is present, the United States treats crime control as a strategic tool.

The United States treats crime control as a strategic distraction when none of these activities are present, it rejects proposals to establish or increase them, it reduces its law enforcement presence in the host nation of the intervention, reduces capacity building programs, or it curtails military authorities that allowed the targeting of criminals or criminal objects, or aid local law enforcement in their operations. This means that periods in which the United States treats crime control as a strategic distraction can contain remnants of prior crime control efforts, if the United States has previously treated crime control as a strategic tool. However, the point is that these are less intensive than they were in the previous period.

Importantly, I exclude the use of U.S. crime control efforts abroad in non-conflict settings, such as asset seizures, criminal investigations of individuals outside the host country of the intervention, or sanctions on individuals.[79] Amid the global war on terror, the United

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[78] I exclude from my measurement more transformative crime control efforts such as economic reconstruction projects, although police-building and mentoring programs qualify as transformative crime control efforts depending on how they are implemented. For example, when police-building programs disproportionately emphasise the use of firearms during police training, then a police-building program is more coercive. However, because police-building programs change the circumstances in which crime occurs, by providing more capacity to respond to crime, they can also be seen as transformative issues.

[79] See e.g.: Andreas and Nadelmann, *Policing the Globe*.

States used crime control efforts as a way to combat terrorism around the globe.[80] For example, the U.S. Treasury Department imposed a series of measures to restrict terrorists and other adversaries from accessing the global financial system and channel money through it.[81] Similarly, it imposed sanctions on states or individuals suspected of financing terrorism.[82] These efforts, while important, were often part of wider U.S. strategy against terrorism, and independent of, albeit interlinked with, U.S. war strategy in Afghanistan, Iraq, and against ISIL. In this thesis, I merely focus on U.S. crime control efforts that were implemented in the wars in Afghanistan, Iraq, and against ISIL in the territories of Syria and Iraq, in the main theatres of operation.

1.3. Variation in the strategic role of crime control in U.S. military interventions

The United States switched the strategic role of crime control seven times across its interventions in Afghanistan, Iraq and against ISIL in Syria and Iraq. I do not seek to explain the strategic role of crime control during withdrawal periods because it is unsurprising that when the United States withdraws from a military intervention that crime control will be a strategic distraction. This is because crime control efforts require large amounts of resources that would not be deployed during a withdrawal period. In what follows I show how the United States treated crime control as a strategic tool and distraction at different moments in time.

1.3.1. The strategic role of crime control in Afghanistan

In Afghanistan, the United States initially considered crime control a strategic distraction when it intervened in 2001. The initial invasion of Afghanistan was conducted under

[80] Andreas and Nadelmann, 189.
[81] See e.g.: Juan C. Zarate, *Treasury's War: The Unleashing of a New Era of Financial Warfare* (New York/N.Y: Public Affairs, 2013).
[82] Zarate.

a ‘light footprint’ approach, which saw the United States make minimal commitments to the intervention in Afghanistan.[83] U.S. strategy consisted of a bombing campaign as well as a small deployment of Central Intelligence Agency (CIA) agents and U.S. military special forces.[84] U.S. special forces embedded themselves with local anti-Taliban militia forces and turned a blind eye to their criminal activity.[85] After the fall of the Taliban in late 2001, the leaders of these local anti-Taliban forces demanded political power in return for their continued support to the United States.[86] The United States accommodated these militia forces under the so-called ‘warlord strategy’ and continued to ignore their criminal activities, which were now enabled by militia leaders’ hold on political power.[87]

At the same time, as part of the ‘lead nation’ approach, different members of the coalition took responsibility for different aspects of crime control in post-war Afghanistan.[88] For example, Germany was responsible for police-building, Italy was responsible for judicial reform, and crucially the United Kingdom was responsible for counternarcotics.[89] The United States, for its part, was focussed on building the Afghan Army and Japan was responsible for Demobilization, Disarmament, and Reintegration (DDR) programs for various militias.[90] While Germany was initially responsible for police-building, the German police-building program was, according to policing expert Robert Perito, not large enough to yield results.[91]

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[83] Astri Suhrke, ‘From Principle to Practice: US Military Strategy and Protection of Civilians in Afghanistan’, *International Peacekeeping* 22, no. 1 (January 2015): 100–118, https://doi.org/10.1080/13533312.2014.993177; Bob Woodward, *Bush at War* (New York ; Simon & Schuster, 2002).

[84] Carter Malkasian, *The American War in Afghanistan: A History* (New York: Oxford University Press, 2021), 59, https://doi.org/10.1093/oso/9780197550779.001.0001.

[85] Dearing, ‘Turning Gangsters into Allies’.

[86] SIGAR, ‘Corruption in Conflict: Lessons from the U.S. Experience in Afghanistan’ (Special Inspector General for Afghanistan Reconstruction, 2016), 17.

[87] SIGAR, 17.

[88] Emma Sky, ‘The Lead Nation Approach’, *The RUSI Journal* 151, no. 6 (1 December 2006): 22–26, https://doi.org/10.1080/03071840608522853.

[89] Sky.

[90] Sky.

[91] Robert Perito, ‘Afghanistan’s Police: The Weak Link in Security Sector Reform’ (United States Institute of Peace, 1 January 2009), https://purl.fdlp.gov/GPO/LPS118066.

Nor did the United States make any efforts to pressure Germany to increase its police-building program.[92] The lack of U.S. pressure on Germany to intensify its police-building program indicates that the United States viewed crime control as a strategic distraction at the time. In other words, while an argument can be made that the United States was able to rely on other lead nations for crime control, when the efforts of these lead nations were inadequate to address the challenges of crime in Afghanistan, the United States did little to pressure them to increase their efforts.

In 2002, the United Kingdom requested U.S. emergency and extraction support for an Afghan counternarcotics mission.[93] Prime Minister Tony Blair wrote to President Bush to ask for U.S. support, because the United Kingdom alone did not have the manpower to conduct the operation.[94] This represented a clear demand for the United States to treat crime control as a strategic tool. However, while President Bush formally agreed to grant the requested support, no such support was ultimately given, and the United States did not use any resources to support British counternarcotics efforts.[95] Crime control continued to be treated as a strategic distraction, despite a demand from a key U.S. ally.

In 2005, the strategic role of crime control changed, and the United States began to treat crime control as a strategic tool in Afghanistan. The White House approved a counternarcotics strategy for Afghanistan, which was presented by the Bureau for International Narcotics and Law Enforcement Affairs (INL) and the U.S. embassy in Kabul.[96] As part of the strategy the United States increased the presence of its own Drug Enforcement Administration

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[92] Perito.
[93] Berry, *The War on Drugs and Anglo-American Relations: Lessons from Afghanistan, 2001-2011*, 69.
[94] Berry, 69.
[95] Berry, 69.
[96] SIGAR, 'Counternarcotics: Lessons from the U.S. Experience in Afghanistan' (Special Inspector General for Afghanistan Reconstruction, 2018), 45-46.

(DEA) as well as that of INL and other law enforcement personnel in Afghanistan.[97] This law enforcement personnel would also mentor and train local Afghan law enforcement.[98] Furthermore, from 2005 onwards the U.S. military began to lend support, training, equipment, protection, and transportation to Afghan counternarcotics forces. It also sent special DEA units, called Foreign Advisory and Support Teams (FAST) to Afghanistan that were trained and equipped like military special forces.[99]

By 2010, the United States had fully integrated crime control efforts in its war strategy in Afghanistan. It had established several police-building efforts, was trying to control the narcotics economy in Afghanistan mainly through alternative livelihood programs, and even established a military unit, called Task Force Shafafiyat, that would try to counter corruption.[100] These crime control efforts were tested in 2010 when three high profile criminal events shocked the U.S. war effort in Afghanistan: (1) a Congressional report highlighting protection rackets along U.S. supply chains (2) the Muhammad Zia Salehi case, and (3) the Kabul Bank case.[101] Even though, the Obama administration was already treating crime control as a strategic tool, this effort was not perceived to be strong enough by U.S. officials on the ground.[102] They hence demanded a stricter and more heavy-handed crime control effort.[103] However, not only did the United States reject requested crime control policies, it also completely rethought the strategic role of crime control.[104] It limited mentoring programs of Afghan law enforcement units and

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[97] Global Drug Policy Observatory, 'Not so FAST; The Rise and Rise of the DEA's Commando Squads' (Global Drug Policy Observatory Swansea University, 2014).

[98] SIGAR, 'Counternarcotics: Lessons from the U.S. Experience in Afghanistan', 67.

[99] Global Drug Policy Observatory, 'Not so FAST; The Rise and Rise of the DEA's Commando Squads'.

[100] SIGAR, 'Corruption in Conflict: Lessons from the U.S. Experience in Afghanistan'; Felbab-Brown, 'Afghanistan Affectations: How to Break Political-Criminal Alliances in Contexts of Transition'; SIGAR, 'Counternarcotics: Lessons from the U.S. Experience in Afghanistan'.

[101] John F. Tierney, 'Warlord Inc.: Extortion and Corruption along the U.S. Supply Chain in Afghanistan' (U.S. House of Representatives, 2010); Chayes, *Thieves of State*; Sarah Chayes, 'The Afghan Bag Man', *Foreign Policy*, 2013, https://foreignpolicy.com/2013/05/04/the-afghan-bag-man/.

[102] Chayes, *Thieves of State*, 140–48.

[103] John F. Sopko, 'Rebuilding Afghanistan: A Fight against Corruption', *New York University Journal of International Law and Politics* 50, no. 4 (2018 2017): 1237–60.

[104] Rajiv Chandrasekaran, 'Karzai Rift Prompts U.S. to Reevaluate Anti-Corruption Strategy in Afghanistan', 13 September 2010, http://www.washingtonpost.com/wp-

rendered existing military commands targeting corruption virtually ineffective by withdrawing political support from them.[105] For example, Department of Justice officials were prohibited from mentoring anti-corruption units in Afghanistan.[106] By 2011, crime control efforts were once again treated as a strategic distraction in the war in Afghanistan.[107]

In 2017, the United States changed its strategy yet again and launched a highly coercive effort at curbing crime in the form of drug trafficking. President Trump's newly announced South Asia strategy extended military authorities to target 'criminal networks' in Afghanistan.[108] As a result, the United States began an air campaign against drug laboratories in Afghanistan, known as Operation Iron Tempest.[109] It bombed several drug laboratories which it believed were part of the Taliban's financing infrastructure.[110] In 2018 the operation ended.[111] After the end of Operation Iron Tempest, the United States began negotiating a troop withdrawal from Afghanistan.[112] The variation in the strategic role of crime control in Afghanistan is summarised in Table 1.

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dyn/content/article/2010/09/12/AR2010091203883.html; Rob Crilly, 'Barack Obama in about Turn on Afghanistan Corruption', *The Telegraph*, 13 September 2010, https://www.telegraph.co.uk/news/worldnews/asia/afghanistan/8000217/Barack-Obama-in-about-turn-on-Afghanistan-corruption.html; Adam Entous, Siobhan Gorman, and Julian E. Barnes, 'U.S. Shifts Afghan Graft Plan', *Wall Street Journal*, 2010, sec. World, https://www.wsj.com/articles/SB10001424052748704416904575501810261765030.

[105] Chayes, *Thieves of State*, 153–54.

[106] SIGAR, 'Corruption in Conflict: Lessons from the U.S. Experience in Afghanistan'; Chayes, *Thieves of State*, 153–54.

[107] The switch from crime control as a strategic tool to a strategic distraction in 2011, is a case in which the strategic role of crime control is less clear cut. Some individuals may argue that the United States continued to treat crime control as a strategic tool after 2011, as is reflected in the continuation of capacity-building and other mentoring programs. However, these programs were often rendered ineffective to make any progress. Hence, I consider the 2011 case to be a case of strategic distraction, while being mindful that a different conceptualisation of the strategic role of crime control will lead to a different inference.

[108] Donald Trump, 'Remarks by President Trump on the Strategy in Afghanistan and South Asia' (Fort Myer, Arlington, Virginia: The White House, 21 August 2017), https://trumpwhitehouse.archives.gov/briefings-statements/remarks-president-trump-strategy-afghanistan-south-asia/#:~:text=Our%20troops%20will%20fight%20to,against%20America%20before%20they%20emerge.

[109] Mansfield, 'Denying Revenue or Wasting Money? Assessing the Impact of the Air Campaign Against "Drug Labs" in Afghanistan'.

[110] Mansfield.

[111] 'Operation Freedom's Sentinel: Lead Inspector General Report to the United States Congress October 1, 2018-December 31, 2018' (Washington D.C.: Office of the Inspector General of the Department of Defense, 2018), 24.

[112] Malkasian, *The American War in Afghanistan: A History*, 423.

Table 1: Variation in the strategic role of crime control in Afghanistan

	British request for counternarcotics support 2002	**U.S. counternarcotics strategy for Afghanistan 2005**	**Response to corruption cases 2011**	**Operation Iron Tempest 2017**
Deployment of U.S. domestic law enforcement	None	DEA FAST	Domestic law enforcement deployments were drawn down	None
Capacity building programs	None	Mentoring of Afghan counternarcotics units and Major Crimes Task Forces	U.S. Department of Justice mentors were prohibited from mentoring Afghan anti-corruption cases	None
Extension of Military Authorities	Rejected	U.S. military authorities extended to support Afghan law enforcement units with transport, intelligence, equipment and training	Military commands targeting corruption were kept in name but rendered ineffective by lack of political support	Extension of authorities to target drug laboratories in Afghanistan
Strategic role of crime control	Strategic distraction	Strategic tool	Strategic distraction	Strategic tool

1.3.2. The strategic role of crime control in Iraq

When the United States first invaded Iraq in March of 2003, it ignored local crime.[113] The United States anticipated a brief war and a quick stabilization of Iraq.[114] Consequently, in the immediate aftermath of the U.S. invasion criminality and disorder abounded in Iraq.[115] Businesses were looted, kidnappings and murders were frequent, and various groups organised to steal and sell copper from public infrastructure; a particularly profitable activity given that

[113] Williams, 'Organized Crime and Corruption in Iraq', 115.

[114] Nora Bensahel et al., *After Saddam: Prewar Planning and the Occupation of Iraq* (Santa Monica, CA: Rand Arroyo Center, 2008); SIGIR, 'Hard Lessons: The Iraq Reconstruction Experience'.

[115] UNODC, 'Addressing Organized Crime and Drug Trafficking in Iraq'; Green and Ward, 'The Transformation of Violence in Iraq'.

copper is scarce in the Middle East.[116] The United States did not meaningfully react to the crime spree that beset Iraq in the immediate aftermath of the U.S. invasion.[117] While there were some efforts implemented by commanders on the ground, these were not integrated into a larger strategy and fairly disorganised.[118] In May 2003, the International Criminal Investigative Assistance Training Program (ICITAP) of the U.S. Department of Justice issued an assessment of the situation in Iraq and recommended the deployment of 6,600 police advisors to Iraq.[119] This represented a clear demand for a police-building effort in Iraq. The assessment was discussed at the NSC in Washington DC, but the NSC ultimately rejected ICITAP's recommendation.[120] Crime control remained a strategic distraction despite a clear demand to change the strategy.

In 2004, the United States changed the strategic role of crime control. President Bush tasked the Department of Defense with the responsibility to train the police in Iraq.[121] The Civilian Police Advisory Training Team (CPATT) was established and commanded first by a British three-star and later U.S. one-star general.[122] Crime control, in the form of police-building, became a strategic tool to fight the war in Iraq.

Afterwards, crime control remained a strategic tool and developed further beyond CPATT and police-building.[123] However, I do not seek to explain these changes, because they

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[116] David H. Bayley and Robert Perito, *The Police in War: Fighting Insurgency, Terrorism, and Violent Crime* (Boulder: Lynne Rienner Publishers, 2010); Phil Williams, *Criminals, Militias, and Insurgents: Organized Crime in Iraq* (Carlisle, PA: U.S. Army War College, Strategic Studies Institute, 2009).

[117] Bayley and Perito, *The Police in War*.

[118] See also: SIGIR, 'Hard Lessons: The Iraq Reconstruction Experience', 126–27; Perito, 'The Iraq Federal Police: U.S. Police Building under Fire'.

[119] Michael Moss and David Rohde, 'Misjudgments Marred U.S. Plans for Iraqi Police', *The New York Times*, 21 May 2006, sec. U.S., https://www.nytimes.com/2006/05/21/world/middleeast/misjudgments-marred-us-plans-for-iraqi-police.html.

[120] Bayley and Perito, *The Police in War*, 11.

[121] Perito, 'The Iraq Federal Police: U.S. Police Building under Fire'.

[122] Perito.

[123] Michael R. Gordon, 'In Baghdad, Justice from behind the Barricades', *The New York Times*, 2007, https://www.nytimes.com/2007/07/30/world/middleeast/30military.html; Richard Pregent, 'Rule of Law Capacity Building in Iraq', in *The War in Iraq: A Legal Analysis*, ed. Raul A. Pedrozo, International Law Studies Series, v. 86 (Newport, R.I: Naval War College, 2010), 335.

represent decisions made by local actors rather than decisions of the President or his advisors.[124] In 2011, the United States significantly drew down its presence in Iraq.[125] In 2014, the United States re-intervened in Iraq and Syria as part of a global coalition to defeat ISIL.[126] While the U.S. intervention against ISIL could be considered a different intervention from the initial intervention in Iraq, I include it here in my discussion of the intervention in Iraq for two reasons. First, I consider the intervention against ISIL an extension of the Iraq war because ISIL's emergence is rooted in the U.S. intervention in Iraq in 2003.[127] Second, the intervention to fight ISIL was conducted to protect the Iraqi government from the threat of ISIL, but not to affect the civil war in Syria beyond defeating ISIL.[128] Although the United States also tried to affect outcomes in the Syrian civil war by supporting rebel groups in the country,[129] I consider the fight against ISIL to be more connected to affecting political outcomes in Iraq. Hence, I deal with the 2003 intervention in Iraq and the U.S. intervention against ISL in Syria and Iraq in the same sections and chapters.

The intervention was officially called Combined Joint Task Force - Operation Inherent Resolve (CJTF-OIR or OIR for short) and consisted of 1400 U.S. troops who conducted special forces operations, air campaigns, as well as training, advising, and assisting local allies in Iraq and Syria.[130] ISIL controlled territories both in Syria and Iraq, hence this

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[124] For more on these decisions see e.g.: Pregent, 'Rule of Law Capacity Building in Iraq'; Jack L. Goldsmith, *Power and Constraint: The Accountable Presidency after 9/11*, 1st ed (New York: W. W. Norton & Co, 2012), 122–60; Rosa Brooks, *How Everything Became War and the Military Became Everything: Tales from the Pentagon*, First Simon&Schuster hardcover edition (New York: Simon & Schuster, 2016), 70–78.

[125] 'Timeline: The Iraq War, 2003-2011' (Council on Foreign Relations), accessed 15 August 2023, https://www.cfr.org/timeline/iraq-war.

[126] Andrew Mumford, *The West's War Against Islamic State: Operation Inherent Resolve in Syria and Iraq* (I.B. Tauris, 2021), https://doi.org/10.5040/9781788319133.

[127] See e.g.: Stern, *ISIS*.

[128] Michael R. Gordon, *Degrade and Destroy: The Inside Story of the War Against the Islamic State, from Barack Obama to Donald Trump* (Macmillan, 2022), https://us.macmillan.com/books/9780374714451/degradeanddestroy.

[129] 'A Timeline of the US Involvement in Syria's Conflict', *AP News*, 11 January 2019, https://apnews.com/article/96701a254c5a448cb253f14ab697419b.

[130] Andrew Mumford, *The West's War Against Islamic State: Operation Inherent Resolve in Syria and Iraq* (I.B. Tauris, 2021), 59, https://doi.org/10.5040/9781788319133.

intervention can be understood as an intervention in both Syria and Iraq.[131] Between late 2015 and 2017, the United States conducted military operations targeting ISIL's financing streams in Syria and Iraq.[132] As part of these operations, the United States launched a bombing campaign, codenamed Operation Tidal Wave II, targeting ISIL's oil financing infrastructure.[133] On November 16th 2015, the United States extended military authorities to allow the bombing of oil trucks that ISIL used to smuggle its oil in Syria.[134] The operation represents another case of using crime control as a strategic tool. The variation of the strategic role of crime control is summarised in Table 2.

Table 2: Variation in strategic role of crime control

	Rejection of ICITAP recommendations 2003	**Decision to task Department of Defense with police-building 2004**	**Operation Tidal Wave II 2015**
Deployment of U.S. domestic law enforcement	None	Police trainers deployed to Iraq	None
Capacity building programs	Rejected	Police-building efforts in Iraq under CPATT	None
Extension of Military Authorities	None	None	Extension of authorities to target oil trucks in Syria
Strategic role of crime control	Strategic distraction	Strategic tool	Strategic tool

1.4. Theoretical Argument: The politics of crime control in military interventions

How can we explain this variation in the strategic role of crime control in U.S. military interventions? As mentioned above, the United States typically begins a military intervention

[131] 'Economic Defeat of the Islamic State: Behind the Scenes of Operation Tidal Wave II'.
[132] 'Economic Defeat of the Islamic State: Behind the Scenes of Operation Tidal Wave II'.
[133] Mumford, *The West's War Against Islamic State*, 2021, 76.
[134] Miller and Corey, 'Follow the Money'.

with treating crime control as a strategic distraction. This is because the United States is typically cost averse and seeks to minimise resources spent on 'non-traditional' security tasks such as crime control in military interventions.[135] When U.S. officials (both military and others) on the ground, journalists, members of Congress, or foreign elites believe that crime is becoming a strategic threat, they may demand crime control to be treated as a strategic tool. Their perception of crime control in the military intervention as a strategic threat is influenced by their past experiences, the bureaucracy and associated bureaucratic politics in which they are embedded in,[136] and their own normative beliefs and dispositions.[137] Whatever the reason, when these elites consider crime to be a strategic threat, they issue a demand for crime control to be treated as a strategic tool. They then formulate this demand into policy proposals for the U.S. President and his advisors to discuss.[138] Faced with such a demand, the U.S. President and his advisors weigh the domestic audience costs of treating crime control as a strategic distraction against the human and material costs of treating crime control as a strategic tool. Whether U.S. officials issue a demand is also influenced by other factors such as the individual experiences and biases of individual actors,[139] the bureaucratic politics between different U.S. Departments and agencies,[140] and the different organisational cultures in which they are embedded in.[141]

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[135] Michael Mayer, 'Trigger Happy: The Foundations of US Military Interventions', *Journal of Strategic Studies* 42, no. 2 (23 February 2019): 259–81, https://doi.org/10.1080/01402390.2018.1559155; Schadlow, *War and the Art of Governance*; Jennifer Morrison Taw, *Mission Revolution: The U.S. Military and Stability Operations*, Columbia Studies in Terrorism and Irregular Warfare (New York, N.Y: Columbia University Press, 2012).

[136] On how institutions can affect perceptions see e.g.: Friesendorf, *How Western Soldiers Fight*.

[137] On how attitudes towards crime are based on normative beliefs see e.g.: Monica M. Gerber and Jonathan Jackson, 'Authority and Punishment: On the Ideological Basis of Punitive Attitudes towards Criminals', *Psychiatry, Psychology and Law* 23, no. 1 (2 January 2016): 113–34, https://doi.org/10.1080/13218719.2015.1034060.

[138] This process is derived from: Thomas Knecht, *Paying Attention to Foreign Affairs: How Public Opinion Affects Presidential Decision Making* (University Park, PA: Penn State University Press, 2010).

[139] See e.g.: Gerber and Jackson, 'Authority and Punishment'.

[140] Keane, 'The Impact of Bureaucratic Conflict on US Counternarcotics Efforts in Afghanistan'.

[141] Friesendorf, *How Western Soldiers Fight*.

The core of the argument is that ignoring crime in military interventions carries, under certain conditions, domestic audience costs for the U.S. President. It has been well established that domestic crime policymaking is influenced by political and electoral incentives, in what criminologists have called the politicisation of crime control.[142] Politicians fear being portrayed as inactive against crime, especially when such crimes gain the attention of the mass media, and by extension the U.S. public.[143] Thus, politicians in the United States and other Western democracies, face strong incentives to present demonstrable actions against crime to the U.S. public, and avoid being depicted by political opponents as 'soft on crime'.[144] Crucially, the incentives to show demonstrative action on crime control have been bipartisan and politicians from both the Democratic and Republican parties have presented themselves as tough on law and order in U.S. domestic politics.[145] Although this politicisation of crime control has evolved over time,[146] politicians have converged on the basic idea that it is politically risky to not be seen as 'tough on crime', even when such policies are ineffective in curbing crime.[147]

In the context of military interventions, however, criminal activity in the military intervention does not create the same pressures on U.S. Presidents than it does in domestic

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[142] Jonathan Simon, *Governing through Crime How the War on Crime Transformed American Democracy and Created a Culture of Fear* (Oxford: Oxford University Press, 2009); Tim Newburn, 'Contrasts in Intolerance: Cultures of Control in the United States and Britain', in *The Politics of Crime Control: Essays in Honour of David Downes*, ed. Tim Newburn and David Downes, Clarendon Studies in Criminology (Oxford [u.a]: Oxford Univ. Press, 2009), 227–70; Garland, *The Culture of Control*; Loader and Sparks, *Public Criminology?*

[143] David Garland, 'On the Concept of Moral Panic', *Crime, Media, Culture* 4, no. 1 (1 April 2008): 9–30, https://doi.org/10.1177/1741659007087270.

[144] Garland, 'What's Wrong with Penal Populism? Politics, the Public, and Criminological Expertise'; Loader and Sparks, *Public Criminology?*, 61.

[145] See for example Gunderson's analysis of Gubernatorial races and the role of punitive politics in those races: Anna Gunderson, 'Who Punishes More? Partisanship, Punitive Policies, and the Puzzle of Democratic Governors', *Political Research Quarterly* 75, no. 1 (March 2022): 3–19, https://doi.org/10.1177/1065912920987078.

[146] See e.g.: John Pratt and Michelle Miao, 'Penal Populism: The End of Reason', SSRN Scholarly Paper (Rochester, NY, 23 January 2017), https://papers.ssrn.com/abstract=2903819; Ian Loader, 'Prefiguring a Better Politics of Crime: The Practice of Democratic under-Labouring', *British Society of Criminology Newsletter*, no. 83 (2018), https://www.britsoccrim.org/bscnewsletters/.

[147] Jonathan Simon, 'Beyond Tough on Crime: Towards a Better Politics of Prosecution', in *Prosecutors and Democracy: A Cross-National Study*, ed. David Alan Sklansky and Máximo Langer, ASCL Studies in Comparative Law (Cambridge: Cambridge University Press, 2017), 227–49, https://doi.org/10.1017/9781316941461.010; Garland, 'Penal Controls and Social Controls: Toward a Theory of American Penal Exceptionalism'.

contexts. The U.S. public, the primary audience in domestic crime policymaking, is typically ill-informed about foreign affairs.[148] Members of the U.S. public hence rely on elite cue givers, such as journalists and trusted partisan politicians, to form their opinions on foreign policy issues.[149] While these elite cue givers are not omnipotent in shaping public opinion – for example they cannot veer too far off from latent beliefs held by the public,[150] and their ability to shape public opinion decreases over time[151] – they are important in shaping public opinion.

The President and his advisors can expect to incur domestic audience costs for treating crime as a strategic distraction when these cue givers send informational cues to the U.S. public or other elites about crime in the military intervention. There are two reasons for why informational cues can increase expected domestic audience costs. First, by sending informational cues about crime in the military intervention, cue givers may present crime as a war sustaining activity which prolongs the war by supporting enemy belligerents. In this way, cue givers connect the salient issue of the war effort with that of crime control. Hence, when the U.S. President continues to treat crime control as a strategic distraction, he may fear that the U.S. public will see the President as uncommitted to the war effort. Second, cue givers may present crime as an indicator for a failing war effort. In this instance, the criminal activity itself matters little. The President may then seek to prevent the image of a failing war effort by treating crime control as a strategic tool.

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[148] For two comprehensive literature reviews on public opinion and foreign policy making see: Powlick and Katz, 'Defining the American Public Opinion/Foreign Policy Nexus'; Christopher Gelpi, 'Democracies in Conflict: The Role of Public Opinion, Political Parties, and the Press in Shaping Security Policy', *Journal of Conflict Resolution* 61, no. 9 (October 2017): 1925–49, https://doi.org/10.1177/0022002717721386.

[149] Christopher Gelpi, 'Performing on Cue? The Formation of Public Opinion Toward War', *Journal of Conflict Resolution* 54, no. 1 (February 2010): 88–116, https://doi.org/10.1177/0022002709352845.

[150] Joshua D. Kertzer and Thomas Zeitzoff, 'A Bottom-Up Theory of Public Opinion about Foreign Policy', *American Journal of Political Science* 61, no. 3 (2017): 543–58, https://doi.org/10.1111/ajps.12314.

[151] Matthew A. Baum and Tim Groeling, 'Reality Asserts Itself: Public Opinion on Iraq and the Elasticity of Reality', *International Organization* 64, no. 3 (July 2010): 443–79, https://doi.org/10.1017/S0020818310000172.

Crucially, actual public opinion on crime in military interventions matters little in this process. Elites trying to get the President to switch his policy, can use informational cues to increase domestic audience costs for the President regardless of whether these audience costs are real or not.[152] Because the President and his advisors often act on how they expect public opinion to develop in the future, rather than actual public opinion in that moment in time,[153] these informational cues do not need to have swayed public opinion, before they can affect the U.S. President's decision-making.[154]

These expected domestic audience costs are weighed against the expected material and human costs that a President and his advisors expect to incur from treating crime control as a strategic tool. Treating crime control as a strategic tool carries significant costs, either in material resources (e.g. airstrikes on objects used in crime)[155], casualties (e.g. when criminals fight back or belligerents protect criminal actors)[156], or both. Treating crime control as a strategic tool hence is dependent on whether Presidents and their advisors are willing to bear the relevant costs. When the expected domestic audience costs of treating crime control as a strategic distraction outweigh the expected material and human costs of treating crime control as a strategic tool, then crime control will be treated as a strategic tool. If the expected material and human costs of treating crime control as a strategic tool outweigh the expected domestic audience costs of treating crime control as a strategic distraction, then crime control continues to be a strategic distraction.

How does the United States switch from treating crime control as a strategic tool to treating it as a strategic distraction? The process of a change from treating crime control as a

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[152] Walldorf, 'Narratives and War'; Saunders, *The Insiders' Game*, 8.

[153] Powlick and Katz, 'Defining the American Public Opinion/Foreign Policy Nexus', 33.

[154] Saunders argues similarly that information costs can 'stay within elite circles' and still impose costs on leaders. See e.g.: Saunders, *The Insiders' Game*, 8.

[155] Mansfield, 'Denying Revenue or Wasting Money? Assessing the Impact of the Air Campaign Against "Drug Labs" in Afghanistan'.

[156] Felbab-Brown, *Shooting Up*.

strategic tool to strategic distraction is the same as from treating crime control as a strategic distraction to strategic tool. As I will show in chapter three, when the United States treats crime control as a strategic tool, demands for increased crime control efforts can still emerge. These prompt another cost calculation by the President and his advisors. This can then lead to the President and his advisors to not only reject proposals for increasing crime control efforts, but also to reduce existing strategies.

1.5. Method

To build my theory, I use 'explaining outcome process tracing'.[157] Process tracing is a qualitative research method, which is used to identify and test a hypothesised causal process between two variables.[158] It focusses on the mechanisms that link one or multiple independent variables with their dependent variables.[159]

My independent variable is the demand for crime control efforts by bureaucratic, military, journalistic, and/or foreign elites in a military intervention. The key indicator for this demand is whether these officials issued a policy proposal that crime control efforts should be treated as a strategic tool to the President or his advisors. This includes policy proposals that were introduced at the National Security Council or in more informal settings in the White House.

My dependent variable is whether the United States treats crime control as a strategic tool or strategic distraction. I measure this using three indicators. First, is the deployment of U.S. law enforcement personnel to the host nation of the military intervention. Second, is whether the United States establishes capacity building programs to build the crime control

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[157] Derek Beach and Rasmus Brun Pedersen, *Process-Tracing Methods: Foundations and Guidelines*, Second Edition. (Ann Arbor: University of Michigan Press, 2019), 281.

[158] Beach and Pedersen, *Process-Tracing Methods: Foundations and Guidelines*; Derek Beach, 'It's All about Mechanisms – What Process-Tracing Case Studies Should Be Tracing', *New Political Economy* 21, no. 5 (2 September 2016): 463–72, https://doi.org/10.1080/13563467.2015.1134466.

[159] Beach and Pedersen, *Process-Tracing Methods: Foundations and Guidelines*.

capacities of the host nation of the intervention. This includes police-building as well as mentoring efforts. Third, is the extension of military authorities to target criminal objects or support local law enforcement officials in their operations.

In building my theory, I engaged in an iterative process whereby I designed a hypothesised causal process and tested whether it can explain the outcome in my empirical cases.[160] I then updated the causal process according to my observations and tested it again.

I rely on qualitative data to build my theory. I rely on fifty-nine semi-structured elite interviews which I conducted between November 2022 and January 2024.[161] Interviewees include former U.S., British, Australian and Afghan government officials as well as Iraqi law enforcement officials. This list included General (ret.) John Allen, a former U.S. four-star general; Lieutenant (ret.) General H.R. McMaster, a former National Security Advisor to President Donald Trump and former commander of Task Force Shafafiyat in Afghanistan; U.S. three-star generals; one British three-star general; one Australian general; members of the U.S. cabinet; two former U.S. Congressmen; senior U.S. and Iraqi law enforcement officials; senior U.S. Defense Department officials; senior U.S. Treasury officials; senior U.S., British and Afghan diplomats, including several ambassadors and deputy ambassadors; as well as senior advisors to the U.S. President. In addition to government and law enforcement officials, I also interviewed journalists and academic or think-tank experts. Interviews were conducted both online and in person, between November 2022 and April 2024. In person interviews were conducted in Oxford, London, Washington DC, and Arlington, Virginia. In choosing my interview partners I relied on a mix of purposive sampling as well as snowballing. Purposive sampling was done by using secondary literature to identify individuals involved in decision-making processes or crime control efforts in U.S. military interventions.

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[160] See Beach and Pedersen, 269.

[161] This research project has received approval from the University of Oxford's Central University Research Ethics Committee with reference number: SSH_DPIR_C1A_22_028

Some individuals were interviewed more than one time, and I count each conversation as a separate interview. My shortest interview was around twenty minutes long, while my longest interview lasted a little over three hours. In addition to elite interviews, I rely on archival material, namely the digitalised National Security Archive at George Washington University in Washington D.C., the Afghanistan Papers published by the Washington Post, the archived website of the Iraq Inquiry, the online Central Intelligence Agency archive as well as other online resources, and other secondary literature.

Despite this range of data sources, there is data which I tried to collect but could not. First, certain archival data, in particular notes from members of Congress who advocated for crime control policies in Afghanistan and Iraq, remain classified for thirty years after their creation.[162] This includes, for example, notes by former member of the House of Representative Mark Souder, who was a strong advocate for U.S. counternarcotics efforts in Afghanistan. Future research may draw on these sources when they become available to test this thesis' argument.

Second, while I interviewed local Afghan and Iraqi officials (including two former Iraqi police officers, and one former Afghan ambassador to the United States, I focussed in my interview recruitment on senior U.S. officials. The reason for this is that local Afghan and Iraqi officials were often far removed from observing the decision-making dynamics in Washington D.C. and often were only left with the implications of those decisions. Senior U.S. officials were often in a better position to judge and observe the factors influencing decision-making.

Interviews started with me reiterating the key points of the participant information sheet such as the goal of the research, how I plan to store and analyse the collected data, and how participants can withdraw from the study or make complaints. I then asked interviewees

[162] Art. 3(4) 'Rules of the House of Representative: Rule VII: Records of the House' (2021), https://www.archives.gov/legislative/research/house-rule-vii.html.

whether they had any questions and if not, whether they are happy to proceed with the interview and whether they would be okay with being recorded.

In elite interviewing it is important to ask targeted questions.[163] This meant that before each interview I conducted extensive research into each interviewee's background and position. I then used this research to formulate some preliminary questions for each interviewee before the interview, which served as the basis for the semi-structured interview. While questions were often targeted to the individual at hand, I often started interviews in the same way by asking the interviewee to reflect on the role U.S. crime control efforts played in U.S. military interventions or to reflect on the overall role of crime in military interventions. Due to the differences in experience and positionality of the individuals involved interviews very quickly developed in different directions from this question. I would then either ask follow-up questions based on the interviewee's response or proceed to ask another one of my prepared questions, which were often related to specific events or crime control efforts that the interviewee was dealing with.

In selecting my cases, I focussed on U.S. military interventions after the 11th September 2001 that included the deployment of at least one thousand combat-ready ground troops to another country to 'influence an outcome in another state or an interstate dispute'.[164] The reason for why I focus on U.S. interventions after the 11th September 2001 is that in response to the 11th September 2001 attacks on the United States, the United States underwent important changes in its security institutions which makes comparisons between military

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[163] Matthew N. Beckmann and Richard L. Hall, 'Elite Interviewing in Washington, DC', in *Interview Research in Political Science*, ed. Layna Mosley (Ithaca: Cornell University Press, 2013), 196–208, http://ebookcentral.proquest.com/lib/oxford/detail.action?docID=3138479; William S. Harvey, 'Methodological Approaches for Interviewing Elites', *Geography Compass* 4, no. 3 (2010): 193–205, https://doi.org/10.1111/j.1749-8198.2009.00313.x; Robert Mikecz, 'Interviewing Elites: Addressing Methodological Issues', *Qualitative Inquiry* 18, no. 6 (1 July 2012): 482–93, https://doi.org/10.1177/1077800412442818.

[164] This is derived from Saunders' definition of military interventions. See e.g.: Elizabeth N. Saunders, *Leaders at War: How Presidents Shape Military Interventions* (Cornell University Press, 2011), 4, https://doi.org/10.7591/9780801460999.

interventions before September 2001 and interventions after September 2001 more difficult.[165] For example, the passing of the U.S. PATRIOT Act created new crimes and penalties as well as new authorities for law enforcement agencies to disrupt and control these crimes.[166] Thus, analysing U.S. crime control efforts post-9/11 allows for better comparison between cases, as the institutional powers with which the United States acted against crime in conflict remained more or less the same.[167]

I also focus only on military interventions which include the deployment of at least one thousand combat ready ground troops to the host nation of the intervention. The reasons for this are that if a military intervention is conducted with air power only, the United States does not confront criminal actors directly on the ground. Hence, the dynamics of crime and warfare change because no U.S. soldiers are under particular high risk from confronting criminal powerbrokers or civilians reliant on crime.

These criteria then leave me with two cases. The U.S. intervention in Afghanistan and the U.S. intervention in Iraq (including the intervention against ISIL in the territories of Iraq and Syria). Within these cases, I select subcases based on when the President approved or rejected proposals to treat crime control as a strategic tool in a military intervention.

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[165] Andreas and Nadelmann, *Policing the Globe*, 190–91.

[166] Andreas and Nadelmann, 190–91.

[167] Some U.S. officials tried to stretch the powers of combatting crime in conflict at different points in time. For example, in 2009 General (ret.) Bantz Craddock sent a memo authorising the direct targeting of drug traffickers in Afghanistan even if there was no direct evidence that they were connected to the Taliban. See e.g.: Susanne Koelbl, 'Battling Afghan Drug Dealers: NATO High Commander Issues Illegitimate Order to Kill', *Der Spiegel*, 28 January 2009, https://www.spiegel.de/international/world/battling-afghan-drug-dealers-nato-high-commander-issues-illegitimate-order-to-kill-a-604183.html; Matthias Gebauer and Susanne Koelbl, 'Battling Drugs in Afghanistan: Order to Kill Angers German Politicians', *Der Spiegel*, 29 January 2009, sec. International, https://www.spiegel.de/international/world/battling-drugs-in-afghanistan-order-to-kill-angers-german-politicians-a-604430.html.

1.6. Alternative Explanations

The general assumption is that strategic requirements on the ground are sufficient for the implementation of crime control efforts. I argue that they are not sufficient, but they play a role in the causal chain I theorize, since material strategic costs on the ground of treating crime control as a distraction are a likely reason why elites would create a demand for policy change. In that sense 'strategic conditions on the ground' are not an alternative explanation to the main argument developed here. But there are others: does an intervention's overall strategic goal determine the strategic role of crime control in the military intervention? For example, if the intervention's aim is counterterrorism, then crime control is a strategic distraction as counterterrorism often involves the killing and capturing of terrorists and does not need to include the combatting of crime.[168] If the aim is state-building, crime control may be a strategic tool because crime is a threat to the state and needs to be defeated for successful state building.[169]

I argue that upon closer examination, the strategic goals of the intervention matter little in determining the strategic role of crime control. For example, as Sarah Chayes and others have argued, effective counterterrorism requires the implementation of crime control as a strategic tool, as crime fuels grievances which terrorist groups can exploit for their own political purposes.[170] Conversely, the idea that state-building requires the combatting of crime is equally flawed. Famously, Charles Tilly argued that state-building is akin to a protection

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[168] See e.g. Alexandra Gheciu, 'Securing Distant Places? Practices of Protection in Contemporary Peace-Support Operations', *Global Crime* 13, no. 4 (November 2012): 303, https://doi.org/10.1080/17440572.2012.715399; Andreas and Nadelmann, *Policing the Globe*, 191.

[169] See e.g. Jan Angstrom, 'Inviting the Leviathan: External Forces, War, and State-Building in Afghanistan', *Small Wars & Insurgencies* 19, no. 3 (September 2008): 374–96, https://doi.org/10.1080/09592310802228690.

[170] Chayes, *Thieves of State*; Tamara Makarenko and Michael Mesquita, 'Categorising the Crime–Terror Nexus in the European Union', *Global Crime* 15, no. 3–4 (2 October 2014): 259–74, https://doi.org/10.1080/17440572.2014.931227; Lisa Curtis, 'U.S. Counternarcotics Policy: Essential to Fighting Terrorism in Afghanistan', 2013, http://www.fas.org/.

racket establishing itself as the dominant power in a given territory.[171] Elsewhere, Dipali Mukhopadhyay argued that criminal powerbrokers such as warlords can fulfil governance and state functions.[172] By implication then, warlords and criminal powerbrokers may act as state-builders themselves. Hence, intervening in their affairs by implementing crime control efforts can impede state-building. Therefore, theoretically, the overarching goal of the intervention may not matter too much in determining the strategic role of crime control.

Another closely related explanation is that crime control is implemented as part of a larger set of reconstruction or nation-building measures. For example, in November 2005 President Bush announced his National Strategy for Victory in Iraq.[173] The strategy highlights the need for the United States to 'advance the rule of law' among a host of other measures all intended to turn the tide in the Iraq war.[174] Crucially, the publication of the strategy by the Bush administration may have been intended to boost public confidence in the war strategy and thereby avoid potential audience costs.[175] Feaver, Gelpi and Reifler have famously argued that so long as the U.S. public believes in the prospects of military success, they will continue to support a Presidential administration in their war effort.[176] In other words, crime control efforts need to be read in the context of a host of measures implemented by a President to counteract perceptions of a failing war strategy in the U.S. public and thereby avoid domestic audience costs.

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[171] Tilly, 'War Making and State Making as Organized Crime'.

[172] Dipali Mukhopadhyay, *Warlords, Strongman Governors, and the State in Afghanistan* (Cambridge: Cambridge University Press, 2016).

[173] 'National Strategy for Victory in Iraq' (National Security Council, November 2005), https://permanent.fdlp.gov/lps65388/ADA442621.pdf.

[174] 'National Strategy for Victory in Iraq', 8.

[175] Scott Shane, 'Bush's Speech on Iraq War Echoes Voice of an Analyst', *The New York Times*, 4 December 2005, sec. U.S., https://www.nytimes.com/2005/12/04/politics/bushs-speech-on-iraq-war-echoes-voice-of-an-analyst.html; Adam J. Berinsky and James N. Druckman, 'Review: Public Opinion Research and Support for the Iraq War', *The Public Opinion Quarterly* 71, no. 1 (2007): 126–41.

[176] Christopher Gelpi, Peter D. Feaver, and Jason Reifler, 'Success Matters: Casualty Sensitivity and the War in Iraq', *International Security* 30, no. 3 (January 2006): 7–46, https://doi.org/10.1162/isec.2005.30.3.7.

Of course, the overall strategy and strategic objectives chosen are dependent on the overall size of the U.S. intervention and such decisions do affect the way in which crime control efforts can be implemented. In other words, crime control may have been influenced not only by domestic audience costs, but rather by whether or not the United States has the necessary resources to combat crime in a military intervention. We should not expect, for example, the United States to patrol the streets of a city, when it has decided that it is not going to send in enough ground troops to do so in the first place. But we can within those parameters expect the United States to combat crime within predefined limits. Again, my argument is that while the overall strategy and strategic objectives chosen matter, an explanation solely based on these factors is incomplete. A focus needs to be put on how U.S. decision-makers perceive the domestic costs and benefits of crime control to understand when and why it will use crime control efforts as a strategic tool or not.

1.7. Conclusion

The decisions the United States has made toward crime in its military interventions in Afghanistan and Iraq have been deeply impactful on the lives of civilians.[177] Understanding how the United States makes decisions with regards to crime in military interventions can help identify possible avenues for the improvement of future crime policymaking.

In this thesis, I argue that crime control efforts do not merely emerge in response to a criminal threat on the ground. Rather, a demand for crime control efforts, based on the perception of a criminal threat on the ground, kicks off a process in which domestic political considerations determine whether the United States treats crime control as a strategic tool or not. For crime control to be treated as a strategic tool, it is necessary that the expected domestic

[177] Stromseth, Wippman, and Brooks, *Can Might Make Rights?*

audience costs of ignoring crime outweigh the expected human and material costs of treating crime control as a strategic tool.

Crucially, my aim here is not to discount the fact that crime contributes to insecurity and interlinks with malicious political actors. Crime can often be a source of insecurity and affect the lives of millions of individuals. However, despite countless efforts to curb crime in military interventions, these efforts have been largely unsuccessful, and lessons have not been learned.[178] Understanding why certain decisions are made at some points but not at others is necessary to lend power to policy recommendations which may improve the lives of civilians in military interventions.

The decision-making model that I seek to advance takes into account bureaucratic and psychological factors (such as normative beliefs and biases) in decision-making. While I argue that the outcome is dependent on a cost-benefit calculation, I argue that psychological and bureaucratic factors influence how the costs and benefits of either course of action are perceived.

By drawing attention to how the domestic politics of crime control can influence U.S. strategic decision-making abroad, this thesis also contributes to research on how the U.S. public can shape foreign policy decision-making, for better and for worse. Decisions about crime and how to control it are connected to the ideas of how a public believes it can achieve security.[179] Hence, this research adds to a burgeoning literature on how domestically held ideas about justice, crime, policing, order, and related concepts can affect U.S. decision-making in warfare.[180] It prompts societies to critically question their conceptualisations of security and

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[178] Gheciu, 'Securing Distant Places?'; Andreas and Nadelmann, *Policing the Globe*, 191; Annette Idler and Juan Carlos Garzón Vergara, *Transforming the War on Drugs: Warriors, Victims and Vulnerable Regions*, ed. Annette Idler (Oxford University Press, 2021), https://doi.org/10.1093/oso/9780197604359.001.0001; Felbab-Brown, 'Pipe Dreams: The Taliban and Drugs from the 1990s into Its New Regime'.

[179] See e.g.: Emile Durkheim, *The Division of Labour in Society* (Macmillan Press, 1984).

[180] See e.g.: Janina Dill and Livia I. Schubiger, 'Attitudes toward the Use of Force: Instrumental Imperatives, Moral Principles, and International Law', *American Journal of Political Science* 65, no. 3 (July

how to achieve it. Recent calls by criminologists towards a 'better politics of crime' could provide an important avenue for achieving this aim.[181] These criminologists argue that greater political discourse and open engagement is needed to produce better politics of crime.[182] This indicates that greater public discourse on how security can be thought of and achieved to meet the strategic requirements on the ground as well as protect civilians in conflict from the harms of crime, may be one key avenue in which crime control policies in military interventions can become more effective and ethical to safe human lives.

2021): 612–33, https://doi.org/10.1111/ajps.12635; J. Dill, S. D. Sagan, and B. Valentino, 'Inconstant Care: Public Attitudes Towards Force Protection and Civilian Casualties in the United States, United Kingdom, and Israel', *Journal of Conflict Resolution*, 2022, https://doi.org/10.1177/00220027221119768; Anthony F. Lang, 'The Politics of Punishing Terrorists', *Ethics & International Affairs* 24, no. 1 (2010): 3–12, https://doi.org/10.1111/j.1747-7093.2010.00240.x; Anthony F. Lang, 'Punitive Intervention: Enforcing Justice or Generating Conflict?', in *Just War Theory: A Reappraisal*, ed. Mark Evans, 2005, 50–70; Caroline Holmqvist, *Policing Wars: On Military Intervention in the Twenty-First Century* (London: Palgrave Macmillan UK, 2014), https://doi.org/10.1057/9781137323613.

[181] Garland, 'What's Wrong with Penal Populism? Politics, the Public, and Criminological Expertise'; Ian Loader and Richard Sparks, 'Ideologies and Crime: Political Ideas and the Dynamics of Crime Control', *Global Crime* 17, no. 3–4 (October 2016): 314–30, https://doi.org/10.1080/17440572.2016.1169926.

[182] Loader and Sparks, *Public Criminology?*

Chapter 2. The politics of crime control in U.S. military interventions

2.1. Introduction

Prevailing theories of crime control efforts in military interventions maintain that the United States usually ignores crime in military interventions.[183] However, as outlined in the introduction in the U.S. military interventions in Afghanistan, Iraq, and against ISIL in Syria and Iraq, the United States did not always ignore crime. While the United States started each intervention ignoring crime in the host nation, it changed its strategy several times with phases during which it implemented crime control efforts as part of its war strategy. How can we make sense of this variation?

This chapter presents a theory that explains when and why the United States switched the strategic role of crime control in U.S. military interventions. Specifically, I argue that the criminal activity contributing to a conflict, and a resulting demand for crime control efforts by military, bureaucratic, journalistic, Congressional, or foreign elites, are not sufficient to cause the United States to treat crime control as a strategic tool. Instead, the perception of the strategic threat of crime and an associated demand for crime control initiate a process which leads to a cost calculation by the President and his advisors. In this cost calculation, expected domestic audience costs of treating crime control as a strategic distraction are weighed against the expected material and human costs of treating crime control as a strategic tool. When the expected domestic audience costs of treating crime control as a strategic distraction outweigh the expected material and human costs of treating crime control as a strategic tool, crime control will be treated as a strategic tool. If not, it will continue to be treated as a strategic distraction.

[183] Schadlow, *War and the Art of Governance*; Perito, *Where Is the Lone Ranger?*

This chapter will proceed as follows. I will first discuss the strategic roles of crime control in military interventions, by first discussing how to think about crime in military interventions and then defining the strategic roles of crime control in conflict settings. Second, I discuss the relevant actors, that make decisions on the strategic role of crime control in military interventions. While local commanders maintain significant autonomy in deciding whether to respond to crime or not, I here focus on decisions by the President, his advisors, and their deputies. Third, I discuss the causal chain that leads to a change in the strategic role of crime control. At each step, I discuss the relevant actors, their interactions, and their incentives as well as the mechanisms linking actors in one step to actors in the next step. Fourth, I discuss testable implications for my argument. Fifth, I discuss factors operating alongside the causal chain. Lastly, I will conclude by highlighting the implications of this theory.

2.2. The strategic roles of crime control in military interventions

2.2.1. Thinking about crime in conflict settings

The definition of crime is a point of contention among criminologists and those interested in studying crime and deviant behaviour.[184] Indeed, as Brombacher et al. argue, because definitions of crime vary across time and space, it is difficult and often impractical, to arrive at one definition that works for every analysis.[185] The most straight-forward definition of crime defines crime as any act or omission which is prohibited under the criminal law of a

[184] See e.g. Raymond J. Michalowski, 'What Is Crime?', *Critical Criminology* 24, no. 2 (June 2016): 181–99, https://doi.org/10.1007/s10612-015-9303-6; Tim Newburn, *Criminology: A Very Short Introduction*, 1st ed. (Oxford University Press, 2018), https://doi.org/10.1093/actrade/9780199643257.001.0001; Paddy Hillyard, ed., *Beyond Criminology: Taking Harm Seriously* (London [England], Black Point, Nova Scotia: Pluto Press ; Fernwood Publishing, 2004). See also

[185] Daniel M. A. Brombacher et al., *Geopolitics of the Illicit: Linking the Global South and Europe*, vol. 25, Weltwirtschaft Und Internationale Zusammenarbeit (Baden-Baden: Nomos Verlagsgesellschaft mbH & Co. KG, 2022), 17, https://doi.org/10.5771/9783748935940.

specific country.[186] A definition solely tied to criminal law, however, does not explain why certain activities are prohibited under criminal law while others are not.[187] Hence, it does not actually define what makes an activity a crime or not.

In many conflict settings, questions of defining and responding to crime are further confounded by a plethora of competing actors who each claim the authority to define and respond to crime in a territory.[188] As the domestic arrangements of law making and crime control in the host nation are upended, new or already existing alternative legal authorities to that of the state rise in prominence.[189] These alternative legal authorities may draw or claim to draw their legitimacy from ethnic, religious, or tribal authorities or simply through forceful coercion.[190] The resulting 'legal pluralism' can lead to contestation among actors about what constitutes a criminal offense and how it should be responded to.[191] This may not only spur violent conflict, but also complicates identifying commonly accepted definitions of crime in societies affected by conflict.[192]

For the purposes of this thesis, I follow John Hagan's definition of crime as 'a kind of deviance, which in turn consists of variation from a social norm, that is proscribed by criminal law.'[193] Hagan's definition is useful because it anchors the definition of crime in criminal law

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[186] Stuart Henry and Mark M. Lanier, 'The Prism of Crime: Arguments for an Integrated Definition of Crime', *Justice Quarterly* 15, no. 4 (1 December 1998): 609–27, https://doi.org/10.1080/07418829800093921; Bruce DiCristina, 'Criminology and the "Essence" of Crime: The Views of Garofalo, Durkheim, and Bonger', *International Criminal Justice Review* 26, no. 4 (December 2016): 297–315, https://doi.org/10.1177/1057567716660359; Newburn, *Criminology*.

[187] Hillyard, *Beyond Criminology*, 11.

[188] See e.g. Stromseth, Wippman, and Brooks, *Can Might Make Rights?*; Markus Schultze-Kraft, *'Crimilegal' Orders, Governance and Armed Conflict* (Cham: Palgrave Macmillan, 2019), https://doi.org/10.1007/978-3-030-03442-9; Gheciu, 'Securing Distant Places?'; Robert B. Oakley, Michael J. Dziedzic, and Eliot M. Goldberg, eds., *Policing the New World Disorder: Peace Operations and Public Security* (Washington, DC: National Defense University Press, 1998).

[189] Schultze-Kraft, *'Crimilegal' Orders, Governance and Armed Conflict*; Geoffrey Swenson, *Contending Orders: Legal Pluralism and the Rule of Law* (New York, NY: Oxford University Press, 2022).

[190] Swenson, *Contending Orders*, 12–13.

[191] Swenson, *Contending Orders*.

[192] Swenson.

[193] John Hagan, *Modern Criminology: Crime, Criminal Behavior, and Its Control*, McGraw-Hill Series in Criminology and Criminal Justice (New York: McGraw-Hill, 1985), 49.

while also recognising that criminal law is tied to the norms collectively held by a society. It thus allows for the understanding crime as changing across time and space. I refer to both the criminal law in the United States and the host nations of the military intervention.[194]

In the military interventions under scrutiny, a question emerges regarding how to differentiate between criminal activities and the acts of insurgency and terrorism.[195] After all, insurgency and terrorism are prohibited under criminal law. The way past researchers of conflict studies have differentiated crime from insurgency/terrorism is by arguing that crime is pursued to achieve economic benefits, while terrorism and insurgency are pursued for political purposes.[196] However, this differentiation presumes that criminal actors are non-political. While crime is often conducted for economic profit, such economic profit can easily be translated into political power.[197] In addition, as James Cockayne has argued, criminals are not purely motivated by economic power, but often seek to position themselves as political actors in the territories they control.[198] Moreover, in many conflict settings such as Afghanistan, political actors use criminal activities as a tool to maintain patronage networks and further their own political agenda.[199] For these reasons, merely differentiating crime from terrorism and insurgency by claiming that the former is pursued for economic ends while the latter is pursued for political ends, mischaracterises the dynamics of crime in conflict.

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[194] An important shortcoming of this definition is that it eclipses certain types of elite deviance that are not covered by criminal law. These include actions or activities perpetrated by powerful elites or companies that may not be illegal but *should* be criminalised. This is the argument advance by proponents of Zemiology (the study of harm), who argue that one should refrain from using definitions of crime based on criminal law, because doing so will lead to a skewed perception of what is considered harmful behaviour in society. See e.g.: Hillyard, *Beyond Criminology*.

[195] Stathis N. Kalyvas, 'How Civil Wars Help Explain Organized Crime—and How They Do Not', *Journal of Conflict Resolution* 59, no. 8 (December 2015): 1517–40, https://doi.org/10.1177/0022002715587101.

[196] Kalyvas, 1518–19.

[197] James Cockayne, 'Chasing Shadows: Strategic Responses to Organised Crime in Conflict-Affected Situations', *The RUSI Journal* 158, no. 2 (1 April 2013): 10–24, https://doi.org/10.1080/03071847.2013.787729.

[198] Cockayne, *Hidden Power*.

[199] Timor Sharan, *Inside Afghanistan: Political Networks, Informal Order, and State Disruption*, Routledge Contemporary South Asia Series (Abindgon, Oxon ; New York, NY: Routledge, 2023).

Rather, I differentiate criminal actors from insurgents and terrorists by how they relate to the state. Criminal actors do not seek to upend nor replace the political arrangements of the state, although they frequently use violence or infiltration techniques to affect or shape a state's policy.[200] By and large criminal actors are happy to co-exist with the state so long as they are able to conduct their business or political activities.[201] Terrorists and insurgents, on the other hand, try to upend the state and replace it with their own vision of political governance.[202] Terrorist and insurgents are unable to co-exist with the state. Hence, I exclude the crimes of terrorism and insurgency from my definition of crime.

2.2.2. U.S. strategy and the strategic roles of crime control

Before continuing the present discussion, it is important to conceptualise U.S. strategy in military interventions. Strategy can broadly be defined as 'a "theory of victory" or "theory of success", emphasising the causal mechanism between ends and means'.[203] Similarly, Colin Dueck argued that strategy is the 'identification of a country's existing and potential resources, and the selection of a plan or road map that uses those resources to meet those goals.'[204]

Nina Silove further conceptualises strategy in three different ways.[205] According to Silove, strategy can be understood as: (1) *strategic plans* consisting of formalised plans devised

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[200] Nicholas Barnes, 'Criminal Politics: An Integrated Approach to the Study of Organized Crime, Politics, and Violence', *Perspectives on Politics* 15, no. 4 (December 2017): 967–87, https://doi.org/10.1017/S1537592717002110.

[201] Markus Schultze-Kraft argues that criminals can infiltrate states to create what he calls a crimilegal order, where Weberian notions of statehoods are limited to describe politics. For more see: Schultze-Kraft, *'Crimilegal' Orders, Governance and Armed Conflict*.

[202] This is not to say that insurgent and terrorist groups do not cooperate with states or state actors from time to time. They often do. However, the point is that insurgent and terrorist groups have as their end goal the replacement of state arrangements, while criminal actors do not. For more see e.g.: Paul Staniland, 'Armed Politics and the Study of Intrastate Conflict', *Journal of Peace Research* 54, no. 4 (1 July 2017): 459–67, https://doi.org/10.1177/0022343317698848; Barnes, 'Criminal Politics'.

[203] Larsdotter, 'Military Strategy in the 21st Century', 157.

[204] Colin Dueck, *Reluctant Crusaders: Power, Culture, and Change in American Grand Strategy* (Princeton University Press, 2008), 1, https://doi.org/10.1515/9781400827220.

[205] While Silove focusses on Grand Strategy, I think her conceptualisations can be used for war strategy as well. See e.g.: Silove, 'Beyond the Buzzword: The Three Meanings of "Grand Strategy"'.

by individual decision-makers usually, but not always, written down in documents, (2) *strategic principles* consisting of broader organising principles that are consciously held and agreed on by individuals and are usually encapsulated in a short phrases or heuristics, and (3) a pattern of *strategic behaviours*, consisting of a pattern of strategic decisions by individual decision-makers either locally on the ground or in Washington D.C..[206]

For the purposes of this study, I conceptualise strategy as strategic plans as opposed to strategic principles or patterns of behaviour. The reason for this is that strategic plans represent the 'product of the efforts of individuals to control in detail the outputs of the state.'[207] I understand strategic plans then to be the product of a process containing individual actors who formulate and detail ideas on how to use the resources of the state to win a war. Principles and patterns of behaviour, on the other hand, are the outcome of much more abstract processes that operate at much larger timescales.[208] Hence, changes in patterns of behaviour and strategic principles only reveal themselves after long periods of time and are often less the outcome of strategic calculations made by actors, but rather the aggregated product of multiple individual and often subconsciously made decisions that are similar to each other.[209] While there is value in investigating such lower-level decisions, this research mainly concerns itself with higher-level decision-making regarding the strategic role of crime control in conflict. I hence define strategy as a set of ideas (ways) of how belligerents can deploy their resources (means) to achieve their desired strategic outcomes (ends), which express itself in formulated plans of the United States.

I argue that there are two ways in which intervening forces can deal with crime in military interventions: (1) treating crime control as a strategic tool (i.e. combatting crime) or

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[206] Silove.
[207] Silove, 53.
[208] Silove, 'Beyond the Buzzword: The Three Meanings of "Grand Strategy"'.
[209] Silove, 54–55.

(2) treating crime control as a strategic distraction (i.e. ignoring crime). I call these the two strategic roles of crime control because they each delineate what role crime control plays in the overall ways, ends, and means chain of a war strategy.

I measure whether the United States treats crime control as a strategic tool or distraction by checking for three indicators. First, whether the United States deploys its own domestic law enforcement agents to the theatre of operation either to conduct their own law enforcement operations or to aid local law enforcement in theirs. Second, whether the United States implements capacity building programs for law enforcement in the host nation. Third, whether the United States extends the authorities for U.S. military forces to support law enforcement missions through training, transport, equipment, intelligence sharing or grants authorities to directly target criminals or criminal objects.

Importantly, a clear-cut differentiation between treating crime control as a strategic tool and as a strategic distraction is difficult to achieve. Treating crime control as a strategic tool or a strategic distraction is often a matter of degree. Even in periods when the United States treated crime control as a strategic tool, the United States could always escalate its crime control efforts further. For example, between 2005 and 2008, the United States was considering using aerial spraying to eradicate the Afghan poppy crop, a clear escalation of existing counternarcotics efforts.[210] The fact that treating crime control as a strategic tool or not is often a matter of a degree, means that demands for crime control can be issued even when crime control is already treated as a strategic tool.

[210] SIGAR, 'Counternarcotics: Lessons from the U.S. Experience in Afghanistan', 93–100.

2.2.1. Crime control as a strategic distraction

The first way in which the United States may integrate crime control into its war strategy is as a strategic distraction.[211] Periods in which the United States treats crime control as a strategic distraction are characterised by the absence of U.S. law enforcement deployments to aid local law enforcement in their operations or conduct their own operations, the absence of capacity building programs, and the lack of military authorities to aid in law enforcement operations or target criminals or criminal objects. It also includes the rejection of proposals to establish or increase crime control efforts in the military intervention or decreasing any of the above-mentioned indicators of crime control as a strategic tool.

Under a distraction strategy, the United States may still keep a certain level of law enforcement cooperation with the host country of the intervention. Global cooperation between different law enforcement agencies of different countries has become a staple of international relations between states and countries frequently dispatch law enforcement liaison officers for that purpose.[212] We can then still expect minimal deployments of law enforcement agents to the theatre of operation to occur. However, these officers do not participate in criminal investigations on the ground.[213] For example, in February 2003 there were some DEA law enforcement personnel working in Kabul, but they did not participate in any investigations and mainly focussed on gathering intelligence on the Afghan opium market.[214]

Capacity building programs in the host nation of the intervention include the training and building of local law enforcement. There may be ad-hoc capacity building programs under

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[211] The term 'strategic distraction' is derived from comments made by General David Barno when describing the role of counternarcotics efforts in 2004 in Afghanistan. Barno commented that he thought that counternarcotics 'would be a distraction for us [U.S. forces in Afghanistan]' in 2004. See: Barno in Christopher N. Koontz, *Enduring Voices: Oral Histories of the U.S. Army Experience in Afghanistan, 2003-2005* (Center of Military History, United States Army, 2008), 29.

[212] Andreas and Nadelmann, *Policing the Globe*.

[213] SIGAR, 'Counternarcotics: Lessons from the U.S. Experience in Afghanistan', 41.

[214] SIGAR, 41.

a distraction strategy. For example, in Iraq in early 2003 the Coalition Provisional Authority tried to train the Iraqi police.[215] However, it used mainly Iraqi funds left from the Saddam Hussein regime for this purpose and hence police-building was relatively haphazard and ad-hoc.[216] It was not until 2004 that the Department of Defense took over police-training in Iraq, and with it, formalised police-building efforts and infused them with a significant amount of resources.[217]

Under a distraction strategy, I do not expect to observe an extension of military authorities to target criminal actors or aid local law enforcement in criminal investigations via transport, equipment, training, or otherwise. If they are already established, then a distraction strategy will consist of the curtailing of military authorities to target criminals or criminal objects or curtailing of authorities to aid local law enforcement in their operations.

By treating crime control as a strategic distraction, the United States avoids attracting the ill-will of actors involved in criminal activity.[218] It can also help the United States avoid spending too many resources on crime control efforts in military interventions, can help avoid mission creep, and avoids exposing troops to danger.[219]

Treating crime control as a strategic distraction may also allow the United States to gain the support of criminal powerbrokers.[220] For example, during the invasion of Sicily in World War II, the United States cooperated with the Italian mafia to gain local support, intelligence, and even lockpicking skills.[221] In return, a mobster, by the name of Lucky Luciano, who was a leading figure of the Italian mafia in the United States, was 'extradited' to Italy,

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[215] SIGIR, 'Hard Lessons: The Iraq Reconstruction Experience', 126.
[216] SIGIR, 126–27.
[217] Perito, 'The Iraq Federal Police: U.S. Police Building under Fire'.
[218] Dearing, 'Turning Gangsters into Allies'; Felbab-Brown, *Shooting Up*.
[219] Jennifer Morrison Taw and John E. Peters, 'Operations Other than War: Implications for the Us Army', *Small Wars & Insurgencies* 6, no. 3 (December 1995): 375–409, https://doi.org/10.1080/09592319508423118; Taw, *Mission Revolution*; Stromseth, Wippman, and Brooks, *Can Might Make Rights?*
[220] Dearing, 'Turning Gangsters into Allies'.
[221] Cockayne, *Hidden Power*, 163.

where it was clear that he would not face any prosecution for his crimes.[222] Similarly, during the Vietnam War, the United States maintained links with Laotian drug traffickers to gain information on enemy forces in Laos and Vietnam.[223] More recently, in Afghanistan, the United States initially allied with criminal powerbrokers to defeat the Taliban.[224] In these cases, crime control efforts may not only be seen as a distraction but as an obstacle to the achievement of strategic goals.

2.2.2. Crime control as a strategic tool

The second way in which the United States may use crime control efforts in its war strategy is as a strategic tool. When the United States deploys its own domestic law enforcement agents to the theatre of operation to mentor or otherwise aid local law enforcement in their operations or even conduct their own law enforcement operations, implements capacity building programs to build local law enforcement, or extends the authorities for U.S. military forces to support law enforcement missions through training, transport, equipment, intelligence sharing or grants authorities to directly target criminals or criminal objects, the United States is treating crime control as a strategic tool.

One of the ways in which the United States treats crime control as a strategic tool is to send personnel of its own law enforcement agencies to theatre of operations to aid local law enforcement agents in their operations. There is considerable variation in how the U.S. law enforcement can aid local law enforcement in their work. For example, in 2005 DEA FAST Teams were deployed to Afghanistan to provide protection for Afghan counternarcotics units

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[222] Cockayne, 165.

[223] See e.g.: 'Final Report of the Select Committee to Study Governmental Operations with Respect to Intelligence Activities – Book I Foreign and Military Intelligence' (U.S. Senate, 1976); William Chambliss, 'State Organized Crime' (The American Society of Criminology, 1988), https://onlinelibrary.wiley.com/doi/10.1111/j.1745-9125.1989.tb01028.x.

[224] Dearing, 'Turning Gangsters into Allies'.

and destroy drug laboratories or interdicted drug shipments.[225] Other initiatives such as the Iraq Threat Finance Cell (ITFC) and Afghanistan Threat Finance Cell (ATFC), included U.S. law enforcement participating in the investigation of criminal activity and the development of target packages for either military forces or criminal prosecutors.[226] In this case, U.S. law enforcement was more directly involved in investigating criminal activity in the conflict zone.

Another way in which treating crime control as a strategic tool can express itself is through the establishment of capacity building programs. Capacity building programs are programs implemented by the United States to train and equip local law enforcement in the host nation. This is closely related to deploying U.S. law enforcement to the theatre of operations, although capacity building programs do not need to include the deployment of U.S. law enforcement and does not need to include a mentoring component of the trained law enforcement forces. For example, in Iraq police-building programs were led by U.S. and coalition military personnel and, as a consequence, focussed heavily on training the Iraqi police in the use of force.[227]

The last indicator for treating crime control as a strategic tool is the extension of military authorities to assist local law enforcement in their operations or target criminal actors or objects directly. Military assistance to local law enforcement includes the provision of protection, transport, equipment, training, and intelligence to local law enforcement. For example, in Afghanistan the United States allowed U.S. military personnel to provided transportation, protection, and intelligence to Afghan counternarcotics units and helped them plan counternarcotics missions.[228] In the most extreme cases, the United States may allow the

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[225] Global Drug Policy Observatory, 'Not so FAST; The Rise and Rise of the DEA's Commando Squads'.

[226] J. Edward Conway, 'Introduction: The Threat Finance Cell', in *Counterterrorism and Threat Finance Analysis during Wartime*, ed. David Blum and J. Edward Conway, 2015, 13–26.

[227] Perito, 'The Iraq Federal Police: U.S. Police Building under Fire'.

[228] Felbab-Brown, *Shooting Up*, 141.

use of military force to directly target objects used in criminal activity or criminals themselves. For example, in 2015 and 2017 the United States allowed the use of airstrikes to bomb oil trucks used in oil smuggling in Iraq and drug laboratories in Afghanistan respectively.[229] Similarly, in 2009, the then U.S. Supreme Allied Commander Europe (SACEUR) General Bantz Craddock issued an order to ISAF forces that extended the rules of engagement to target drug traffickers in Afghanistan, regardless of whether they were proven to be connected to the Taliban or not.[230] Although the order was not implemented, it serves as an example of how military authorities can be extended for purposes of crime control.[231]

Crucially, this conceptualisation of crime control as a strategic tool focusses more on coercive responses to crime than transformative ones. Generally, crime control efforts can be classified on a spectrum ranging from coercive approaches, based on the use of force, to transformative approaches, based on changing the socio-economic circumstances or incentives that give rise to crime in the first place.[232] As it is conceptualised here, treating crime control as a strategic tool consists mainly, albeit not exclusively, of coercive responses. For example, capacity building efforts can be both coercive as well as transformative, depending on how they are implemented. When they train a group of individuals in how to use force to respond to crime, they are more coercive. When they seek to build a responsive criminal justice system that deters individuals from offending criminal law, then these efforts can be described as more

[229] Miller and Corey, 'Follow the Money'; David Mansfield, 'Bombing Heroin Labs in Afghanistan: The Latest Act in the Theatre of Counternarcotics' (LSE International Drug Policy Unit, 2018), https://www.lse.ac.uk/united-states/Assets/Documents/Heroin-Labs-in-afghanistan-Mansfield.pdf.

[230] Koelbl, 'Battling Afghan Drug Dealers: NATO High Commander Issues Illegitimate Order to Kill'; Gebauer and Koelbl, 'Battling Drugs in Afghanistan'.

[231] Gebauer and Koelbl, 'Battling Drugs in Afghanistan'.

[232] Annette Idler, 'Warriors, Victims, and Vulnerable Regions: A Critical Perspective on the War on Drugs', in *Transforming the War on Drugs*, ed. Annette Idler and Juan Carlos Garzón Vergara (Oxford University Press, 2021), 24, https://doi.org/10.1093/oso/9780197604359.003.0002.

transformative. Empirically, in the context of U.S. military interventions, crime control efforts have often been more coercive than transformative.[233]

The reason for focussing more on coercive efforts than transformative efforts in this study is that transformative efforts do not merely focus on criminal activity itself. They seek to address broader issues such as poverty, unemployment, inequality or other socio-economic factors associated with crime. Similarly, because projects that address these socio-economic issues *sui generis* also have an effect on crime in the country, it is difficult to distinguish between transformative crime control efforts and other socio-economic projects. Hence, my indicators include more coercive responses than transformative approaches.

The use of crime control as a strategic tool can have two strategic benefits in the theatre of operations for the United States. First, by treating crime control as a strategic tool the United States may be able to erode the material and financial gains a belligerent makes from crime. For example, during Operation Tidal Wave II the United States bombed oil trucks used by ISIL to smuggle oil because the United States believed that doing so would serve as a severe blow to ISIL's financing infrastructure.[234] Second, controlling crime can also gain political support among local populations, although it does not always do that.[235] Local populations may be dissatisfied with the prevalence of certain, though not all, types of criminal activity and by controlling these criminal activities and addressing these grievances the United States may be able to gain the good-will of these populations.

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[233] Idler and Vergara, *Transforming the War on Drugs: Warriors, Victims and Vulnerable Regions*; SIGAR, 'Counternarcotics: Lessons from the U.S. Experience in Afghanistan'; Felbab-Brown, 'Drugs, Security, and Counternarcotics Policies in Afghanistan'.

[234] 'Economic Defeat of the Islamic State: Behind the Scenes of Operation Tidal Wave II'.

[235] Felbab-Brown, *Shooting Up*.

2.3. Who makes decisions on crime control in military interventions?

Strategic decisions are often affected and influenced by the interactions of multiple actors in the United States, making it difficult to identify the relevant decision-makers who make decisions on the strategic role of crime control. While the President is the commander-in-chief and can give orders to the military, Congress can affect decision-making through 'the power of the purse' (meaning being able to declare how much money the military gets and what to spend it on) as well as being able to determine the structure of the U.S. forces.[236] Furthermore, at times, the lack of institutional capacity to deal with crime in conflict makes it difficult to identify which Department or agency is responsible for crime control efforts in military interventions.[237] In peacetime interactions between the United States and other states, the Department of State's Bureau for International Narcotics and Law Enforcement Affairs (INL) coordinates international law enforcement cooperation and assistance,[238] the International Criminal Investigative Assistance Program (ICITAP) of the Department of Justice maintains its own capacity to coordinate law enforcement efforts abroad.[239] For example, in Iraq, both the Office for Reconstruction and Humanitarian Affairs (ORHA) and the Department of Defenses' Task Force IV assumed responsibility for post-war governance tasks including crime control.[240]

To complicate matters further, immediate decisions regarding crime control in military interventions are made by the theatre commander or other U.S. personnel on the ground. Each of these actors maintain a certain degree of authority in making decisions on crime control in

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[236] Charles A. Stevenson, *Warriors and Politicians: US Civil-Military Relations Under Stress*, First edition., Cass Military Studies (London ; New York: Taylor & Francis, 2006), 6.

[237] Perito, *Where Is the Lone Ranger?*

[238] 'About Us – Bureau of International Narcotics and Law Enforcement Affairs', *United States Department of State* (blog), accessed 19 September 2024, https://www.state.gov/about-us-bureau-of-international-narcotics-and-law-enforcement-affairs/.

[239] 'International Criminal Investigative Training Assistance Program (ICITAP)', United States Department of Justice, 28 August 2023, https://www.justice.gov/criminal/criminal-icitap.

[240] See e.g.: Bensahel et al., *After Saddam*, 50.

military interventions. Given this plethora of actors, who is making decisions on the strategic role of crime control in military interventions?

While I acknowledge that individual officers, bureaucrats, and U.S. personnel on the ground can make decisions on crime control efforts, I focus in this study on decisions that were taken by the President and his advisors; defined as 'White House staff such as the National Security Advisor and cabinet members or even deputies as long as they are of sufficiently high rank to influence policy and attract media attention'.[241] The reason for not focussing on theatre commanders or U.S. ambassadors in the country as the primary decision-makers towards crime are that theatre commanders' actions towards crime are dependent on support from Washington. The U.S. military does not maintain the authority nor the institutional capacity to combat crime abroad.[242] While during both the Iraq and Afghanistan interventions local U.S. commanders did maintain discretionary funds, such as the Commander's Emergency Response Program (CERP) which allowed them to spend money on virtually anything they deemed necessary including crime control, these programs were often not integrated into a wider strategy.[243] Furthermore, local efforts to control crime are often dependent on the allocation of resources from Congress or authorities from the President. If the President does not want to request these resources from Congress or grant new military authorities, local officials will be significantly hindered in their ability to combat crime.

Another reason for focussing on Presidential decision-making is that when the preferences regarding U.S. strategy vis á vis crime in military interventions between the theatre

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[241] Saunders, 'Leaders, Advisers, and the Political Origins of Elite Support for War', 2120.

[242] Title 18 U.S. Code §1385: Use of Army, Navy, Marine Corps, Air Force, and Space Force as posse comitatus, Congress, United States (n.d.); Perito, *Where Is the Lone Ranger?*; Bayley and Perito, *The Police in War*; Schadlow, *War and the Art of Governance*.

[243] SIGAR, 'Increased Visibility, Monitoring, and Planning Needed for Commander's Emergency Response Program in Afghanistan' (Arlington, VA: Office of the Special Inspector General for Afghanistan Reconstruction, 2009); SIGIR, 'Commander's Emergency Response Program Obligations Are Uncertain' (Arlington, VA: Special Inspector General for Iraq Reconstruction, 2011); Daniel Egel et al., 'Investing in the Fight: Assessing the Use of the Commander's Emergency Response Program in Afghanistan' (RAND Corporation, 13 October 2016), https://www.rand.org/pubs/research_reports/RR1508.html.

commander and the administration diverge, Presidents have been able to overcome military resistance, as is evident by the U.S. implementing counternarcotics efforts in Afghanistan, despite the military's resistance to do so.[244] In other cases, U.S. commanders were able to change the crime control preferences of the President, but only after mobilising strong opposition to President's preferences using informational cues to other elites or the U.S. public.[245] They are particularly powerful when the Presidents is a Democrat, because Democrats do not enjoy the same amount of political capital to disagree with the professional advice of the military as Republicans.[246]

Nonetheless, officials on the ground still matter. They typically launch the causal process leading to the United States using crime control as a strategic tool by issuing a demand for crime control efforts back to Washington. Although this process does not necessarily lead to the adoption of crime control measures and can even lead to a draw-down of existing crime control efforts, variation and change in the U.S. approach usually starts with a demand emanating from the ground.

2.4. The politics of crime control in military interventions

Existing research on the topic of U.S. crime control efforts in military interventions argues that the United States is reluctant to impose crime control efforts in military interventions.[247] If the United States' preferred position is to not implement crime control efforts in military interventions, how do we explain the emergence of these efforts?

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[244] Keane, 'The Impact of Bureaucratic Conflict on US Counternarcotics Efforts in Afghanistan'.

[245] Philip A. Berry, 'Allies at War in Afghanistan: Anglo–American Friction over Aerial Poppy Eradication, 2004–2007', *Diplomacy & Statecraft* 29, no. 2 (3 April 2018): 274–97, https://doi.org/10.1080/09592296.2018.1452432.

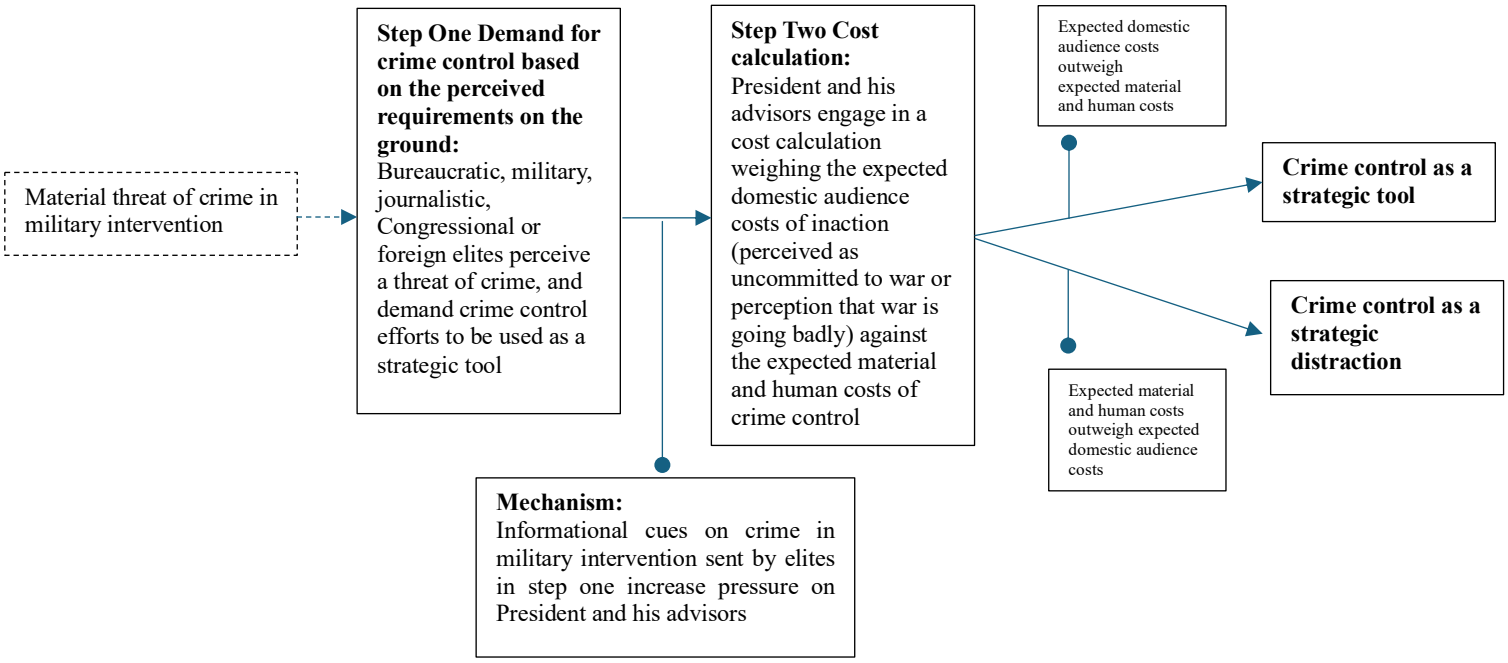
[246] Walldorf, 'Narratives and War'; Andrew Payne, 'Bargaining with the Military: How Presidents Manage the Political Costs of Civilian Control', *International Security* 48, no. 1 (1 July 2023): 166–207, https://doi.org/10.1162/isec_a_00468.

[247] Schadlow, *War and the Art of Governance*; Perito, *Where Is the Lone Ranger?*

I draw on Thomas Knecht's five stage model of foreign policy decision-making to theorise how the strategic role of crime control changes.[248] Knecht argues that foreign policy decision-making progresses in five stages: (1) problem definition and representation (2) option generation (3) policy decision (4) policy implementation, and (5) policy review.[249] I modify Knecht's model by focussing on the first three steps (problem definition and representation, option generation, and policy decision). I further merge the problem definition and representation and option generation steps. The reason for this is that although one can understand these steps as three separate independent steps in the causal chain, the actors in this step are the same. Hence, there is no transfer of 'causal force' from one actor to another, although the actors specified in the first step may exchange ideas and bargain amongst themselves.[250] I depict my causal chain in Figure 1. In what follows I describe my causal chain in more detail.

[248] Knecht, *Paying Attention to Foreign Affairs*, 19.
[249] Knecht, 19.
[250] Beach and Pedersen, *Process-Tracing Methods: Foundations and Guidelines*, 71.

Figure 1: Causal Chain depicting change towards crime control as a strategic tool



2.4.1. Step one: Demand for crime control in the military intervention

The causal process leading to a change in the strategic role of crime control begins with a demand for crime control based on the perceived threat of crime control by military or other bureaucratic officials, members of Congress, journalists, or foreign elites. The actors in this step include military officers on the ground; U.S. officials working for various U.S. Departments particularly, the Departments of State, Defense and Justice (excluding the Department heads or the deputies of their Department heads); individuals working for U.S. agencies affiliated with these Departments as well as independent agencies such as the Drug Enforcement Agency (DEA), USAID, and the Federal Bureau of Investigation (FBI), and the Central Intelligence Agency (CIA); officials from allied countries in the military intervention; politicians in the U.S. Congress; as well as journalists.

These actors fall into the category of U.S. elites, broadly defined by Elizabeth Saunders as 'those with access to information and the decision-making process, and who could

serve as cue givers to other elites or to the public'.[251] I will refer to these actors as the military, bureaucratic, journalistic, Congressional, and foreign elites to differentiate them from the President and his advisors, which form a different group of elites.[252] The actors in the first step of the causal chain include a number of different elites, who each can act as cue givers to the U.S. public or each other. These elites often interact to provide cues to the U.S. public and each other, which is why I include them all in one first step. For example, in 2004 it was a mix of journalists and bureaucratic officials that began creating a demand for crime control.[253] As I will show in chapter three, they relayed this demand to members of the U.S. Congress who gave them a platform to send informational cues to other elites and the U.S. public about the narcotics problem in Afghanistan.

These actors perform three mental acts in the first step of the causal chain. First, they perceive crime in the military intervention to be a strategic threat, either because crime is financing the enemy or because leaving crime unaddressed alienates local populations. Second, they perceive this threat to require a response from the United States for the war effort to be successful. Third, military and bureaucratic elites devise specific policy proposals and pass them on to the U.S. President and his advisors to incorporate crime control into the war strategy.

Crucially, I focus on the perceived demand for crime control as perceived by the military, bureaucratic, journalistic Congressional and foreign elites as opposed to an objective material measurement of the strategic threat of crime. I include the possibility of an objective material threat of crime to be preceding the perceived demand for crime control, although I do not begin my causal chain with this step. The reasons for this are that objectively measuring indicators for the actual material threat of crime in military interventions is difficult, and measurements are affected by the bureaucratic, personal, and political incentives of the

[251] I use Saunders' definition of elites taken from: Saunders, *The Insiders' Game*, 4–5.
[252] I refer to the President and his advisors as just the President and his advisors.
[253] Felbab-Brown, *Shooting Up*, 141.

individuals reporting on crime.[254] Even when perceptions over the harms of crime are influenced by seemingly measurable indicators, these indicators are often flawed and 'little effort is made to try to explain where the official numbers come from and why these numbers should be considered remotely credible.'[255] In other words, even when it seems like an indicator for the objective material threat of crime is matching perceptions, indicators for the objective material threat of crime are often unreliable and biased.

Elite perceptions of crime in a military intervention are affected by their individual biographies and experiences, the institutional culture they are embedded in, or their own beliefs. For example, the perceptions of Robert Charles – the director of the Bureau for International Narcotics and Law Enforcement Affairs (INL) between 2003 and 2005 who played a critical role in creating a demand for greater U.S. counternarcotics efforts in Afghanistan – on the drug war were in large parts influenced by his experiences working on drug issues throughout his career as well as his perceptions of the DEA's experiences in Colombia.[256] In this way, U.S. experiences in other crime-conflict nexuses can also influence the demand for a crime control effort in a military intervention. As will become clear throughout this thesis, U.S. officials often attempted to learn from other crime-conflict nexuses and adopted what they perceived to be important lessons learned from these contexts.

Whether these elites perceive crime to be a strategic threat and requiring a U.S. response is also affected by the organisational culture and routines in which they are embedded. Cornelius Friesendorf has argued that organisational routines of different organisations affect

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[254] Andreas and Greenhill, *Sex, Drugs, and Body Counts: The Politics of Numbers in Global Crime and Conflict*.

[255] Peter Andreas, 'The Politics of Measuring Illicit Flows and Policy Effectiveness', in *Sex, Drugs, and Body Counts: The Politics of Numbers in Global Crime and Conflict*, ed. Peter Andreas and Kelly M. Greenhill (Cornell University Press, 2011), 24, https://doi.org/10.7591/9780801458309-004.

[256] Conor Keane, *US Nation Building in Afghanistan* (London: Routledge, 2017), 146. See also this On-the-Record Briefing by Robert B. Charles in which he explains how his experiences influenced his view on the war on drugs: 'State Department's Air Wing and Plan Colombia' (U.S. Department of State, 29 October 2003), https://2001-2009.state.gov/p/inl/rls/prsrl/spbr/25721.htm.

the behaviour of individuals on the ground.[257] He argued that because U.S. forces are untrained to deal with crime in military interventions, and because dealing with crime in military interventions increases risks to the individual soldier, they will prefer not to implement crime control efforts.[258] It is thus plausible that individual's beliefs about the need for a crime control effort in U.S. military interventions is based at least in parts on the organizational cultures in which they are embedded in.

The political beliefs and attitudes towards crime and punishment of individuals also affect their perception of crime in the military intervention and whether they demand the United States should treat crime control as a strategic tool or not. For example, Gerber and Jackson find that individuals with more conservative moral beliefs are more readily concerned with the threats of crime and hence more readily support punitive crime control measures than those without these beliefs.[259] Elsewhere, Ian Loader and Richard Sparks who have argued that political ideologies influence the way in which actors think about and enact crime control efforts.[260] This implies that more conservative individuals will advocate for more coercive crime control policies, which are often more punitive, while those with less conservative values may advocate for more transformative crime control policies in military interventions.

Crucially, military, bureaucratic, journalistic, Congressional and foreign elites, may not always agree on the demand for a crime control effort in the military intervention and their preferences may diverge. For example, it is well established that the U.S. military resisted the push towards implementing counternarcotics in 2004 and 2005, while members of the U.S. State Department's Bureau for International Narcotics and Law Enforcement Affairs were a key driving force behind the effort.[261] In such instances, different elites and the organisations

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[257] Friesendorf, *How Western Soldiers Fight*.
[258] Friesendorf.
[259] Gerber and Jackson, 'Authority and Punishment'.
[260] Loader and Sparks, 'Ideologies and Crime'.
[261] Keane, 'The Impact of Bureaucratic Conflict on US Counternarcotics Efforts in Afghanistan'.

that they represent will compete to affect the President's decision-making.[262] In some instances, bureaucratic politics pushes some individuals or organisations to perceive a threat from crime and create a demand for crime control efforts. For example, Winifred Tate argues that the U.S. Southern Command (SOUTHCOM) was one of the driving forces behind militarising the drug war in Colombia because SOUTHCOM feared to be rendered irrelevant in the post-Cold War era vis á vis other regional military commands.[263] Amid bureaucratic competition, elites may also try to send competing informational cues to the U.S. public and other U.S. elites.

2.4.2. Informational cues increase pressure on the U.S. President

Whatever their reasons, once military, bureaucratic, journalistic, Congressional and foreign elites perceive a demand for crime control efforts, they can use their informational advantage vis á vis non-elites to provide informational cues to the U.S. public or other elites about crime or the war effort failing.[264] This increases the political costs for Presidential administrations who refuse to align their policies with elite preferences. For example, in a study on the Obama administration's decision to surge troop numbers in Afghanistan, Walldorf explored how U.S. generals deployed specific narratives on the consequences of a denied troop surge to raise the costs for President Obama to decline the requested troop surge.[265]

As I will show in chapter three, when the United States is already treating crime control as a strategic tool, the sending of informational cues can also increase pressure to treat crime control as a strategic distraction, by highlighting the costs of crime control in a military intervention.

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[262] See e.g.: Graham T. Allison and Morton H. Halperin, 'Bureaucratic Politics: A Paradigm and Some Policy Implications', *World Politics* 24, no. S1 (1972): 42, https://doi.org/10.2307/2010559; Keane, 'The Impact of Bureaucratic Conflict on US Counternarcotics Efforts in Afghanistan'.

[263] Tate, *Drugs, Thugs, and Diplomats: U. S. Policymaking in Colombia*, 32.

[264] Saunders, *The Insiders' Game*; Gelpi, 'Performing on Cue?'

[265] Walldorf, 'Narratives and War'.

Not all actors are equal in their ability to use informational cues to increase pressure on the U.S. President. For example, military officials may be more powerful in their ability to increase pressure on the President because the military remains one of the most trusted institutions by the U.S. public.[266] Furthermore, particularly Democratic Presidents may fear more costs than Republican Presidents if they go against the advice of the military, meaning that military actors may be more able to increase pressure on the President if the President is a Democrat.[267]

In addition, informational cues are stronger when they are bipartisan. The literature on the effect of public opinion on foreign policy has shown that cue givers are more effective when elites agree on the issue rather than when they are split on a given issue.[268] Hence, when cue givers with different partisan affiliations agree on the demand for crime control in the military intervention, informational cues will be able to exert more pressure on the President to change treat crime control as a strategic tool.

Informational cues include public statements by U.S. officials, journalistic reporting, public government and international organisation reports, and/or Congressional hearings. Like the demand for crime control informational cues can vary in their specificity. Crucially actors sending informational cues may be interdependent. U.S. officials seeking a demand for crime control may try to attract journalistic or Congressional attention to make public statements about the demand for crime control efforts; journalists may venture out to conduct their own investigative reporting; and members of Congress can also launch their own investigations into criminal activity in the theatre of operations. Importantly, actors sending informational cues may be particularly reliant on journalistic reporting because U.S. citizens, including other U.S.

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[266] Peter D. Feaver, *Thanks for Your Service: The Causes and Consequences of Public Confidence in the US Military*, Bridging the Gap (New York, NY: Oxford University Press, 2023).

[267] Walldorf, 'Narratives and War'; Payne, 'Bargaining with the Military'.

[268] See e.g.: Powlick and Katz, 'Defining the American Public Opinion/Foreign Policy Nexus', 35.

elites, almost always consume informational cues through the mass media.[269] Hence, if a U.S. official or member of Congress want to send informational cues to the U.S. public or other elites, they typically require a journalist to report on it. Similarly, journalists require U.S. officials or members of Congress to provide them with information. In the next section I will explain the political pressures that emerge from these informational cues.

2.4.3. Step two: Cost calculation by the U.S. President and his advisors

In the second step of the causal process, the U.S. President and his advisors engage in a cost calculation weighing the perceived costs of treating crime control as a strategic tool or as a strategic distraction. They consider two main costs: the expected domestic audience costs of inaction against crime versus the expected human and material costs of crime control. Presidents may seek to minimise expected human and material costs either because they can translate into domestic audience costs themselves, or because Presidents themselves are personally cost averse.

2.4.3.1. Perceived domestic audience costs for inaction against crime

There are two reasons for why treating crime control as a strategic distraction may incur domestic audience costs. The first is that crime may be seen as sustaining an enemy belligerent. Hence, if Presidents fail to implement crime control as a strategic tool, they risk being seen as uncommitted to the war effort. The second is that crime in the military intervention may act as an indicator for a failing war effort. In this instance, Presidents may use crime control as a strategic tool to counteract the perception that the war effort is failing.

[269] They may also receive informational cues from the media via trusted individuals within their networks such as neighbours, relatives or friends. For more see e.g.: Matthew A. Baum and Tim J. Groeling, *War Stories: The Causes and Consequences of Public Views of War* (Princeton: Princeton University Press, 2010), 2.

In domestic U.S. politics crime is heavily politicised and being viewed 'soft on crime' is often politically costly for U.S. Presidents.[270] Since the 1960s, socio-economic changes in the United States and other Western liberal democratic countries have increased the importance of crime and crime control in the domestic politics of the United States (and other Western liberal democratic countries).[271] As Tim Newburn argued in 2009: 'Crime is now a staple of political discourse and of electoral politics.'[272] This state of affairs means that politicians in the United States (and other Western democratic societies) face audience costs if they fail to present themselves as 'tough on law and order'.[273]

Importantly, criminal issues in military interventions often do not directly affect the U.S. public. For example, although Afghanistan supplied roughly 80% of global opium in 2021, only marginal quantities of Afghan narcotics reached U.S. shores.[274] Furthermore, the U.S. populace, already considered ill-informed about foreign policy issues, is likely to lack knowledge about criminal issues in far-away conflict settings such as the Afghan narcotics economy or Iraqi oil smuggling networks. This is because independently accessing such information is difficult and hence being informed about criminal issues in military interventions is difficult for members of the U.S. public.[275] Why then, would U.S. Presidents fear to incur political costs for treating crime control as a strategic distraction?

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[270] Jonathan Simon, Governing through Crime How the War on Crime Transformed American Democracy and Created a Culture of Fear (Oxford: Oxford University Press, 2009).

[271] Garland, *The Culture of Control*; Newburn, 'Contrasts in Intolerance: Cultures of Control in the United States and Britain'; Loader and Sparks, 'Ideologies and Crime'; Loader and Sparks, *Public Criminology?*, 60–61.

[272] Newburn, 'Contrasts in Intolerance: Cultures of Control in the United States and Britain', 232.

[273] Garland, 'What's Wrong with Penal Populism? Politics, the Public, and Criminological Expertise'; Newburn, 'Contrasts in Intolerance: Cultures of Control in the United States and Britain', 233; Loader and Sparks, 'Ideologies and Crime'; Loader and Sparks, *Public Criminology?*

[274] 'Afghanistan: How Much Opium Is Produced and What's the Taliban's Record?', *BBC News*, 24 August 2021, sec. Asia, https://www.bbc.com/news/world-asia-58308494.

[275] John Zaller, 'Elite Leadership of Mass Opinion: New Evidence from the Gulf War', in *Taken by Storm: The Media, Public Opinion, and U.S. Foreign Policy in the Gulf War*, ed. W. Lance Bennett and David L. Paletz, American Politics and Political Economy Series (Chicago: University of Chicago Press, 1994), 186–209; Powlick and Katz, 'Defining the American Public Opinion/Foreign Policy Nexus'; Andreas and Greenhill, *Sex, Drugs, and Body Counts: The Politics of Numbers in Global Crime and Conflict*.

To increase political costs for the President to treat crime control as a strategic distraction, elites connect criminal activity to the belligerent activities of the enemy.[276] For example, as is often re-iterated throughout this and other works, crime may be seen as financing or otherwise supporting enemy belligerents.[277] In this way, crime may be construed as a 'war-sustaining' activity for enemy belligerents.[278] In such instances, politics surrounding crime connect with politics surrounding the military intervention. By linking crime with the enemy's ability to fight, U.S. Presidents face domestic audience costs because not acting against crime would not only risk being seen as 'soft on crime' but also as soft on a specific type of crime that harms U.S. national security interests.

The costs for inaction against are amplified if the criminal activity, or the belligerent group that is allegedly supported by it, is perceived to be particularly morally egregious. Criminologists have used the term moral panics to describe episodes, persons, or groups, that are 'said to engage in unacceptable, immoral behaviour' and hence produce a demand for decisive and disproportionate responses.[279] James Walsh used the concept to show that terrorist groups through their use theatrical displays of violence and brutality, can trigger moral panics and with them a demand for decisive action against them.[280] Hence, it is plausible that when crime is seen to support particularly morally egregious actor who openly displays their acts of

[276] See e.g.: Tamara Makarenko, 'The Crime-Terror Nexus: Do Threat Perceptions Align with Reality?', in *Defining and Defying Organised Crime*, ed. Felia Allum et al., 0 ed. (Routledge, 2010), 180–93, https://doi.org/10.4324/9780203860342.

[277] See e.g.: Makarenko; Makarenko and Mesquita, 'Categorising the Crime–Terror Nexus in the European Union'; Louise Shelley, 'Blood Money: How ISIS Makes Bank', *Foreign Affairs*, 30 November 2014, https://www.foreignaffairs.com/articles/iraq/2014-11-30/blood-money.

[278] Ryan Goodman, 'The Obama Administration and Targeting "War-Sustaining" Objects in Noninternational Armed Conflict', *American Journal of International Law* 110, no. 4 (October 2016): 663–79, https://doi.org/10.1017/S0002930000763160.

[279] Erich Goode and Nachman Ben-Yehuda, *Moral Panics: The Social Construction of Deviance*, 2nd ed (Malden (Mass.): Wiley-Blackwell, 2009), 35; Garland, 'On the Concept of Moral Panic'.

[280] James P Walsh, 'Moral Panics by Design: The Case of Terrorism', *Current Sociology* 65, no. 5 (1 September 2017): 643–62, https://doi.org/10.1177/0011392116633257.

violence and brutality, the pressure on U.S. Presidents to act against crime that sustains this actor increases.

The types of crime that occur in the military intervention and that bureaucratic, Congressional, or journalistic elites send informational cues about can also affect the extent to which Presidents expect to incur domestic audience costs for treating crime as a strategic distraction. Criminologists have long established that public audiences, in the United States and elsewhere, perceive the seriousness of different types of crimes differently.[281] For example, crimes that constitute of the intentional infliction of physical harm tend to be perceived to be more serious by the U.S. public than crimes that do not seek to inflict physical harm.[282] According to Robinson and Darley, such perceptions and intuitions about the seriousness of crime affect crime policy-making in the United States.[283] Similarly, Beale argues that media narratives about certain crimes can increase the perceived seriousness of such crimes, thereby increasing pressures for politicians to crack down on those framed crimes as opposed to others.[284] It is then plausible that similarly the types of crime in a military intervention and how they are depicted in the mass media in the United States, can influence the extent to which the President may fear to incur domestic audience costs for ignoring crime in the military intervention.

Hence, it is plausible that, when informational cues linking crime and the conflict are disseminated, Presidents can fear to incur domestic audience costs if they treat crime control as a strategic distraction. As one interviewee put it:

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[281] Stelios Stylianou, 'Measuring Crime Seriousness Perceptions: What Have We Learned and What Else Do We Want to Know', *Journal of Criminal Justice* 31, no. 1 (1 January 2003): 37–56, https://doi.org/10.1016/S0047-2352(02)00198-8.

[282] Stylianou.

[283] Paul H. Robinson and John M. Darley, 'Intuitions of Justice: Implications for Criminal Law and Justice Policy', *Southern California Law Review* 81, no. 1 (2008 2007): 1–68.

[284] Sara Beale, 'The News Media's Influence on Criminal Justice Policy: How Market-Driven News Promotes Punitiveness', *William & Mary Law Review* 48, no. 2 (1 November 2006): 397.

> ‘At home, the approach is simplistic, almost theological. We project our views, ones that only apply to this point in our history, onto other cultures. You can never acknowledge that some actions that we might consider criminal in our *context* might be considered legitimate in other cultures. So, you can never say that we're going to accept certain types of criminality. You could never say that.’[285]

In other words, depicting crime as a key factor in sustaining the belligerent activities of the enemy increases the pressure on U.S. Presidents to implement crime control as a strategic tool. This pressure can be stronger depending on the belligerent actor believed to benefit from crime or the type of criminal activity that is perceived to be sustaining an enemy belligerent.

The other reason why U.S. President may fear to incur domestic audience costs for inaction against crime is because of what crime signals about the overall state of the military intervention. In this case, crime is not framed as a key factor in sustaining the enemy’s fighting capability but instead depicted as an indicator for a failing war effort. In these cases, the type of the perceived crimes does not matter. What matters is that crime is happening. The President then may fear incurring domestic audience costs for the failing war effort.[286] To avoid incurring these costs, the President implements crime control efforts, hoping that doing so will alleviate the perception of a failing war effort.

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[285] Author interview with William Wechsler, former Deputy Assistant Secretary of Defense for Special Operations and Counterterrorism (2012-2015) as well as former Deputy Assistant Secretary for Counternarcotics and Global Threats (2009-2012), held on 7th June 2023, in Washington D.C.

[286] Dominic D. P Johnson and Dominic Tierney, *Failing to Win: Perceptions of Victory and Defeat in International Politics* (Harvard University Press, 2006), https://doi.org/10.4159/9780674039179; Gelpi, Feaver, and Reifler, ‘Success Matters’.

In domestic settings, Innes has argued that criminal incidents represented in the media carry signals about the overall state of a society.[287] This is consistent with the wider criminological literature which similarly argues that criminal incidents, groups, or individuals involved in criminal activities can act as signals about perceived faults and defects in a society.[288] I argue that similarly, crimes in a military intervention act as signals to the U.S. public or other elites of the wider defects and faults in the intervention.

Importantly, when crime control is treated as a strategic tool and crime is depicted as an indicator for a failing war effort, Presidents may also incur domestic audience costs for increasing crime control efforts in response to a demand for greater crime control. For example, as I will argue in chapter three, in 2010 the writing and publishing of the Warlord Inc. report, highlighting extortion and corruption along U.S. supply chains in Afghanistan, was in parts motivated by the will to force a discussion on whether the United States should continue spending as much money in Afghanistan as it did or whether it should significantly decrease its presence there.[289] While certain U.S. officials looked at this event and issued new demands for increased crime control, other officials believed that crime served as an indicator that crime control efforts were futile and not worth the costs. This also indicates that informational cues about crime do not always increase pressure on U.S. Presidents to treat crime control as a strategic tool and can, depending on the circumstances, create pressures to treat crime control as a strategic distraction.

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[287] Martin Innes, *Signal Crimes: Social Reactions to Crime, Disorder, and Control* (Oxford University Press, 2014), https://doi.org/10.1093/acprof:oso/9780199684465.001.0001.

[288] See e.g.: Garland, 'On the Concept of Moral Panic'.

[289] See for example this interview with Congressman John F. Tierney, the author of the Warlord Inc. report: 'U.S. Indirect Payments to Afghan Warlords', *Washington Journal* (Washington D.C.: C-SPAN, 1 July 2010), https://www.c-span.org/video/?294340-104/us-indirect-payments-afghan-warlords.

2.4.4. Human and material costs of crime control efforts

Whether the United States will treat crime control as a strategic tool or as a strategic distraction is contingent on the willingness of the President and his advisors to spend the expected human and material costs of treating crime control as a strategic tool. This is here defined as the President's willingness to accept estimated or actual material or human costs that are estimated to result from a crime control effort.[290] I include the expected loss of life of U.S. personnel in general as well as the scale of economic costs in this definition.

Crime control efforts are often risky and costly, at least in the short-term.[291] They can alienate local criminal powerbrokers or individuals who rely on crime to sustain their livelihoods.[292] In response, criminal powerbrokers or individuals reliant on crime may take up arms themselves or join or support existing belligerent groups.[293] As a result, crime control efforts can produce new frontlines in the conflict and increase the costs for the United States. In addition, crime control efforts can also lead to mission creep and risk U.S. resources being spread thin across multiple competing goals in the military intervention.[294] By extension, treating crime control as a strategic tool can lead to greater exposure to risk for military units that are fighting elsewhere. For example, to conduct Operation Tidal Wave II, the then commander of Operation Inherent Resolve Lieutenant General Sean McFarland moved resources such as reconnaissance support from U.S. ground troops fighting ISIL to scout targets for Operation Tidal Wave II, exposing ground troops to greater risks in battle.[295]

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[290] I follow a similar definition as Peter D. Feaver and Christopher Gelpi, *Choosing Your Battles: American Civil-Military Relations and the Use of Force* (Princeton: Princeton University Press, 2011), 98, https://doi.org/10.1515/9781400841455.

[291] Stromseth, Wippman, and Brooks, *Can Might Make Rights?*

[292] Felbab-Brown, *Shooting Up*; Michael C. Pugh, *War Economies in a Regional Context: The Challenges of Transformation* (Boulder, Colo. ; Rienner, 2003).

[293] Felbab-Brown, *Shooting Up*.

[294] See e.g.: Taw and Peters, 'Operations Other than War'.

[295] Wasser et al., *The Air War against the Islamic State*, 218.

Notably, crime control efforts, if conducted properly, may reduce human and material costs in the long-term, because they can erode an adversary's financing structure and address the grievances of local populations.[296] However, uncertainty over when crime control efforts will have a pacifying impact, if at all, as well as the associated short-term human and material costs of crime control efforts disincentivise such a strategy if the President is cost averse.

Hence, when Presidents believe that the material and human costs of crime control outweigh the expected political costs of inaction against crime, the President will reject the demand for crime control efforts and the United States will treat crime control as a strategic distraction. In turn, for crime control efforts to emerge it is a necessary condition that the political costs for inaction against crime outweigh the expected material and human costs of treating crime control as a strategic tool.

Importantly, the President's judgement on whether the costs of a crime control effort are too high is closely related to, although not completely dependent on, the public's cost tolerance. The literature on the effect of public opinion and foreign policy decision-making has focussed to a great extent on how cost tolerance in the U.S. public, especially when measured as casualty tolerance, can affect war-time decision-making.[297] The basic assumption is that if Presidential administrations incur casualties in face of a cost averse public, they lose public support for themselves or for the war effort.[298] Presidents thus have an incentive to align their own cost tolerance with that of the U.S. public and to not engage in actions that will exceed

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[296] Of course, this assumption can be questioned. The possibility of crime control efforts in military interventions to produce more sustainable outcomes may be overstated. Gheciu, 'Securing Distant Places?'

[297] See e.g.: Scott Sigmund Gartner and Gary M. Segura, *Costly Calculations: A Theory of War, Casualties, and Politics* (Cambridge: Cambridge University Press, 2021), https://doi.org/10.1017/9781139871662; William A. Boettcher and Michael D. Cobb, '"Don't Let Them Die in Vain": Casualty Frames and Public Tolerance for Escalating Commitment in Iraq', *Journal of Conflict Resolution* 53, no. 5 (October 2009): 677–97, https://doi.org/10.1177/0022002709339047; Christopher Gelpi, Peter D. Feaver, and Jason Reifler, *Paying the Human Costs of War: American Public Opinion and Casualties in Military Conflicts* (Princeton University Press, 2009), https://doi.org/10.1515/9781400830091; Scott Sigmund Gartner, 'The Multiple Effects of Casualties on Public Support for War: An Experimental Approach', *American Political Science Review* 102, no. 1 (February 2008): 95–106, https://doi.org/10.1017/S0003055408080027.

[298] Feaver and Gelpi, *Choosing Your Battles*, 100.

that cost tolerance. The U.S. public's cost tolerance, for its part, is dependent on a number of factors including the social circumstances of individual members of the public, partisan affiliation, which elites they trust, their general social circle, as well as the news media outlets they consume.[299] In this way, the material and human costs of crime control efforts also represent domestic political costs for the President.

Presidents also attempt to manipulate the public's cost tolerance using informational cues themselves to frame casualties and costs.[300] As Boettcher and Cobb show, Presidents can affect the cost tolerance of individual members of the U.S. public by deploying different narratives for framing or justifying incurred costs.[301] The predispositions of individual members of the public matter in how effective such frames are. For example, Boettcher and Cobb find that President Bush's attempts to justify casualties in Iraq increased cost tolerance among people who believed that the 2003 U.S. invasion of Iraq was the right decision, while those that believed that the United States was wrong to invade Iraq in 2003 did not increase their cost tolerance in response to Bush's justifications.[302] Hence, although Presidents can move the public's cost tolerance using framing, they face certain limits in the degree to which they can move the public's cost tolerance.

In cases when war support is eroding, implementing crime control efforts can also reflect a President's attempt to manipulate the public's cost tolerance. Makarenko has argued that linking crime with terrorism can serve to justify more expensive and far-reaching counter-terrorism policies.[303] As Makarenko argues '[m]aking connections between seemingly separate security threats provided ample justification for pushing through ground-breaking policy

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[299] Gartner and Segura, *Costly Calculations: A Theory of War, Casualties, and Politics*; Feaver and Gelpi, *Choosing Your Battles*, 101.

[300] See e.g.: Boettcher and Cobb, '"Don't Let Them Die in Vain"'.

[301] Boettcher and Cobb.

[302] Boettcher and Cobb.

[303] Makarenko, 'The Crime-Terror Nexus: Do Threat Perceptions Align with Reality?'

reforms and security measures in the name of counter-terrorism.'[304] A President may then believe that by implementing crime control efforts as a strategic tool can the President can buy political capital with the public and justify extending a war effort. However, they will only do this rarely and will not do so if they believe that their efforts to manipulate the public's cost tolerance by implementing crime control efforts will be unsuccessful.

Even when the human and material costs of treating crime control as a strategic tool outweigh the expected domestic audience costs of treating crime control as a strategic distraction, expected domestic audience costs can still be present and vice versa. For example, while the United States treated crime control as a strategic distraction in Afghanistan in 2011, the United States continued to publicly profess a commitment to combating crime in Afghanistan.[305] As Sarah Chayes has argued and I will show in chapter three, publicly professing a commitment to crime control while actually ignoring it served as a way to appease domestic audiences in the United States.[306] Similarly, in 2005 concerns over the expected material and human costs of crime control kept the United States from implementing aerial spraying, the most aggressive counternarcotics option in Afghanistan.[307] Table three shows how the United States expected to incur different costs at the different decision-points under scrutiny.

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[304] Makarenko, 182.

[305] Chayes, 'Afghanistan's Corruption Was Made in America: How Self-Dealing Elites Failed in Both Countries'.

[306] Chayes.

[307] Keane, 'The Impact of Bureaucratic Conflict on US Counternarcotics Efforts in Afghanistan'; Berry, 'Allies at War in Afghanistan: Anglo–American Friction over Aerial Poppy Eradication, 2004–2007'.

Table 3: Case comparison of strategic decision-points

	Rejection of British counternarcotics request 2002	**Rejection of ICITAP recommendations 2003**	**Acceptance of police-building recommendation 2004**	**Acceptance of counternarcotics strategy 2005**	**Rejection of proposals to crack down on corruption in Afghanistan 2011**	**Operation Tidal Wave II 2015**	**Operation Iron Tempest [ii]**
Country	**Afghanistan**	**Iraq**	**Iraq**	**Afghanistan**	**Afghanistan**	**Iraq/Syria**	**Afghanistan**
IV: Demand for crime control based on the strategic requirements on the ground	British request to U.S. President for counternarcotics support	ICITAP recommendation to deploy 6,600 police trainers to Iraq	Report from Karl Eikenberry that police training needs to occur	Demand from INL, members of Congress, and U.S. embassy in Kabul to implement counternarcotics effort	Proposal from U.S. officials on the ground to crack down on corruption	Proposal to extend military authorities to target oil trucks in Syria	Proposal to extend military authorities to target criminal networks in Afghanistan
Expected domestic audience costs for treating crime control a strategic distraction	None	None	High	High	Low	High	High
Expected material and human costs for treating crime control as a strategic tool [i]	High	High	Low	Low	High	Low	Low
DV: Strategic role of crime control	Strategic distraction	Strategic distraction	Strategic tool	Strategic tool	Strategic distraction	Strategic tool	Strategic tool

[I] The measurements here are simplified and the words “high” or “low” are used to indicate which factor outweighed the other in the cost calculation.
[ii] Operation Iron Tempest represents a deviant case given that it is not clear who made the decision to implement it and the particularities of the Trump administration.

Showing the presence or absence of expected domestic audience costs is difficult. In most cases, elite decision-makers do not want to admit that considerations about domestic audience costs influence their decisions about war.[308] Moreover, access to former U.S. Presidents and their advisors is often difficult to gain, so finding direct evidence that cost calculations occurred is difficult. To show the presence or absence of expected domestic audience cost calculations I rely on three indicators: (1) discursive indicators (2) behavioural indicators and (3) contextual indicators.

Discursive indicators include statements made by U.S. officials, coalition officials, journalists, independent experts, or members of Congress either in interviews (both those led by the author or from secondary sources), memoirs, archival material, or Congressional hearings or other inquiries (such as the Iraq Inquiry). Discursive indicators include statements about the presence of expected domestic audience costs or that there were considerations about the expected material and human costs of crime control. At times, discursive indicators can also serve as measurements that a certain behaviour or context was present and an important consideration in the decision-making. For example, statements by senior officials that the President was under pressure to demonstrate results in the war effort can indicate the presence of a contextual indicator as well as serve as a discursive indicator for the perception of pressure in its own right.

Behavioural indicators include how the United States dealt with crime after the decision to treat crime control as a strategic tool was made. This is based on the assumption that it is possible to infer the motivation of an actor by looking at their actions. One straw in the wind test is whether the United States, in implementing crime control efforts, prioritised quantity over quality. In both domestic and foreign settings, responding to crime is an onerous

[308] Payne, *War on the Ballot*, 2.

process which does not often produce immediate rewards. When the United States tries to shortcut this process, either by implementing crime control efforts at a timescale that is unrealistic to yield results or by overestimating the results that a crime control effort realistically had, it is an indicator that the effort was designed to appease domestic audiences. For example, as will become clear in chapter four, U.S. police-building programs in Iraq, which were designed based on police-building programs in Kosovo, have been significantly shortened to produce a large number of police officers quickly as opposed to a police force that is able to respond to civilians' needs on the ground.[309] Of course, this type of evidence is only a straw in the wind, because there could be other pressures that push the United States to pursue crime control efforts at a short time scale, such as urgency. Another behavioural indicator for the presence of domestic audience costs influencing the decision behind implementing crime control as a strategic tool is when the United States implements crime control policies that go against the strategic advice of the military or crime policy experts.

Lastly, contextual factors can also serve as indicators that domestic audience costs influenced the decision-making process. Contextual factors refer to the larger political environment in which the decision-making process occurred. They include the state of public opinion on the war effort or public concern over criminality in the United States. When such contextual factors are present, they serve as straw in the wind evidence that expected domestic audience costs were present during the decision-making process.

2.5. Testing the causal chain

To test the argument that expected domestic audience cost calculations influence the decision of whether to treat crime control as a strategic tool or not, I apply process tracing

[309] Bayley and Perito, *The Police in War*, 14–16.

tests.[310] I apply two hoop tests and where possible a smoking gun test. According to James Mahoney, the two process tracing tests typically used to test hypothesis are hoop tests and smoking gun tests.[311] The passing of hoop tests is necessary for a specific hypothesis or theory to be valid.[312] The failure of a hoop test invalidates the hypothesis, however passing of hoop tests does not automatically validate the hypothesis.[313] The passing of smoking gun tests, on the other hand, shows that a given hypothesis is valid.[314] However, failing a smoking gun test does not invalidate the hypothesis.[315] Passing these tests often requires the combination of various pieces of discursive, behavioural, and contextual evidence.[316]

There are two hoop tests that are necessary to pass for my argument to hold. First, to test my argument that a demand for crime control based on the strategic requirements on the ground is not sufficient for the United States to treat crime control as a strategic tool, it is necessary that demands for crime control do not always lead to a change to treat crime control as a strategic tool. Conversely, if the evidence shows that demand for crime control always led to the treatment of crime control as a strategic tool, then my argument is likely incorrect.[317]

Second, for expected domestic audience costs to be influencing the decision to treat crime control as a strategic tool, it is necessary that these expected domestic audience costs were present whenever the United States changed its strategy. If expected domestic audience cost considerations were not present when a strategic change towards crime control occurs, then these expected audience costs cannot be considered necessary for the outcome to occur.

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[310] James Mahoney, 'The Logic of Process Tracing Tests in the Social Sciences', *Sociological Methods & Research* 41, no. 4 (2012): 570–97, https://doi.org/10.1177/0049124112437709.

[311] Mahoney.

[312] Mahoney.

[313] Mahoney.

[314] Mahoney.

[315] Mahoney.

[316] Beach and Pedersen, *Process-Tracing Methods: Foundations and Guidelines*, 223.

[317] The argument could still hold true if I find that every change was accompanied by a domestic audience cost calculation.

A smoking gun test for the argument presented here is if crime control is treated as a strategic tool, even when expert advice from military commanders and other officials would suggest that the strategic requirements on the ground did not warrant crime control to be treated as a strategic tool, and there is clear evidence that expected domestic audience costs were present and influencing the decision to treat crime control as a strategic tool. This can be shown using discursive, behavioural or contextual indicators. Passing this test is extremely difficult, however, and as I will show the only case that comes close to passing this test is Afghanistan in 2005.

A clear discursive indicator that would pass this smoking-gun test would be if the President, his advisors, or their deputies made statements behind closed doors in which they say that they need to treat crime control as a strategic tool to avoid incurring domestic audience costs. However, given the incentives for politicians and their advisors to hide that their decisions were informed by domestic political considerations[318], it is unlikely that I will find such evidence. Only once the archival material on such discussions will become available this evidence may be able to be uncovered.

Given that finding one piece of evidence that unequivocally passes the smoking gun test, or the hoop tests is rare, I rely on a number of different discursive, behavioural, and contextual indicators that can collectively pass the process tracing tests outlined here.[319] Alone each of these pieces of evidence would be no more than a 'straw in the wind'; an indication that the proposed causal process is valid or a certain causal process observation was indeed present but that does not confirm nor invalidate the proposition.[320] Taken together, these pieces of evidence can help meet the thresholds set by the hoop and smoking gun tests.

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[318] Payne, *War on the Ballot*, 2.
[319] Beach and Pedersen, *Process-Tracing Methods: Foundations and Guidelines*, 223.
[320] Mahoney, 'The Logic of Process Tracing Tests in the Social Sciences'.

For example, to show that domestic audience costs influenced a decision to change the strategic role of crime control, I draw on factors such as whether the demand for the change in the strategic role of crime control has been considered and rejected before (behavioural indicator), and whether polling numbers on the President's or the war efforts approval ratings have changed in between the President or his advisors rejecting the demand and then accepting the demand (contextual indicator). Similarly, discursive indicators by officials on the ground or advisors to the President or his deputies can also help substantiate that expected domestic audience costs played a role at any given point in time. Given the low likelihood of finding direct evidence from Presidents or their advisors, this combination of evidence may also count as smoking gun evidence that domestic cost calculations were key to approve the change in the strategic role of crime control.

2.6. Factors operating alongside the causal chain

There are a number of factors that are operating alongside the hypothesised causal chain. These factors are not rival explanations but rather form part of my argument. These factors include, bureaucratic politics, changes in elites and associated changes in the biases and beliefs that these elites hold, and the power of individual criminals.

2.6.1. Bureaucratic politics

As I have mentioned above, bureaucratic politics plays a role in the decision-making process. As Allison and Halperin argued, government decision-making is often influenced by

> 'a conglomerate of large organizations and political actors who differ substantially about what their government should do on any particular issue

and who compete in attempting to affect both governmental decisions and the actions of their government.'[321]

Different bureaucratic agencies hence try to influence crime policymaking. Bureaucratic politics have been shown to influence U.S. crime policymaking in military interventions. For example, Conor Keane argued that bureaucratic politics significantly hampered the establishment of effective counternarcotics policies in Afghanistan.[322] Similarly, as mentioned above, Tate has argued that a driver behind U.S. drug policies in Colombia was U.S. SOUTCHOM which tried to stay relevant amid a focus away from the Latin American region in the wake of the end of the Cold War.[323]

Similarly, it will be a common theme throughout this thesis that different U.S. agencies and Departments disagreed with regards to how to respond to crime in the military intervention. These disagreements meant that at different points in time different agencies or Departments would try to sway the President and his advisors in favour of their proposed policy. They would try to use informational cues or lobby the President or his advisors in private. Bureaucratic conflict is one of the factors operating alongside the causal chain and influencing the decision-making process. For example, when bureaucratic competition is high, informational cues may cancel out each other. However, when different U.S. agencies and Departments formed coalitions between each other, their ability to generate pressure on the President using informational cue may have been higher.

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[321] Allison and Halperin, 'Bureaucratic Politics', 42.
[322] Keane, 'The Impact of Bureaucratic Conflict on US Counternarcotics Efforts in Afghanistan'.
[323] Tate, *Drugs, Thugs, and Diplomats: U. S. Policymaking in Colombia*, 32.

2.6.2. Changes in elites and individual biases of actors

A factor that operates alongside the U.S. decision-making process vis á vis crime are changes in the elites involved.[324] This includes changes in the military, bureaucratic, journalistic, Congressional or foreign elites as well as changes in the President or his advisors. This argument is related to the idea that personal attitudes and cognitive biases of individual decision-makers matter in strategic decision-making.[325] For example, Johnson has investigated how different cognitive biases in individual leaders have contributed to 'good' strategic decision-making.[326] Different elites will have different beliefs, biases, and attitudes regarding what drives conflict and what strategy should look like.[327]

These biases are likely to affect how different actors will behave at the different steps of the causal chain. For example, as discussed above different military, bureaucratic, journalistic, Congressional and foreign elites will likely perceive the treat of crime and hence develop a demand for crime control differently, depending on their biases. Similarly, because of their different cognitive biases different Presidents and their advisors will vary in their cost calculations. For example, research has shown that moral intuitions vary depending on partisan

[324] Elizabeth N. Saunders, 'Elites in the Making and Breaking of Foreign Policy', *Annual Review of Political Science* 25, no. 1 (12 May 2022): 219–40, https://doi.org/10.1146/annurev-polisci-041719-103330; Michael C. Horowitz and Matthew Fuhrmann, 'Studying Leaders and Military Conflict:Conceptual Framework and Research Agenda', *Journal of Conflict Resolution* 62, no. 10 (2018): 2072–86, https://doi.org/10.1177/0022002718785679.

[325] Saunders, 'Elites in the Making and Breaking of Foreign Policy'; Saunders, 'Leaders, Advisers, and the Political Origins of Elite Support for War'; Horowitz and Fuhrmann, 'Studying Leaders and Military Conflict:Conceptual Framework and Research Agenda'; Emilie M. Hafner-Burton et al., 'The Behavioral Revolution and International Relations', *International Organization* 71, no. S1 (April 2017): S1–31, https://doi.org/10.1017/S0020818316000400; Dominic D. P. Johnson, *Strategic Instincts: The Adaptive Advantages of Cognitive Biases in International Politics*, First paperback printing, Princeton Studies in International History and Politics (Princeton Oxford: Princeton University Press, 2022); Robert Jervis, *How Statesmen Think: The Psychology of International Politics*, How Statesmen Think (Princeton University Press, 2017), https://doi.org/10.1515/9781400885336/HTML.

[326] Johnson, *Strategic Instincts*.

[327] Saunders, *Leaders at War: How Presidents Shape Military Interventions*; Saunders, 'Elites in the Making and Breaking of Foreign Policy'.

affiliation.[328] Hence, it is conceivable that Republican Presidents will more readily expect to incur domestic audience costs for treating crime control as a strategic distraction than Democratic Presidents. Changes in leadership will then have an effect on the decision-making process.

However, changes in leadership and elites are not by themselves sufficient to lead to a change in U.S. strategy vis á vis crime. Nor are they necessary for changes in strategy to occur. If changes in leadership were necessary for changes in crime strategy, then I would expect strategies not to change as long as leadership remains stable. However, changes in strategy do occur despite leadership remaining stable. For example, in Afghanistan General David Petraeus oversaw an anti-corruption effort that led to the establishment of Task Force Shafafiyat – a military task force focussed on identifying and disrupting the entrenched corruption networks in Afghanistan.[329] In August 2010, while General Petraeus remained in command, anti-corruption efforts were side-lined, much to the surprise of those involved in the anti-corruption efforts.[330]

Likewise, if changes in leadership were sufficient for changes in U.S. strategy vis á vis crime, I would expect strategic changes to vary according to the opinions of individual commanders or senior diplomats. However, evidence suggests that the recommendations of senior military and diplomatic leaders were not always heeded.[331] For example, in 2004 significant elements of the U.S. military were resisting a change to implement counternarcotics

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[328] Jonathan Haidt and Jesse Graham, 'When Morality Opposes Justice: Conservatives Have Moral Intuitions That Liberals May Not Recognize', *Social Justice Research* 20, no. 1 (1 June 2007): 98–116, https://doi.org/10.1007/s11211-007-0034-z.

[329] Chayes, *Thieves of State*; Chayes, 'Afghanistan's Corruption Was Made in America: How Self-Dealing Elites Failed in Both Countries'.

[330] Chayes, *Thieves of State*, 144.

[331] Keane, 'The Impact of Bureaucratic Conflict on US Counternarcotics Efforts in Afghanistan'; Conor Keane and Glenn Diesen, 'Divided We Stand: The US Foreign Policy Bureaucracy and Nation-Building in Afghanistan', *International Peacekeeping* 22, no. 3 (27 May 2015): 205–29, https://doi.org/10.1080/13533312.2015.1039456.

efforts in Afghanistan.[332] Yet, the United States changed its strategy to implement such efforts against the resistance of military officials.[333]

2.6.3. Power of individual criminals

In addition to changes in leadership the power of individual criminals may also matter in affecting U.S. strategy. Individual criminal powerbrokers can threaten to increase the human and material costs for the United States. Previous research on crime and conflict demonstrates that individual criminal powerbrokers maintain a significant degree of political power in conflict settings.[334] For example, criminal powerbrokers often corrupt governments, control territory, or maintain sizeable patronage networks and armed forces.[335] When they fear arrest or prosecution, criminal powerbrokers may mobilise or threaten to mobilise their armed forces, patronage networks, or connections in government to evade arrest or produce costs for those seeking the arrest or prosecution. These costs can be material or human. Hence, the President and his advisors consider how the suggested crime control efforts may affect individual powerful criminal powerbrokers, and their ability to impose human and material costs onto the United States in response to a crime control effort.

This effect also plays out at a local level. At a more granular level, individual military commanders make decisions regarding the execution of crime control effort, in parts based on the power of the individual criminals they confront. For example, during the Anbar Awakening

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[332] Keane, 'The Impact of Bureaucratic Conflict on US Counternarcotics Efforts in Afghanistan'.

[333] Keane, *US Nation Building in Afghanistan*; Keane, 'The Impact of Bureaucratic Conflict on US Counternarcotics Efforts in Afghanistan'.

[334] Cockayne, *Hidden Power*; Cockayne, 'Chasing Shadows: Strategic Responses to Organised Crime in Conflict-Affected Situations'; Michael J. Dziedzic, ed., *Criminalized Power Structures: The Overlooked Enemies of Peace*, Peace and Security in the 21st Century Series (Lanham: Rowman & Littlefield, a wholly owned subsidiary of The Rowman & Littlefield Publishing Group, Inc, 2016).

[335] See e.g.: Cockayne, *Hidden Power*; Cockayne, 'Chasing Shadows: Strategic Responses to Organised Crime in Conflict-Affected Situations'; Dziedzic, *Criminalized Power Structures*; Kalyvas, 'How Civil Wars Help Explain Organized Crime—and How They Do Not'; Juan Francisco Padin, 'Opening Pandora's Box: The Case of Mexico and the Threshold of Non-International Armed Conflicts', *International Review of the Red Cross* 105, no. 923 (August 2023): 772–94, https://doi.org/10.1017/S1816383122000571.

U.S. military commanders on the ground ignored some of the criminal activities conducted by tribal groups that formed part of the Sons of Iraq, because they feared that doing otherwise would impose high human and material costs on the United States.[336] Indeed, an Urban Warfare Manual published in 2017 by the U.S. Army and U.S. Marine Corps indicates that local U.S. commanders enjoy a large amount of discretion when confronting criminal activities on the ground.[337] The Urban Warfare Manual states that: '[i]n unique circumstances, [U.S.] commanders identify and interact with the leadership of criminal organizations.'[338] In an updated version of the manual published in 2022, the U.S. Army and U.S. Marine Corps added that U.S. commanders 'may need to […] influence the leadership of criminal organisations.'[339] It is not clear what these unique circumstances are or how U.S. commanders should interact or influence criminal leadership. However, the fact that the formulation used is 'interact' as opposed to 'incapacitate' or another word that would signal removal of criminal actors, is indicative that U.S. doctrine allows U.S. commanders to ignore crime on a granular level if they believe that doing so will benefit their own operations. While I do not seek to explain this more granular variation in this thesis, it indicates that criminal powerbrokers can impose human and material costs onto the United States if the United States tries to hold them accountable.

2.7. Conclusion

This theory chapter argued that a demand for crime control based on the strategic requirements on the ground is not sufficient for crime control efforts to be treated as a strategic tool in U.S. military interventions. Only a specific constellation of domestic variables is

[336] Pregent, 'Rule of Law Capacity Building in Iraq'.
[337] *Urban Operations* (Headquarters, Department of the Army; Headquarters, United States Marine Corps, 2017).
[338] *Urban Operations*.
[339] *Urban Operations* (Headquarters, Department of the Army; Headquarters, United States Marine Corps, 2022).

sufficient for the United States to deviate from the default of treating crime control efforts as a strategic distraction. In particular, for the United States to treat crime control as a strategic tool, a demand for crime control efforts needs to create pressures on the U.S. President to tackle crime control. These pressures arise because informational cues are sent to the U.S. public or other U.S. elites. The U.S. President may then fear that inaction against crime will incur domestic political costs in the United States, either because crime is seen as a sign that the administration lacks commitment to the war or because crime is a symptom of a failing war effort. These fears of incurring political costs for ignoring crime need to outweigh the expected human and material costs that the President and his advisors expect to expend by treating crime control as a strategic tool. If the President and his advisors believe that the expected human and material costs are higher than the expected political costs of ignoring crime, then the crime control effort will not be implemented.

At its core, the presented theory suggests that domestic political considerations interact with the perceived costs and benefits of combatting crime in the U.S. military interventions in Afghanistan, Iraq and against ISIL in Iraq and Syria. It is not merely strategic considerations on the ground that determine how the United States approaches crime in its military interventions, but domestic political considerations.

This insight carries important implications for U.S. crime control efforts abroad. First, if domestic pressures translate a perceived material demand for crime control into action, then this suggests that crime control efforts are implemented to assuage domestic audiences as opposed to meeting the humanitarian and strategic imperatives on the ground. Indeed, as will become clear throughout this thesis, crime control efforts in both Afghanistan, Iraq and Syria have been largely performative and ineffective at curbing crime.[340] In some cases, they even

[340] Felbab-Brown, 'Drugs, Security, and Counternarcotics Policies in Afghanistan'.

have been counter-productive such as when counternarcotics policies in Afghanistan in 2005 increased the prices of opium poppy, pushed participants in the opium economy closer to the Taliban for protection services, and impoverished farmers creating grievances that hampered U.S. efforts to build a functioning state in Afghanistan.[341] These efforts have been in parts ineffective at achieving desired outcomes, in parts because they responded to domestic considerations rather than tracking the circumstances on the ground.

Secondly, the proposed theory points to the role of domestic pressures that are a result of the political nature of crime in U.S. politics. The argument presented here rests on the assumption that informational cues about crime in the military intervention create pressures on the U.S. President, because domestic politics of crime are linked with the national security politics of the United States. Both of these policy areas are highly politicised, and Presidents face strong incentives to not be seen weak on either policy issue. This then may imply that in a world in which U.S. society is less fearful about criminal activity and their national security, Presidents have greater political capital to deal with the complexities of crime in conflict and hence identify more adequate policy responses.

In what follows, I test this causal chain using cases from the U.S. military interventions in Afghanistan, Iraq and against ISIL.

[341] On this point see: Felbab-Brown; Felbab-Brown, 'Afghanistan Affectations: How to Break Political-Criminal Alliances in Contexts of Transition'; Felbab-Brown, *Shooting Up*.

Chapter 3. The strategic role of crime control in Afghanistan

3.1. Introduction

In Afghanistan criminal activity played an important role in driving the country's conflict. When the United States intervened in Afghanistan, it initially turned a blind eye to crime and treated crime control as a strategic distraction.[342] The United States ignored requests from British officials to aid them with counternarcotics missions in Afghanistan.[343] In 2005, the United States changed its strategy.[344] It allowed U.S. forces to aid Afghan law enforcement in their operations through transport, protection, and intelligence,[345] increased its capacity-building efforts of Afghan law enforcement,[346] and deployed more Drug Enforcement Administration (DEA) personnel to Afghanistan.[347] In this period, crime control was viewed as a strategic tool for the United States to win the war in Afghanistan. In 2010, three high-profile criminal events U.S. strategy led to a shift in the strategic role of crime control and by 2011 and the United States withdrew its authorities to Department of Justice anti-corruption mentors to advise or mentor Afghan counterparts.[348] Similarly, existing U.S. task forces focussing on corruption cases were rendered ineffective by a lack of political and material support.[349] By 2011, the United States crime control efforts were once again seen as a strategic

[342] Coyne, Hall Blanco, and Burns, 'The War on Drugs in Afghanistan: Another Failed Experiment with Interdiction'; SIGAR, 'Corruption in Conflict: Lessons from the U.S. Experience in Afghanistan'; SIGAR, 'Counternarcotics: Lessons from the U.S. Experience in Afghanistan'.

[343] Berry, *The War on Drugs and Anglo-American Relations: Lessons from Afghanistan, 2001-2011*, 69–71.

[344] SIGAR, 'Counternarcotics: Lessons from the U.S. Experience in Afghanistan'; SIGAR, 'Corruption in Conflict: Lessons from the U.S. Experience in Afghanistan'.

[345] Felbab-Brown, *Shooting Up*, 141.

[346] SIGAR, 'Counternarcotics: Lessons from the U.S. Experience in Afghanistan', 44–50.

[347] SIGAR, 44‑50.

[348] Chayes, *Thieves of State*, 153‑54.

[349] See e.g. Chayes, 'Afghanistan's Corruption Was Made in America: How Self-Dealing Elites Failed in Both Countries'; SIGAR, 'Counternarcotics: Lessons from the U.S. Experience in Afghanistan'; SIGAR, 'Corruption in Conflict: Lessons from the U.S. Experience in Afghanistan'.Some counter-crime programs were

distraction.[350] The strategic role of crime control shifted again in 2017, when the United States decided to bombed drug laboratories that were allegedly run by the Taliban.[351] After this operation concluded in 2018, the United States was mainly focussed on reaching a deal with the Taliban and subsequently withdrawing from Afghanistan and hence crime control was once again treated as a strategic distraction.[352] What explains these changes in the U.S. approach to crime in Afghanistan?

This chapter shows how changes in the strategic role of crime control in the U.S. intervention in Afghanistan followed a pattern whereby the perceived demand for crime control, often but not always based on changes in the perceived conditions on the ground, was not sufficient to lead to a change in crime control strategy. Instead, only when the expected domestic audience costs of crime control as a strategic distraction outweighed the expected material and human costs of crime control as a strategic tool did the United States treat crime control as a strategic tool.

This chapter proceeds chronologically. I will provide a brief background on Afghanistan's crime-conflict nexus. I will then explain the reasons for why the United States initially ignored crime in Afghanistan, using the case of British requests for support to combat the Afghan narcotics economy. I will show how efforts by elites to bring about a change in U.S. crime control strategy failed, because the expected domestic audience costs of inaction did not outweigh the expected material and human costs of crime control efforts. Third, I will show how the increase in expected domestic audience costs led to a change in the strategic role of crime control in 2005. I demonstrate how bureaucratic, Congressional, and journalistic elites

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not officially disbanded. While they continued on paper, they seized to exist in effect and were not staffed or funded.

[350] SIGAR, 'Counternarcotics: Lessons from the U.S. Experience in Afghanistan'; Felbab-Brown, 'Drugs, Security, and Counternarcotics Policies in Afghanistan'.

[351] Mansfield, 'Denying Revenue or Wasting Money? Assessing the Impact of the Air Campaign Against "Drug Labs" in Afghanistan'.

[352] Malkasian, *The American War in Afghanistan: A History*, 423.

deliberately used informational cues to the U.S. public and other U.S. elites to increase the domestic audience costs for treating crime control a strategic distraction. Fourth, I discuss how three highly salient criminal scandals in 2010, led the Obama administration to sideline existing crime control efforts and treat crime control as a strategic distraction in 2011. Fifth, I discuss Operation Iron Tempest, when crime control in the form of airstrikes against drug laboratories presumed to be financing the Taliban, once again formed part of U.S. war strategy. Sixth, I conclude by considering the implications of U.S. crime control efforts in Afghanistan for the wider thesis arguing that crime control efforts often fulfilled performative functions, and rarely actually contributed to the achievement of strategic goals.

3.2. A brief history of crime and conflict in Afghanistan

When the United States invaded Afghanistan in 2001, the country had already been suffering under two decades of conflict.[353] In this conflict criminal activity played a central role. On the one hand, different belligerent actors used criminal activities to support themselves both personally and militarily.[354] On the other hand, new belligerent actors, such as the Taliban, formed running on a platform to bring law and order to Afghanistan.[355]

The conflict in Afghanistan ignited in 1978 with the Saur Revolution which brought the communist People's Democratic Party of Afghanistan (PDPA) to power and the subsequent invasion by the Soviet Union to safeguard the PDPA regime.[356] The Soviet Afghan war led to the rise of numerous anti-Soviet and pro-Soviet militias, with the former supported by the

[353] Thomas Barfield, *Afghanistan: A Cultural and Political History* (Princeton University Press, 2010), https://doi.org/10.1515/9781400834532.

[354] Goodhand, 'Afghanistan in Central Asia'.

[355] Barnett R Rubin, 'The Political Economy of War and Peace in Afghanistan', *World Development* 28, no. 10 (October 2000): 1789–1803, https://doi.org/10.1016/S0305-750X(00)00054-1.

[356] Barfield, *Afghanistan: A Cultural and Political History*, 225.

United States, Pakistan and Saudi Arabia, and the latter supported by the Soviet Union and the PDPA.[357]

In addition, the Soviet Afghan war led to the growth of a flourishing narcotics economy, which composed of the cultivation, trafficking, and trade of opium and its derivative products.[358] Growing opium was a way for Afghan farmers to make a living amid an economy torn apart by war.[359] Opium was more resistant to the shocks of war by being more drought resistant, easier to store and transport, and being more durable than alternative crops.[360] In addition, farmers often accessed loans denominated in poppy, allowing them to access capital while also making them committed to growing poppy in the future.[361] Growing opium was not only more lucrative but also safer. Traffickers would buy opium at the farmgate, meaning farmers did not have to travel and risk getting into crossfire on their way to markets.[362] For all of these reasons, opium cultivation grew during the Soviet-Afghan war.

Militia groups seized on the sprawling narcotics economy and began taxing the trade in the territories that they controlled.[363] Some militia groups would also be directly involved in the processing and trafficking of opium and its derivative products.[364] Belligerent actors in Afghanistan maintained an interest in protecting the trade not only because of the profits to be

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[357] Bruce Riedel, *What We Won: America's Secret War in Afghanistan, 1979-89* (Blue Ridge Summit, United States: Brookings Institution Press, 2014), http://ebookcentral.proquest.com/lib/oxford/detail.action?docID=1700050; Matthew P. Dearing, *Militia Order in Afghanistan: Guardians or Gangsters?*, Contemporary Security Studies (Abingdon, Oxon ; Routledge, 2021).
[358] Rubin, 'The Political Economy of War and Peace in Afghanistan'.
[359] Goodhand, 'Afghanistan in Central Asia'.
[360] Jo Thori Lind, Karl Ove Moene, and Fredrik Willumsen, 'Opium for the Masses? Conflict-Induced Narcotics Production in Afghanistan', *Review of Economics and Statistics* 96, no. 5 (December 2014): 949–66, https://doi.org/10.1162/REST_a_00418; Mansfield, *A State Built on Sand*, 160.
[361] Adam Pain, 'Opium Poppy and Informal Credit' (Afghanistan Research and Evaluation Unit, 2008).
[362] Mansfield, *A State Built on Sand*, 105.
[363] C. Schetter, 'The "Bazaar Economy" of Afghanistan', *Südasien Informationen*, no. 3–16 (2004), https://www.semanticscholar.org/paper/The-%27Bazaar-Economy%27-of-Afghanistan-Schetter/9088defc1e6eeebff53a186ff967a4a529694193; Goodhand, 'Afghanistan in Central Asia'.
[364] Dearing, 'Turning Gangsters into Allies'.

made from it but also because it allowed them to gain political legitimacy among local populations in Afghanistan who were reliant on the narcotics economy.[365]

After the Soviet-Afghan war ended in 1989, the various militia groups that had emerged during the conflict were unable to reach a political agreement on the governance of Afghanistan and a brutal civil war broke out.[366] Because Afghanistan was no longer the site of great power competition, international support to the militias had dried up and they turned to criminal activity to finance themselves.[367] Militias increased the taxation of smugglers, ran several protection rackets, and were involved in kidnapping.[368] Kandahar province was particularly badly affected by the predation of criminal gangs and warlords.[369] For example, the journalist Ahmed Rashid described travelling from Quetta in Pakistan to Kandahar in Afghanistan in 1993, a route of roughly 130 miles, and having been stopped by twenty different groups who would only let him and his entourage pass if they paid up.[370] The extortion on key highways and routes used for travelling and trafficking was so high, that it led to a decrease in trafficking activity.[371]

In response to the criminal predation a group of Afghan businessmen, militia members, Afghan refugee returnees, and smugglers founded the Taliban in Kandahar

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[365] Felbab-Brown, *Shooting Up*.
[366] Barfield, *Afghanistan: A Cultural and Political History*, 249.
[367] Rubin, 'The Political Economy of War and Peace in Afghanistan'.
[368] Gretchen Peters, 'Traffickers and Truckers: Illicit Afghan and Pakistani Power Structures with a Shadowy but Influential Role', in *Impunity: Countering Illicit Power in War and Transition*, ed. Michelle Hughes and Michael Miklaucic (Washington, DC: Center for Complex Operations, 2016), 125–49; Rubin, 'The Political Economy of War and Peace in Afghanistan'; J. Braithwaite and A. Wardak, 'Crime and War in Afghanistan: Part I: The Hobbesian Solution', *British Journal of Criminology* 53, no. 2 (1 March 2013): 179–96, https://doi.org/10.1093/bjc/azs065.
[369] Braithwaite and Wardak, 'Crime and War in Afghanistan', 182.
[370] Ahmed Rashid, *Taliban: The Power of Militant Islam in Afghanistan and Beyond* (London, UNITED KINGDOM: I. B. Tauris & Company, Limited, 2010), 22, http://ebookcentral.proquest.com/lib/oxford/detail.action?docID=676384.
[371] Peters, 'Traffickers and Truckers: Illicit Afghan and Pakistani Power Structures with a Shadowy but Influential Role', 128; Felbab-Brown, *Aspiration and Ambivalence Strategies and Realities of Counterinsurgency and State Building in Afghanistan*, 40.

province.[372] The Taliban espoused a law-and-order platform based on an overly strict interpretation of Islamic law.[373] Illustrating their law-and-order agenda, the Taliban gained notoriety and approval among Kandahar's local population for freeing two teenage girls who had been kidnapped and repeatedly raped by a Kandahari militia.[374] In another instance, the Taliban freed a boy who had been fought over by two Kandahar-based militia commanders.[375]

The Taliban's relationship to the drug trade in Afghanistan is ambiguous. During the 1990s, they benefitted from the drug trade, both financially and politically.[376] In a much-cited statement, a senior Taliban official explained the Taliban's opium policy to journalist Ahmed Rashid in the following way: 'Opium is permissible because it is consumed by kafirs [non-believers] in the West and not by Afghans.'[377] The Taliban sponsored opium and benefitted from it not only because it was a source of revenue, but also because banning opium would have likely resulted in widespread anti-Taliban resentment.[378] According to the same Taliban official: 'There would be an uprising against the Taliban if we forced farmers to stop poppy cultivation.'[379] Both financial and political capital hence flowed to the Taliban from sponsoring, protecting, and taxing the opium economy.[380]

In 2000, the Taliban banned drug cultivation.[381] The move was interpreted by the international community to be a way for the Taliban to gain international recognition.[382] However, banning the drug cultivation also shortened supply and increased drug prices, hence

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[372] Barfield, *Afghanistan: A Cultural and Political History*, 256; Peters, 'Traffickers and Truckers: Illicit Afghan and Pakistani Power Structures with a Shadowy but Influential Role'.
[373] Barfield, *Afghanistan: A Cultural and Political History*, 257; Rashid, *Taliban*, 22.
[374] Rashid, *Taliban*, 25.
[375] Rashid, 25.
[376] UNODC, 'The Opium Economy in Afghanistan: An International Problem' (United Nations Office on Drugs and Crime, 2003); Mansfield, *A State Built on Sand*, 108–9; Felbab-Brown, *Shooting Up*.
[377] Ahmed Rashid, *Descent into Chaos: The United States and the Failure of Nation Building in Pakistan, Afghanistan, and Central Asia* (New York: Viking, 2008), 317.
[378] Felbab-Brown, *Aspiration and Ambivalence Strategies and Realities of Counterinsurgency and State Building in Afghanistan*; Felbab-Brown, *Shooting Up*.
[379] Rashid, *Descent into Chaos*, 317.
[380] Felbab-Brown, *Shooting Up*.
[381] Mansfield, *A State Built on Sand*, 108–9.
[382] Mansfield, 108–9.

making the trade ever more profitable, casting doubt on the Taliban's motivations to ban the drug trade to gain international recognition.[383] The cultivation ban did lead to a dramatic reduction in poppy cultivated in Afghanistan, falling from 82,000 hectares cultivated between 1999 and 2000 to 8,000 hectares cultivated between 2000 and 2001.[384]

After the United States invaded Afghanistan in 2001, crime, and the narcotics trade, continued to play an important role in the conflict. Many of the militia leaders who used criminal activity during Afghan conflict to accrue personal wealth and sustain their fighting power, had helped the United States to fight the Taliban.[385] In return, they would form part of the new governing elite in Afghanistan.[386] Afghanistan post-2001 political landscape was hence characterised by number of individuals who had used crime, in the form of narcotics trading, corruption, and extortion to accrue personal wealth and finance their patronage networks.[387] Often members of these elites maintained their own militias, incorporated them into the official Afghan security forces while continuing to command personal loyalty from these militias.[388] Insurgent groups, particularly the Taliban, were also alleged to have been involved in the drug trade and other criminal activities such as taxation.[389]

Crime hence played an important role in driving the conflict in Afghanistan. While criminal activity, in particular participation in the drug economy, served as an important avenue for civilians to make a living amid war, belligerents were able to gain political and material

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[383] Mansfield, 109.
[384] Mansfield, 122.
[385] Dearing, 'Turning Gangsters into Allies'.
[386] Dearing; Jonathan Goodhand and David Mansfield, 'Drugs and (Dis)Order: Opium Economy, Political Settlements, and State-Building in Afghanistan', in *Local Politics in Afghanistan*, ed. Conrad Schetter (Oxford University Press, 2013), 211–30, https://doi.org/10.1093/acprof:oso/9780199327928.003.0013.
[387] SIGAR, 'Corruption in Conflict: Lessons from the U.S. Experience in Afghanistan'; Carl Fosberg and Tim Sullivan, 'Criminal Patronage Networks and the Struggle to Rebuild the Afghan State', in *Impunity: Countering Illicit Power in War and Transition*, ed. Michelle Hughes and Michael Miklaucic (Washington, DC: Center for Complex Operations, 2016), 11–39.
[388] SIGAR, 'Corruption in Conflict: Lessons from the U.S. Experience in Afghanistan', 17.
[389] Curtis, 'U.S. Counternarcotics Policy: Essential to Fighting Terrorism in Afghanistan'; Gretchen Peters, *The Seeds of Terror: The Taliban, the ISI and the New Opium Wars* (Gurgaon: Hachette India, 2009); Rahmatullah Amiri and Ashley Jackson, 'Taliban Taxation in Afghanistan: (2006-2021)' (Institute of Development Studies (IDS), 28 February 2022), https://doi.org/10.19088/ICTD.2022.004.

benefits from sponsoring the drug trade.[390] Some members of Afghanistan's political elite often used their positions in office to engage in corruption and fuel personal patronage networks.[391]

The corruption of members of Afghanistan's political elite often fuelled grievances of local civilians and pushed them to support the insurgency.[392] Amid this complex nexus between crime and conflict the United States changed the strategic role of crime control multiple times. I will now explain these changes, proceeding chronologically.

3.3. Rejection of British counternarcotics support demand: Crime control as a strategic distraction (2001-2005)

From 2001 to roughly 2005, the United States treated crime control as a strategic distraction from its overall mission of killing or capturing the al-Qaeda leadership in Afghanistan.[393] When the United States invaded Afghanistan it opted to ally with groups and individuals who were suspected to have been involved in criminal enterprises.[394] It paid millions of dollars to Northern Alliance commanders, the name given to the group of militias combatting the Taliban, to encourage them to fight alongside the United States.[395] According to Ahmed Rashid, these commanders not only used this cash to equip their forces, but also to buy property in Kabul and the Panjshir Valley, reinvest some of the cash into their illicit businesses such as the trafficking of opium, or build up new illicit businesses in Afghanistan.[396] In return for U.S. support, militia commanders would provide relative stability in the regions that they controlled.[397]

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[390] Felbab-Brown, *Shooting Up*; Mansfield, *A State Built on Sand*.
[391] SIGAR, 'Corruption in Conflict: Lessons from the U.S. Experience in Afghanistan'.
[392] Chayes, *Thieves of State*.
[393] Dearing, 'Turning Gangsters into Allies'; Coyne, Hall Blanco, and Burns, 'The War on Drugs in Afghanistan: Another Failed Experiment with Interdiction'; Felbab-Brown, *Shooting Up*, 135.
[394] Dearing, 'Turning Gangsters into Allies'.
[395] Rashid, *Descent into Chaos*, 63–64.
[396] Rashid, 64.
[397] 'Afghanistan: Building Stability, Avoiding Chaos' (United States Congress, 26 June 2002).

While the United States was initially reluctant to engage in crime control efforts Afghanistan, the United Kingdom was eager to be the 'lead nation' on counternarcotics.[398] In January 2002, a major donor conference was held in Tokyo, Japan, where the Group of 8 decided to divide the security sector reform tasks for Afghanistan between five countries.[399] Under what has been called the 'lead nation approach', the United States would be responsible for building the Afghan Army, Germany for the Afghan National Police, Italy for Judicial reform, the United Kingdom for counternarcotics, and Japan for Demobilisation, Disarmament and Reintegration (DDR) tasks.[400]

One of the first efforts by the United Kingdom was a compensated eradication program in which it paid farmers $350 USD for every *jerib* (1/5th of a hectare) eradicated.[401] However, compensated eradication was a short-term solution marred by problems. The United Kingdom did not pay farmers directly, instead funnelling it through local officials who often pocketed the money.[402] There was also widespread fraud with local officials often reporting more cultivated lands than there would actually be to receive more cash, or local officials only targeting farms that did not belong to them or members of their patronage networks.[403] In the long term, it incentivised farmers to dedicate more land to poppy cultivation and make double profits from both the sale of poppy and the subsequent eradication thereof.[404] It was also not clear how the United Kingdom would sustain the compensated eradication program across multiple growing seasons.[405] In addition to compensated eradication, the United Kingdom

[398] Berry, *The War on Drugs and Anglo-American Relations: Lessons from Afghanistan, 2001-2011*.
[399] Sky, 'The Lead Nation Approach'.
[400] Sky.
[401] SIGAR, 'Counternarcotics: Lessons from the U.S. Experience in Afghanistan', 39.
[402] Felbab-Brown, *Shooting Up*, 138.
[403] Felbab-Brown, 138–39.
[404] Felbab-Brown, 139.
[405] Felbab-Brown, 139.

trained and mentored Afghan counternarcotics units and a Counternarcotics Directorate in Afghanistan.[406]

The United States, for its part, remained reluctant to engage in any crime control efforts. However, due to its outsized presence compared to other lead nations in Afghanistan, the United States played an inadvertently important role in deciding whether crime control efforts could be implemented or not.[407] Without U.S. support, British counternarcotics efforts were often severely hampered. Despite many requests from British officials, including Defense Minister Geoff Hoon, U.S. commanders refused to support British counternarcotics efforts.[408]

3.3.1. Demand for crime control

U.S. unwillingness to support counternarcotics issues frustrated U.K. officials so much, that these officials raised the issue with Prime Minister Tony Blair.[409] In November 2002, British Prime Minister Tony Blair wrote to President George W. Bush to request U.S. support for a British counternarcotics mission.[410] The United Kingdom wanted the U.S. military to provide emergency extraction support for the Afghan drug enforcement agents in case things went wrong.[411] A clear sign and demand for crime control efforts signalled to President Bush.

The Bush administration did not immediately reply to Blair's request. It took President Bush until January 2003 to reply to Blair's request with approval for the requested support.[412] However, when British diplomats confronted U.S. commanders in Kabul with the President's

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[406] SIGAR, 'Counternarcotics: Lessons from the U.S. Experience in Afghanistan', 41.
[407] Berry, *The War on Drugs and Anglo-American Relations: Lessons from Afghanistan, 2001-2011*, 69.
[408] Berry, 'Allies at War in Afghanistan: Anglo–American Friction over Aerial Poppy Eradication, 2004–2007', 68.
[409] Berry, *The War on Drugs and Anglo-American Relations: Lessons from Afghanistan, 2001-2011*, 69.
[410] The United States was supposed to provide emergency extraction support for the counternarcotics units. See e.g.: Berry, 69.
[411] Berry, 'Allies at War in Afghanistan: Anglo–American Friction over Aerial Poppy Eradication, 2004–2007', 69.
[412] Berry, *The War on Drugs and Anglo-American Relations: Lessons from Afghanistan, 2001-2011*, 69.

letter, U.S. commanders refused to give the requested support.[413] According to a former British official, the letter was considered by U.S. commanders to be 'a misunderstanding'.[414]

3.3.2. Informational cues to the U.S. public and U.S. elites

The British demand for crime control efforts was accompanied with meetings between Foreign and Commonwealth Office (FCO) officials and their U.S. counterparts. FCO officials discussed the possibility of greater U.S. involvement in counternarcotics with the Department of State's Bureau for International Narcotics and Law Enforcement Affairs (INL), the Department of Defense, and other U.S. officials after Blair's letter was sent.[415] As Berry argues 'In effect, what the British were doing was drawing the US [sic.] into counter-narcotics [sic.] activity against the stated wishes of the Pentagon.'[416]

Importantly, British officials avoided pushing for greater U.S. involvement in counternarcotics in public. British officials believed that if the United States was to be publicly pressured into a counternarcotics mission, it would likely shift its policy stance and advocate for aggressive eradication policies such as aerial spraying.[417] British officials worried that aggressive eradication policies would alienate local Afghans and come at great cost for British troops.[418] Furthermore, the potential disagreement between the United States and United Kingdom over counternarcotics policy would have likely led to signs of a fracturing alliance between the two countries. According to a former FCO official:

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[413] Berry, 69.
[414] Author interview with former British FCO official, held on 23rd January 2023, in London.
[415] Berry, *The War on Drugs and Anglo-American Relations: Lessons from Afghanistan, 2001-2011*, 69.
[416] Berry, 69.
[417] Philip A. Berry, 'From London to Lashkar Gah: British Counter Narcotics Policies in Afghanistan (2001–2003)', *The International History Review* 40, no. 4 (8 August 2018): 721, https://doi.org/10.1080/07075332.2017.1359647.
[418] Berry, 'Allies at War in Afghanistan: Anglo–American Friction over Aerial Poppy Eradication, 2004–2007', 71.

> 'If Congress started to take an interest [in counternarcotics] the U.S. [sic.] would press for aerial spraying and we would be on the other side of the argument and inevitably then publically [sic.] so.'[419]

The United Kingdom hence did not seek to increase pressure on the United States to become more involved in counternarcotics. Instead, it relied on lobbying within the U.S. government to persuade them to increase their role in counternarcotics. Even if the United Kingdom had decided to increase pressure on the U.S. President, it is unclear whether foreign officials would have been able to generate enough pressure on the Bush administration to change their policy given that the power of foreign elites in swaying the US public is debatable.[420]

3.3.3. Step two: Cost calculation

The lack of informational cues to the U.S. public or other elites meant that the President did not expect to incur domestic audience costs for treating crime as a strategic distraction. At the same time, the United States judged the material and human costs to be too high to grant support to the British request for counternarcotics support, despite President Bush's letter.[421] The Bush administration's perception that the expected material and human costs of crime control would be too high are reflected in several different discursive and contextual indicators.

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[419] Cited in Berry, 'From London to Lashkar Gah', 721.
[420] The ability of foreign policy officials to sway public opinion in another country is likely dependent on a number of factors such as the policy issue under question. On the ability of foreign policy officials to sway public opinion in another country see e.g.: Benjamin E. Goldsmith, Yusaku Horiuchi, and Kelly Matush, 'Does Public Diplomacy Sway Foreign Public Opinion? Identifying the Effect of High-Level Visits', *American Political Science Review* 115, no. 4 (November 2021): 1342–57, https://doi.org/10.1017/S0003055421000393.
[421] Berry, *The War on Drugs and Anglo-American Relations: Lessons from Afghanistan, 2001-2011*, 70.

First, a contextual indicator is that the Bush administration entered office being highly sceptical of any missions that could be considered nation-building. This contextual indicator is reflected in statements President Bush made during his Presidential campaign run. For example, during a debate between Bush and the Democratic candidate Al Gore, Bush rejected committing U.S. troops to missions that could be understood as nation-building:

> 'I think we've got to be very careful when we commit our troops. The vice president [Al Gore] and I have a disagreement about the use of troops. He [Vice President Al Gore] believes in nation building. I would be very careful about using our troops as nation builders. I believe the role of the military is to fight and win war and therefore prevent war from happening in the first place.'[422]

U.S. officials at the time also testify to the cost aversion of the Bush administration. As the first U.S. ambassador to Afghanistan James Dobbins explained: 'They had an explicit philosophy that was focused on minimizing the application of manpower.'[423] This cost aversion meant that crime control efforts were categorically ruled out during the planning for the Afghanistan invasion.

Second, discursive indicators show that crime control efforts were thought to have likely alienated key U.S. allies, who would have subsequently used their militias to fight against the United States. This would have required an increase in troop levels from the United States that that it was unwilling to provide. As a former British official remarked:

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[422] 'The First Fore-Bush Presidential Debate' (The Commission on Presidential Debates, 3 October 2000), https://www.debates.org/voter-education/debate-transcripts/october-3-2000-transcript/.
[423] SIGAR Lessons Learned interview with Ambassador James Dobbins, former U.S. diplomat and U.S. special representative to Afghanistan and Pakistan, 2013-2014, held on 11th January 2016. *The Afghanistan Papers.* The Washington Post.

> ‘The rolling over of the Taliban back in 2001/02 was achieved with almost no Western military presence on the ground. As you know there was a lot of air power was used. But very little in the way of sort of the ground and that was achieved essentially by paying Afghan militias to fight. That was achieved through the sort of a network of essentially intelligence service connections with local power brokers. All of whom had their own fighters at their disposal. These were in many cases also people who were profiting most from the drugs trade. So, they were needed, you know, even after the initial conflict was over for a long time after that they were needed to maintain control in the provinces. And to continue fighting residual Taliban forces. So, there was a reluctance, certainly on the US part to put pressure on these people, as far as their counternarcotics activities were concerned.’[424]

Another contextual indicator was that the British request for counternarcotics support came at a time when the United States was preparing for the invasion of Iraq. Hence, the Bush administration was unwilling to spend more resources on Afghanistan while it was preparing for another war.[425] As a former British official remarked:

> ‘The Americans said: it’s a nice letter but we are not doing that – in only the way the US military can ignore their commanding officer. The Afghans who had clearly been worked on by the Americans in advance – and so had the British military – said we don’t want you doing that, thank you very much.

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[424] Author interview with former British FCO official, held on 23rd January 2023, in London.

[425] Berry, *The War on Drugs and Anglo-American Relations: Lessons from Afghanistan, 2001-2011*, 70.

> This is exactly the point in which Britain and the US were gearing up to invade Iraq. So that, far more than anything to do with Afghanistan, is what had the attention of ministers.'[426]

This cost aversion contributed to U.S. decisions to ignore crime in the beginning of the Afghanistan invasion. As Bush exclaimed in a NSC meeting on 15th November 2001: ''The U.S. forces will not stay. We don't do police work.'[427]

While there were some bureaucrats in the Bush administration supportive of the British counternarcotics effort, namely officials working for the State Department's Bureau for International Narcotics and Law Enforcement Affairs (INL), these officials were unable to make their voices heard amid the bureaucratic competition over Afghanistan and wider counterterrorism policy.[428] Especially the Department of Defense, led by Donald Rumsfeld, was highly reluctant to become involved in British counternarcotics efforts.[429] As a U.S. commander speaking to British Defence Minister Hoon recalled:

> 'We had an intense talk about counter-narcotics, and it was something of a dilemma to me because Rumsfeld had made it very clear, I was not to involve myself in counter-narcotics unless it had something directly to do with a tactical situation . . . Hoon was adamant that I had to do more ... I said okay, I got it and I will keep that in mind, but I was not unmindful of what Rumsfeld had told me.'[430]

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[426] Berry, 70.
[427] Woodward, *Bush at War*, 310.
[428] Keane, 'The Impact of Bureaucratic Conflict on US Counternarcotics Efforts in Afghanistan'.
[429] Peters, *The Seeds of Terror*, 188–89.
[430] Berry, *The War on Drugs and Anglo-American Relations: Lessons from Afghanistan, 2001-2011*, 68.

Hence, amid no expected domestic audience costs for treating crime control as a strategic distraction, the material and human costs of treating crime control as a strategic tool outweighed any political pressure to pursue crime control and the United States did not heed the request for British counternarcotics support.

3.3.4. Discussion

The case of the rejection by the United States to support British counternarcotics efforts shows that demands for crime control are insufficient for leading to a change in the strategic role of crime control. This then fails the first hoop test for the explanation that strategic requirements and associated demands for crime control are sufficient to lead to a change in strategy. Had the demand for crime control efforts on the ground been sufficient for a change in strategy, the United States should have supported the British counternarcotics mission.

The case also lends support to the argument that expected domestic audience costs are necessary for a change in strategy. British officials considered increasing pressure on the U.S. President by raising the issue with Congressional elites, which would have moved informational cues into the public.[431] However, they recognised that doing so would force the U.S. President to push for aerial spraying, which British officials feared would have severely alienated local Afghans.[432] This serves as a behavioural indicator, albeit from British officials, that shows that informational cues would have increased public pressure on the U.S. President and that in response the Bush administration would have to react in a way that appeased domestic audiences by showing resolve and determination.

At the same time, the case shows that when the expected material and human costs of treating crime control as a strategic tool are too high, the United States will treat crime control

[431] Berry, 'From London to Lashkar Gah', 721.
[432] Berry, 'From London to Lashkar Gah'.

as a strategic distraction.[433] Particularly Donald Rumsfeld and his staff maintained a deep aversion against combatting narcotics in Afghanistan and directed military commanders not to engage in counternarcotics.[434] Many local U.S. allies in Afghanistan relied on crime for their own power and Afghan civilians often were able to maintain their livelihoods by cultivating opium.[435] Any significant crime control effort would have likely alienated both Afghan allies, who often commanded powerful militias of their own, and Afghan civilians, who would have likely taken up arms themselves against the United States had it engaged in counternarcotics.[436] Hence, the United States rejected the British request.

Interestingly, President Bush did officially approve of the counternarcotics mission, however his commanders refused to execute the order arguing that Bush's letter was misinterpreted by British officials.[437] It is unclear why he initially approved the letter nor is it clear why U.S. commanders on the ground felt empowered to reject the President's order. It could be that President Bush did not know nor want his commanders to resist the order. This would mean that senior U.S. commanders felt comfortable and emboldened to reject direct orders from their commander in chief. However, such insubordination is incredibly rare.[438] If President Bush had also wanted the commanders to support counternarcotics efforts, it is reasonable to assume that he would have replied in November 2002, and not wait for British officials to remind him. Instead, President Bush's approval of the requested support could be interpreted as a way for the Bush administration to appease its British counterparts.

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[433] Suhrke, 'From Principle to Practice'.
[434] Berry, *The War on Drugs and Anglo-American Relations: Lessons from Afghanistan, 2001-2011*; Berry, 'From London to Lashkar Gah'; Keane, 'The Impact of Bureaucratic Conflict on US Counternarcotics Efforts in Afghanistan'.
[435] Dearing, 'Turning Gangsters into Allies'; SIGAR, 'Corruption in Conflict: Lessons from the U.S. Experience in Afghanistan'.
[436] Felbab-Brown, *Shooting Up*.
[437] Berry, *The War on Drugs and Anglo-American Relations: Lessons from Afghanistan, 2001-2011*, 69–70.
[438] Peter D. Feaver, *Armed Servants: Agency, Oversight, and Civil-Military Relations* (Cambridge: Harvard University Press, 2009), 68.

3.4. 'Drugs and Thugs': Crime control as a strategic tool (2005-2010)

In 2005, the United States switched its strategy and crime control efforts were integrated into its military strategy. The Drug Enforcement Administration (DEA) already maintained a small office in Kabul before 2005, and the State Department's Bureau for International Narcotics and Law Enforcement Affairs (INL) (colloquially known as *drugs 'n' thugs* among U.S. officials) did not deploy any personnel to Afghanistan before 2003.[439] The DEA presence in Afghanistan was limited to three agents and these agents were mainly focussed on intelligence gathering and did not aid local law enforcement in their operations.[440] Nor did they conduct their own operations in Afghanistan at that point in time.[441]

The change in the strategic role of crime control occurred with the publication and approval of the White House's first counternarcotics strategy for Afghanistan in 2005.[442] The strategy introduced a plan to combat the narcotics trade in Afghanistan, based on five pillars: (1) elimination or eradication, (2) interdiction, (3) justice reform, (4) public information, and (5) alternative livelihoods.[443] An updated version of the strategy published in 2007 mentions that: '[t]he drug problem in Afghanistan is a serious health and social problem, a serious obstacle to the international community's effort to defeat global terrorism, and a serious impediment to achieving regional stability.'[444] However, despite the counternarcotics strategy

[439] SIGAR, 'Counternarcotics: Lessons from the U.S. Experience in Afghanistan', 39; Perito, 'Afghanistan's Police'.

[440] SIGAR, 'Counternarcotics: Lessons from the U.S. Experience in Afghanistan', 41.; SIGAR Lessons Learned Interview with Doug Wankel, former DEA agent and director of counternarcotics task force at U.S. embassy in Kabul, held on 19th April 2016. *The Afghanistan Papers.* The Washington Post.

[441] SIGAR, 41.; SIGAR Lessons Learned Interview with Doug Wankel, former DEA agent and director of counternarcotics task force at U.S. embassy in Kabul, held on 19th April 2016. *The Afghanistan Papers.* The Washington Post.

[442] SIGAR, 45. The counternarcotics strategy was revised

[443] Despite the strategies emphasis on balancing five pillars, the United States focussed mostly on the eradication strand. SIGAR, 45; Thomas Schweich, 'U.S. Counternarcotics Strategy for Afghanistan' (U.S. Department of State, 2007).

[444] Schweich, 'U.S. Counternarcotics Strategy for Afghanistan', 13.

outlining a five-pillar strategy, many of these crime control efforts emphasised eradication and coercive means over alternative means of curbing the narcotics economy in Afghanistan.[445]

The publication of the 2005 counternarcotics strategy was accompanied by the extension of military authorities to aid Afghan counternarcotics units, funding requests from the White House to the Congress for counternarcotics efforts in Afghanistan, and resultingly the establishment of a number of crime control efforts by the DEA and INL.[446] From March 2005 onwards U.S. forces were directed to give support to counternarcotics operations by transporting Afghan counternarcotics agents on military planes and helicopters, help in the planning of counternarcotics missions as well as use their intelligence to produce targeting packages for counternarcotics missions.[447] To support the military's new mission the White House requested $257 million in funding from Congress in 2005.[448]

DEA as well as INL personnel in Afghanistan also increased and the United States took charge of different law enforcement capacity building efforts.[449] For example, INL contracted DynCorp to stand up the Central Poppy Eradication Force (CPEF), which would later be called the Afghan Eradication Force (AEF), and then again be renamed as the Poppy Eradication Force (PEF).[450] The United States also supported Task Force 333 (TF-333) also known as the Afghan Special Narcotics Force (ANSF); a special counternarcotics force originally established by the United Kingdom when it was the lead nation for counternarcotics in Afghanistan.[451]

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[445] Felbab-Brown, *Shooting Up*; Felbab-Brown; Felbab-Brown, 'Drugs, Security, and Counternarcotics Policies in Afghanistan'; SIGAR, 'Counternarcotics: Lessons from the U.S. Experience in Afghanistan'.
[446] SIGAR, 'Counternarcotics: Lessons from the U.S. Experience in Afghanistan'.
[447] Thom Shanker, 'Pentagon Sees Aggressive Antidrug Effort in Afghanistan', *The New York Times*, 25 March 2005, sec. World, https://www.nytimes.com/2005/03/25/politics/pentagon-sees-aggressive-antidrug-effort-in-afghanistan.html.
[448] Shanker.
[449] SIGAR, 'Counternarcotics: Lessons from the U.S. Experience in Afghanistan'.
[450] SIGAR, 46.
[451] SIGAR, 41.

One of the most important U.S. law enforcement deployments were the DEA Foreign Advisory and Support Teams (FAST), deployed in 2005.[452] FAST teams were DEA special agents who were trained and equipped by U.S. military special forces.[453] DEA FAST teams were deployed to support Afghan counternarcotics units as well as DEA agents in their operations and investigations.[454] Their main task was to provide security as well as tactical support for counternarcotics operations amid Afghanistan's dangerous security environment.[455] Although these units were technically law enforcement officials, they were dressed, trained, and equipped like military units.[456]

Furthermore, the United States began mentoring and building local law enforcement units. For example, in 2005 the United States established the Criminal Justice Task Force (CJTF) which was an Afghan-led but U.S. mentored police unit which focussed on high and mid-level narcotics cases.[457]

These efforts were subsequently developed further and built on. For example, in 2009, the CJTF developed into the Counternarcotics Justice Center (CNJC), a compound in Kabul which included vetted investigators, prosecutors, defenders, and judges that worked on high-profile narcotics cases.[458] Between 2005 and 2012, the United States also arrested five drug traffickers, including Haji Bashir Noorzai and Haji Juma Khan, who were both alleged to have previously been allied with the United States.[459] These arrests are striking because the United

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[452] Global Drug Policy Observatory, 'Not so FAST; The Rise and Rise of the DEA's Commando Squads'.
[453] Author interview with former senior DEA official, held 9th June 2023, Washington D.C.
[454] Global Drug Policy Observatory, 'Not so FAST; The Rise and Rise of the DEA's Commando Squads'.
[455] Global Drug Policy Observatory.; Author interview with former senior DEA official, held 9th June 2023, in Washington D.C..
[456] Global Drug Policy Observatory.
[457] SIGAR, 'Corruption in Conflict: Lessons from the U.S. Experience in Afghanistan', 26.
[458] SIGAR, 'Police in Conflict: Lessons from the U.S. Experience in Afghanistan' (Special Inspector General for Afghanistan Reconstruction, 2022), 229; SIGAR, 'Counternarcotics: Lessons from the U.S. Experience in Afghanistan', 79.
[459] United States of America v. Bashir Noorzai; Johnny Dwyer, 'The U.S. Quietly Released Afghanistan's "Biggest Drug Kingpin" From Prison. Did He Cut a Deal?', The Intercept, 1 May 2018, https://theintercept.com/2018/05/01/haji-juma-khan-afghanistan-drug-trafficking-cia-dea/; 'Member of Afghan Taliban Sentenced to Life in Prison in Nation's First Conviction on Narco-Terror Charges' (U.S. Department of Justice, 22 December 2008), https://www.justice.gov/archive/opa/pr/2008/December/08-crm-

States did not have an extradition treaty with Afghanistan, meaning that each trafficker needed to be lured either to the United States or countries that the United States shared extradition treaties with, in order for the United States to arrest these individuals.[460]

These efforts represented a turning point for the strategic role of crime control in U.S. strategy in Afghanistan. Crime control efforts became a strategic tool in the war in Afghanistan. How did this change happen?

3.4.1. Demand for crime control

In 2004, mounting journalistic and UNODC reports pointed towards an increase in the cultivation of opium.[461] Before the United States invaded Afghanistan, the Taliban had successfully implemented a ban on the cultivation of opium poppy.[462] After the intervention, the United States flooded Afghanistan's agricultural markets with food aid.[463] The aid influx led to the unintended consequence that many farmers were unable to compete with imported wheat prices.[464] As a consequence, more and more farmers returned to growing opium after the U.S. intervention.[465] For example, in 2001, after the implementation of the poppy ban by the Taliban, the UNODC estimated that the total area under opium poppy cultivation in

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1145.html#:~:text=Mohammed%20was%20convicted%20on%20May,and%20opium)%20in%20order%20to; 'First Heroin Kingpin Ever Extradited from Afghanistan Pleads Guilty to Smuggling Heroin into United States' (United States Attorney Southern District of New York, 11 July 2006), https://www.justice.gov/archive/usao/nys/pressreleases/July06/bazmohammadpleapr.pdf; 'Haji Bagcho Sentenced to Life in Prison on Drug Trafficking and Narco-Terrorism Charges' (U.S. Department of Justice, 12 June 2012), https://www.justice.gov/opa/pr/haji-bagcho-sentenced-life-prison-drug-trafficking-and-narco-terrorism-charges.

[460] Only in one case did the Afghan government decide to extradite the suspect. See: 'First Heroin Kingpin Ever Extradited from Afghanistan Pleads Guilty to Smuggling Heroin into United States'.

[461] Jim Hoagland, 'A New Afghan Policy', *The Washington Post*, 2004; UNODC, 'The Opium Economy in Afghanistan: An International Problem'; Felbab-Brown, *Shooting Up*, 141; UNODC, 'Afghanistan Opium Survey 2005' (United Nations Office on Drugs and Crime, 2005), https://www.unodc.org/documents/crop-monitoring/Afghanistan/afg_survey_2005.pdf.

[462] Mansfield, *A State Built on Sand*, 121–22.

[463] David Loyn, *The Long War: The inside Story of America and Afghanistan since 9/11*, First edition (New York: St. Martin's Press, 2021), 59–60.

[464] Loyn, 59–60.

[465] Loyn, 59–60.

Afghanistan was 8,000 hectares.[466] In 2002, the estimate was 74,000 hectares, and it jumped to 131,000 hectares in 2004 (see figure 2).[467]

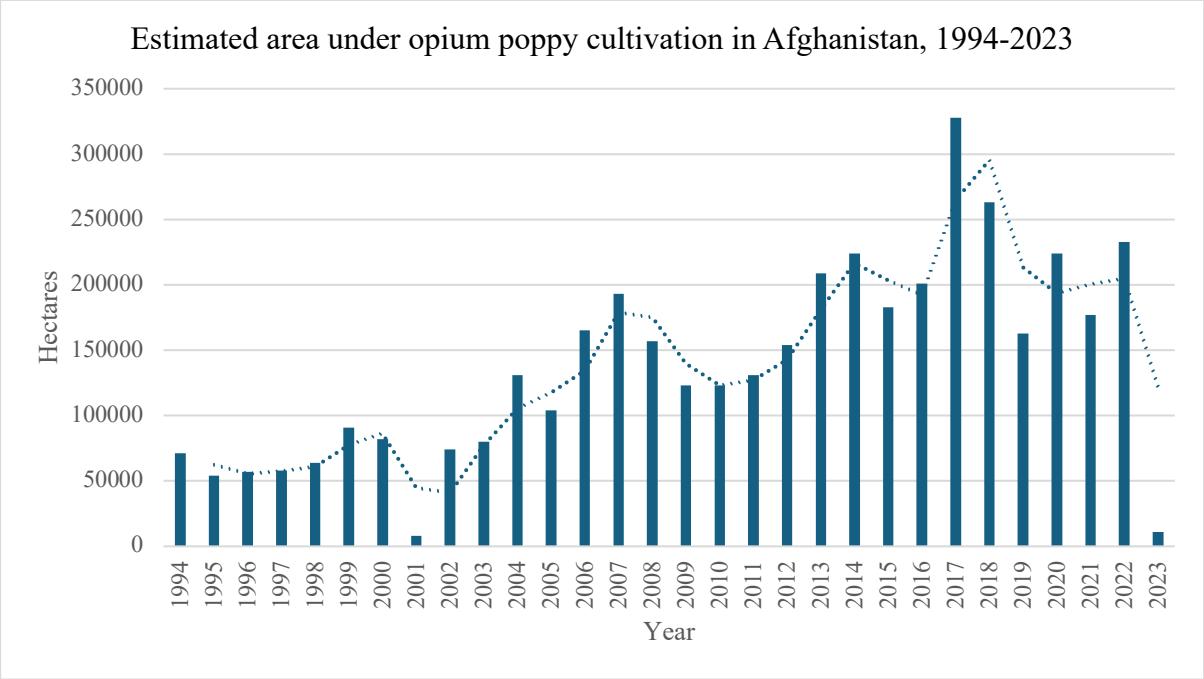

Figure 2: Estimated area under opium poppy cultivation in Afghanistan, 1994-

Source: UNODC, 'Afghanistan Opium Survey 2023' (United Nations Office on Drugs and Crime, 2023), https://www.unodc.org/documents/crop-monitoring/Afghanistan/Afghanistan_opium_survey_2023.pdf.

The increase in cultivation led to members of the U.S. Congress and journalists to pay more attention to the Afghan poppy trade.[468] Members of Congress, journalists, and U.S. officials, particularly the then INL director Robert Charles and officials in the U.S. embassy in

[466] Since 2002, UNODC used remote sensing (i.e. satellite imagery) to estimate total areas of opium poppy cultivation in Afghanistan. Before 2002, UNODC relied on a ground-based census methodology in which surveyors visited all known opium poppy cultivating areas in Afghanistan. The data is hence imperfect and likely not an accurate measure of actual poppy cultivation in Afghanistan UNODC, 'Afghanistan Opium Survey 2023' (United Nations Office on Drugs and Crime, 2023), https://www.unodc.org/documents/crop-monitoring/Afghanistan/Afghanistan_opium_survey_2023.pdf; UNODC, 'Afghanistan Opium Survey 2002' (United Nations Office on Drugs and Crime, 2002), https://www.unodc.org/pdf/afg/afg_opium_survey_2002.pdf.
[467] UNODC, 'Afghanistan Opium Survey 2023'.
[468] See e.g.: Hoagland, 'A New Afghan Policy'; 'Afghanistan', 12 February 2004; 'Afghanistan: Are the British Counternarcotics Efforts Going Wobbly?' (United States Congress, 2004); Felbab-Brown, *Shooting Up*, 141; SIGAR, 'Counternarcotics: Lessons from the U.S. Experience in Afghanistan'.

Kabul, all began calling for the United States to increase its involvement in counternarcotics and treat counternarcotics as a key part of the U.S. strategy to defeat Taliban remnants and al-Qaeda.[469]

These actors grew concerned that the rise in drug cultivation would lead to an increase in funding for the Taliban. Some U.S. officials, such as Robert Charles, had previously worked on U.S. responses to the drug economy in Colombia and drew parallels between the crime-conflict nexus in Colombia and Afghanistan. In Colombia, cocaine trafficking had financed various insurgent and belligerent groups.[470] Members of the U.S. Congress, some U.S. officials, and journalists believed that Afghanistan, given its position as a key poppy producer, would risk following a similar trajectory as Colombia.[471] According to a former senior DEA official, 'I think that there was a growing belief that Afghanistan had some real similarities with Colombia. And a lot of these folks had either worked in Colombia or around Colombia or in Colombian programs.'[472] The experience of these officials in Colombia led them to believe that the Taliban were benefiting from the rise in poppy cultivation.[473]

Crucially, there was a considerable lack of evidence supporting the idea that drugs were actually financing the Taliban or al-Qaeda in 2005. The Taliban certainly were connected to the drug trade through taxation before the U.S. invasion of Afghanistan.[474] However, links between drugs and the Taliban after the intervention were often more complicated than U.S.

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[469] Felbab-Brown, Shooting Up, 141; Hoagland, 'A New Afghan Policy'; James Risen, State of War: The Secret History of the CIA and the Bush Administration (New York: Free Press, 2006), 152.

[470] See e.g.: Alain Labrousse, 'The FARC and the Taliban's Connection to Drugs', *Journal of Drug Issues* 35, no. 1 (2005): 169–84, https://doi.org/10.1177/002204260503500108; Garry Leech, *The FARC: The Longest Insurgency* (London, UNITED KINGDOM: Bloomsbury Academic & Professional, 2011), http://ebookcentral.proquest.com/lib/oxford/detail.action?docID=721166; Tate, *Drugs, Thugs, and Diplomats: U. S. Policymaking in Colombia*; Idler and Vergara, *Transforming the War on Drugs: Warriors, Victims and Vulnerable Regions*.

[471] 'Afghanistan', 12 February 2004; 'Afghanistan: Are the British Counternarcotics Efforts Going Wobbly?'; Author Interview with former senior DEA official, held on 12th June 2023, via MS Teams.

[472] Author Interview with former senior DEA official, held on 12th June 2023, via MS Teams.

[473] Keane, *US Nation Building in Afghanistan*, 146.; Author Interview with former senior DEA official, held on 12th June 2023, via MS Teams.

[474] Rashid, *Descent into Chaos*, 317.

officials made it out to be.[475] It is not clear to what extent and how exactly the Taliban, yet alone al-Qaeda, benefitted from the drug trade in that moment in time.[476] For example, many U.S. and British officials believed that the Taliban benefitted from the taxation of the trade, as opposed to the direct trafficking of drugs.[477] According to one former senior British official involved in the counternarcotics effort between 2005 and 2008: '[F]rom what I could see, there wasn't an awful lot of evidence that the drugs trade directly funded the Taliban.'[478] Similarly, on February 12th, 2004, Karen Tandy, the administrator of the Drug Enforcement Administration (DEA) at the time, wrote in her written testimony before the House of Representative's Committee on International Relations that: 'At this time, we do not have evidence capable of sustaining an indictment of direct links between terrorism and narcotics trafficking groups within Afghanistan. To the extent that allegations have been raised based on more than speculation, they generally come from single sources.'[479] Similarly, the Chairman of the House International Relations Committee Henry Hyde confirmed, that as of 2004: 'We do not know how much al-Qaeda can clear from facilitating or sponsoring any given drug transaction, but certainly the possibility of immense illegal profit exists with these significant strategic consequences.'[480]

Yet, Robert Charles and others in the U.S. State Department remained convinced that opium was funding the Taliban.[481] For example, Zalmay Khalilzad, the U.S. ambassador to Afghanistan between 2004 and 2005, sent a cable in April 2004 arguing that 'There is a growing danger that the rapidly growing illegal drug industry will sweep away all the other things we

[475] Felbab-Brown, 'Drugs, Security, and Counternarcotics Policies in Afghanistan'.
[476] Felbab-Brown.
[477] Peters, *The Seeds of Terror*, 185; Felbab-Brown, 'Afghanistan Affectations: How to Break Political-Criminal Alliances in Contexts of Transition', 12.
[478] Author interview with former senior British official, held on 14th November 2022, via MS Teams.
[479] Tandy in 'Afghanistan', 12 February 2004, 10.
[480] 'Afghanistan', 12 February 2004.
[481] Risen, *State of War*, 159; Peters, *The Seeds of Terror*, 191–92.

are doing to rebuild Afghanistan […] money from the illegal drugs industry finds its way into the coffers of the Taliban and other terrorist groups. Disrupting this connection should be our first priority in the counternarcotics area.'[482]

To counteract the perceived threat of opium cultivation in Afghanistan the State Department's Bureau for International Narcotics and Law Enforcement Affairs (INL) pushed for the implementation of an aerial spraying campaign coupled with an aggressive interdiction campaign to be implemented in Afghanistan.[483] Again, Charles' push for aerial spraying was influenced by his personal beliefs and experiences in Colombia, where he believed aerial spraying yielded great successes in curtailing the cocaine trade in that country.[484] As Charles remarked in a public Department of State briefing on proposed counternarcotics initiatives for Afghanistan:

> 'We know that wherever manual or aerial eradication has been used, ranging from the high mountains of Peru and Colombia, to Mexico and the flatlands, that when you can create a deterrent environment, where the symbolism and the reality is that you're deterring the growth of the drug, people do begin to get out of that business.'[485]

Charles' perception of U.S. policy in Colombia as a success influenced his stance on Afghan counternarcotics efforts.

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[482] Peters, *The Seeds of Terror*, 192.
[483] SIGAR, 'Counternarcotics: Lessons from the U.S. Experience in Afghanistan', 44.
[484] SIGAR, 44; Berry, *The War on Drugs and Anglo-American Relations: Lessons from Afghanistan, 2001-2011*, 75–76.
[485] Robert B. Charles, 'Counternarcotics Initiatives for Afghanistan' (U.S. Department of State, 17 November 2004), https://2001-2009.state.gov/p/inl/rls/prsrl/spbr/38352.htmRisen.

3.4.2. Informational cues to the U.S. public and U.S. elites

Throughout the year 2004, Robert Charles played a key role in pushing the issue of Afghanistan's drug trade in Congress to increase pressure on the Bush administration to implement counternarcotics in Afghanistan.[486] According to a former senior official in the U.S. embassy in Kabul 'Charles was highly political'.[487] He sought to mobilise public opinion to increase the political costs for inaction for the Bush administration and Congress. According to James Risen, Robert Charles 'knew that drug trafficking was always a hot-button issue. If the American people became broadly aware of the scale of the drug crisis in Afghanistan – and that the United States was not doing anything about it – he realized that congressional sentiment would quickly shift.'[488]

When asked in February 2004 by members of Congress how Congress could help change the U.S. policy towards crime, Robert Charles, director of INL, remarked: 'I think that the first and most important thing that you do is to elevate this issue in a public dialogue, and you are doing that right now, the counter-terrorism piece together with its linkages to counter-narcotics and the significance of Afghanistan in the grand scheme.'[489] This indicates that Charles believed that elevating the drug issue publicly and in Congress would increase the domestic audience costs for the Bush administration to treat crime control as a strategic distraction.

The U.S. Congress aligned with Robert Charles and increased held a number of hearings on Afghanistan's crime-conflict nexus. On 12th February 2004, the House of Representative's International Relations Committee held a hearing on the linkages between

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[486] Risen, *State of War*, 152.

[487] SIGAR Lessons Learned Interview with Official in U.S. Embassy in Kabul, held on 15th March 2016. *The Afghanistan Papers.* The Washington Post.

[488] Risen, *State of War*, 152.

[489] 'Afghanistan', 12 February 2004.

narcotics trafficking and terrorism in Afghanistan.[490] Although the hearing focussed on narcotics, it also addressed other crimes such as intellectual property crimes funding al-Qaeda, petty crime in Afghanistan, and smuggling of other goods.[491] Furthermore, in 2004, the U.S. Congress the U.S. House of Representative Committee on Government Oversight held a hearing on British counternarcotics efforts and invited Robert Charles to testify in front of the Committee.[492] The then Chairman of the Committee, Henry Hyde, commented on the need for crime control efforts in the U.S. Afghan strategy: 'Only by addressing the Afghan drug challenge can we make Afghanistan more secure.'[493] He further criticised the Bush administration's strategy in Afghanistan as inadequate commenting that: 'A comprehensive and unified strategy addressing the connection between drug trafficking, security and terrorism is overdue.'[494] These hearings served as informational cues to the U.S. public and other U.S. elites.

In another Congressional hearing the Subcommittee on Criminal Justice, Drug Policy, and Human Resources of the House Committee on Government Reform, chaired by Congressman Mark Souder, attacked British counternarcotics efforts in Afghanistan and criticised the U.S. government for failing to do more on counternarcotics.[495] According to Robert Charles: 'the main point is that we need to be more aggressive and we need to be more complete and we need to be more determined and we need to be more ambitious about addressing these two huge and significant producers of heroin poppy.'[496]

In addition to hearings, members of Congress also worked in their personal capacity to send informational cues to the Bush administration to implement crime control efforts. For

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[490] 'Afghanistan'.
[491] 'Afghanistan'.
[492] 'Afghanistan: Are the British Counternarcotics Efforts Going Wobbly?'
[493] Hyde in 'Afghanistan', 12 February 2004.
[494] Hyde in 'Afghanistan'.
[495] 'Afghanistan: Are the British Counternarcotics Efforts Going Wobbly?'
[496] Charles in 'Afghanistan: Are the British Counternarcotics Efforts Going Wobbly?'

example, the then Chairman of the House International Relations Committee, Henry Hyde, wrote to Donald Rumsfeld urging him to implement crime control efforts as part of the U.S. strategy in Afghanistan.[497]

Importantly, the concerns over Afghanistan's narcotics market and efforts to problematise the issue in public hearings were bipartisan. Democrats on the Hill also believed that the U.S. should do more against crime in Afghanistan. Democratic Congressman Elijah Cummings supported Robert Charles in the hearing on British counternarcotics efforts: 'we share many of your views with regard to trying to rid our world of illegal drugs.'[498] Similarly, in light of the 2004 Presidential, the Democratic candidate John Kerry critiqued Bush on his record on crime in Afghanistan.[499] Thus, the 2004 Democratic Party Platform maintained that a future Democratic Administration: 'will attack the exploding opium trade ignored by the Bush Administration by doubling our counter-narcotics assistance to the Karzai Government and reinvigorating the regional drug control program.'[500]

While political pressure built in the U.S. Congress, journalists in the United States were also publicly criticising the Bush administration for failing to address crime, and in particular narcotics in Afghanistan.[501] As Felbab-Brown argued: ''[a]mid a host of newspaper articles reporting on the "explosion" of opium poppy cultivation in Afghanistan and editorials urging stronger action pressure mounted from Republicans in Congress to make greater progress toward eliminating poppy cultivation in Afghanistan.'[502]

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[497] Hyde in 'Afghanistan', 12 February 2004.
[498] Cummings in 'Afghanistan: Are the British Counternarcotics Efforts Going Wobbly?'
[499] Felbab-Brown, *Shooting Up*, 141.
[500] '2004 Democratic Party Platform' (Democratic Party; The American Presidency Project at University of California Santa Barbara, 2004), https://www.presidency.ucsb.edu/documents/2004-democratic-party-platform; Felbab-Brown, *Shooting Up*, 141.
[501] Hoagland, 'A New Afghan Policy'.
[502] 'Afghanistan: Are the British Counternarcotics Efforts Going Wobbly?'; Felbab-Brown, *Shooting Up*, 141. SIGAR Lessons Learned interview with John Wood, 17th June 2015. *The Afghanistan Papers.* The Washington Post.

Congress also attempted to leverage the 'power of the purse' to move U.S. policy. The House Committee on Government Reform, for example, threatened to withdraw funding from the Department of Defense if it failed to control crime, particularly the drug trade in Afghanistan.[503] In its views and estimates on the United States budget for the fiscal year of 2005, the committee wrote:

> '[D]espite the financing of terrorists and other destabilizing elements from the drug trade, the Department of Defense does not view these as military targets. The [House Government Reform] Committee urges in the strongest terms for the Department to reconsider, [sic.] and will monitor this issue incident to its oversight activities on behalf of the public safety. Therefore, if the Department is unwilling or otherwise task-saturated and unable to fulfil its authorizations, the Committee would support the President's requested reduction with the proviso that the funds be redistributed to other agencies capable of filling the void.'[504]

All of these activities represent informational cues sent by an informal alliance between certain U.S. bureaucrats, members of Congress, and journalists that aimed to increase political pressure for the Bush administration to force a change in the strategic role of crime.

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[503] United States Congress, *Views and Estimates of Committees of the House (Together with Supplemental and Minority Views) on the Congressional Budget for Fiscal Year* (U.S. Government Printing Office, 2004), https://books.google.fr/books?id=tZJNAQAAMAAJ.

[504] United States Congress, 126.

3.4.3. Cost calculation

The attention on the record drug cultivation added to a narrative that Afghanistan risked becoming a 'narco-state'.[505] This coupled two highly political salient issues: drugs and the war effort. According to a journalist writing on the narcotics economy at the time, the Afghan drug trade 'was becoming kind of an embarrassment for them [the Bush administration]', pushing the Bush administration to implement counternarcotics efforts.[506]

The informational cues attempted to create a narrative that the rising narcotics economy contributed to a failing war strategy in Afghanistan.[507] As Robert Charles remarked to journalist James Risen regarding the narcotics economy in Afghanistan: 'I started clanging the fire bell […] You had to take it seriously or it would devour the democracy [in Afghanistan].'[508] According to notes from a SIGAR Lessons Learned Interview with a former U.S. Department of Defense official, the narrative that drugs were financing the Taliban was making it difficult for the Bush administration to continue ignoring drugs in the country.[509] According to these notes the official remarked that 'there was no consensus in [Washington] DC'[510] that drugs were financing the insurgency. However, the official remarked that 'IF [in original] they make the connection there is no way they [the Bush administration] can say no to being involved in CN [counternarcotics].'[511] Similarly, in 2004, in response to Robert Charles' public statements in Congress, a White House official told Charles that he was becoming 'highly inconvenient'.[512] These serve as discursive indicators that the Bush

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[505] Peters, *The Seeds of Terror*, 190–91.
[506] Author interview with U.S. journalist, held on 24th May 2023. Washington D.C.
[507] Risen, *State of War*, 152–53.
[508] Risen, 152–53.
[509] SIGAR Lessons Learned Interview with former U.S. Defense official, held on 17th May 2016. *The Afghanistan Papers.* The Washington Post.
[510] SIGAR Lessons Learned Interview with former U.S. Defense official, held on 17th May 2016. *The Afghanistan Papers.* The Washington Post.
[511] SIGAR Lessons Learned Interview with former U.S. Defense official, held on 17th May 2016. *The Afghanistan Papers.* The Washington Post.
[512] Risen, *State of War*, 153.

administration believed that the political costs for continued inaction against crime were increasing.

Behavioural indicators also point to the presence of expected domestic audience costs. According to former Bush administration officials, the way in which the Bush administration responded to narcotics in Afghanistan in 2005 represented an attempt to appease domestic voices calling for a greater counternarcotics efforts. Despite pronouncements of a balanced counternarcotics strategy, the United States spent a disproportionate amount of its effort on eradication.[513] In a SIGAR Lessons Learned interview William Wechsler, the then Deputy Assistant Secretary of Defense for Counternarcotics, indicated that eradication policies were implemented 'to look like we are doing something.'[514] He further argued that if eradication is the chosen policy 'the audience is domestic of western [sic.]'.[515] Former Ambassador to Afghanistan, Ronald Neumann, concurs arguing that '[t]here is a strong ideology for eradication. Eradication is a short-term action – driven by Congress wanting to see something tangible.'[516] These statements are consistent with the literature on decision-making on domestic crime control efforts, which has often highlighted that decision-makers design their crime control efforts to signal resolve to domestic audiences rather than actually trying to reduce crime.[517]

Contextual indicators also add weight to the idea that the Bush administration feared incurring domestic audience costs from the public statements on Afghanistan's narcotics

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[513] SIGAR, 'Counternarcotics: Lessons from the U.S. Experience in Afghanistan', 45.

[514] SIGAR Lessons Learned interview with William Wechsler, 01st November 2016. *The Afghanistan Papers*. The Washington Post.

[515] SIGAR Lessons Learned interview with William Wechsler.

[516] SIGAR Lessons Learned interview with Ronald Neumann, 18th June 2015. *The Afghanistan Papers.* The Washington Post.

[517] See e.g.: Tim Newburn and Trevor Jones, 'Symbolic Politics and Penal Populism: The Long Shadow of Willie Horton', *Crime, Media, Culture: An International Journal* 1, no. 1 (March 2005): 72–87, https://doi.org/10.1177/1741659005050272; Loader and Sparks, *Public Criminology?*; Garland, 'What's Wrong with Penal Populism? Politics, the Public, and Criminological Expertise'; Simon, *Governing through Crime How the War on Crime Transformed American Democracy and Created a Culture of Fear*.

industry. The Bush administration tried to present the Afghanistan war as a success story, especially in light of a catastrophic war in Iraq.[518] The Iraq war had been going poorly and according to a poll by Pew Research Center, in May 2004 only 46% of the U.S. public believed that the war in Iraq was going well.[519] Amid this failing war effort, the Bush administration wanted to present the Afghanistan war as a success story. According to James Risen: 'At a time when conditions in Iraq were worsening by the day, the last thing the Bush administration wanted to do was tarnish the image of success in Central Asia.'[520] Stories about a drug trade that flourished under U.S. watch and were possibly financing terrorist groups were hence highly contentious.

While the United States was changing its strategy to implement crime control efforts as a strategic tool, concerns over the material and human costs of crime control moderated the way in which the United States would implement the strategy. In November 2004 President Bush met with his cabinet to discuss the Afghan narcotics market and President Bush was more open to increasing the U.S. role in counternarcotics in Afghanistan.[521] At the same time, there were still considerable concerns about the potential human and material costs of crime control efforts. Robert Charles and Secretary of State Colin Powell had proposed aerial spraying as a way to eradicate poppy fields in Afghanistan in the November 2004 meeting.[522] However, aerial spraying was considered by the Department of Defense, the U.S. military, the United Kingdom, the Afghan President Hamid Karzai, and Zalmay Khalilzad, the U.S. ambassador in Afghanistan, to be overly harmful to Afghan farmers.[523] These actors all feared that aerial

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[518] Risen, *State of War*, 152.

[519] 'Iraq Prison Scandal Hits Home, But Most Reject Troop Pullout', *Pew Research Center* (blog), 12 May 2004, https://www.pewresearch.org/politics/2004/05/12/iraq-prison-scandal-hits-home-but-most-reject-troop-pullout/.

[520] Risen, *State of War*, 152.

[521] Risen, 160.

[522] Peters, *The Seeds of Terror*, 191; Risen, *State of War*, 159.

[523] Keane, 'The Impact of Bureaucratic Conflict on US Counternarcotics Efforts in Afghanistan', 300.

spraying would alienate farmers and drive them into the arms of the insurgency. For example, according to the notes of a SIGAR Lessons Learned interview with a senior former military official working for the Combined Forces Command in Afghanistan:

> '[The] [c]entre of gravity of the campaign was [sic.] the Afghan people, thus [the] military did not want to do anything that made gaining the confidence of the people harder. It was clear that couldn't gain hearts and minds of the population while destroying their crops. In this regard tried to tie eradication where the areas was, secure and population were greedy not needy. Could see aerial spraying was not a good idea.'[524]

Hence, during the November 2004 meeting Donald Rumsfeld reportedly objected to aerial spraying.[525] After the NSC meeting, Rumsfeld continued to lobby the President via backchannels to convince him of the costs associated with aerial spraying and succeeded to convince Bush of the drawbacks.[526] Hence, while the Bush administration was willing to increase its role in counternarcotics, it was unwilling to commit to aerial spraying.

3.4.4. Discussion

The 2005 decision to increase U.S. involvement in counternarcotics in Afghanistan was hence the result of a process wherein a demand for counternarcotics efforts and associated informational cues by different bureaucratic, Congressional, and journalistic elites increased the domestic audience costs of inaction against crime. The case passes the hoop test which

[524] SIGAR Lessons Learned Interview with a former Senior Military Official, 21st September 2016. *The Afghanistan Papers.* The Washington Post.
[525] Risen, *State of War*, 162.
[526] Risen, 162.

requires domestic audience costs to be present because discursive, behavioural, and contextual indicators show that domestic audience costs were indeed present. The case also comes close to passing a smoking-gun test given that prior requests for counternarcotics were rejected and discursive, behavioural, and contextual indicators all indicate that the Bush administration implemented counternarcotics to respond to domestic pressure.

As opposed to the case of British officials requesting counternarcotics support from the Bush administration, actors demanding a crime control effort deliberately sent informational cues about crime in Afghanistan to pressure the Bush administration to change its strategy. Crucially, these informational cues made it difficult for the Bush administration to continue ignoring crime, particularly in light of a failing war effort in Iraq.[527] The Bush administration hence was confronted with two simultaneous pressures. First, leaving the narcotics trade unaddressed made the Bush administration look uncommitted to the war effort. Second, reports about the narcotics trade risked depicting the Afghanistan war as a failure which would have been a particularly serious problem given that the Iraq war was widely perceived to be failing. Hence, the Bush administration changed its strategy and treated crime control as a strategic tool.

At the same time, there remained a concern within the Bush administration about the costs of treating crime control as a strategic tool in Afghanistan. Concerns over costs moderated the Bush administration's counternarcotics policies and led it not to choose the most heavy-handed policy option suggested by INL.

[527] Risen, 152.

3.5. 'Nails in the coffin': crime control as a strategic distraction (2010-2011)

The decision by the Bush administration to treat crime control as a strategic tool in 2005 allowed U.S. commanders and other officials on the ground to access money and resources that would allow them to develop crime control efforts further.[528] The Obama administration initially built on these developments integrated different, previously disconnected, crime control efforts into one rule of law strand.[529] Under this framework, the Obama administration also put more emphasis on combatting corruption and cancelled almost all U.S. support for eradication policies in Afghanistan, instead focussing on alternative livelihoods.[530] I do not seek to explain these changes because the fundamental role of crime control remained the same during the early years of the Obama administration. Crime control remained a strategic tool when Obama took office, the administration "just" changed the way this tool was used.[531] In other words, the Obama administration moved from more coercive crime control policies to more transformative ones.[532]

In January 2011 the strategic role of crime control changed again. The United States reduced its political and material support to U.S. crime control efforts in Afghanistan.[533] For example, it prohibited U.S. Department of Justice officials from 'mentoring anticorruption cases' in Afghanistan and drew down its support for key crime control efforts such as Task

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[528] SIGAR, 'Counternarcotics: Lessons from the U.S. Experience in Afghanistan'; SIGAR, 'Corruption in Conflict: Lessons from the U.S. Experience in Afghanistan'.

[529] Felbab-Brown, 'Drugs, Security, and Counternarcotics Policies in Afghanistan'.

[530] SIGAR, 'Corruption in Conflict: Lessons from the U.S. Experience in Afghanistan'; Chayes, *Thieves of State*; SIGAR, 'Counternarcotics: Lessons from the U.S. Experience in Afghanistan'.

[531] Future research can look at how the United States used crime control and explore what explains the change between an eradication heavy crime control effort and the more transformative approach chosen by the Obama administration.

[532] SIGAR, 'Counternarcotics: Lessons from the U.S. Experience in Afghanistan'; Felbab-Brown, 'Drugs, Security, and Counternarcotics Policies in Afghanistan'.

[533] Chayes, 'Afghanistan's Corruption Was Made in America: How Self-Dealing Elites Failed in Both Countries'; Felbab-Brown, 'Afghanistan Affectations: How to Break Political-Criminal Alliances in Contexts of Transition', 3.

Force Shafafiyat, an U.S. anti-corruption task force in Afghanistan, and a major counternarcotics investigation in Afghanistan.[534] What changed?

I argue that three highly salient events which occurred in 2010, created a demand for increased crime control efforts by certain bureaucratic, Congressional and journalistic elites. Although the Obama had already treated crime control as a strategic tool, some elites believed that this commitment was not strong enough.[535] These events were (1) the publication of the Warlord Inc. report (2) the Salehi case and (3) the Kabul Bank scandal.[536] The salience of each event meant that they informational cues to the U.S. public were disseminated which increased political pressure on the Obama administration to act against corruption in Afghanistan.[537]

At the same time, some members of Congress and bureaucratic officials viewed the criminal scandals as an example of failure of existing crime control efforts. As I will show below, they used informational cues surrounding these criminal events to indicate the futility of crime control in Afghanistan. Crime control efforts, these officials argued, were not worth the costs.

When the Obama administration engaged in a cost calculation to decide how to respond to the criminal violations uncovered, it decided to draw down crime control efforts in Afghanistan. The Obama administration judged the human and material costs of crime control to be too high to justify the continued implementation of crime control efforts in Afghanistan yet alone an escalation of crime control efforts. However, it still faced political pressure to be seen as acting against crime in Afghanistan and it hence opted to keep crime control efforts in

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[534] Chayes, 'Afghanistan's Corruption Was Made in America: How Self-Dealing Elites Failed in Both Countries'; SIGAR, 'Corruption in Conflict: Lessons from the U.S. Experience in Afghanistan'; Chayes, *Thieves of State*, 153–54; Josh Meyer, 'The Secret Story of How America Lost the Drug War with the Taliban', *POLITICO*, 2018, https://www.politico.com/story/2018/07/08/obama-afghanistan-drug-war-taliban-616316.

[535] See e.g.: Chayes, *Thieves of State*.

[536] The Salehi case and the Kabul Bank scandal were likely more important and gained more public attention than the Warlord Inc. Report.

[537] SIGAR, 'Corruption in Conflict: Lessons from the U.S. Experience in Afghanistan'; Chayes, *Thieves of State*; Sopko, 'Rebuilding Afghanistan', 1245–46.

place, while not granting them the political or material backing to be effective. In effect, crime control became once again a strategic distraction for the Obama administration.

3.5.1. Demand for crime control

3.5.1.1. The Warlord Inc. report

In November 2009 Massachusetts Representative and Chairman of the House Foreign Affairs Committee, John F. Tierney launched an investigation into the Host Nation Trucking (HNT) contract and the companies hired under it, which were used by the U.S. Department of Defense to supply its bases in Afghanistan.[538] The investigation was triggered by an article written by Aram Roston in *The Nation* entitled *How the U.S. funds the Taliban.*[539] The article argued that many contractors supplying U.S. bases in Afghanistan had to pay off militias and insurgent groups to safely cross areas controlled by these groups.[540] The article even suggested that in some instances some of these contractors were using U.S. taxpayer dollars to directly pay off Taliban commanders.[541] According to an American executive interviewed by Roston for the story: 'The Army is basically paying the Taliban not to shoot at them. It is Department of Defense money.'[542]

The *Warlord Inc*. report, published in June 2010, was the product of this investigation and alleged that contractors under the HNT, who were responsible for their own security, paid protection money to various militias – some of which may have been affiliated with the Taliban – to supply U.S. bases.[543] In addition, many of the firms employed under the HNT contract were companies owned by militia commanders, government officials, or their relatives who often heavily inflated the prices of the contract to siphon off money for themselves and their

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[538] Tierney, 'Warlord Inc.: Extortion and Corruption along the U.S. Supply Chain in Afghanistan'.
[539] Tierney; Aram Roston, 'How the US Funds the Taliban', *The Nation*, 11 November 2009, https://www.thenation.com/article/world/how-us-funds-taliban/.
[540] Roston, 'How the US Funds the Taliban'.
[541] Roston.
[542] Roston.
[543] Tierney, 'Warlord Inc.: Extortion and Corruption along the U.S. Supply Chain in Afghanistan'.

patronage networks.[544] However, contrary to Roston's article, it did not find direct evidence that contractors had directly paid the Taliban.[545]

The report made several recommendations on how to respond to the criminality uncovered including such as (1) for the United States to assume direct contractual responsibility for supply chain security providers (2) develop a plan for making the Afghan National Police and Afghan National Army capable of protecting highways (3) conduct a survey of what the available trucking capacity in Afghanistan is and whether it can meet the demand of the increase in troops announced by Obama in early 2010 (4) ensure that the Department of Defense' contracts make clear the obligations of contractors and subcontractors and provide a mechanism to oversee and hold to account subcontractors (5) ensure that the Department of Defense has the proper resources and personnel to oversee and hold to account subcontractors (6) analyse how U.S. contracts contribute to Afghan corruption.[546] Particular, the first and fifth recommendations represent a demand in U.S. crime control efforts.

3.5.2. The Salehi case

The second scandal was the case of Muhammed Zia Salehi in July 2010. Salehi was a Karzai aide who was investigated in connection with the New Ansari Money Exchange investigation.[547] New Ansari Money Exchange was a *hawala* bank that transferred money for insurgents, corrupt officials, and drug traffickers.[548] According to a New York Times article,

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[544] Roston, 'How the US Funds the Taliban'; Tierney, 'Warlord Inc.: Extortion and Corruption along the U.S. Supply Chain in Afghanistan'; Moshe Schwartz, 'Wartime Contracting in Afghanistan: Analysis and Issues for Congress' (Congressional Research Service, 2011).

[545] Tierney, 'Warlord Inc.: Extortion and Corruption along the U.S. Supply Chain in Afghanistan'.

[546] Tierney, 67–68.

[547] SIGAR, 'Corruption in Conflict: Lessons from the U.S. Experience in Afghanistan'.

[548] SIGAR, 43. The hawala system is a money transfer system that allows the movement of money without physically moving it. The system works like this: If a person wants to move money across different territories they will contact a hawala broker in their location. This broker will notify another broker in the recipient's location to release funds to the recipient (minus a fee). When the hawala broker in the recipient's location needs to transfer money to the sender's location, they will have a record of each other's transfers and can level up accordingly. For more information on the hawala system see Mohammed El Qorchi, Samuel Munzele

Salehi may have also been a CIA informant.[549] According to a SIGAR report, U.S. mentored Afghan law enforcement units collected a wiretap in which Salehi was soliciting a bribe in the form of a car in return for Salehi's influence to obstruct the New Ansari Money Exchange investigation.[550] Afghan prosecutors and their U.S. mentors wanted to arrest Salehi and reportedly gained approval from the Afghan attorney general as well as President Karzai.[551]

The Salehi case would be a litmus test for U.S. counter-crime and anti-corruption efforts, which had developed over the previous years as part of the U.S. counterinsurgency strategy in Afghanistan. It involved many of the Afghan law enforcement units that were trained under U.S. crime response efforts, such as the Major Crimes Task Force (MCTF), as well as many U.S. law enforcement units such as the DEA and Afghanistan Threat Finance Cell (ATFC).[552]

In July 2010, Afghan law enforcement officials, in conjunction with their U.S. counterparts surrounded the house of Salehi and called him on his phone asking him to surrender. Salehi promptly called a private security agency, which engaged the MCTF in a brief firefight but soon retreated.[553] Afterwards, Salehi called the Minister of Interior of Afghanistan who recommended that Salehi surrender to the authorities.[554] Soon thereafter Salehi called President Karzai, who ordered the raid to be stopped and charges to be dropped.[555]

Maimbo, and John F. Wilson, *Informal Funds Transfer Systems: An Analysis of the Informal Hawala System* (International Monetary Fund, 2003), https://www.elibrary.imf.org/display/book/9781589062269/9781589062269.xml.

[549] Dexter Filkins and Mark Mazzetti, 'Karzai Aide in Corruption Inquiry Is Tied to C.I.A.', *The New York Times*, 26 August 2010, sec. World, https://www.nytimes.com/2010/08/26/world/asia/26kabul.html.

[550] Chayes, *Thieves of State*, 140; SIGAR, 'Corruption in Conflict: Lessons from the U.S. Experience in Afghanistan', 43.

[551] Chayes, 'The Afghan Bag Man'; Chayes, *Thieves of State*, 141.

[552] Chayes, *Thieves of State*, 140.

[553] Chayes, 142.

[554] Chayes, 142.

[555] Chayes, 'The Afghan Bag Man'.

Despite the Salehi arrest having had prior government approval, the Afghan government moved to block the subsequent investigation and prosecution.[556] According to Sarah Chayes, a former anti-corruption advisor to ISAF, President Karzai attempted to disband the Special Investigative Unit and the MCTF; the two U.S. mentored Afghan law enforcement units investigating the case.[557] While the MCTF remained intact, the charges against Salehi were dropped and the case file ceased by the Afghan government.[558] Karzai furthermore cut the salaries of Afghan prosecutors and fired the two prosecutors involved in the case as well as the deputy attorney general who had approved the raid.[559]

3.5.3. The Kabul Bank scandal

The last and probably most significant event was the Kabul Bank scandal. Kabul Bank was the largest bank in Afghanistan. Over the course of several years, the directors of the bank, Sherkhan Farnood and Khaliullah Feruzi, handed out depositor's money as loans to Afghanistan's political and business elite, without demanding repayment for the loans.[560] Two of the schemes beneficiaries Mahmoud Karzai and Haseen Fahim, were the brother of President Hamid Karzai and the brother of First Vice President Fahim, respectively.[561] By one estimate $900 million (including outstanding interests on the loans) were stolen through this scheme.[562] The bank was also responsible for paying the salaries of the Afghan military and police and hence received huge cash infusions from the U.S. government, which it would use to cover up the missing funds from depositors.[563] In September 2010, the bank declared its insolvency and

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[556] Chayes.
[557] Chayes, *Thieves of State*, 142.
[558] Chayes, 143.
[559] Chayes, 142–43.
[560] Jon Boone, 'The Financial Scandal That Broke Afghanistan's Kabul Bank', *The Guardian*, 16 June 2011, sec. World news, https://www.theguardian.com/world/2011/jun/16/kabul-bank-afghanistan-financial-scandal.
[561] SIGAR, 'Corruption in Conflict: Lessons from the U.S. Experience in Afghanistan', 45.
[562] Sharan, *Inside Afghanistan*, 247.
[563] SIGAR, 'Corruption in Conflict: Lessons from the U.S. Experience in Afghanistan', 44.

the scheme was uncovered.[564] A bank-run occurred and the bank's collapse was only averted after the Afghan government saved it with $825 million.[565]

The three crime scandals created a demand for more crime control efforts by U.S. officials on the ground.[566] As John Sopko wrote: 'Owing to the high visibility and the Kabul Bank scandal, as well as the shocking disregard shown by the Karzai administration, from 2010 onward, U.S. agencies saw corruption as a serious threat to the mission in Afghanistan.'[567] There was a demand on behalf of U.S. officials working on corruption issues on the ground in Afghanistan to take a tougher stance on corruption in the country.[568] These officials included U.S. agencies on the ground, such as members of the ATFC, as well as former advisor to the Chairman of the Joints Chief of Staff Admiral Sarah Chayes.[569]

The demand over whether the United States should increase its crime control efforts was marred by substantial bureaucratic conflict. This bureaucratic conflict occurred against the larger backdrop of a wider debate within the Obama administration about the U.S. counterinsurgency strategy that the United States had been driving in Afghanistan since 2009.[570] Crime control efforts in Afghanistan were tied to the counterinsurgency strategy and those arguing in favour of a greater crackdown on corruption were also in favour of continuing the counterinsurgency effort in the country.

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[564] Sharan, *Inside Afghanistan*, 247; SIGAR, 'Corruption in Conflict: Lessons from the U.S. Experience in Afghanistan', 44.

[565] Grant McLeod, 'Responding to Corruption and the Kabul Bank Collapse' (United States Institute of Peace, 2016), https://www.usip.org/publications/2016/12/responding-corruption-and-kabul-bank-collapse.

[566] SIGAR, 'Corruption in Conflict: Lessons from the U.S. Experience in Afghanistan', 44–45.

[567] Sopko, 'Rebuilding Afghanistan', 1245.

[568] Author interview with Sarah Chayes, held on 2nd February 2023, in Washington D.C..

[569] Chayes was appointed Special Assistant to the Chairman of the Joints Chief of Staff Admiral Mike Mullen in 2010. However, she remained in Afghanistan to help in the transition of command from General Stanley McChrystal to General David Petraeus Chayes, *Thieves of State*, 135–36. On growing demand for stronger anti-corruption efforts see: SIGAR, 'Corruption in Conflict: Lessons from the U.S. Experience in Afghanistan', 33.

[570] Bob Woodward, *Obama's Wars*, 1st Simon & Schuster hardcover ed. (New York ; Simon & Schuster, 2010); Chandrasekaran, 'Karzai Rift Prompts U.S. to Reevaluate Anti-Corruption Strategy in Afghanistan'; Sopko, 'Rebuilding Afghanistan'.

When the three criminal scandals hit, it invigorated a debate about the usefulness of counterinsurgency and crime control efforts. On the one hand, there were officials arguing that cracking down on corruption is necessary to win the war. On the other hand, others argued that such efforts would be unable to deal with the entrenched nature of corruption in Afghanistan and that the United States would be wasting too many resources trying to reform Afghanistan.[571] These individuals argued that given that the United States was already spending a large number of resources on crime control efforts, any increase in resources would be futile. These officials viewed the three criminal scandals as evidence that crime control efforts were not successful and not worth the costs. As Douglas Lute, the Deputy National Security Advisor for Iraq and Afghanistan, argued in our interview:

> 'In almost every measure, so civilians, troops, dollars, allies, international organization, attention and so forth. The size of the UN mission, all of that right? All of that was sort of peak in 09 and 10. That was our best shot. That was our largest commitment of resources and when things like Kabul Bank failed, when things like the Kabul Bank occurred, they seem to present as evidence that I like to say we were swimming upstream.'[572]

The demand for greater U.S. involvement in anti-corruption efforts was discussed at a NSC's Principal's Committee in September 2010.[573] The NSC tasked the Department of State and Department of Defense to design plans for countering corruption in Afghanistan.[574] These

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[571] It is difficult to know who exactly was opposed to cracking down on corruption in response to the scandal as many officials involved were giving cues under the condition of anonymity. See e.g.: Chandrasekaran, 'Karzai Rift Prompts U.S. to Reevaluate Anti-Corruption Strategy in Afghanistan'.

[572] Author interview with Douglas Lute, former Deputy National Security Advisor for Iraq and Afghanistan, held on 22nd June 2023. Via MS Teams.

[573] Chayes, *Thieves of State*, 145.

[574] Chayes, 149.

actors explored different courses of actions including cutting the salaries of high-level Afghan officials who were paid by the United States, implementing a new sanctions regime built around corruption, denying visas to Afghan students, prosecuting dual Afghan-U.S. nationals, or seizing the assets of corrupt Afghan officials in the United States.[575]

3.5.4. Informational cues to the U.S. public and U.S. elites

While the NSC and other U.S. officials were debating how to best respond to corruption in each case, informational cues were used to influence the decision-making process. Importantly, those elites sending informational cues on crime and corruption were those elites intending to increase political pressure against a renewed push for crime control efforts. This left U.S. officials in favour of a more heavy-handed U.S. crackdown on crime fearful that the U.S. Congress and to a lesser degree the public to conclude that crime control efforts in Afghanistan were futile. For example, a former U.S. State Department official remarked:

> 'Around this time [2010] we wanted to tackle the corruption problem at the high levels [in the Afghan government] because we didn't want things to come out in the Washington Post, and then Congress not want to support our efforts in Afghanistan.'[576]

These fears were not without reason. Public approval in the United States on the war in Afghanistan had been decreasing. For example, according to a Washington Post and ABC

[575] Chayes, 149–50; Sopko, 'Rebuilding Afghanistan', 1246.
[576] SIGAR Lessons Learned Interview with former State Department Official, held on 16th December 2015. *Afghanistan Papers.* The Washington Post.

News poll from 2009, 52% of Americans believed that the war in Afghanistan was not worth its costs.[577] Given these poll numbers it was plausible for U.S. officials to assume that informational cues about crime and corruption in Afghanistan would make the U.S. public want to withdraw, rather than to increase their efforts.

U.S. officials that were against an increased crack-down on corruption reportedly leaked confidential information about the interagency process to journalists from various national newspapers including the Washington Post and Wall Street Journal.[578] As Sarah Chayes wrote in her retelling of the debate surrounding implementing corruption efforts in Afghanistan:

> 'What was playing out across the front pages of leading newspapers was a classic example of a patented Washington tactic: offensive leaking – providing confidential information to the press as a way to gain leverage in an interagency struggle.'[579]

The Warlord Inc. report is illustrative of how informational cues surrounding crime could also act to increase pressures to treat crime control as a strategic distraction. While these reports were interpreted by some as clear evidence that more crime control is needed,[580] the actual intent behind them was to increase pressure on the Obama administration to draw-down its efforts in Afghanistan. For example, in the case of the Warlord Inc. report, the authors of the report intended to use Congressional and journalistic attention to increase political pressure on

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[577] 'Washington Post-ABC News Poll', *Washington Post*, 2009, https://www.washingtonpost.com/wp-srv/politics/polls/postpoll_111609.html.

[578] Entous, Gorman, and Barnes, 'U.S. Shifts Afghan Graft Plan'; Chandrasekaran, 'Karzai Rift Prompts U.S. to Reevaluate Anti-Corruption Strategy in Afghanistan'; Chayes, *Thieves of State*, 152–53.

[579] Chayes, *Thieves of State*, 153.

[580] SIGAR, 'Corruption in Conflict: Lessons from the U.S. Experience in Afghanistan', 37–38.

the Obama administration to rethink the Afghanistan strategy. According to one senior member involved in the investigation:

> 'We launched the investigation because the United States was spending an incredible amount of money obviously in Afghanistan and losing soldiers and other people. They were dying and being wounded, and the end goal, in my estimation, was never very clear. We hadn't really articulated what our policy was and what we were attempting to accomplish, and just how we're going to go about it. And seeing that we were just over there banging away at the Taliban […]. And it didn't seem that we quite were going at it with any methodical, realistic approach. And so, we decided to have some hearings to indicate this and with the public and with the media and trying to get the government to respond by thinking these things through and deciding whether it was some place we should stay and engage in the way we were or whether we should withdraw.'[581]

Congressman John F. Tierney and his team, who authored the report, intended to create public pressure the President into reconsidering the U.S. commitment to Afghanistan. These authors were sceptical of the ability of the United States to combat the criminality uncovered in the report and preferred a drawdown of the U.S. effort in the country. As Tierney remarked in an interview in July 2010 regarding the report:

[581] Author interview with Anonymous, held on 8th February 2023, in Washington D.C..

> ‘I think the counterinsurgency mission that has been established in Afghanistan got serious, serious problems and issues. And hopefully the President is going to use this opportunity [the publication of the Warlord Inc. report] to revisit it.’[582]

All of this indicates that informational cues were disseminated. However, while some officials believed that informational cues pointing to the pervasive nature of crime and corruption would lead the U.S. President to increase crime control efforts, others perceived such informational cues as indicating a need to revise the Afghanistan strategy and rather treat crime control as a strategic distraction.

3.5.5. Cost calculation

Confronted with the three corruption scandals the Obama administration needed to consider whether it should increase crime control efforts in Afghanistan or treat crime control as a strategic distraction.[583] In this cost calculation the material and human costs of crime control as a strategic tool were considered to be higher than the expected domestic audience costs of treating crime control as a strategic distraction. At the same time, the salience of the criminal cases meant that the United States could not be seen to be completely ignore crime. This becomes evident in contextual, discursive and behavioural indicators.

Contextual indicators point to a pre-existing unwillingness to spend the costs necessary for crime control to be treated as a strategic tool. President Obama was famously cost averse and wanted to draw down U.S. commitments to Afghanistan.[584] When the Obama

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[582] ‘U.S. Indirect Payments to Afghan Warlords’.

[583] Crilly, ‘Barack Obama in about Turn on Afghanistan Corruption’; Chandrasekaran, ‘Karzai Rift Prompts U.S. to Reevaluate Anti-Corruption Strategy in Afghanistan’.

[584] Walldorf, ‘Narratives and War’; Woodward, *Obama’s Wars*.

administration assumed office in 2009, it inherited a financial crisis that eroded the livelihoods of many U.S. citizens and risked destroying the U.S. economy. Amid the financial crisis and recession of 2008, the Obama administration believed that pursuing costly war strategies in Afghanistan (and elsewhere) would not be supported by the U.S. public.[585] According to the scholar and former U.S. official Carter Malkasian: 'For most Americans and their congressmen, Afghanistan was an unneeded expense during the slow recovery from the great recession.'[586] President Obama was hence never fully convinced of the 2009 surge and only committed to it after he believed that not doing so would make him look as rejecting the professional advice of the military.[587] As previously mentioned, the U.S. public was also increasingly feeling that the costs of the war were not worth its benefits.[588]

The sentiment that amid a growing public cost aversion, the U.S. public would have likely not approved of treating crime control as a strategic tool in Afghanistan is also reflected in statements made by former White House officials. According to Ambassador Douglas Lute, former Deputy National Security Advisor for Iraq and Afghanistan from 2007 to 2013, the U.S. public was growing increasingly cost averse.

> 'The financial crisis in 2008-2009 played an important role, and you can imagine the political narrative that says: "Wait, why are we spending $120 billion per year in Afghanistan? Especially while bailing out the car companies, investment banks and so forth in America." Over time, especially as it proved true that al-Qaeda was by and large not in Afghanistan, public awareness increased and the narrative shifted. "We are putting Americans at

[585] Malkasian, *The American War in Afghanistan: A History*, 220.
[586] Malkasian, 302.
[587] Walldorf, 'Narratives and War'.
[588] 'Washington Post-ABC News Poll'.

> risk and spending billions there every year. There are needs here in America. And al Qaeda is not there. So what are we doing?" One dimension that did play somewhat in the public awareness is the notion of America's forever wars. The forever narrative creeped in and that of course implied that we didn't know what we were doing.'[589]

In addition, the individuals involved or connected to the criminal scandals were very powerful and could impose great costs onto the United States.[590] For example, Salehi was an aide to President Karzai and some of the alleged beneficiaries of the Kabul Bank scandal included the brother of President Karzai, Mahmoud Karzai, and the brother of Vice President Mohamed Fahim, Haseen Fahim.[591] Hence, any crime control effort would have likely alienated President Karzai and he would have been able to impose great human and material costs on the United States.[592]

This is particularly relevant given that by 2010, the relationship between the Obama administration and the Karzai administration was particularly sour.[593] The Obama administration had accused President Karzai of corruption, electoral fraud, and nepotism.[594] Karzai, on the other hand, felt repeatedly disrespected and snubbed at the lack of consultation

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[589] Author interview with Douglas Lute, former Deputy National Security Advisor for Iraq and Afghanistan (2007-2013), held on 22nd June 2023, via MS Teams.

[590] Fosberg and Sullivan, 'Criminal Patronage Networks and the Struggle to Rebuild the Afghan State'; Sharan, *Inside Afghanistan*; SIGAR, 'Corruption in Conflict: Lessons from the U.S. Experience in Afghanistan'.

[591] SIGAR, 'Corruption in Conflict: Lessons from the U.S. Experience in Afghanistan', 43–45.

[592] Scott Wilson and Rajiv Chandrasekaran, 'Obama Tries Mending Ties in Afghan Strategy', *NBC News*, 9 May 2010, https://www.nbcnews.com/id/wbna37043216; SIGAR, 'Corruption in Conflict: Lessons from the U.S. Experience in Afghanistan', 43–45.

[593] Ronald Neumann, 'Failed Relations between Hamid Karzai and the United States What Can We Learn?' (Washington D.C.: United States Institute of Peace, 2015), https://primarysources.brillonline.com/browse/human-rights-documents-online/failed-relations-between-hamid-karzai-and-the-united-states-what-can-we-learn;hrdhrd01312015017; Ahmed Rashid, 'How Obama Lost Karzai', *Foreign Policy* (blog), 2011, https://foreignpolicy.com/2011/02/21/how-obama-lost-karzai-2/; Felbab-Brown, 'Afghanistan Affectations: How to Break Political-Criminal Alliances in Contexts of Transition', 16.

[594] Neumann, 'Failed Relations between Hamid Karzai and the United States What Can We Learn?'; Rashid, 'How Obama Lost Karzai'.

in strategic decisions in Afghanistan.[595] As a result of the worsening relationship, Karzai had repeatedly stated that he would rather join the Taliban, Iran, or other forces that were working against U.S. interests in Afghanistan.[596] Any further alienation of President Karzai would have risked increased instability in Afghanistan and with it rising costs for the United States, amid an already increasingly costly and unpopular war.[597]

The fact that cracking down on corruption would have led to higher costs for the United States is also reflected in statements by U.S. officials. U.S. officials feared that cracking down on crime and particularly corruption would have meant the loss of critical U.S. allies, namely the Afghan government, in the war in Afghanistan.[598] As Douglas Lute recounts meeting another senior U.S. official and warning them about being too successful in their efforts to control corruption:

> 'I said: '[…], please do not be too successful in this new job. Because if you are successful in eradicating corruption in Afghanistan, the political system will collapse, nothing will work. Corruption is how politics work in Afghanistan. And we can't afford to have the central government collapse.'[599]

Similarly, Lieutenant General (ret.) H.R. McMaster, the commander of Task Force Shafafiyat, one of the U.S. principal counter-corruption units in Afghanistan pointed to how anti-corruption efforts created resistance from the Afghan government because corruption was

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[595] Rashid, 'How Obama Lost Karzai'; Neumann, 'Failed Relations between Hamid Karzai and the United States What Can We Learn?'

[596] Rashid, 'How Obama Lost Karzai'; Wilson and Chandrasekaran, 'Obama Tries Mending Ties in Afghan Strategy'.

[597] Wilson and Chandrasekaran, 'Obama Tries Mending Ties in Afghan Strategy'.

[598] Sopko, 'Rebuilding Afghanistan'.

[599] Author interview with Douglas Lute, former Deputy National Security Advisor for Iraq and Afghanistan, held on 22nd June 2023. Via MS Teams.

a key part of the government's 'power base': 'And so in the Kabul bank case, it generated all this resistance, because it threatened Karzai's power base.'[600] While this statement does not mean that corruption should be ignored in military interventions, it meant that anti-corruption efforts were meeting resistance from the Karzai government and could have resulted in the loss of a critical U.S. ally in the war in Afghanistan.

Given this context, the costs for treating crime control as a strategic tool were judged to be simply too high for the Obama administration. Further statements made by senior White House officials at the time confirm this idea. As Douglas Lute remarked:

> 'The Kabul bank story erupted at the same time that doubts were increasing about the efficacy, about the viability of our approach in Afghanistan. Some argued that this should be *the* [emphasis added] case to convince Karzai that we mean business and that he had to take a stand on corruption. Others argued this was evidence that our model was flawed, our ambitions unrealistic. They argued we had essentially overreached. If we thought that we could address Kabul Bank and unravel all the intertwined connections such as who got paid off and where the money went, and that we could correct this, that we can make this right, then we were simply delusional.'[601]

Lute's comments indicate a perception prevalent in the U.S. government at the time, that countering corruption in the Kabul Bank case was not worth the costs. He goes on to further argue:

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[600] Author interview with Lieutenant General (ret.) H.R. McMaster, held on 7th November 2023, via MS Teams.

[601] Author interview with Douglas Lute, former Deputy National Security Advisor for Iraq and Afghanistan, held on 22nd June 2023. Via MS Teams.

> ‘If there were a motto for the American effort in Afghanistan it would be: “We can do this!” That motto persisted until we decimated Al-Qaida, began to understand what was possible given the underlying conditions, and our domestic politics changed. Then we realized “we don't have to do this!”’[602]

This sentiment is echoed by testimony from former U.S. Ambassador to Afghanistan Ryan Crocker, who became the U.S. ambassador to Afghanistan in 2011, in the aftermath of the Kabul Bank. In a SIGAR Lessons Learned Interview, Crocker remarked on the issue of corruption:

> ‘[…] [T]here was a pretty significant U.S., indeed, international effort on anti-corruption, but you know, just like Kabul Bank, it sadly seemed that, you know, by that time, the corruption was so entrenched and so much part of the lifestyle of the establishment writ broadly, you know, that I saw little prospect and you know, again, engaged on things like the Kabul Bank, just kind of a sense of utility.’[603]

These statements indicate that the United States considered the costs of treating crime control as a strategic tool in response to the several criminal scandals that emerged in 2010 be too high.

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[602] Author interview with Douglas Lute, former Deputy National Security Advisor for Iraq and Afghanistan, held on 22nd June 2023. Via MS Teams.

[603] SIGAR Lessons Learned Interview with former Ambassador Ryan Crocker, held on 11th January 2016. *The Afghanistan Papers.* Washington Post.

At the same time, the Obama administration could not be seen as completely inactive in response to the criminal events in Afghanistan. Statements by former U.S. officials suggest that given the high salience of each criminal case, the perception of a weak United States could have incurred domestic audience costs for the U.S. government. For example, a former senior U.S. Defense Department official further substantiates this point by giving the example of a public speech outlining U.S. responses to the Kabul Bank scandal:

> 'The audience for the speech wasn't the Afghan people. The audience for the speech wasn't people who are actually running operations in the country… the audience of the speech was domestic. The purpose of the speech was the address the political hits we were taking. It did not grapple with the underlying challenges and thus gave no guidance to the people charged with executing US policy.'[604]

This statement indicates that the presence of domestic audience cost considerations for treating crime control as a strategic distraction.

Former Ambassador Ronald Neumann also testified to this phenomenon of ignoring corruption possibly incurring political costs in the United States:

> '[I]f you're not very careful, you can sound like you're justifying or you're making excuses for corruption. And if you do that in public, then somebody

[604] Author interview with William Wechsler, former Deputy Assistant Secretary of Defense for Special Operations and Counterterrorism (2012-2015) as well as former Deputy Assistant Secretary for Counternarcotics and Global Threats (2009-2012), held on 7th June 2023, in Washington D.C.

who wants political advantage will attack the administration for showing that it's not serious about, fill in the blank, crime, corruption, whatever.'[605]

These statements indicate that the Obama administration was cognisant of the possibility of incurring political costs for inaction against the criminal predation in Afghanistan. However, the fear of incurring domestic audience costs for ignoring crime did not outweigh the expected material and human costs of treating crime control as a strategic tool. Hence, instead of creating enough political pressure to increase crime control efforts in Afghanistan, the three criminal scandals represented 'another nail in the coffin'[606] for U.S. counterinsurgency and associated crime control efforts in Afghanistan.

3.5.6. Discussion

The Obama administration treaded a fine line managing domestic political considerations. On the one hand, in the face of gross criminal activity, the Obama administration could not be perceived by those paying attention as ignoring crime in these instances. On the other hand, a heavy-handed response to crime and corruption could have led to more political attention by wider swaths of U.S. elites and the public. Heavy handed responses could have also served as a signal to the U.S. public and other elites that the Afghanistan war was failing. Hence, while the administration exclaimed that it was fighting corruption it drew down crime control efforts in Afghanistan and removed political and

[605] Author interview with Ambassador Ronald Neumann, former U.S. Ambassador to Afghanistan, held on 6th February 2023, in Washington D.C.

[606] Author interview with Douglas Lute, former Deputy National Security Advisor for Iraq and Afghanistan, held on 22nd June 2023. Via MS Teams.

material support from them.[607] Crime control was once again a strategic distraction for the U.S. war effort.

The case again shows that demands for crime control efforts are insufficient to lead to a strategy in which crime control remained a strategic tool. If a demand for crime control was sufficient for the United States to treat crime control as a strategic tool, then we would expect the United States to have undertaken a greater crackdown on the corruption and criminality uncovered in Afghanistan. Thus, the case fails the hoop test for the rival hypothesis to be true that a demand for crime control is sufficient for crime control efforts to be implemented.

On the contrary, amid growing public and internal resentment with the war effort, the demands for crime control led to the opposite outcome. This again shows that faced with a policy decision on whether to treat crime control as a strategic tool or as a strategic distraction, domestic political considerations determine how the United States will respond to crime. In particular, it is necessary for the United States to be willing to carry the costs of the proposed policy.

3.6. Operation Iron Tempest: Crime control as a strategic tool (2017-2018)

In 2017 the United States launched a last attempt at curbing crime, in particular drug trafficking, in Afghanistan.[608] In August 2017, President Donald Trump announced his new South Asia Strategy, which along with a surge in troop numbers expanded the authorities of

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[607] Chayes, 'Afghanistan's Corruption Was Made in America: How Self-Dealing Elites Failed in Both Countries'.

[608] According to Major General (ret.) Lance Bunch, Operation Iron Tempest was not an attempt to curb drug trafficking or the narcotics market in Afghanistan but rather an attempt to deprive the Taliban of their finances. However, I argue that because the United States did bomb drug laboratories, it is reasonable to argue that the operation represents an attempt at curbing crime that financed the Taliban. See e.g.: 'Department Of Defense Press Briefing by Brig. Gen. Lance R. Bunch via Teleconference on the U.S. Counter-Threat Finance Campaign and U.S. Air Operations' (United States Department of Defense, 27 June 2018), https://www.defense.gov/News/Transcripts/Transcript/Article/1562148/department-of-defense-press-briefing-by-brig-gen-lance-r-bunch-via-teleconferen/https%3A%2F%2Fwww.defense.gov%2FNews%2FTranscripts%2FTranscript%2FArticle%2F1562148%2Fdepartment-of-defense-press-briefing-by-brig-gen-lance-r-bunch-via-teleconferen%2F.

U.S. forces to target 'criminal networks', among other things, in Afghanistan.[609] These new authorities allowed the U.S. military to launch Operation Iron Tempest, a bombing campaign targeting drug laboratories in Afghanistan that it considered to be linked to the Taliban in November 2017.[610] Approximately two hundred drug laboratories were targeted by the United States during Operation Iron Tempest.[611] In 2018 the operation ended.[612] Despite its short existence, Operation Iron Tempest is a striking example of using kinetic military force to combat organized crime in Afghanistan. Why was Operation Iron Tempest launched?

The case of Operation Iron Tempest represents an outlier to the other cases presented in this chapter. First, the case is an outlier because this is the only case in which there is a considerable time gap between the approval of extending military authorities to target criminal networks and the actual implementation and use of these authorities.

Second, the case is an outlier because it is unclear who made the decision to implement Operation Iron Tempest. Decision-making in the Trump administration was famously marred by chaos and Trump's outright disdain for the professional advice of national security experts and his associated lack of attention for detail.[613] Given his lack of knowledge on Afghanistan, his lack of attention to detail, and his outright lack of interest in foreign policy issues it is

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[609] Trump, 'Remarks by President Trump on the Strategy in Afghanistan and South Asia'.

[610] 'Department of Defense Press Briefing by General Nicholson via Teleconference from Kabul, Afghanistan' (United States Department of Defense, 20 November 2017), https://www.defense.gov/News/Transcripts/Transcript/Article/1377753/department-of-defense-press-briefing-by-general-nicholson-via-teleconference-fr/https%3A%2F%2Fwww.defense.gov%2FNews%2FTranscripts%2FTranscript%2FArticle%2F1377753%2Fdepartment-of-defense-press-briefing-by-general-nicholson-via-teleconference-fr%2F.

[611] Dion Nissenbaum, 'Months of U.S. Strikes Have Failed to Curtail Taliban Opium Trade', *Wall Street Journal*, 8 August 2018, sec. World, https://www.wsj.com/articles/taliban-drug-trade-persists-despite-u-s-strikes-1533726120.

[612] 'Operation Freedom's Sentinel: Lead Inspector General Report to the United States Congress October 1, 2018-December 31, 2018', 24; Mansfield, 'Denying Revenue or Wasting Money? Assessing the Impact of the Air Campaign Against "Drug Labs" in Afghanistan'.

[613] Elizabeth N. Saunders, 'Is Trump a Normal Foreign-Policy President?', *Foreign Affairs*, 18 January 2018, https://www.foreignaffairs.com/articles/united-states/2018-01-18/trump-normal-foreign-policy-president; Bob Woodward, *Fear: Trump in the White House* (London: Simon & Schuster UK Ltd, 2018); Daniel W. Drezner, *The Toddler in Chief: What Donald Trump Teaches Us about the Modern Presidency* (University of Chicago Press, 2020), https://doi.org/10.7208/9780226714394.

unlikely that President Trump directed the operation himself.[614] As General H.R. McMaster wrote on his time as National Security Advisor in the Trump administration: 'The president was more enthusiastic about golfing and relaxing away from Washington than spending time with me [his National Security Advisor], and he was often not in a great mood when I arrived in the sitting room outside his apartment with work for him to do.'[615]

However, this does not mean that President Trump's preferences did not influence decision-making. Amid this lack of involvement, aides, staffers and officials working in the White House frequently gauged and adjusted their work patterns to appease President Trump's personal wishes.[616] For example, staffers accommodated Trump by scheduling 'executive time' – long hours of unstructured time in which President Trump would not take any meetings and instead watch TV, post on social media, or call his friends.[617] Hence, although the case of Operation Iron Tempest involves a President who was relatively hands off, Presidential preferences still influenced decision-making.

Nonetheless, the case is important to include here because it represents a strong shift in how the United States dealt with narcotics in Afghanistan. The use of airpower to target drug laboratories was unprecedented in Afghanistan and hence the case deserves close attention.[618]

3.6.1. Demand for crime control

When President Trump assumed office, he initially wanted to withdraw from Afghanistan and was not inclined to extend military authorities in Afghanistan, yet alone surge

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[614] Drezner, *The Toddler in Chief*.

[615] H. R. McMaster, *At War with Ourselves: My Tour of Duty in the Trump White House*, First edition (New York, NY: Harper, an imprint of HarperCollins Publishers, 2024), 59.

[616] Drezner, *The Toddler in Chief*, 148–78.

[617] Drezner, 165.

[618] As is mentioned in this thesis, the use of airpower to target criminal objects is not unprecedented. The United States bombed oil trucks during Operation Tidal Wave II in Syria.

troops in the country.[619] As Trump himself remarked when he announced the South Asia Strategy in an August 2017 speech: 'My original instinct was to pull out – and, historically, I like following my instincts.'[620]

However, top U.S. national security officials, such as General John Nicholson, the commander of U.S. forces in Afghanistan from 2016 to 2018, and National Security Advisor Lieutenant General H.R. McMaster had been asking the President Trump to increase U.S. troop levels and extend the rules of engagement in Afghanistan.[621] Before President Trump took office, the Obama administration had significantly reduced the U.S. presence in Afghanistan and limited targeting authorities for U.S. forces in the country. These U.S. officials argued that an increase in troops would allow the United States to prevent the Taliban for conquering Afghanistan and turning it into a safe-haven for terrorists.[622] In addition, these officials wanted the U.S. government to extend military authorities to allow for greater use of airstrikes.[623] Inspired by Operation Tidal Wave II – a bombing campaign against the oil trafficking networks of ISIL – these officials believed that extending military authorities in Afghanistan would allow them to cut the Taliban's financing streams to add pressure on the Taliban.[624] Given that Taliban finances were suspected of being derived from narcotics trafficking, this meant extending military authorities to target criminal networks in Afghanistan.

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[619] H. R. McMaster, *Battlegrounds: The Fight to Defend the Free World* (London: William Collins, 2020), 190.

[620] Trump, 'Remarks by President Trump on the Strategy in Afghanistan and South Asia'.

[621] Michael R. Gordon, 'U.S. General Seeks "a Few Thousand" More Troops in Afghanistan', *The New York Times*, 9 February 2017, sec. World, https://www.nytimes.com/2017/02/09/us/politics/us-afghanistan-troops.html.

[622] McMaster, *Battlegrounds*, 212–15; Trump, 'Remarks by President Trump on the Strategy in Afghanistan and South Asia'; Philip Rucker and Robert Costa, '"It's a Hard Problem": Inside Trump's Decision to Send More Troops to Afghanistan', *Washington Post*, 22 August 2017, https://www.washingtonpost.com/politics/its-a-hard-problem-inside-trumps-decision-to-send-more-troops-to-afghanistan/2017/08/21/14dcb126-868b-11e7-a94f-3139abce39f5_story.html.

[623] 'Situation in Afghanistan' (United States Senate Armed Services Committee, 9 February 2017), https://www.armed-services.senate.gov/hearings/17-02-09-situation-in-afghanistan.

[624] See e.g.: McMaster, *At War with Ourselves*, 115; W. J. Hennigan, 'The U.S. Sent Its Most Advanced Fighter Jets to Blow Up Cheap Opium Labs. Now It's Canceling the Program', *Time Magazine*, 21 February 2019, https://time.com/5534783/iron-tempest-afghanistan-opium/.

3.6.2. Informational cues to the U.S. public and U.S. elites

Senior officials demanding a troop increase and an extension of military authorities to target Taliban finances used informational cues to increase pressure on President Trump to change the strategy. Writing about his experiences in designing the South Asia Strategy, General H.R. McMaster wrote about the importance of convincing the U.S. public for the need of a renewed effort in Afghanistan, especially given the fact that many members of the U.S. public and particularly President Trump's electorate were sceptical about the war in Afghanistan.[625] McMaster argued that 'the American people needed to hear more from their own leaders about what was at stake' in Afghanistan.[626]

Crucially, these officials warned that if the strategy is not approved, then Afghanistan would once again become a safe haven for terrorist groups who would be capable of attacking the U.S. homeland. If Trump rejected the South Asia Strategy, these officials argued, he would be to blame for these attacks and the failure of war effort.[627] In effect, U.S. officials created a narrative that President Trump would be blamed for the failure of the Afghanistan war if he did not approve of the South Asia strategy.[628]

Senior national security officials in the Trump White House relayed their concerns to the press. Indeed, according to Walldorf, 85% of U.S. newspapers supported a troop surge into Afghanistan.[629] According to Walldorf, these newspaper reports depicted a withdrawal from Afghanistan as leading to re-emergent terrorist threats to the U.S. homeland.[630] In doing so, they drew sharp contrasts between President Trump and President Obama; a contrast that

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[625] McMaster, *Battlegrounds*, 188.
[626] McMaster, 190.
[627] Woodward, *Fear*, 229–30.
[628] Walldorf, 'Narratives and War'.
[629] Walldorf, 121.
[630] Walldorf, 'Narratives and War'.

President Trump enjoyed being drawn as he was widely believed to be obsessed with President Obama's decisions.[631] For example, according to a BuzzFeed article, foreign diplomats believed that Trump's aversion against President Obama and his policies were his 'only real position' on foreign policy.[632] More than half of the newspapers analysed by Walldorf reported that President Obama's decision to withdraw from Iraq in 2011 led to the emergence of ISIL and warned that, if President Trump decided to withdraw from Afghanistan, he would commit the same mistake as President Obama.[633]

Journalistic reporting was accompanied by informational cues from Congress. On 9th February 2017, the Senate Armed Services Committee held a hearing entitled 'Situation in Afghanistan'.[634] In the hearing, General Nicholson made publicly the case for increasing troop numbers in Afghanistan.[635] In the same hearing, the role of the narcotics economy in Afghanistan was raised, particularly with an eye on the sprawling opioid epidemic in the United States. As Senator Angus King raised this point in relation to the narcotics industry in Afghanistan:

> 'We are losing four people an hour in this country to overdose deaths, heroin, opium grown in places like Afghanistan. If the fields in Afghanistan were terrorist camps killing four people an hour in the United States, they would be gone. […] Why do we not take that out? Why doesn't air power just eliminate that source of this scourge in our country?'[636]

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[631] Walldorf, 122–23.

[632] Alberto Nardelli, 'This Is What European Diplomats Really Think About Donald Trump', *BuzzFeed*, 9 August 2017, sec. UKNews, https://www.buzzfeed.com/albertonardelli/this-is-why-european-diplomats-think-donald-trump-is.

[633] Walldorf, 'Narratives and War', 121–22.

[634] 'Situation in Afghanistan'.

[635] Gordon, 'U.S. General Seeks "a Few Thousand" More Troops in Afghanistan'.

[636] 'Situation in Afghanistan', 57.

The Senator was drawing a clear link between the opioid crisis inside the United States and the drug cultivation in Afghanistan. General Nicholson responded to King's point by testifying that he had raised the issue with his superiors and his belief that the design of future policies should consider the role of the narcotics economy. As General Nicholson testified:

> 'Senator, I agree with you and support that. This [narcotics in Afghanistan] is a topic that we have raised with our chain of command, and it needs to be part of, I believe, a policy consideration on the way forward in Afghanistan.'[637]

This indicates that as early as February 2017, senior National Security Advisors demanded the extension of military authorities to target criminal activity in Afghanistan and that they made this demand public.

3.6.3. Cost calculation

As Walldorf argues, informational cues increased pressure on Trump to approve the South Asia Strategy.[638] These cues were particularly effective because of Trump's desire to not be seen as weak. If it was true that withdrawing from Afghanistan would lead to the re-emergence of a terrorist threat to the U.S. homeland, Trump worried he would be blamed in case such an event occurred.[639] When Trump met with his national security team on August 18th 2017 at Camp David to decide on whether to implement the South Asia Strategy, Secretary of Defense James Mattis remarked to Trump: 'What happened in Iraq under Obama with the

[637] Nicholson in 'Situation in Afghanistan', 57.
[638] Walldorf, 'Narratives and War'.
[639] Walldorf.

emergence of ISIS will happen under you.'[640] In Iraq, President Obama decided to withdraw in 2011 which some U.S. officials believed contributed directly to the rise of ISIL and hence they blamed President Obama for fuelling the rise of ISIL.[641]

These threats were recognised to carry domestic audience costs. According to Steven Bannon, national security officials in the Trump administration created a public 'record' that the President was aware of the threats of losing Afghanistan and that if he decided against the strategy, his national security staff would blame him for ignoring their warnings.[642] According to Bob Woodward, Bannon exclaimed that '[i]f the threat materialized, they [Trump's national security staff advocating for the South Asia Strategy] would leak to *The Washington Post* or *The New York Times* that Trump had ignored the warning.'[643] This serves as clear evidence that President Trump approved the South Asia Strategy because doing otherwise would incur domestic audience costs if there had been a terrorist attack from Afghanistan.[644]

However, the U.S. public and President Trump remained concerned about the human and material costs of the South Asia Strategy, which meant that U.S. national security officials who advocated for the South Asia Strategy were desperate to show results. This is evidenced in both contextual and discursive indicators. Contextually, according to a Washington Post/ABC News Poll, in 2015 56% of respondents believed that the Afghanistan war was not worth fighting.[645] While this was an improvement from 2013 polling numbers in which 67% of respondents believed that the war in Afghanistan was not worth fighting, the 2015 polling numbers reflect a U.S. public that was weary of the Afghanistan war.[646] President Trump's voter

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[640] Woodward, *Fear*, 232.
[641] Walldorf, 'Narratives and War'.
[642] Woodward, *Fear*, 230.
[643] Woodward, 229.
[644] Walldorf, 'Narratives and War'.
[645] Scott Clement, 'Post-ABC Poll: Support for Afghanistan War Rises as Combat Mission Ends', *Washington Post*, 5 January 2015, https://www.washingtonpost.com/news/checkpoint/wp/2015/01/04/post-abc-poll-support-for-afghanistan-war-rises-as-combat-mission-ends/.
[646] Clement.

base and Donald Trump himself were particularly wary of the Afghanistan war.[647] According to Bob Woodward, Trump reportedly told those advocating for the South Asia Strategy when he approved the South Asia Strategy: 'You all are telling me that I have to do this and I guess that's fine and we'll do it, but I still think you're wrong.'[648]

Given this high scepticism from President Trump and his voter base, General H.R. McMaster wrote that: 'Implementation of the [South Asia] strategy would be critical. The best way to allay his [President Donald Trump's] concerns over his base would be to demonstrate success in Afghanistan and across the region.'[649] This meant that U.S. officials believed that they would incur domestic audience costs, and possibly the reversal of the South Asia Strategy, if the South Asia Strategy was perceived to be failing.

Against this backdrop, senior U.S. officials warned throughout 2017 that Afghanistan's opium cultivation would reach a record high.[650] These predictions were supported when in November 2017, a few days before Operation Iron Tempest was launched, the UNODC published new figures on Afghanistan's opium cultivation.[651] According to the Afghan Opium Survey the estimated area under opium poppy cultivation increased by 63% between 2016 and 2017.[652] With 328,000 hectares under opium cultivation in Afghanistan, 2017 was the year with the highest amount of opium cultivated on record.[653] In the eyes of many senior officials, these numbers confirmed earlier reports that the Taliban were more directly involved in processing opium.[654] The publication of these figures, and associated fears

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[647] McMaster, *At War with Ourselves*, 218–20.
[648] Woodward, *Fear*, 232.
[649] McMaster, *At War with Ourselves*, 220.
[650] Mansfield, 'Bombing Heroin Labs in Afghanistan: The Latest Act in the Theatre of Counternarcotics'.
[651] UNODC, 'Afghanistan Opium Survey 2017: Cultivation and Production' (United Nations Office on Drugs and Crime, 2017), https://www.unodc.org/documents/crop-monitoring/Afghanistan/Afghan_opium_survey_2017_cult_prod_web.pdf.
[652] UNODC.
[653] UNODC, 'Afghanistan Opium Survey 2023'.
[654] Justin Rowlatt, 'How the US Military's Opium War in Afghanistan Was Lost', *BBC News*, 25 April 2019, sec. US & Canada, https://www.bbc.com/news/world-us-canada-47861444.

that the Taliban would benefit from the trade, risked incurring domestic audience costs for seeming uncommitted to the war effort if the United States ignored the drug trade in response to these reports.

Discursive indicators, support the assertion that Operation Iron Tempest may have served as a way to alleviate any expected domestic audience costs that would be incurred if the United States was to ignore the narcotics trade, especially after the publication of the UNODC figures. As David Mansfield argued, amid the record numbers in opium cultivation 'bombs were the answer; something had to *be seen* [emphasis added] to be done.'[655] As he argued elsewhere: 'I think the commanders in Afghanistan were being told by their bosses in Washington that action had to be taken.'[656] Echoing this sentiment, in an interview with CNN on the failure of Operation Iron Tempest to curb the narcotics economy in Afghanistan, Vanda Felbab-Brown commented: 'Drugs have always had a particularly strong political resonance in the United States and has often been seen as sort of the most damaging, lethal, illegal economies. Whether that's objectively true is a separate issue.'[657]

These statements indicate that confronted with a rising Afghan drug economy and a sceptical audience at home, U.S. national security officials needed to demonstrate that they were making use of new authorities and achieve successes using them. Otherwise, they would risk incurring domestic audience costs not only from audiences at home but crucially, from President Trump himself who already was sceptical of the Afghanistan war. Indeed, in announcing the Operation Iron Tempest airstrikes General Nicholson remarked: '[t]hese are a

[655] Mansfield in Mike Power, 'Behind the U.S.'s Bogus War on Taliban Drug Labs', *Vice* (blog), 18 September 2019, https://www.vice.com/en/article/59nda5/behind-the-uss-bogus-war-on-taliban-drug-labs.

[656] Mansfield in Rowlatt, 'How the US Military's Opium War in Afghanistan Was Lost'.

[657] Felbab-Brown in Kara Fox, 'Afghanistan Is the World's Opium King. Can the Taliban Afford to Kill off Their "Un-Islamic" Cash Cow?', *CNN*, 29 September 2021, https://www.cnn.com/2021/09/29/asia/taliban-afghanistan-opium-drug-economy-cmd-intl/index.html.

demonstration of our new authorities.'[658] Indicating that the operation was intended to show success and alleviate any concerns that it was not working.

The official narrative behind Operation Iron Tempest was that the operation was implemented to add pressure on the Taliban by depriving them of funding.[659] However, behavioural indicators cast doubt on this narrative.

First, from the start, Operation Iron Tempest was unlikely to succeed. As Borhan Osman and others have repeatedly argued, the links between the Taliban and the drug trade are not as clear cut as one may assume.[660] While the Taliban certainly derived some revenue from the drug trade, this often occurred in the form of taxation rather than direct involvement.[661] Accordingly, the Taliban's revenue streams from taxing other goods may have been larger than that from taxing opium.[662] As Osman argues: '[W]ithout drug money, the [Taliban] movement would *not* [emphasis added] fall apart.'[663] In addition, drug laboratories were not built for purpose and very cheap and quick to establish for drug traffickers.[664] This meant that destroyed

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[658] 'Department of Defense Press Briefing by General Nicholson via Teleconference from Kabul, Afghanistan'.

[659] 'Department of Defense Press Briefing by General Nicholson via Teleconference from Kabul, Afghanistan'; In fact, Brigadier General Lance Bunch made a point that the operation was not designed to target narcotics specifically but just the Taliban financing streams. See e.g.: 'Department Of Defense Press Briefing by Brig. Gen. Lance R. Bunch via Teleconference on the U.S. Counter-Threat Finance Campaign and U.S. Air Operations' (United States Department of Defense, 27 June 2018), https://www.defense.gov/News/Transcripts/Transcript/Article/1562148/department-of-defense-press-briefing-by-brig-gen-lance-r-bunch-via-teleconferen/https%3A%2F%2Fwww.defense.gov%2FNews%2FTranscripts%2FTranscript%2FArticle%2F1562148%2Fdepartment-of-defense-press-briefing-by-brig-gen-lance-r-bunch-via-teleconferen%2F.

[660] Borhan Osman, 'U.S. Bombing of Afghan Drug Labs Won't Crush the Taliban' (International Crisis Group, 11 December 2017), https://www.crisisgroup.org/asia/south-asia/afghanistan/afghanistans-poppy-boom-isnt-all-talibans-fault; Amiri and Jackson, 'Taliban Taxation in Afghanistan'; Felbab-Brown, 'Drugs, Security, and Counternarcotics Policies in Afghanistan'.

[661] Felbab-Brown, 'Drugs, Security, and Counternarcotics Policies in Afghanistan'; Osman, 'U.S. Bombing of Afghan Drug Labs Won't Crush the Taliban'; Amiri and Jackson, 'Taliban Taxation in Afghanistan'.

[662] Osman, 'U.S. Bombing of Afghan Drug Labs Won't Crush the Taliban'; Fox, 'Afghanistan Is the World's Opium King. Can the Taliban Afford to Kill off Their "Un-Islamic" Cash Cow?'

[663] Osman, 'U.S. Bombing of Afghan Drug Labs Won't Crush the Taliban'.

[664] Mansfield, 'Denying Revenue or Wasting Money? Assessing the Impact of the Air Campaign Against "Drug Labs" in Afghanistan'.

drug laboratories were easily replaceable and drug labs would be able to be set up again in one day.[665]

Of course, there is a possibility that the United States misjudged the speed with which drug laboratories were able to be replaced. However, given that the United States had already been combatting the Afghan drug trade for over a decade by the time Operation Iron Tempest was implemented, it is implausible that decision-makers were unaware of the fact that drug laboratories were easily replaceable. Indeed, Afghan counternarcotics officials, such as General Abdul Bakhtiar, deputy interior minister in charge of counternarcotics, who worked with U.S. liaison officers, were fully aware that destroying drug labs would be ineffective because '[t]hey [the Taliban] can build a lab like this in one day.'[666]

Second, airstrikes on drug laboratories were costly. According to a report by David Mansfield, the sorties to hit the drug laboratories carried considerable material costs. For example, according to Mansfield the B-52 bomber cost around $69,708 per hour per sortie, while the F-22 was estimated to cost around $33,538 per hour per sortie.[667] According to Mansfield 'the cost of an airstrike was ten times higher than the financial value of the damage incurred by those owning and running' the drug laboratory.[668] The high discrepancy between the possible achievable outcomes and the costs of the airstrikes was also recognised by individuals in the Trump administration. The then Air Force Secretary General Heather Wilson argued in early 2018 that 'We should not be using an F-22 to destroy a narcotics factory in Afghanistan.'[669]

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[665] Mujib Mashal, 'Afghan Taliban Awash in Heroin Cash, a Troubling Turn for War', *The New York Times*, 29 October 2017, sec. World, https://www.nytimes.com/2017/10/29/world/asia/opium-heroin-afghanistan-taliban.html.

[666] Cited in Mashal.

[667] Mansfield, 'Denying Revenue or Wasting Money? Assessing the Impact of the Air Campaign Against "Drug Labs" in Afghanistan', 54.

[668] Mansfield, 55.

[669] Rowlatt, 'How the US Military's Opium War in Afghanistan Was Lost'.

Given the low prospects of success plus the high costs of the operation, both of which are reasonable to assume to be known quantities to U.S. military planners, serve as behavioural indicators that cast doubt on the official narrative of Operation Iron Tempest. Particularly, the futility of actually curbing funding streams to the Taliban through airstrikes given the ease of replacement of drug laboratories indicates that Operation Iron Tempest was more a demonstration of force for domestic audiences.

Another behavioural indicator, indicating that expected domestic audience costs could have played a role is that the United States began bombing the drug laboratories shortly after the release of the UNODC report highlighting record opium numbers coming out of Afghanistan.[670] The Trump administration extended military authorities in August 2017 with the announcement of the South Asia Strategy.[671] However, Operation Iron Tempest started only in November 2017, a few days after the publication of the UNODC report.[672] While General Nicholson justified this gap by arguing that the identifying targets takes time to collect and analyse relevant intelligence[673], there is considerable reason to doubt that the target packages were well developed. According to David Mansfield who used field research to analyse target sites, many of the drug laboratories hit were in fact long inactive by the time they were hit.[674] This indicates that either U.S. development of target packages was based on bad or inaccurate intelligence, or that Operation Iron Tempest was designed and planned in a much shorter time frame than it was made out to be.

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[670] SIGAR, 'Counternarcotics: Lessons from the U.S. Experience in Afghanistan', 56; Mansfield, 'Denying Revenue or Wasting Money? Assessing the Impact of the Air Campaign Against "Drug Labs" in Afghanistan'.

[671] Trump, 'Remarks by President Trump on the Strategy in Afghanistan and South Asia'.

[672] 'Department of Defense Press Briefing by General Nicholson via Teleconference from Kabul, Afghanistan'.

[673] 'Department of Defense Press Briefing by General Nicholson via Teleconference from Kabul, Afghanistan'.

[674] Rowlatt, 'How the US Military's Opium War in Afghanistan Was Lost'.

It is reasonable to assume that military planners planned Operation Iron Tempest somewhat in advance of the publication of the report, given that as Mansfield argues, U.S. military officials were expecting a record opium harvest before the publication of the UNODC report.[675] However, a question remains on if U.S. planners were carefully selecting targets, why they hit mostly inactive laboratories.

3.6.4. Discussion

The approval of the South Asia Strategy and extension of military authorities were likely driven by a domestic cost calculation albeit not one specifically tied to crime. This argument has been advanced by Walldorf already and is well-evidenced by the discursive indicators from former Trump administration officials.[676]

The implementation of Operation Iron Tempest itself may have been more closely related to crime although I did not find any smoking gun evidence that indicates that domestic audience costs were informing the decision to implement Operation Iron Tempest. Behavioural indicators, specifically the timing of the operation, the low prospects of success, and the costs of the operation indicate, cast doubt on the assumption that the strategic requirements on the ground were the driving force behind the operations.

Contextual and discursive indicators point to the role of domestic audience costs mattering. Contextual indicators include the pressure on U.S. officials to present results in the Afghanistan war that it is succeeding[677] as well as the publication of a UNODC report highlighting a record opium harvest in Afghanistan amid a growing opioid epidemic inside the

[675] Mansfield, 'Bombing Heroin Labs in Afghanistan: The Latest Act in the Theatre of Counternarcotics'.
[676] Walldorf, 'Narratives and War'; Woodward, *Fear*.
[677] McMaster, *At War with Ourselves*, 220.

United States.[678] These contextual indicators may have been particularly relevant given President Trump's desire, more so than other Presidents, to look strong and powerful in front of domestic audiences.[679] Discursive indicators, such as those by David Mansfield and Vanda Felbab-Brown, do point to the presence of domestic political considerations in the decision-making behind Operation Iron Tempest.[680] However, beyond these straw in the winds it is not clear to what extent Operation Iron Tempest was informed by domestic audience costs.

It is plausible that Operation Iron Tempest was implemented because U.S. national security officials believed that they needed to show that the South Asia Strategy is successful.[681] When reports came out in November 2017, a few days before the implementation of Operation Iron Tempest, that Afghanistan recorded the largest opium harvest on record[682] it risked making the Afghan war effort seem like a failure in front of President Trump and his voter base. This context indicates that Operation Iron Tempest may have been implemented by U.S. officials on the ground to avoid enraging President Trump and his voter base in light of record opium cultivation in Afghanistan. This means that Operation Iron Tempest could reflect a case in which domestic audiences mattered, but the audiences that were meant to be appeased were President Trump and his voter base and not the wider U.S. public.

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[678] UNODC, 'Afghanistan Opium Survey 2017: Cultivation and Production'; Julie Hirschfeld Davis, 'Trump Declares Opioid Crisis a "Health Emergency" but Requests No Funds', *The New York Times*, 26 October 2017, sec. U.S., https://www.nytimes.com/2017/10/26/us/politics/trump-opioid-crisis.html.

[679] Drezner, *The Toddler in Chief*, 159; Alex Thompson, 'Trump Gets a Folder Full of Positive News about Himself Twice a Day', *VICE* (blog), 9 August 2017, https://www.vice.com/en/article/trump-folder-positive-news-white-house/.

[680] Felbab-Brown in Fox, 'Afghanistan Is the World's Opium King. Can the Taliban Afford to Kill off Their "Un-Islamic" Cash Cow?'; Mansfield in Power, 'Behind the U.S.'s Bogus War on Taliban Drug Labs'; Mansfield in Rowlatt, 'How the US Military's Opium War in Afghanistan Was Lost'.

[681] McMaster, *At War with Ourselves*, 220.

[682] UNODC, 'Afghanistan Opium Survey 2017: Cultivation and Production'.

3.7. Conclusion

This chapter has analysed when and why the United States used crime control efforts as part of its military strategy during its intervention in Afghanistan. The cases show how at different points in time Presidents consider the role of expected domestic audience costs and expected material human and material costs in deciding on whether to treat crime control as a strategic tool or not.

U.S. crime control efforts in Afghanistan have largely failed to live up to their aspirations.[683] Throughout the U.S. intervention, Afghan civilians continued to suffer from corruption and criminal predation, while the narcotics economy continued to boom and corrupt actors enriched themselves. Despite the best efforts of both Afghan and U.S. as well as other international officials on the ground, crime continued to erode security and affect civilians throughout the country.[684] The findings here suggest that a key issue was that crime control strategies were often designed not to meet the strategic requirements, much less the needs of civilians, on the ground, but rather to appease domestic audiences at home.

Operating alongside the domestic audience costs were bureaucratic conflict, the changing of individual elites and their associated biases, as well as the power of individual criminals. Bureaucratic conflict between the DoD and INL, for example, accompanied the push for counternarcotics in 2005.[685] Similarly, the individual experiences and beliefs of certain elites such as Robert Charles, the then director of INL, presumably were playing a role in determining how strongly institutions such as INL pushed for counternarcotics policies in 2005. In this way, bureaucratic conflict and the changing elites influenced the perception of audience costs for ignoring crime by the President and his advisors. The power of individual criminals

[683] Loyn, *The Long War*.

[684] Felbab-Brown, 'Drugs, Security, and Counternarcotics Policies in Afghanistan'; Felbab-Brown, 'Afghanistan Affectations: How to Break Political-Criminal Alliances in Contexts of Transition'; Felbab-Brown, *Shooting Up*.

[685] Keane, 'The Impact of Bureaucratic Conflict on US Counternarcotics Efforts in Afghanistan'.

influenced to what extent Presidents expected to incur material and human costs from crime control strategy. For example, in 2011 U.S. officials were reasonably worried that if they cracked down on corruption, they would incur huge costs because powerful Afghan elites may defect to the Taliban.[686] Hence, the power of individual criminals influenced to what extent Presidents and their advisors expected to incur human or material costs for treating crime control as a strategic tool.

This has hence created policy outcomes that were of little strategic value. In all cases, criminality and corruption continued to flourish and harm civilians as well as U.S. and Afghan personnel.[687] The cases under investigation also highlight the importance of not drawing quick conclusions when analysing data on crime and conflict. In Afghanistan, officials often viewed drug cultivation in an area controlled by the Taliban as evidence of the Taliban's direct involvement in the drug trade. While it is plausible that the Taliban benefitted materially and politically from the trade, in Afghanistan officials often mischaracterised how crime drove the conflict at hand. Pointing out such mischaracterisations should not be seen as attempts to excuse criminal or belligerent behaviour, but rather should serve as points for deeper investigations that allow for more effective targeting of the link between crime and conflict. The next chapter will discuss the role of domestic political considerations in establishing crime response efforts in Iraq.

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[686] For a detailed discussion on the corruption scandals and how U.S. decision-makers sought to avoid alienating powerbrokers see: Chayes, *Thieves of State*; SIGAR, 'Corruption in Conflict: Lessons from the U.S. Experience in Afghanistan'.

[687] Felbab-Brown, 'Drugs, Security, and Counternarcotics Policies in Afghanistan'; Felbab-Brown, 'Afghanistan Affectations: How to Break Political-Criminal Alliances in Contexts of Transition'; Mansfield, 'Denying Revenue or Wasting Money? Assessing the Impact of the Air Campaign Against "Drug Labs" in Afghanistan'.

Chapter 4. Explaining U.S. crime control efforts in Iraq

4.1. Introduction

Like in Afghanistan, in Iraq conflict was marred by criminal activity.[688] However, unlike Afghanistan, criminal economy was much more fragmented. While in Afghanistan many belligerent and criminal actors were often tied to the country's large narcotics economy, in Iraq belligerent and criminal actors engaged in a plurality of crimes such as oil smuggling, antiquities smuggling, kidnapping for ransom, extortion and many more.[689]

There are three key sub-cases I seek to explore with regards to the strategic role of crime control in Iraq. The first is the decision by the United States to treat crime control as a strategic distraction during the initial year of the intervention.[690] While local commanders on the ground implemented haphazard and disparate efforts to control crime, such as sporadic patrols between U.S. forces and Iraqi police officers, crime control was by and large not part of the U.S. strategy in the first year of the Iraq war.[691] Recognising and faced with a growing criminal threat, U.S. commanders and officials on the ground demanded more resources to deal with crime, but their requests were ultimately denied.[692]

In May 2004, however, the strategy changed. President Bush assigned the Department of Defense (DoD) the responsibility of training the Iraqi police force, and the Coalition Police

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[688] Williams, *Criminals, Militias, and Insurgents*; Steenkamp, 'The Crime-Terror Nexus in Syria and Iraq'.

[689] Williams, *Criminals, Militias, and Insurgents*.

[690] Robert M. Perito, 'Police in Peace and Stability Operations: Evolving US Policy and Practice', *International Peacekeeping* 15, no. 1 (1 February 2008): 51–66, https://doi.org/10.1080/13533310701879910; Williams, *Criminals, Militias, and Insurgents*; John F. Burns, 'A Nation at War: Looting; Pillagers Strip Iraqi Museum Of Its Treasure', *The New York Times*, 13 April 2003, sec. World, https://www.nytimes.com/2003/04/13/world/a-nation-at-war-looting-pillagers-strip-iraqi-museum-of-its-treasure.html; Bayley and Perito, *The Police in War*.

[691] 'Iraq Police: An Assessment of the Present and Recommendations For the Future'; Perito, 'The Iraq Federal Police: U.S. Police Building under Fire'.

[692] Bayley and Perito, *The Police in War*; Perito, 'Police in Peace and Stability Operations: Evolving US Policy and Practice'.

Assistance Training Team (CPATT) was established.[693] CPATT began to train and mentor a large number of Iraqi police officers and the United States increased spending on police training.[694] This represented a strategic shift in which the United States began to treat crime control as a strategic tool.

The last case is Operation Tidal Wave II, which was conducted in October 2015.[695] In 2011, the United States withdrew from Iraq and handed over primary security responsibility for the country to the Iraqi security forces.[696] At the same time, the onset of civil war in neighbouring Syria allowed al-Qaeda in Iraq (AQI), one of the main insurgent groups that the United States fought in Iraq, to grow in power and morph into the Islamic State in the Levant (ISIL).[697] ISIL's rise and territorial conquest prompted the United States to form a global coalition against ISIL in September 2014 and to re-intervene with a small troop presence and airstrikes in Iraq and Syria.[698] In 2015, as part of its strategy to defeat ISIL, the United States bombed oil trucks in Syria that were used by ISIL to smuggle oil and finance itself.[699] While the bombing of oil trucks was conducted in Syria, I treat the case as part of the intervention in Iraq. First, the rise of ISIL is connected to the 2003 intervention in Iraq and the U.S. intervention to counter ISIL represents in this way an extension of the 2003 intervention in Iraq. Second, the fight against ISIL was mainly intended to safeguard Iraq from the threat ISIL posed and was not intended to affect the outcomes in Syria's conflict.[700] While the United States

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[693] Perito, 'The Iraq Federal Police: U.S. Police Building under Fire'.
[694] Perito.
[695] Miller and Corey, 'Follow the Money'.
[696] 'Timeline: The Iraq War, 2003-2011'.
[697] Mumford, *The West's War Against Islamic State*, 2021.
[698] Barack Obama, 'Statement by the President on ISIL' (The White House, 10 September 2014), https://obamawhitehouse.archives.gov/the-press-office/2014/09/10/statement-president-isil-1; Mumford, *The West's War Against Islamic State*, 2021, 13.
[699] Goodman, 'The Obama Administration and Targeting "War-Sustaining" Objects in Noninternational Armed Conflict'; 'Economic Defeat of the Islamic State: Behind the Scenes of Operation Tidal Wave II'; Wasser et al., *The Air War against the Islamic State*.
[700] Gordon, *Degrade and Destroy: The Inside Story of the War Against the Islamic State, from Barack Obama to Donald Trump*.

supports rebel groups in Syria, the U.S. fight against ISIL was concentrated on degrading ISIL and not on supporting rebel groups fight the Syrian regime.[701]

What explains this variation? In this chapter I argue that demands for crime control were insufficient to produce a change in strategy. Like in Afghanistan, demands for crime control only translated into a strategic change when domestic politics in the United States were favourable for such a change. Importantly, the cases in Iraq show how U.S. Presidents use crime control as a strategic tool to demonstrate progress in warfare, and not to necessarily combat crime *per se*.

As in the previous chapter, I proceed chronologically. I first provide a brief history of crime and conflict in Iraq, setting the stage for the challenge the United States and Iraqi security forces confronted with criminal actors in Iraq. I then highlight how discussions about crime control were sidelined during the planning of the Iraq invasion, and how during the first year of the invasion requests by U.S. officials on the ground to implement crime control as a strategic tool were similarly ignored. Secondly, I outline how the United States switched its strategy towards using crime control as a strategic tool, as exemplified by the establishment of the U.S. police-building effort in Iraq. Third, I explain how the United States treated crime control as a strategic tool during Operation Tidal Wave II.

4.2. A brief history of crime and conflict in Iraq

Since the 1991 Iraqi invasion of Kuwait, crime has become an important factor in Iraq's politics.[702] In response to the Iraqi aggression against Kuwait, the international community imposed heavy sanctions on Iraq, crippling its economy.[703] United Nations (UN)

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[701] Gordon.

[702] For two comprehensive reviews of Iraq's crime conflict nexus see: Williams, *Criminals, Militias, and Insurgents*; Steenkamp, 'The Crime-Terror Nexus in Syria and Iraq'.

[703] Tim Niblock, *'Pariah States' and Sanctions in the Middle East: Iraq, Libya, Sudan* (Lynne Rienner Publishers, 2001), 99–103, https://doi.org/10.1515/9781685851163.

member states were prohibited from engaging in any trade or financial transactions with Iraq, except for medical supplies or humanitarian foodstuffs.[704] Crucially, the sanctions regime also meant that Iraq was unable to sell its oil, its main income source.[705]

With few options left to make a living, many civilians turned to smuggling and criminal activity as a way of sustaining their livelihoods amid sanctions. According to a United Kingdom House of Commons report, under the sanctions regime state employees turned to bribery and corruption to finance themselves, while Iraqi civilians used petty crime and prostitution to sustain their livelihoods.[706] Violent crime also rose dramatically, including robberies, murders for hire, kidnapping, and car jackings among others.[707]

As Iraq continued to develop into an international pariah, Saddam Hussein relied on criminal groups, often organised around tribal affiliations, to smuggle oil and sustain his and the Iraqi's political elite's personal wealth.[708] Resultingly these groups grew in power vis á vis the state, leading to the rise of 'a new class of "fixers, manipulators, profiteers, people who simply take advantage of the circumstances."' in Iraq.[709] In the early 1990s, these groups were alleged to have been directly overseen by Saddam Hussein or members of his family.[710] As Phil Williams writes: 'In certain respects, therefore, Iraq in the 1990s resembled an extended mafia

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[704] Niblock, 102–3.

[705] Niblock, 102–3.

[706] 'The Future of Sanctions' (House of Commons International Development Committee, 27 January 2000), 14.

[707] It is difficult to give precise data due to the unavailability of data. Murders were expected to have increased by 10% while thefts were expected to have increased by 12%. However, diplomats and Iraqi civilians estimated the number to be closer to 50%. Neil MacFarquhar, 'After War and Blockade, Crime Frays Life in Iraq', *The New York Times*, 18 October 1996, sec. World, https://www.nytimes.com/1996/10/18/world/after-war-and-blockade-crime-frays-life-in-iraq.html. For more on the rise of crime in Iraq at the time see also: Patrick Cockburn, 'Iraq Sinks under Tidal Wave of Crime', *The Independent*, 11 October 1995, sec. News, https://www.independent.co.uk/news/world/iraq-sinks-under-tidal-wave-of-crime-1577153.html; Peter Gregson, 'Crime Wave Adds to Iraq Post-War Woes', *Los Angeles Times*, 13 October 1991, sec. World & Nation, https://www.latimes.com/archives/la-xpm-1991-10-13-mn-746-story.html.

[708] Sophie Boukhari, 'Embargo against Iraq: Crime and Punishment' (UNESCO, 26 July 2000), https://reliefweb.int/report/iraq/embargo-against-iraq-crime-and-punishment; 'The Future of Sanctions'; Williams, *Criminals, Militias, and Insurgents*.

[709] 'The Future of Sanctions', 14.

[710] Williams, *Criminals, Militias, and Insurgents*, 24–25.

family with Saddam Hussein as the "Godfather" presiding over extensive criminal entrepreneurship by party members and particular tribes and groups.'[711] However, over time, these groups were able to operate more autonomously and were granted control over swaths of Iraq's territory to run their own hijacking, smuggling, and extortion operations.[712]

When the United States invaded Iraq in March 2003 it thus confronted a country battered by the related shocks of sanctions and crime.[713] The Saddam Hussein regime's gradual ceding of power to organised criminal groups allowed these groups to become political actors in their own right.[714] To complicate the situation further, in October 2002, Saddam Hussein released between 30,000 to 100,000 thousands of Iraqi prisoners, which likely were a mix of political prisoners and members of organised crime groups.[715]

Confronted with this complexity, the United States was ill-prepared to deal with criminality in Iraq. After the United States deposed the Saddam Hussein regime, many Iraqi civilians looted government buildings, businesses, and public infrastructure.[716] For example, criminal gangs formed to steal copper from powerlines and public buildings – a particularly lucrative activity given that natural copper reserves are rare in the Middle East.[717] Motivations for engaging in looting were diverse with some people seeing looting as an act of revenge against the Ba'athist regime while others participated to make economic gains. For example, a U.S. soldier witnessing the looting explained: 'I also don't see it as looting; I see it as wealth

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[711] Williams, 24–25.

[712] Robert Looney, 'Beyond the Iraq Study Group: The Elusive Goal of Sustained Growth', *Strategic Insights* 6, no. 2 (2007).

[713] Williams, *Criminals, Militias, and Insurgents*.

[714] Looney, 'Beyond the Iraq Study Group: The Elusive Goal of Sustained Growth'.

[715] It is not clear why Saddam Hussein released these prisoners. See e.g.: Rajiv Chandrasekaran, 'Hussein Frees Thousands in Iraqi Prisons', *The Washington Post*, 2002, https://www.washingtonpost.com/archive/politics/2002/10/21/hussein-frees-thousands-in-iraqi-prisons/1a188de9-14df-4c71-ae5a-eb916b21cc1a/; Williams, *Criminals, Militias, and Insurgents*, 40.

[716] UNODC, 'Addressing Organized Crime and Drug Trafficking in Iraq'.

[717] UNODC.

redistribution […] it was an act of defiance against the [Saddam Hussein] regime.'[718] Looting and criminality, while in large parts directed against government institutions, were also affecting local businesses and civilians.[719]

Looting sprees soon turned violent and created a demand for protection among the local population that the United States was unable to meet.[720] For example, kidnapping for ransom and revenge murders against Ba'athist regime officials or their families proliferated.[721] According to an Oxford Analytical report, the looting spree 'normalized criminal activity' while also 'creating huge markets for looted items.'[722]

Iraq is split across different tribal, ethnic, and sectarian groups.[723] A minority of the population belongs to the Sunni branch of Islam, while the majority of the populations follow the Shia interpretation of Islam.[724] The two main ethnic groups are Arab (approximately 75-80%) and Kurdish (approximately 15-20%).[725] The remaining portion of the population is divided between Turkmen, Yezidi, Shabak and other ethnic groups.[726] Tribal identities and groupings overlay the diverse map of ethnic and sectarian groups.[727] Before the invasion by the United States, Iraq's Sunni minority maintained political power in the country.[728] Although

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[718] Former senior military commander David E. Johnson et al., 'The U.S. Army and the Battle for Baghdad: Lessons Learned − And Still to Be Learned' (RAND Corporation, 12 June 2019), 46-47, https://www.rand.org/pubs/research_reports/RR3076.html.

[719] Green and Ward, 'The Transformation of Violence in Iraq'; Williams, *Criminals, Militias, and Insurgents*.

[720] Green and Ward, 'The Transformation of Violence in Iraq'; Hills, 'The Unavoidable Ghettoization of Security In Iraq'.

[721] Bayley and Perito, *The Police in War*, 7.

[722] 'Iraq: Serious Crime Thrives on Instability', *Oxford Analytica Daily Brief Service*, 2004, https://search.proquest.com/docview/192444933?pq-origsite=primo.

[723] Charles Tripp, *A History of Iraq*, Third edition. (Cambridge: Cambridge University Press, 2007), 2–3.

[724] Tripp, 3. According to Ahmed Hashim, many Sunnis were insistent that they are the numerical majority in Iraq. See Ahmed S. Hashim, *Insurgency and Counter-Insurgency in Iraq* (Cornell University Press, 2011), 80, https://doi.org/10.7591/9780801459986.

[725] Central Intelligence Agency, 'Iraq - The World Factbook', The World Factbook, 2024, https://www.cia.gov/the-world-factbook/countries/iraq/#people-and-society.

[726] Central Intelligence Agency.

[727] Tripp, *A History of Iraq*.

[728] Hashim, *Insurgency and Counter-Insurgency in Iraq*, 61–67.

nominally, Saddam Hussein's regime declared itself to be non-sectarian and did also repress Sunni Arabs, those in power under the regime were exclusively Sunni Arabs.[729] This fuelled grievances among members of other sects and ethnicities in Iraq.[730]

As looting and crime proliferated in the aftermath of the U.S. invasion, armed groups formed to protect civilians against the criminality.[731] These groups often formed along ethno-sectarian lines, further adding to sectarian grievances in Iraq's society.[732] According to Phil Williams:

> 'Both Sunni and Shiite armed groups engaged in sectarian cleansing. In effect, they provided a degree of protection and security for some segments of the population while intimidating or terrorizing other groups. And even those whom they protected often had to pay heavily for the service.'[733]

Throughout the conflict in Iraq, belligerent groups used criminal activities to finance themselves and sustain their fighting power, while also protecting against criminal activity or providing social welfare to gain political legitimacy among selected populations. For example, the Mahdi Army (also called Jaish Al Mahdi), a Shia militia, taxed oil smuggling in Basra, took control of markets in Sadr City that functioned as a hub for both illegal and legal goods bound

[729] Hashim, 67.
[730] Hashim, 61.
[731] Hills, 'The Unavoidable Ghettoization of Security In Iraq'.
[732] Anthony H. Cordesman and Emma R. Davies, *Iraq's Insurgency and the Road to Civil Conflict* (New York, United States: Bloomsbury Publishing USA, 2007), http://ebookcentral.proquest.com/lib/oxford/detail.action?docID=329044; Hills, 'The Unavoidable Ghettoization of Security In Iraq'.
[733] Williams, *Criminals, Militias, and Insurgents*, 50.

for Baghdad, and smuggled cars into Iraq from Dubai.[734] Similarly, Sunni tribal groups in the Western Anbar province also benefitted from smuggling of legal and illegal goods in Iraq.[735]

In 2011, a civil war broke out in neighbouring Syria. As the civil war devastated Syria, al-Qaeda in Iraq (AQI), a spin-off of the global al-Qaeda group, entered the civil war as a new belligerent. As it conquered more and more territory it renamed itself the Islamic State[736], and was called the Islamic State in the Levant (ISIL) by the United States.[737] As the Islamic State in the Levant (ISIL) grew in Syria and began conquering territory in Iraq, it used oil smuggling, human smuggling, and extortion to finance itself.[738] It also granted digging permits to individuals seeking to deal in antiquities, or directly participated in the plundering of archaeological sites to sell artifacts for profit.[739]

Crime hence played an important role in Iraq's conflict. Crime not only added to grievances that fuelled conflict it also financed belligerents and allowed them to sustain their fighting power.[740] Amid this situation the United States dealt with crime in various ways. I will now investigate the U.S. decision to ignore crime in the initial year of the intervention, despite rising demands for crime control. I will then highlight the switch to implement crime control as a strategic tool in 2004. I will lastly, discuss the implementation of Operation Tidal Wave II in 2015.

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[734] Dan Bisbee and Phil Williams, 'Iraq: Jaish al-Mahdi and the Sadrist Movement', in *Criminalized Power Structures: The Overlooked Enemies for Peace*, ed. Michael J. Dziedzic (Rowman & Littlefield, 2016), 239.

[735] Kimberly Marten, *Warlords: Strong-Arm Brokers in Weak States* (New York: Cornell University Press, 2012), 164, https://doi.org/10.7591/9780801464119.

[736] The name given to ISIL matters and carries political connotations. The group refers to itself as just the Islamic State, to indicate that it considers itself a sovereign state. Journalists tend to call the group the Islamic State in Iraq and Syria (ISIS) to indicate its territorial limitations and the United States, under President Obama, tended to use the formulation Islamic State in the Levant (ISIL). For more on the naming of ISIL see: Stern, *ISIS*, 8–9.

[737] Stern, 8–9.

[738] Shelley, 'Blood Money: How ISIS Makes Bank'; Steenkamp, 'The Crime-Terror Nexus in Syria and Iraq'; 'Economic Defeat of the Islamic State: Behind the Scenes of Operation Tidal Wave II'.

[739] Steenkamp, 'The Crime-Terror Nexus in Syria and Iraq'.

[740] Steenkamp; Williams, *Criminals, Militias, and Insurgents*.

4.3. Turning a blind eye: Crime control as a strategic distraction (2003-2004)

In the first year of the intervention in Iraq, the United States did not integrate crime control efforts as part of its war strategy. As Phil Williams writes: 'When the United States invaded Iraq in March 2003, organized crime and corruption were the last things policymakers in Washington were thinking about.'[741] While there were many discussions on crime during the planning of the invasion, U.S. policymakers failed to formulate a coherent plan or set of instructions for U.S. forces to control crime in the aftermath of the invasion.[742] There was also no plan for the Iraqi police forces.[743] Nor did U.S. commanders on the ground give any orders to their soldiers to respond to the looting and disorder that beset Iraq in the aftermath of the invasion.[744]

Even if they did, U.S. planning left U.S. forces on the ground utterly ill-equipped, understaffed, and ill-prepared to respond to crime.[745] U.S. units in Baghdad were equipped with large armoured vehicles that had trouble navigating Baghdad's narrow streets and traffic, impeding the ability of the United States to patrol the streets and pursue criminals.[746] As U.S. Colonel Stephen Hicks quipped in 2003: 'You don't chase people in a tank.'[747] Similarly, U.S. soldiers in mechanised units were initially not provided with body armour, because it was not expected that they would conduct any patrols on foot.[748] All of this compounded the ability of U.S. troops to respond to crime in the initial aftermath of the intervention.

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[741] Williams, 'Organized Crime and Corruption in Iraq', 115.
[742] Bensahel et al., *After Saddam*; SIGIR, 'Hard Lessons: The Iraq Reconstruction Experience'.
[743] Perito, 'The Iraq Federal Police: U.S. Police Building under Fire'; Bayley and Perito, *The Police in War*.
[744] Bensahel et al., *After Saddam*, 240–41.
[745] Michael R. Gordon, 'U.S. Planning to Regroup Armed Forces in Baghdad, Adding to Military Police', *The New York Times*, 2003, https://www.nytimes.com/2003/04/30/world/aftereffects-strategy-us-planning-regroup-armed-forces-baghdad-adding-military.html; Bayley and Perito, *The Police in War*.
[746] Gordon, 'U.S. Planning to Regroup Armed Forces in Baghdad, Adding to Military Police'.
[747] Gordon.
[748] Gordon.

In addition to equipment shortcomings, troop numbers were too low to keep public order in Iraq.[749] As is well recorded, U.S. planning for the war in Iraq was marred by a heated debate surrounding the number of troops that were to be deployed to Iraq.[750] Testimony from one former senior U.S. military commander illustrates how the lack of sufficient troop numbers prevented U.S. forces from controlling crime in the first few weeks of the intervention: 'So I am not advocating for looting, but here is the deal—I have 1,000 soldiers and can't stop millions of people from looting.'[751]

In addition to equipment and troop numbers, training was another impediment for soldiers in Iraq. According to Robert Perito, U.S. soldiers were not trained to deal with law enforcement and public order issues in the aftermath of conflict.[752] They received little to no training on how to collect evidence, record witness statements, or conduct other essential policing tasks.[753]

4.3.1. Demand for crime control

Given these shortcomings the Department of Justice's International Criminal Investigation Training Assistance Program (ICITAP), personnel from the State Department's Bureau of International Narcotics and Law Enforcement Affairs (INL), as well as police officers and prison guards from the United States made an assessment of Iraq's criminal

[749] Bensahel et al., *After Saddam*.

[750] Bob Woodward, *Plan of Attack* (London: Simon & Schuster, 2004); Michael R. Gordon and Bernard E. Trainor, *Cobra II: The inside Story of the Invasion and Occupation of Iraq* (London: Pantheon Books, 2006); Thomas E. Ricks, *Fiasco: The American Military Adventure in Iraq* (London: Penguin, 2007).

[751] Former senior military commander cited in Johnson et al., 'The U.S. Army and the Battle for Baghdad', 46–47.

[752] Cited in Michael R. Gordon, 'For Training Iraq's Police, the Main Problem Was Time', *The New York Times*, 21 October 2004, sec. U.S., https://www.nytimes.com/2004/10/21/world/middleeast/for-training-iraqs-police-the-main-problem-was-time.html; See also: Robert Perito, *Where Is the Lone Ranger? America's Search for a Stability Force*, Second edition (Washington, D.C: United States Institute of Peace Press, 2013).

[753] See also: Neuteboom and Soeters, 'The Military Role in Filling the Security Gap After Armed Conflict'; Perito, *Where Is the Lone Ranger?*

situation.[754] ICITAP, the lead organisation in the assessment, is an office in the Department of Justice that works 'with foreign governments to develop effective, professional, and transparent law enforcement capacity that protects human rights, combats corruption, and reduces the threat of transnational crime and terrorism, in support of U.S. foreign policy and national security objectives.'[755] Their assessment was bleak. The core finding and recommendation was that '[t]he Iraqi Police, as currently constituted and trained, are unable to independently maintain law and order and need the assistance and guidance of Coalition Force assets (or some similar follow on force) to accomplish this task.'[756] The report hence recommended the deployment of about 6,600 police advisors to Iraq to help train the Iraqi police and maintain order in the country.[757]

4.3.2. Informational cues to the U.S. public and U.S. elites

Informational cues did not accompany the ICITAP recommendations. Even if they did, they would have likely been shut down. Already during the planning of the U.S. invasion of Iraq and the initial months after the invasion, U.S. officials advocating for crime control efforts were unable to produce enough pressure on the Bush administration to implement crime control efforts. For example, while questions over post-war planning were emerging, Pentagon officials, who famously took control of post-war planning for Iraq in a bureaucratic battle with the State Department, refuted claims that post-war planning duties were neglected.[758] They also moved to oust or sideline critical voices to prevent them from making public critiques. For

[754] SIGIR, 'Hard Lessons: The Iraq Reconstruction Experience', 125.
[755] 'International Criminal Investigative Training Assistance Program (ICITAP)'.
[756] 'Iraq Police: An Assessment of the Present and Recommendations For the Future'.
[757] 'Iraq Police: An Assessment of the Present and Recommendations For the Future', 50.
[758] James Fallows, 'Blind Into Baghdad', *The Atlantic*, 1 January 2004, https://www.theatlantic.com/magazine/archive/2004/01/blind-into-baghdad/302860/; Nicolaus Mills, 'Punished for Telling Truth about Iraq War', *CNN*, 20 March 2013, https://www.cnn.com/2013/03/20/opinion/mills-truth-teller-iraq/index.html.

example, when General Jay Garner, the director of the Office for Reconstruction and Humanitarian Affairs (ORHA) which was responsible for the immediate governance of post-war Iraq, wanted to appoint Tom Warrick, the director of the Department of State's Future of Iraq Project, to join ORHA.[759] However, Warrick's appointment was blocked by Secretary of Defense Donald Rumsfeld.[760] Warrick had been a vocal critic of According to Bob Woodward, Rumsfeld wanted to include people in the postwar planning effort that 'were truly committed to this and supportive of the change and not those who have written or said things that were not supportive.'[761] While Warrick did not make any public statements about the Future or Iraq project, the blocking of Warrick's appointment indicates that officials could expect to be punished for appearing to be disagreeing with the Defense Department, even if only in private.

Officials that did go public in their criticism were also bullishly rebuked. For example, during a now famous Congressional Hearing on 25th February 2003, the then Secretary of the Army General Eric Shinseki told the Senate Armed Services Committee that an occupation of Iraq would require 'several hundred thousand' U.S. troops.[762] Shinseki argued that these numbers were required 'to maintain safe and secure environment to ensure that the people are fed, that water is distributed, all the normal responsibilities that go along with administering a situation like this.'[763] This represented a clear cue to the Congressional elites and the attentive public, that post-war planning, including crime control, needed to be rethought.

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[759] Bensahel et al., *After Saddam*, 63–64.
[760] Bensahel et al., 63.
[761] Woodward, *Plan of Attack*, 284.
[762] Eric Schmitt, 'THREATS AND RESPONSES: MILITARY SPENDING; Pentagon Contradicts General On Iraq Occupation Force's Size', *The New York Times*, 28 February 2003, sec. U.S., https://www.nytimes.com/2003/02/28/us/threats-responses-military-spending-pentagon-contradicts-general-iraq-occupation.html.
[763] Shinseki in James Fallows, 'Blind Into Baghdad', *The Atlantic*, 1 January 2004, https://www.theatlantic.com/magazine/archive/2004/01/blind-into-baghdad/302860/.

U.S. officials quickly rebuked such claims and punished General Shinseki for his public opposition.[764] Paul Wolfowitz, the Deputy Secretary of Defense, told the same committee two days later that these estimates were 'wildly off the mark'.[765] Similarly, Secretary of Defense Donald Rumsfeld supported his deputy at a press conference after the hearing: 'The idea that it would take several hundred thousand U.S. forces I think is far off the mark.'[766] Hence, while General Shinseki's statements did serve as an informational cue to the Congress and the attentive public, the Bush administration, and in particular Secretary of Defense Donald Rumsfeld and his staff, were able to brush it away. In the aftermath of his statement, General Shinseki was famously shunned by the Department of Defense and rendered a 'lame-duck' by the Department of Defense, who announced his successor a year before his retirement.[767]

In other words, Department of Defense officials engaged in fierce bureaucratic competition over Iraq policy and took control thereof. This disincentivised informational cues from being sent to the U.S. public or other U.S. elites. Those officials, such as Tom Warrick or General Shinseki, that did speak against the Department of Defense's preferred policy position were sidelined or otherwise shut out.

4.3.3. Cost calculation

The demand for crime control was thus not accompanied by the dissemination of informational cues on crime in Iraq. Contextual indicators indicate that there was little domestic pressure on the Bush administration to change its strategy. According to a Washington Post-

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[764] Nicolaus Mills, 'Punished for Telling Truth about Iraq War', *CNN*, 20 March 2013, https://www.cnn.com/2013/03/20/opinion/mills-truth-teller-iraq/index.html.

[765] Eric Schmitt, 'Threats and Responses; U.S. to Add to Forces in Horn of Africa', *The New York Times*, 2002, https://www.nytimes.com/2002/10/30/world/threats-and-responses-us-to-add-to-forces-in-horn-of-africa.html.

[766] Eric Schmitt, 'THREATS AND RESPONSES: MILITARY SPENDING; Pentagon Contradicts General On Iraq Occupation Force's Size', *The New York Times*, 28 February 2003, sec. U.S., https://www.nytimes.com/2003/02/28/us/threats-responses-military-spending-pentagon-contradicts-general-iraq-occupation.html.

[767] Mills, 'Punished for Telling Truth about Iraq War'.

ABC News poll in June 2003, one month after ICITAP recommendations to deploy more police advisors to Iraq were made, approval for the situation in Iraq remained relatively high among the U.S. public with around 67% of respondents approving of the situation in Iraq in June 2003.[768] The Bush administration hence maintained a comfortable degree of support and did not feel particularly pressured to act against crime.

In addition, it is well established that within the Bush administration, the initial years of the Iraq war were marred by a reluctance on behalf of Secretary of Defense Donald Rumsfeld to expend the necessary costs on tasks such as crime control. Rumsfeld and his deputies believed that the Iraq war could be won, and post-war Iraq could be managed with a comparatively little number of troops. As retired Colonel John Agoglia, a strategic planner for the U.S. Central Command (CENTCOM), explained Donald Rumsfeld wanted 'to prove that you could win a war without troops.'[769] Rumsfeld's cost aversion has been well-documented and discussed elsewhere.[770] My point here is to show that this cost aversion influenced the cost calculation with regards to demands in crime control efforts. Thus, every time recommendations for implementing crime control efforts in the aftermath of the invasion were made, they were struck down because of their high costs.

The influence of a reluctance to expend the necessary costs on the rejection of a demand for crime control is observable when looking at the reactions by senior officials when plans for crime control were presented. Even before the ICITAP recommendations were made, plans for crime control efforts were presented to the NSC or the Bush cabinet but ultimately rejected because U.S. officials from the Department of Defense considered the costs of crime

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[768] 'Washington Post-ABC News Poll: Bush and Iraq', *Washington Post*, 13 September 2003, https://www.washingtonpost.com/wp-srv/politics/polls/vault/stories/data091303.html.

[769] Author interview held with Colonel (ret.) John Agoglia, strategic planner at CENTCOM, held on 30th May 2023 in Washington D.C..

[770] On how Donald Rumsfeld's cost aversion affected post-war planning for Iraq see: Bensahel et al., *After Saddam*; Seth G. Jones et al., *Establishing Law and Order After Conflict* (Santa Monica, UNITED STATES: RAND Corporation, The, 2005), http://ebookcentral.proquest.com/lib/oxford/detail.action?docID=257197.

control to be too high. For example, from February 20th 2003 to February 21st 2003, less than a month before the invasion of Iraq, ORHA organised a meeting, called the Rock Drill, with various U.S. officials whose Departments would possibly play a role in administering post-war Iraq.[771] According to Gordon and Trainor, during the Rock Drill, an ICITAP representative recommended to spend $38 million dollars, already down from $700-$800 million dollars, on sending police advisors to Iraq to help establish law and order after the invasion. This suggestion, however, evoked 'an audible gasp' from the DoD representatives at the Rock Drill.[772] They considered crime control an 'unnecessary expenditure'[773] and were hesitant to accept the suggestion that the United States would be responsible for enforcing the law and controlling crime in Iraq – a reaction that is a remarkable departure from the obligations of the United States under occupation law.[774]

According to Bensahel et al., General Garner, the director of ORHA, nonetheless created a briefing based on ICITAP recommendations and presented it to the Deputies committee, the National Security Council (NSC) committee consisting of the deputies of the regular NSC members.[775] However, this 'Cop on the Beat' briefing was similarly struck down.[776] According to Frank Miller, the NSC coordinator for Iraq policy, the briefing was rejected because 'We didn't want Americans enforcing Iraqi law. We did not envision occupation.'[777] This indicates that cost aversion outweighed domestic pressure for implementing crime control efforts.

Given this context, ICITAP recommendations to send police advisors to Iraq were rejected by the NSC. According to a Special Inspector General for Iraq Reconstruction (SIGIR)

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[771] Bensahel et al., *After Saddam*, 59.
[772] Gordon and Trainor, *Cobra II*, 155.
[773] Gordon and Trainor, 155.
[774] Gordon and Trainor, 155.
[775] Bensahel et al., *After Saddam*, 64.
[776] Bensahel et al., 64.
[777] SIGIR, 'Hard Lessons: The Iraq Reconstruction Experience', 125.

report, the NSC viewed these recommendations 'as too ambitious and too expensive.'[778] Similarly, a former ICITAP official remarked on explaining the rejection of the ICITAP recommendations:

> 'They [the Bush administration] had already made-up their minds that they were not going to do nation building. If you remember Donald Rumsfeld was opposed to nation building, which meant he was opposed to building up the police force, building up the civil service, even putting money into the hospitals.'[779]

These statements indicate that a deep cost aversion prevented U.S. officials from implementing crime control as a strategic tool, despite a pronounced demand for crime control.

4.3.4. Discussion

The rejection of ICITAP recommendations in the initial year of the intervention show that an unwillingness to spend the costs of treating crime control as a strategic tool prevented the United States from accepting demands for crime control. The case is another example that a simple demand for treating crime control as a strategic tool is insufficient to lead to a change in strategy from treating crime control as a strategic distraction to treating it as a strategic tool. It thus fails the hoop test for the assumption to be valid that a demand for crime control will lead to a response by the United States. If a mere demand for crime control to be a strategic tool had been sufficient for a change in the strategic role of crime control, then we should have observed the acceptance of ICITAP recommendations to deploy police trainers to Iraq.

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[778] SIGIR, 125.
[779] Author interview with former ICITAP official, held on 28th March 2023, via MS Teams.

The case also shows the influence of bureaucratic competition and individuals within the U.S. national security bureaucracy on the decision-making process. Bureaucratic conflict ensured that those who were in favour of a greater crime control effort were unable to build coalitions with each other. For example, although ORHA organised the Rock Drill other U.S. Departments and planning cells were reluctant to participate or share insights with ORHA because they wanted to maintain ownership over post-war Iraq policy.[780] Ultimately, it was the Department of Defense and the opinions of Secretary of Defense Donald Rumsfeld that prevailed in designing Iraq policy.[781]

4.4. The establishment of CPATT: Crime control as a strategic tool (2004)

Over the summer of 2003, violence in Iraq continued to escalate and a nascent insurgency formed.[782] In June 2004, President Bush signed National Security Presidential Decision Directive 36, which formalised the transfer of police training responsibilities from the Department of State to the U.S. military.[783] As a result, a new military command – the Civilian Police Assistance Training Team (CPATT) – was established in March 2004.[784] CPATT, although established by the United States, was initially under the command of British Major General (ret.) Andrew Mackay, and command was later handed to a U.S. Major General in November 2004.[785]

CPATT represents the first U.S. effort to use crime control, in the form of capacity-building, as a strategic tool in the wider U.S. strategy. As mentioned above, all efforts preceding

[780] Bensahel et al., *After Saddam*, 57–58.
[781] Bensahel et al., *After Saddam*.
[782] Cordesman and Davies, *Iraq's Insurgency and the Road to Civil Conflict [2 Volumes]*.
[783] Perito, 'The Iraq Federal Police: U.S. Police Building under Fire'.
[784] Jones et al., *Establishing Law and Order After Conflict*, 124.
[785] Author interview with Brigadier General (ret.) Andrew Mackay, 1st commander of CPATT, held on 23rd November 2023, via MS Teams.

CPATT were disparate and lacked U.S. funding.[786] As Major General (ret.) Andrew Mackay, the first commander of CPATT, observed of the policing situation in Iraq when taking control of CPATT: 'Basically, there was nothing there.'[787]

4.4.1. Demand for crime control

The establishment of CPATT was preceded by a mounting demand for crime control by U.S. officials on the ground. Despite their earlier rejections, demands for crime control by commanders on the ground continued to mount. Commanders on the ground meanwhile tried to improvise and implement crime control efforts with the means they had, however these efforts were not integrated into any larger strategy.[788] As the Coalition Provisional Authority (CPA), the successor organisation of ORHA, reports: 'The Coalition Forces – by necessity – have been reconstituting and restructuring the Iraqi Police Service without an overall strategic direction or coordination.'[789] Illustrating the lack of coordination, a former U.S. Colonel deployed to Baghdad in the early years of the invasion recalls requesting from his commanding General more support to the Iraqi police in the form of uniforms, cars, radios and firearms:

> 'I said: "Sir, let me tell you exactly what it is. They don't have uniforms. They don't have vehicles, they don't have weapons, and they don't have radios. But other than that, they're a great police department."'[790]

[786] SIGIR, 'Hard Lessons: The Iraq Reconstruction Experience', 133.
[787] Author interview with Major General (ret.) Andrew Mackay, 1st commander of CPATT, held on 23rd November 2023, via MS Teams.
[788] 'Iraq Police: An Assessment of the Present and Recommendations For the Future'.
[789] 'Iraq Police: An Assessment of the Present and Recommendations For the Future', 22.
[790] Author interview with former U.S. Colonel, held on 10th February 2023, via MS Teams.

The CPA, the successor organisation of ORHA and de facto government of Iraq, similarly came to recognise the need for crime control efforts. In June 2003, the CPA attempted to bolster police numbers.[791] It issued an order to all Iraqi police to return to work or be fired.[792] According to a SIGIR report, this added approximately 30,000 officers to the Iraqi police service.[793] At the same time, the U.S. military command in Iraq, Combined Joint Task Force – 7 (CJTF-7), launched an effort to recruit more Iraqi police officers, which added another 38,000 recruits to the Iraqi police service.[794]

The CPA and U.S. officials on the ground also tried to work towards training Iraqi police officers.[795] However, Training and police facilities within Iraq were rendered unusable by looting.[796] Hence, the CPA looked to first Hungary and then later Jordan to train Iraqi police officers, and in November 2003, the first police academy to train Iraqi police officers opened in December 2003.[797] Furthermore, ICITAP deployed 1500 police trainers to Iraq.[798]

These efforts suffered from major funding and staffing shortcomings.[799] They represented mostly individual agencies acting within their own capacities and thus did not amount to a strategic shift. The United States did not appropriate any of its own money for police-building in Iraq and hence the police-building effort was entirely funded through money seized from the capture of Iraq's government.[800] Furthermore, minimal vetting of police officers

[791] SIGIR, 'Hard Lessons: The Iraq Reconstruction Experience', 126.
[792] SIGIR, 126.
[793] SIGIR, 126.
[794] SIGIR, 126.
[795] SIGIR, 126.
[796] SIGIR, 126; Bayley and Perito, *The Police in War*, 9–10.
[797] Perito, 'The Iraq Federal Police: U.S. Police Building under Fire'; SIGIR, 'Hard Lessons: The Iraq Reconstruction Experience', 126.
[798] These police trainers were armed and often were caught in firefights with Iraqi insurgent groups. See e.g.: Jones et al., *Establishing Law and Order After Conflict*, 119–20.
[799] SIGIR, 'Hard Lessons: The Iraq Reconstruction Experience', 126; Perito, 'The Iraq Federal Police: U.S. Police Building under Fire'.
[800] SIGIR, 'Hard Lessons: The Iraq Reconstruction Experience', 126.

occurred and many of the recruits were dismissed later due to corruption, identity theft, or lack of experience and education.[801]

Based on these shortcomings and associated demands for greater involvement in crime control, Secretary of Defense Donald Rumsfeld ordered then Major General Karl Eikenberry to assess existing CPA efforts to train the Iraqi police and its security institutions in November 2003.[802] The assessment concluded that existing police-building efforts were underfunded and disorganised.[803] The report, presented to the Bush administration in February 2004, recommended that the U.S. military should take charge in building Iraq's security forces.[804]

4.4.2. Informational cues to the U.S. public and U.S. elites

The report coincided with a number of informational cues to the U.S. public and Congressional elites that were indicating that the U.S. war effort in Iraq was failing. Amid reported rises in violence and lawlessness in Iraq, journalists and Congressional elites began questioning the U.S. strategy. For example, journalistic accounts of lawlessness and rising violence in Iraq proliferated in U.S. newspapers.[805] According to one report by the Washington Post: 'Five weeks after the war ended, the administration is still struggling to accomplish that goal. It has failed to establish law and order on the streets and has achieved only mixed results in restoring electricity, water, sanitation and other essential needs.'[806] Similarly, at press conferences with U.S. officials, journalists began to question Donald Rumsfeld and the Bush

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[801] Bayley and Perito, *The Police in War*, 12–13.
[802] Perito, 'The Iraq Federal Police: U.S. Police Building under Fire'.
[803] SIGIR, 'Hard Lessons: The Iraq Reconstruction Experience', 133.
[804] SIGIR, 133.
[805] Michael R. Gordon, 'Baghdad on the Hudson', *The New York Times*, 15 August 2003, https://www.nytimes.com/2003/08/15/international/worldspecial3/baghdad-on-the-hudson.html; Gordon, 'U.S. Planning to Regroup Armed Forces in Baghdad, Adding to Military Police'; Peter Slevin and Vernon Loeb, 'Plan to Secure Postwar Iraq Faulted', *Washington Post*, 19 May 2003, https://www.washingtonpost.com/archive/politics/2003/05/19/plan-to-secure-postwar-iraq-faulted/8f3012f1-5a4b-44b6-80e9-d73a2aeb1d7e/.
[806] Slevin and Loeb, 'Plan to Secure Postwar Iraq Faulted'.

administration on the failing Iraq war effort, the looting that occurred in Iraq, and why U.S. forces are unable to stop the looting.[807] In a much cited phrase, in April 2003, Donald Rumsfeld dismissed the looting in Iraq by saying: 'Stuff happens'.[808]

Members of the U.S. Congress also began to question Bush administration officials on their war plans and specifically their plans for controlling crime in post-war Iraq. For example, on May 22nd 2003 the Senate's Foreign Relations Committee held a hearing on Iraq, where multiple Senators expressed their concerns over the course of the war and the lawlessness that beset Iraq in the aftermath of the U.S. invasion.[809] During the hearing, then Senator Joe Biden argued that the United States would need to do more to build the Iraqi police service: 'I believe if we had more police, our soldiers would have more flexibility to perform other critical tasks that we have fallen short of the mark on, like securing nuclear facilities, where we have seen looting.'[810]

The mix of Congressional hearings and journalistic reporting served as informational cues on the Bush administration to treat crime control, in the form of police-building, as a strategic tool in Iraq.

4.4.3. Cost calculation

The reports and hearings on looting and criminality in Iraq signalled to domestic audiences inside the United States that the U.S. war effort was failing. As reports about the faltering war strategy in Iraq were accumulating, U.S. public opinion on the war in Iraq began

[807] Sean Loughlin, 'Rumsfeld on Looting in Iraq: "Stuff Happens"', *CNN*, 2003, https://edition.cnn.com/2003/US/04/11/sprj.irq.pentagon/.

[808] Loughlin.

[809] 'Iraq Stabilization and Reconstruction: U.S. Policy and Plans' (U.S. Senate Committee on Foreign Relations, 22 May 2003), https://www.congress.gov/108/chrg/CHRG-108shrg89516/CHRG-108shrg89516.pdf.

[810] Biden in 'Iraq Stabilization and Reconstruction: U.S. Policy and Plans'.

to decrease.[811] For example, according to a Washington Post-ABC News poll by September 2003, 46% of the U.S. public disapproved of the situation in Iraq.[812] While the majority of the U.S. public approved of the situation in Iraq, the number of individuals approving of the situation in Iraq was down from 75% in April 2003 to 52% in September 2003.[813]

While the Bush administration enjoyed widespread support on prosecuting the war on terrorism and successfully presented the Iraq war to the U.S. public as part of the war on terror, increasing violence in Iraq also increased pressure on the Bush administration to change its narrative on the war in Iraq.[814] Abramson et al. argue that 'the course of the war in Iraq and the perceived state of the economy were heavy burdens for the president in the [2004 Presidential election] campaign.'[815] This serves as a contextual indicator showing that by the beginning of 2004, the Bush administration was under pressure to demonstrate results in the Iraq war to avert a growing perception that the Iraq war was failing.

Indeed, discursive indicators support the argument that the decision to implement crime control as a strategic tool was driven by a desire by the Bush administration to produce demonstrable results and improvements on the war in Iraq.

For example, Douglas Brand, chief police advisor to the Interior Ministry in Iraq, argued that timelines were imposed on police-building programs that were unrealistic to produce qualified police officers.[816] As he wrote in his written testimony to the Iraq Inquiry: 'The time frame [given to train police officers in Iraq] of eighteen months being the same period

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[811] Ole Rudolf Holsti, *American Public Opinion on the Iraq War* (Ann Arbor, UNITED STATES: University of Michigan Press, 2011), http://ebookcentral.proquest.com/lib/oxford/detail.action?docID=3415024.

[812] 'Washington Post-ABC News Poll: Bush and Iraq'.

[813] 'Washington Post-ABC News Poll: Bush and Iraq'.

[814] Paul R. Abramson et al., 'Fear in the Voting Booth: The 2004 Presidential Election', *Political Behavior* 29, no. 2 (June 2007): 197–220, https://doi.org/10.1007/s11109-006-9018-1; Holsti, *American Public Opinion on the Iraq War*.

[815] Abramson et al., 'Fear in the Voting Booth', 202.

[816] Author interview with Douglas Brand, chief police advisor to the Interior Ministry of Iraq, held on 20th October 2022, via MS Teams.

that was to elapse before the U.S. Presidential elections, seemed to be more than just a coincidence.'[817] As General Andrew Mackay, the first commander of CPATT explained:

> 'It became very easy for me to say I have now trained X hundred at Baghdad Police Academy. We have equipped two thousand police officers with glocks and uniform. We have done these programmes, we've done this, we've done that, we've trained the police, unexploded bomb ordinance team, we started to create a criminal investigation division. We've created a special forces unit with X amount. Now those are all outputs and they look very good on PowerPoint. They're not outcomes because the outcome, for example, is does a trained police officer from the Baghdad Police Academy go to a functioning police station? That's an outcome.'[818]

The short time frame given to police-building efforts, particularly in light of the Presidential elections in 2004, serves as a behavioural indicator that crime control efforts were implemented to demonstrate results in Iraq.

Discursive indicators also support this argument. Douglas Brand testified at the Iraq Inquiry that an unidentified U.S. official suggested strongly to him that 'if we could get this [police] training done in time for the 2004 presidential election, it would be able to demonstrate some outcomes.'[819] Similarly, a former U.S. Colonel involved in a police-training effort

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[817] Douglas Brand, 'Iraq Inquiry: Evidence of Douglas Brand OBE' (The Iraq Inquiry, 18 June 2010), The National Archives.

[818] Author interview with Major General (ret.) Andrew MacKay, 1st commander of CPATT, held on 23rd November 2023, via MS Teams.

[819] 'Transcript of Douglas Brand OBE Hearing' (The Iraq Inquiry, 29 June 2010), The National Archives, https://webarchive.nationalarchives.gov.uk/ukgwa/20110119123315/http://www.iraqinquiry.org.uk/transcripts/oralevidence-bydate/100629.aspx.

remembered a conversation he had with his then commanding officer,[820] in which the officer pressured him to produce a certain amount of trained police by September 2004.[821] As this Colonel remarked: '[he] wanted me to inflate the numbers.'[822] These statements are corroborated by Major General (ret.) Andrew Mackay, the first commander of CPATT when he remarked that 'our capital cities were desperate for progress and so all of us, because it looks good on PowerPoint, focused on outputs, not outcomes.'[823] These statements corroborate the idea that capacity building efforts existed to appease domestic audiences at home, not to meet the strategic requirements on the ground.

Another behavioural indicator is that the United States tried to reframe the violence in Iraq as predominantly criminal violence and its effort to treat crime control as a strategic tool fit with that narrative. The Bush administration also reacted to the erosion of public approval by 'downplaying' the significance of the violence in Iraq and labelling it sporadic criminal violence. For example, as late as July 2004 Donald Rumsfeld labelled Iraqi insurgents as 'thugs'.[824] Similarly, Major General (ret.) Andrew Mackay, the commander of CPATT recounted: 'I remember a discussion with a very senior state department individual who visited, where I referred to a growing insurgency. It was al-Qaeda and Sadr. He stopped me and said: "What are you talking about? We don't use the word insurgency. They are enemies of a free Iraq."'[825] This framing enabled the Bush administration to downplay the seriousness of the violence in Iraq. U.S. decision-makers, furthermore, used Iraqi police forces to augment U.S. forces fighting against insurgents in Iraq. As Robert Perito writes, often 'the newly minted

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[820] I do not include the name of the officer here to protect their identity.
[821] Author interview with former U.S. Colonel.
[822] Author interview with former U.S. Colonel.
[823] Author interview with Major General (ret.) Andrew MacKay, 1st commander of CPATT, held on 23rd November 2023, via MS Teams.
[824] Bob Woodward, *The War within: A Secret White House History 2006-2008* (London: Simon & Schuster, 2008), 23.
[825] Author interview with Major General (ret.) Andrew MacKay, 1st commander of CPATT, held on 23rd November 2023, via MS Teams.

police officers […] were used as combatants in the growing conflict against insurgent and sectarian militia forces.'[826] Putting police forces into the frontline against the growing Iraqi insurgency, that granted was being fuelled and financed by crime, was also a way to avoid admitting that the war in Iraq is going poorly.

4.4.4. Discussion

Collectively the presented evidence serves as a straw in the wind that the establishment of CPATT was driven by a desire in the Bush administration to avoid the incursion of domestic audience costs for a failing war effort. The overall decreasing approval of the Iraq war in the U.S. public, the prioritisation of quantity over quality in training Iraqi police, and the suggestions that this quantity needed to be trained in time for the U.S. Presidential elections in 2004, all suggest that CPATT was established to avert the perception of a failing war effort and associated audience costs in the United States. Thus, while the crime control effort represented a change in strategy, they were unable to meet the challenge that represented crime in Iraq at the time. Instead, the design of these capacity building efforts indicate that they fulfilled a performative function for domestic audiences in the United States. The case then passes the hoop test that the fear of domestic audience costs was present before the United States changed its strategy.

Comparing the case of the establishment with CPATT with the case of the rejection of ICITAP recommendations indicates that domestic political considerations changed the outcome. While when ICITAP made its recommendations domestic political pressures to change the strategic role of crime control was absent, by the time the Eikenberry report was

[826] Perito, 'The Iraq Federal Police: U.S. Police Building under Fire', 3.

drafted and CPATT was established, the Bush administration was desperate to show progress in the war in Iraq.

4.5. Operation Tidal Wave II: Crime control as a strategic tool (2015-2017)

In 2014, AQI morphed into the Islamic State in the Levant (ISIL) and took over territory straddling both parts of Syria and Iraq.[827] To counter the threat of ISIL the United States established Operation Inherent Resolve (OIR) and a global coalition to counter ISIL.[828] ISIL used criminal activity to finance itself.[829] In particular, ISIL relied heavily on oil smuggling, the granting of digging permits (and smuggling of artifacts), kidnapping, extortion, and robberies to finance itself.[830] While this was concerning to the United States, it did not initially plan to counter ISIL's criminal finance streams as part of the U.S. war strategy against ISIL.[831]

In designing its strategy against ISIL, the Obama administration avoided the deployment of a large U.S. ground force to Iraq and Syria.[832] The Obama administration believed that after roughly a decade of war in Iraq and Afghanistan, the U.S. public would not support the deployment of a large ground force to Iraq and Syria to defeat ISIL.[833] Instead, U.S. strategy relied on the use of several local forces; many of whom were often competing with

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[827] Patrick Cockburn, *The Rise of Islamic State: ISIS and the New Sunni Revolution*, Updated edition. (London: Verso, 2015); Mumford, *The West's War Against Islamic State*, 2021.

[828] Mumford, *The West's War Against Islamic State*, 2021.

[829] Steenkamp, 'The Crime-Terror Nexus in Syria and Iraq'; Shelley, 'Blood Money: How ISIS Makes Bank'.

[830] See Steenkamp for an overview of crime and conflict in Syria: Steenkamp, 'The Crime-Terror Nexus in Syria and Iraq'. See e.g.: Shelley, 'Blood Money: How ISIS Makes Bank'; 'Economic Defeat of the Islamic State: Behind the Scenes of Operation Tidal Wave II'; Yochi Dreazen, 'ISIS Uses Mafia Tactics to Fund Its Own Operations Without Help From Persian Gulf Donors', *Foreign Policy*, 2014, https://foreignpolicy.com/2014/06/17/isis-uses-mafia-tactics-to-fund-its-own-operations-without-help-from-persian-gulf-donors/.

[831] Gordon, *Degrade and Destroy: The Inside Story of the War Against the Islamic State, from Barack Obama to Donald Trump*.

[832] Gordon.

[833] Gordon.

each other.[834] For example, the United States allied with the Kurdish militias such as the Peshmerga, the Shia dominated Iraqi Army, as well as Syrian rebel groups and Sunni militias.[835] The United States augmented these forces with special forces operations and airstrikes.

As part of its effort to defeat ISIL, the United States launched Operation Tidal Wave II, a bombing campaign against the oil smuggling activities of ISIL as well as the banks and cash deposits it seized in the territories it captured, in October 2015.[836] During Operation Tidal Wave II, the United States bombed the 'high-impact targets in all elements of ISIS's [the Islamic State's] oil supply chain, from production to refining to transportation and distribution.'[837] These 'high-impact targets' included initially oil gas separation plants, oil wells, and oil stills.[838] Crucially, the United States shied away from targeting oil trucks used in ISIL oil smuggling activities due to a concern over civilian casualties.[839] In November 2015, however, the United States decided to bomb the oil trucks ISIL used to smuggle oil from Syria.[840] Operation Tidal Wave II officially ended in October 2017.[841]

The bombing of the oil trucks was an unprecedented effort in modern U.S. military strategy because of the tensions it raised with international humanitarian law.[842] Article 48 of

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[834] Gordon.

[835] Gordon.

[836] Operation Tidal Wave II was named after Operation Tidal Wave, the Allied bombing campaign against Nazi Germany's oil refineries in Romania. For more on Operation Tidal Wave II see e.g.: 'Economic Defeat of the Islamic State: Behind the Scenes of Operation Tidal Wave II'; Wasser et al., *The Air War against the Islamic State*.

[837] Wasser et al., *The Air War against the Islamic State*, 208.

[838] See e.g.: Wasser et al., 209–10. Another target were the bank vaults that the Islamic State had seized in Iraq. Captured bank vaults were not only a source of income for the Islamic State by seizing the cash deposited there, but it also served as a way for the Islamic State to store new cash generated by oil smuggling and other activities. Wasser et al. describe the bombing of the bank vaults as a separate operation called Operation Point Blank. For more on the targeting of bank vaults and ISIL cash deposits see: 'Economic Defeat of the Islamic State: Behind the Scenes of Operation Tidal Wave II' (Foundation for Defense of Democracies; Brookings Institution, 19 May 2019); Becca Wasser et al., *The Air War against the Islamic State: The Role of Airpower in Operation Inherent Resolve* (Santa Monica, CA: RAND, 2021), 226–35.

[839] Miller and Corey, 'Follow the Money'.

[840] Miller and Corey; Gordon, *Degrade and Destroy: The Inside Story of the War Against the Islamic State, from Barack Obama to Donald Trump*, 182.

[841] Wasser et al., *The Air War against the Islamic State*, 209.

[842] Miller and Corey, 'Follow the Money', 33.

the 1977 Additional Protocol I to the 1949 Geneva Conventions (API) prescribes that belligerents need to distinguish between military and civilian objects in selecting targets in warfare (principle of distinction).[843] According to Article 52(2) of the API, objects that are legitimate to attack are 'those objects which by their nature, location, purpose or use make an effective contribution to military action and whose total or partial destruction, capture or neutralization, in the circumstances ruling at the time, offers a definite military advantage.' (principle of proportionality).[844] Of course, there is considerable debate surrounding the question of when the targeting of military objects is proportional to the achievement of military objectives.[845] The United States, for its part, long considered what it calls 'war sustaining' targets – such as objects that help finance a belligerent – to make an effective contribution to the enemy's military action and hence legitimate targets of attack.[846] For example, during the U.S. civil war the United States considered the destruction of Confederate cotton bales as legitimate.[847]

President Obama considered the oil truck drivers to be civilians and set the Noncombatant Casualty Cutoff Value (NCCV), the value of civilian deaths the United States

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[843] Janina Dill, *Legitimate Targets?: Social Construction, International Law and US Bombing* (New York: Cambridge University Press, 2015), 70; Article 48 'V Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflicts (Protocol 1), of 8 June 1977' (United Nations, 8 June 1977).

[844] Article 52(2) 'V Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflicts (Protocol 1), of 8 June 1977' (United Nations, 8 June 1977); Janina Dill, *Legitimate Targets?: Social Construction, International Law and US Bombing* (New York: Cambridge University Press, 2015).

[845] On targeting civilian objects in war see: Dill, *Legitimate Targets?*, 90; On debates surrounding Operation Tidal Wave II see: Goodman, 'The Obama Administration and Targeting "War-Sustaining" Objects in Noninternational Armed Conflict'; Jeffrey Miller and Ian Corey, 'Follow the Money: Targeting Enemy War-Sustaining Activities', *Joint Force Quarterly* 87 (2017), https://ndupress.ndu.edu/Publications/Article/1325943/follow-the-money-targeting-enemy-war-sustaining-activities/https%3A%2F%2Fndupress.ndu.edu%2FMedia%2FNews%2FNews-Article-View%2FArticle%2F1325943%2Ffollow-the-money-targeting-enemy-war-sustaining-activities%2F; Saeed Bagheri, *International Law and the War with Islamic State: Challenges for Jus Ad Bellum and Jus in Bello*, Studies in International Law, volume 84 (Oxford London New York New Delhi Sydney: Hart Publishing, an imprint of Bloomsbury Publishing, 2021).

[846] Goodman, 'The Obama Administration and Targeting "War-Sustaining" Objects in Noninternational Armed Conflict'.

[847] Goodman.

considered acceptable for a military operation, to zero.[848] This meant that the operation needed approval from senior U.S. leadership if U.S. commanders believed that they may kill a civilian during the operation.[849] While the United States considered the trucks legitimate targets of attack, U.S. commanders could not guarantee that the truck drivers, who were considered civilians, would not be killed during the operations.[850] This led to two several questions in the Obama administration. The question was whether it was possible to conduct the operation in a way that no truck drivers would be killed.[851] This was an issue of distinction. Second, whether truck drivers could be considered combatants because of their contribution to ISIL's war effort.[852] If the drivers were not considered legitimate targets by themselves, then there was a question on whether it was justifiable to raise the NCCV for the targeting of oil trucks so that military planners could incur the deaths of the civilian truck drivers in targeting what they considered to be a military object.[853] This was an issue of proportionality.

The Obama administration decided that the truck drivers could not be considered combatants. However, while the Obama administration was initially reluctant to lift the NCCV for Operation Tidal Wave II, in November 2015 the Obama administration gave the go-ahead to target ISIL oil trucks in Syria and it lifted the NCCV.[854] What changed?

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[848] Wasser et al., *The Air War against the Islamic State*, 55.

[849] Wasser et al., 83.

[850] Gordon, *Degrade and Destroy: The Inside Story of the War Against the Islamic State, from Barack Obama to Donald Trump*, 181–82.;

[851] Wasser et al., *The Air War against the Islamic State*; Miller and Corey, 'Follow the Money'.

[852] Author interview with General (ret.) John Allen, Special Presidential Envoy for the Global Coalition to Counter ISIL (2014-2015) and former commander of the International Security Assistance Force (ISAF) (2011-2013), held on 6th July 2023, via MS Teams.

[853] Author interview with former senior U.S. military official, held on 6th June 2023, via MS Teams.

[854] Wasser et al., *The Air War against the Islamic State*, 84.

4.5.1. Demand for crime control

In the initial year of Operation Inherent Resolve, the United States predominantly used airstrikes to support proxy fighters on the ground. The United States broadly distinguished between 'deliberate' and 'dynamic' airstrikes. 'Deliberate' airstrikes were planned in advance and often hit targets deeper in ISIL territory. They include targets such as logistics hubs, command and control centres, and weapons depots, and require more deliberate planning. Dynamic airstrikes, on the other hand, were those that were less planned in advance and often conducted to directly help U.S.-backed militias in battles against ISIL positions on the ground.[855] Targeting the oil infrastructure of ISIL count as more deliberate airstrikes.[856] According to Michael Gordon over the summer of 2015, 90% of U.S. airstrikes were directed at fighting positions.[857]

In the spring of 2015 U.S. special operations forces conducted a raid on the house of senior ISIL militant Abu Sayyaf.[858] During the raid, U.S. special forces found a trove of hard drives and documents which contained among other things, detailed information on ISIL's financing infrastructure.[859] According to Wasser et al. it was this new information that allowed the United States 'to identify critical nodes that, if targeted, would have the greatest impact on degrading the enemy's oil enterprise.'[860] Similarly, then-Secretary of Defense Ashton Carter testified in front of the House Armed Services Committee that: 'because of improved

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[855] Gordon, *Degrade and Destroy: The Inside Story of the War Against the Islamic State, from Barack Obama to Donald Trump*, 179.

[856] Wasser et al., *The Air War against the Islamic State*.

[857] Gordon, *Degrade and Destroy: The Inside Story of the War Against the Islamic State, from Barack Obama to Donald Trump*, 179.

[858] 'Recent Syria Operation Highly Successful, Pentagon Spokesman Says' (United States Central Command, 19 May 2015), https://www.centcom.mil/MEDIA/NEWS-ARTICLES/News-Article-View/Article/885130/recent-syria-operation-highly-successful-pentagon-spokesman-says/https%3A%2F%2Fwww.centcom.mil%2FMEDIA%2FNEWS-ARTICLES%2FNews-Article-View%2FArticle%2F885130%2Frecent-syria-operation-highly-successful-pentagon-spokesman-says%2F; Wasser et al., *The Air War against the Islamic State*, 207.

[859] Wasser et al., *The Air War against the Islamic State*, 207.

[860] Wasser et al., 207.

intelligence and understanding of ISIL's financial operations, we have intensified the air campaign against ISIL's war-sustaining oil enterprise.'[861] The new intelligence on the Islamic State's finances has been a critical step in pushing the United States to launch Operation Tidal Wave II.[862]

However, while the new intelligence helped inform and designate new targets, the Obama administration continued to be worried about civilian casualties if it began bombing oil trucks that were used to smuggle oil.[863] U.S. commanders on the ground wanted to use this information to hit more strategic targets 'beyond the front lines'.[864] Particularly then Lieutenant General Sean MacFarland, commander of Operation Inherent Resolve, and then Major General Peter Gersten, deputy commander for operations and intelligence, were wanting to strike targets that were considered more 'deliberate' targets and which were deeper behind enemy lines.[865] The oil trucks ISIL used to smuggle oil represented one of these 'deep' targets.[866] U.S. military planners drafted plans to target the oil trucks, but these plans were not approved until November 2015.[867]

Despite the new intelligence and plans to target oil trucks, the Obama administration shied away from targeting oil trucks out of a fear that it would result in civilian casualties.[868] Instead it focussed on the gas oil separation plants that were part of the oil trafficking infrastructure of ISIL. As mentioned in the preceding paragraph, the United States considered the truck drivers civilians and U.S. military commanders on the ground wanted either the

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[861] 'U.S. Strategy for Syria and Iraq and Its Implications for The Region', 1 December 2015, 7.
[862] Mumford, *The West's War Against Islamic State*, 2021, 64.
[863] Miller and Corey, 'Follow the Money'.
[864] Wasser et al., *The Air War against the Islamic State*, 199.
[865] Gordon, *Degrade and Destroy: The Inside Story of the War Against the Islamic State, from Barack Obama to Donald Trump*, 179.
[866] Gordon, 180–81.
[867] Michael R. Gordon, 'U.S. Warplanes Strike ISIS Oil Trucks in Syria', *The New York Times*, 16 November 2015, sec. World, https://www.nytimes.com/2015/11/17/world/middleeast/us-strikes-syria-oil.html.
[868] Miller and Corey, 'Follow the Money'.

Obama administration to recognise these truck drivers as combatants or lift the NCCV so that the killing of these truck drivers would be allowed. As General (ret.) John Allen remarked:

> 'We were having a debate: Are the truck drivers, who are very clearly aiding the economic strength of the Islamic State, are they hostile or are they not?'[869]

U.S. commanders on the ground wanted the NCCV to be lifted, meaning that the deaths of fifteen truck drivers or other civilians would be considered acceptable, given the military advantage the United States expected to draw from the destruction of the oil trucks.[870]

On 13th November 2015, a month after the Operation Tidal Wave II was formally launched, Islamic State operatives conducted a series of shootings and suicide attacks in Paris, killing roughly 130 people.[871] The terrorist attack in Paris shocked Western audiences.[872] The Paris attacks were only the latest in a series of global ISIL attacks.[873] Together with the brazenness and brutality of other ISIL attacks, it reinvigorated demands, particularly but not only from Republicans in Congress, to change the strategy in the United States for greater assertiveness against ISIL.[874] The Paris attacks and ISIL's brutality triggered many fears in the U.S. public that ISIL was a menacing threat. For example, Ben Rhodes writes that a businessman told him that he had hired a private security detail out of fear that ISIL will capture

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[869] Author interview with General (ret.) John Allen, former special envoy

[870] Author interview with former senior U.S. military officer, held on 6th June 2023, via MS Teams.

[871] 'The Worst Peacetime Attack on France: 2015 Paris Terror Attacks Summarized', *France 24*, 29 June 2022, https://www.france24.com/en/video/20220629-summary-of-paris-nov-attacks-bataclan.

[872] Michael D. Shear and Peter Baker, 'Obama Says Strategy to Fight ISIS Will Succeed', *The New York Times*, 16 November 2015, sec. World, https://www.nytimes.com/2015/11/17/world/europe/obama-says-paris-attacks-have-stiffened-resolve-to-crush-isis.html.

[873] Peter Baker and Eric Schmitt, 'Paris Terror Attacks May Prompt More Aggressive U.S. Strategy on ISIS', *The New York Times*, 14 November 2015, sec. World, https://www.nytimes.com/2015/11/15/world/europe/paris-terror-attacks-response-islamic-state.html.

[874] Shear and Baker, 'Obama Says Strategy to Fight ISIS Will Succeed'.

him in New York City.[875] This illustrates that the terror attacks contributed to disproportionate and unrealistic fears, which called for strong action and resolve.

4.5.2. Informational cues to the U.S. public and U.S. elites

In response to the Paris attacks, demands to do more against ISIL increased by Republicans in Congress and the U.S. public.[876] For example, former Bush national security officials began calling on the Obama administration to take a more aggressive stance on ISIL.[877] For example, one of President Bush's senior counterterrorism advisors, Frances Fargos Townsend remarked: 'We must not continue to assume that ISIS is merely an away threat. It clearly has international ambitions beyond its self-proclaimed caliphate.'[878] Similarly, Michael Leiter, both a former Bush administration and Obama administration official, remarked: 'Truthfully, I can't imagine how it doesn't change their approach. […] When you give this kind of organization this much freedom of movement and go after it this incrementally, people shouldn't be surprised by things like the aircraft bombing [referring to another terrorist attack by ISIL].'[879] Similarly, particularly Republican members of Congress criticised President Obama for not doing enough to combat ISIL.[880] For example, Republican member of the House of Representatives and then Chairman of the House Homeland Security Committee Peter King argued that the Obama administration was 'still fighting the last war, and they are even that fighting half-heartedly.'[881]

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[875] Ben Rhodes, *The World As It Is: Inside the Obama White House* (London: Vintage Books, 2019), 312.

[876] Shear and Baker, 'Obama Says Strategy to Fight ISIS Will Succeed'.

[877] Baker and Schmitt, 'Paris Terror Attacks May Prompt More Aggressive U.S. Strategy on ISIS'.

[878] Cited in Baker and Schmitt.

[879] Cited in Baker and Schmitt.

[880] John D. McKinnon, 'Obama Faces Criticism for Declaring Islamic State "Contained"', *Wall Street Journal*, 15 November 2015, sec. US, http://www.wsj.com/articles/obama-faces-criticism-for-declaring-islamic-state-contained-1447619804.

[881] 'Rep. Peter King on US Response to Paris Attacks', *Fox News* (Fox News, 15 November 2015), https://www.yahoo.com/news/rep-peter-king-us-response-200938164.html.

Importantly, these informational cues focussed not on crime per se but rather presented the strategy that the United States was driving as failing. Close observers were criticising that the United States hesitated bombing oil smuggling networks,[882] but most informational cues depicted the Obama administration as too 'soft' on ISIL.[883] For example, Juan Zarate, a former counterterrorism advisor to President Bush and Assistant Secretary of the Treasury for Terrorist Financing, criticised the lack of attacks on ISIL resources: 'In the wake of the Paris, Beirut and Sinai attacks, the U.S. government and allies may now realize that there may not be time to contain this threat — and instead need to be much more aggressive in disrupting terrorists' hold on territory, *resources* [emphasis added] and the minds of Muslim youth.'[884] Elsewhere, in a Congressional Hearing on the Paris attacks on 2nd December 2015, Republican Congressman Ted Poe criticised that attacks on oil trucks came too late: 'Two weeks ago, we finally started to bomb trucks transporting oil for ISIS. It did not seem to happen earlier. The question is why.'[885] While this last critique was made after the U.S. began bombing oil trucks, it displays the general dismay in the U.S. public and among U.S. elites about U.S. strategy before the U.S. decision to bomb the oil trucks.

4.5.3. Cost calculation

These informational cues increased pressure on the Obama administration to demonstrate results in the fight against ISIL.

This is reflected in statements by former senior U.S. officials. In his book on his time in the Obama administration, former National Security Council (NSC) spokesperson Ben

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[882] 'Paris Attacks: Rethinking Strategy on IS', *BBC News*, 18 November 2015, sec. Europe, https://www.bbc.com/news/world-europe-34848035.

[883] Baker and Schmitt, 'Paris Terror Attacks May Prompt More Aggressive U.S. Strategy on ISIS'.

[884] Cited in Baker and Schmitt.

[885] Cited in 'The Paris Attacks: A Strategic Shift by ISIS?' (U.S. House of Representatives; Committee on Foreign Affairs; Subcommittee on Terrorism, Nonproliferation, and Trade, 2 December 2015), https://www.govinfo.gov/content/pkg/CHRG-114hhrg97752/pdf/CHRG-114hhrg97752.pdf.

Rhodes describes how after the terrorist attack in Paris, public pressure increased on President Obama to look tough in combatting the ISIL.[886] The Paris attacks evoked fears in both U.S. and other Western publics, that they would fall victim to terrorist attacks as well.[887] While Obama rejected both the implication that he was being 'weak' in fighting ISIL, nor that a more 'aggressive' campaign was going to be more successful, his staff recommended that he should display more anger at ISIL's atrocities.[888] According to Ben Rhodes, former National Security Council spokesman for the Obama administration: 'For the last few days [of a trip to Malaysia in November 2015], each time Obama had a media availability, there was a mini-intervention beforehand as people tried to help him find the right tone on ISIL. Show more anger. Speak to people's fears.'[889]

In response to the Paris attacks the Obama administration held an urgent NSC meeting on an unknown date and a more thorough meeting on November 24th, 2015.[890] In one of those meetings (it is not clear which one) then-Vice President Joe Biden mentioned to President Obama that 'It is really important for people to understand you are not blocking any good options.'[891] Given that U.S. commanders had already plans ready to target the oil trucks,[892] targeting the oil trucks may have represented exactly one such 'good option' that has previously been blocked. This is a strong indication that there was a perception in the Obama administration that if they do not target the oil trucks, in other words treating crime control as a strategic tool, they risk incurring domestic audience costs.

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[886] Rhodes, *The World as It Is*, 339–41.
[887] Rhodes, 312.
[888] Rhodes, 341–42.
[889] Rhodes, 343.
[890] Gordon, *Degrade and Destroy: The Inside Story of the War Against the Islamic State, from Barack Obama to Donald Trump*, 189–90.
[891] Gordon, 191.
[892] Gordon, 'U.S. Warplanes Strike ISIS Oil Trucks in Syria'.

Similarly, according to Michael Gordon: 'The impression that Obama was tiptoeing his way into the conflict could be damning if ISIS [ISIL's other acronym] was now in the business of exporting terror. To counter it, the administration would need to find a way to expedite its campaign and, importantly, be seen to be doing so.'[893] These statements indicate that after the attacks in Paris on 13th November 2015, the Obama administration expected to incur domestic demonstrate resolve and results in its fight against ISIL. Amid this pressure, approving the already prepared plan to bomb the oil trucks was a direct way in which the Obama administration could signal its resolve to domestic audiences and avoid these domestic audience costs.

This is also supported by discursive indicators made by President Obama after he launched Operation Tidal Wave II. When President Obama was asked about what his administration is doing to defeat ISIL, he referenced, among other things, U.S. efforts to combat ISIL oil trafficking.[894] At the same time, it was important for President Obama to signal to his audiences that he took care to minimise civilian casualties. For example, when asked during a November 22nd, 2015, press conference on expanding the rules of engagement on attacking ISIL, President Obama remarked:

> 'With respect to rules of engagement, we are in a constant conversation inside the Situation Room about how do we apply force most effectively to go after key ISIL targets, key ISIL leaders, strategic position, their infrastructure, their supply lines, while minimizing [sic.] civilian casualties. […] A good example

[893] Gordon, *Degrade and Destroy: The Inside Story of the War Against the Islamic State, from Barack Obama to Donald Trump*.

[894] 'Press Conference by President Obama -- Antalya, Turkey' (The White House, 16 November 2015), https://obamawhitehouse.archives.gov/the-press-office/2015/11/16/press-conference-president-obama-antalya-turkey; 'Press Conference by President Obama' (The White House, 22 November 2015), https://obamawhitehouse.archives.gov/the-press-office/2015/11/22/remarks-president-obama-press-conference.

> with the recent trucks that we struck. There may be ways in which warnings can be given to the drivers – many of whom may not work for ISIL, they may just be for hire or being forced into it – so that they better abandon those trucks before we shoot them down, because we're shooting them down. So that's the kind of conversation that's been ongoing throughout the process.'[895]

While President Obama was trying to signal a tougher stance on attacking ISIL, he was also careful to signal compliance with the laws of armed conflict.

The Obama administration's behaviour after it decided to target the oil trucks also indicates that the targeting of oil trucks was a way to appease domestic audience costs. Throughout the autumn and winter of 2015, the U.S. public remained fearful of ISIL.[896] This prompted the administration to craft a more effective narrative with regards to its efforts to defeat ISIL, including Operation Tidal Wave II.[897] According to Michael Gordon, President Obama remarked during a December 14th, 2015, NSC meeting:

> 'My key takeaway on the C-ISIL [Counter ISIL] campaign is that we need to do more to pull all these threads together with a clear narrative. I want this articulated to me by January 1. [*sic.*] I want this in a box by the time I hand over the keys. I want ISIL to be on a clear path to defeat, and I want to go at them hard. It is not just the threat they pose to the homeland, but it is the distortionary effect they could have on our politics if we have an attack here. There is no higher priority for me.'[898]

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[895] 'Press Conference by President Obama'.
[896] Rhodes, *The World as It Is*, 311–13.
[897] Gordon, *Degrade and Destroy: The Inside Story of the War Against the Islamic State, from Barack Obama to Donald Trump*, 204–5.
[898] Gordon, 205.

According to Michael Gordon, after the NSC meeting Obama approved more special operations deployments in Syria, approved the use of Apache helicopter in some operations, as well as an increase in troop levels in Iraq.[899] Another behavioural indicator is that the White House press office publicised the administration's tough stance against ISIL by reaching out to reporters and promoting, among other things, the campaign to degrade the Islamic State's finances.[900] As Gordon writes:

> 'Overnight, article roundups echoing the administration's themes started piling up in media's in-boxes with subject lines like "Relentlessly Pursuing ISIL's Leadership and Shrinking ISIL's Safe Havens"; "Enhancing and Enabling Partners"; "Counter-Financing, Foreign Fighters, and Protecting the Homeland"; "Expanding Huamnitarian Support"; and "Diplomatic Track."'[901]

The pushing of narratives indicating the counter-finance operations against ISIL indicate that the administration tried to use the targeting of oil trucks to appease domestic audiences calling for greater U.S. assertiveness in the fight against ISIL.

At the same time, discursive and behavioural indicators show that President Obama rejected the deployment of a high number of ground troops to Syria and Iraq. President Obama ruled out surging U.S. troops in Iraq and Syria.[902] As President Obama mentioned in a November 16th, 2015, press conference:

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[899] Gordon, *Degrade and Destroy: The Inside Story of the War Against the Islamic State, from Barack Obama to Donald Trump*.
[900] Gordon.
[901] Gordon, 205.
[902] 'Press Conference by President Obama -- Antalya, Turkey'.

> ‘And what’s been interesting is, in the aftermath of Paris, as I listen to those who suggest something else needs to be done, typically the things they suggest need to be done are things we are already doing. The one exception is that there have been a few who suggested that we should put large numbers of U.S. troops on the ground […] [I]t is not just my view but the view of my closest military and civilian advisors that that would be a mistake – not because our military could not march into Mosul or Raqqa or Ramadi and temporarily clear out ISIL, but because we would see a repetition of what we’ve seen before, which is, if you do not have local populations that are committed to inclusive governance and who are pushing back against ideological extremes, that they resurface – unless we’re prepared to have a permanent occupation of these countries.’[903]

This statement indicates that while Obama was willing to approve the targeting of oil trucks, he was reluctant to fight ISIL using a surge of U.S. troops in the country.

4.5.4. Discussion

The targeting of oil trucks under Operation Tidal Wave II allows to test the causal process within a single case. If the demand for crime control is sufficient to produce a change in the strategic role of crime control, we should have expected the United States to bomb the oil trucks when U.S. commanders first drafted plans for it, after the raid on Abu Sayyaf in Spring 2015. However, plans for bombing the oil trucks were not implemented until after the

[903] ‘Press Conference by President Obama -- Antalya, Turkey’.

terrorist attacks in Paris on 13th November 2015 increased pressure on the Obama administration to show more resolve in the fight against ISIL.[904] Thus, the hypothesis that a demand for crime control is sufficient for the implementation of crime control as a strategic tool fails the hoop test that a demand for crime control always leads to a change in the strategic role for crime control.

It was only after the Obama administration expected incurring domestic audience costs for being seen as uncommitted during the war against ISIL, that it changed the strategic role of crime control towards using crime control as a strategic tool. This indicates that the presence of expected domestic audience costs was a necessary condition for the change in the strategic role of crime control to occur.

Crucially, it seems that informational cues, to a large extent, were not focussed on crime *per se* but rather on ISIL as a menacing threat and the outrage and fear ISIL attacks generated in the U.S. public. As part of this narrative there were some individuals linking ISIL's financial streams from oil trafficking with the threat it posed, but the majority of the narrative seems to be focussed on the threat of ISIL.[905] Regardless, the fact that the Obama administration knew that military commanders had plans for targeting oil trucks and felt that they could not afford rejecting any 'good options'[906], indicates that the Obama administration still expected to incur domestic audience costs for being uncommitted to the war effort if they continued rejecting plans to target oil trucks. Thus, the case may suggest that informational cues do not necessarily need to link crime with the belligerent to increase pressure on the U.S. President.

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[904] Gordon, 'U.S. Warplanes Strike ISIS Oil Trucks in Syria'.
[905] Baker and Schmitt, 'Paris Terror Attacks May Prompt More Aggressive U.S. Strategy on ISIS'.
[906] Gordon, *Degrade and Destroy: The Inside Story of the War Against the Islamic State, from Barack Obama to Donald Trump*, 191.

4.6. Conclusion

In Iraq crime control efforts were first ignored because senior officials in the Bush administration believed that the expected material and human costs of crime control were too high.[907] In the absence of any expected domestic audience costs for treating crime control as a strategic distraction, the Bush administration rejected recommendations by ICITAP to establish police-building programs in Iraq.

As I have argued, as the violence in Iraq increased, the Bush administration was under pressure to present results on the war in Iraq. The decision to transfer police-building responsibilities to the Department of Defense and establish CPATT was thus a way of demonstrating these results. This is reflected in the fact that police-building efforts prioritised quantity over quality.

In 2015, the acquisition of new intelligence allowed U.S. commanders to plan Operation Tidal Wave II and develop a campaign plan that would target oil trucks used by ISIL to smuggle oil.[908] However, while commanders on the ground developed these plans, they were prohibited from striking the oil trucks.[909] As I have argued, it was not until the Paris attacks on 13th November 2015 that the Obama administration believed it needed to demonstrate more resolve against ISIL in Iraq and fend off the perception that it was going soft on ISIL. Approving the plans to hit the oil trucks represented a way to demonstrate resolve while not escalating to more drastic measures in the war such as increasing troop numbers.

In Iraq, a demand for treating crime control as a strategic tool hence only led the United States to change its strategy to treat crime control as a strategic tool when Presidents expected that continuing to treat crime control as a strategic distraction would incur more domestic audience costs than the material and human costs of treating crime control as a

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[907] Bensahel et al., *After Saddam*; SIGIR, 'Hard Lessons: The Iraq Reconstruction Experience'.
[908] Wasser et al., *The Air War against the Islamic State*, 69.
[909] Gordon, 'U.S. Warplanes Strike ISIS Oil Trucks in Syria'.

strategic tool. Treating crime control as a strategic tool then served as a way to appease public dissatisfaction over the war in Iraq or, in the case of ISIL, appease domestic fears over an enemy.

Unlike in Afghanistan, in Iraq crime control efforts were less driven by the public concerns over any specific crime, but more by public concerns over the war effort. Crime control efforts merely helped both the Bush and Obama administration to assuage public concerns over the war effort and try to reassure the U.S. public that the administration is working towards improving conditions in the war. Criminality in general was seen as indicator for a failing war effort, or in the case of targeting oil trucks against ISIL, as supporting a morally egregious actor.

As was the case in Afghanistan, factors operating alongside the causal chain influenced to varying degrees the way in which the President and his advisors estimated domestic audience costs for treating crime control as a strategic distraction and material and human costs of treating crime control as a strategic tool. As has been well-documented elsewhere, bureaucratic conflict has accompanied the policymaking process in Iraq,[910] with the Department of Defense assertively taking control over policymaking in Iraq and punishing those that disagreed with its policy positions as the case of General Eric Shinseki shows.[911] This arguably disincentivised elites from trying to send informational cues to the US public and attempt to raise domestic audience costs. The assertiveness of the Department of Defense over the policymaking process was likely a result of the individual biases and experiences by Secretary Donald Rumsfeld.

The power of individual criminals arguably mattered less in the cases under investigation here. However, there are indications that the power of individual criminals

[910] Bensahel et al., *After Saddam*.
[911] Mills, 'Punished for Telling Truth about Iraq War'.

influenced decision-making towards crime at a more granular level of decision-making (i.e. the commander level). During the Sunni Awakening in Iraq, commanders on the ground, for example, often opted to turn a blind-eye to local crime despite the overall strategy being one of treating crime control as a strategic tool.[912] There are indications that these commanders decided to do so because they wanted to avoid powerful tribal leaders who were often involved in criminal activities. Future research can explore decision-making towards crime on a more granular level to understand the different dynamics and considerations behind treating crime control as a strategic tool or distraction.

In the next chapter, I summarise my findings and draw conclusions from both the Afghanistan and Iraq cases.

[912] Pregent, 'Rule of Law Capacity Building in Iraq'.

Chapter 5. Conclusion

In both Afghanistan, Iraq, and the U.S. intervention against ISIL in Iraq and Syria, the United States changed the role crime control efforts played in its overall war strategy multiple times.[913] The United States initially ignored crime in all interventions examined here, believing that implementing crime control efforts would distract from achieving strategic objectives in the military intervention. Crime control efforts were eventually viewed as a strategic tool to achieve the objectives of both interventions. In Afghanistan this was reflected in a push towards counternarcotics.[914] In Iraq, the United States established a police-building effort, which prioritised quantity of trained police over quality of these police officers.[915] In 2011 in Afghanistan, the United States treated crime control once again as a strategic distraction, after deciding that a sustained crack-down on criminality in Afghanistan was no longer worth the costs.[916] Then, in 2015, the United States bombed oil trucks in Syria as part of its intervention against ISIL in the territories of Syria and Iraq, despite initial resistance to do so.[917] And in 2017, the United States bombed drug laboratories in Afghanistan, despite widespread acknowledgement by experts on Afghanistan's drug economy that doing so would yield few results.[918]

This thesis main argument is that for the cases investigated here, these changes cannot be explained without considering the domestic politics of crime control and warfare in the

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[913] See e.g.: Williams, *Criminals, Militias, and Insurgents*; Felbab-Brown, *Aspiration and Ambivalence Strategies and Realities of Counterinsurgency and State Building in Afghanistan*; SIGAR, 'Corruption in Conflict: Lessons from the U.S. Experience in Afghanistan'; SIGAR, 'Counternarcotics: Lessons from the U.S. Experience in Afghanistan'.

[914] Felbab-Brown, *Shooting Up*, 141.

[915] Perito, 'The Iraq Federal Police: U.S. Police Building under Fire'.

[916] Chayes, 'Afghanistan's Corruption Was Made in America: How Self-Dealing Elites Failed in Both Countries'; SIGAR, 'Corruption in Conflict: Lessons from the U.S. Experience in Afghanistan'; Sopko, 'Rebuilding Afghanistan'.

[917] Miller and Corey, 'Follow the Money'.

[918] Mansfield, 'Denying Revenue or Wasting Money? Assessing the Impact of the Air Campaign Against "Drug Labs" in Afghanistan'.

United States. A demand for crime control by U.S. officials on the ground – based on these officials' perception of the strategic requirements on the ground – is insufficient to explain when crime control is treated as a strategic tool in U.S. war strategy. Instead, I argue that Presidents and their advisors (as well as their deputies) can expect, under specific conditions, to incur domestic audience costs from treating crime control as a strategic distraction. This is because doing so makes them seem either uncommitted to the war effort or crime is viewed as an indicator for a failing war effort. At the same time, Presidents can also expect to incur high material and human costs from treating crime control as a strategic tool which may also lead to audience costs or go against their personal cost tolerance. When the expected domestic audience costs of ignoring crime outweigh the expected material and human costs of treating crime control as a strategic tool, the United States will change its strategy towards treating crime control as a strategic tool. If not, the United States will reject demands for crime control.

In this conclusion chapter I present the key findings of the thesis. I first summarise and compare the different cases I analysed in this thesis. Second, I articulate what these findings mean for scholarship on crime and warfare. Third, I consider to what extent these findings are generalisable to other cases of U.S. military interventions or military interventions conducted by other countries. Fourth, I highlight the thesis' limitations and avenues for further research.

5.1. Crime control, domestic politics, and U.S. strategy in Afghanistan, Iraq and Syria

Given the presence of criminal actors and economies in a military intervention, I have argued that there are two ways in which the United States can deal with crime in a military intervention. It can either use crime control as part of its war strategy to try to reduce criminal activity in the conflict, what I have called treating crime control as a strategic tool, or it can decide to not address crime as part of its war strategy, what I have called treating crime control

as a strategic distraction. For the purposes of this thesis, I focussed on crime control efforts as 1) the deployment of domestic law enforcement to the theatre of operations to conduct their own operations or aid local law enforcement in their operations, 2) the establishment of capacity-building efforts training local law enforcement, or 3) the extension of military authorities to support local law enforcement or directly target criminal objects or actors using military force.

As I have argued, U.S. decisions to change the strategic role of crime control in Afghanistan and Iraq were the result of a decision-making process which was sparked by a demand for crime control from U.S. or coalition officials on the ground. In all cases, the United States started the military intervention by treating crime control as a strategic distraction. At different points in time, U.S. or coalition officials on the ground demanded the United States treat crime control as a strategic tool. However, only when the expected domestic audience costs of treating crime control as a strategic distraction outweighed the expected material and human costs of treating crime control as a strategic tool, did the United States change its strategy. Similarly, when the United States treated crime control as a strategic tool and demands for increased crime control arise, the United States rejected these demands if the expected human and material costs from treating crime control as a strategic tool outweighed the expected domestic audience costs of treating crime control as a strategic distraction.

Underlying this argument is that treating crime control as a strategic distraction can incur domestic audience costs. Criminologists have long established that crime control policymaking is heavily influenced by political incentives to display resolve and toughness against crime.[919] If politicians fail to do so, they can expect to incur domestic audience costs in

[919] Simon, *Governing through Crime How the War on Crime Transformed American Democracy and Created a Culture of Fear*; Newburn and Jones, 'Symbolic Politics and Penal Populism'; Tim Newburn and David Downes, eds., *The Politics of Crime Control: Essays in Honour of David Downes*, Clarendon Studies in Criminology (Oxford [u.a]: Oxford Univ. Press, 2009); Garland, *The Culture of Control*.

terms of loss of approval or possibly votes.[920] In military interventions, politicians can typically expect not to incur such audience costs for treating crime control as a strategic distraction, because the public is typically ill-informed about the role of crime in conflict.[921] It is when elite cue givers send informational cues to the U.S. public or other U.S. elites about criminal activity as a war sustaining activity or as an indicator for a failing war effort, that the risk of Presidents incurring domestic audience costs for ignoring crime in a military intervention increase. If Presidents ignore the criminal activity that sustains belligerents, it can make them look uncommitted to the war effort. Crime control efforts can also help a President avert the perception of a failing war strategy. Crucially, it is the expected domestic audience costs rather than actual ones that matter.

As I have explained in chapter three, these dynamics were at play in the U.S. intervention in Afghanistan. In Afghanistan, the United States was initially reluctant to engage in counternarcotics efforts and rejected British requests for counternarcotics support.[922] It was only after a perceived rise in poppy cultivation sparked fears among U.S. elite cue-giver that narcotics in finances the Taliban and al-Qaeda, that the United States changed its strategy.[923] These officials, members of Congress, and journalists knew that raising the narcotics issue in the U.S. public would make it politically unsustainable for the President to continue treating crime control as a strategic distraction.[924] Hence, the President approved the 2005 U.S. counternarcotics strategy which deployed domestic law enforcement to Afghanistan,

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[920] Simon, *Governing through Crime How the War on Crime Transformed American Democracy and Created a Culture of Fear*.

[921] See e.g.: Andreas and Greenhill, *Sex, Drugs, and Body Counts: The Politics of Numbers in Global Crime and Conflict*.

[922] SIGAR, 'Counternarcotics: Lessons from the U.S. Experience in Afghanistan'; Berry, *The War on Drugs and Anglo-American Relations: Lessons from Afghanistan, 2001-2011*, 69–70; Dearing, 'Turning Gangsters into Allies'.

[923] See also: Felbab-Brown, *Shooting Up*, 141.

[924] Risen, *State of War*, 152.

established capacity building efforts to build the Afghan counternarcotics police, and crucially extended U.S. military authorities to support local law enforcement in their operations.[925]

Conversely, in 2010, U.S. officials on the ground requested a greater crime control effort from Washington in response to three criminal events that made clear that crime is a strategic threat in Afghanistan.[926] However, in 2011 the United States not only rejected calls for greater crime control but also drew down existing crime control efforts because these efforts would alienate U.S. allies that were reliant on crime.[927] The human and material costs of losing these allies were considered to be too high.

In Operation Iron Tempest, the U.S. bombing campaign against Afghan drug laboratories in 2017, the pressure to show that the South Asia Strategy would be successful, as well as reports from the UNODC that Afghanistan was experiencing a record opium harvest provide a context against which the Trump administration could not be seen as inactive against crime (and particularly narcotics).

Operation Iron Tempest is, however, a deviant case due to the particularities of the Trump administration. Given President Trump's documented lack of attention to detail, especially on matters of national security, there is considerable doubt on whether President Trump knew or directed about Operation Iron Tempest. Instead, given that President Trump and his voter base were reportedly highly sceptical of the South Asia Strategy and President Trump only approved it reluctantly,[928] it is plausible that Operation Iron Tempest was implemented to appease President Trump and his voter base in light of record opium harvest in Afghanistan.

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[925] Felbab-Brown, *Shooting Up*, 141; SIGAR, 'Counternarcotics: Lessons from the U.S. Experience in Afghanistan'.

[926] Tierney, 'Warlord Inc.: Extortion and Corruption along the U.S. Supply Chain in Afghanistan'; SIGAR, 'Corruption in Conflict: Lessons from the U.S. Experience in Afghanistan', 43–45.

[927] See e.g.: Chayes, 'Afghanistan's Corruption Was Made in America: How Self-Dealing Elites Failed in Both Countries'; Entous, Gorman, and Barnes, 'U.S. Shifts Afghan Graft Plan'.

[928] McMaster, *At War with Ourselves*, 213–18.

In Iraq, the costs of treating crime control as a strategic tool were initially considered to be prohibitively high. This explains why the United States rejected early recommendations by the Department of Justice's International Criminal Investigative Training and Assistance Program (ICITAP) to send police trainers to Iraq, despite rampant criminality and violence being recognised as a strategic threat.[929] It was only after rampant criminality and violence served as a signal to the U.S. public that the war effort was failing and a dip in public approval of the Bush administration's handling of the war[930], that the United States began treating crime control as a strategic tool in Iraq. It established a capacity-building effort in the form of police-building, that served as a way to counter the perception of a failing war effort and present measures on progress in the war. Hence, as I have argued in chapter four, police trainers on the ground felt pressure to prioritise quantity of trained police officers over quality. It was this sentiment, rather than U.S. public concern over any specific criminal activity happening in Iraq that contributed to the change in the strategic role of crime control.

Similarly, in the case of the bombing of oil trucks involved in ISIL oil smuggling in Syria, the decision to target oil trucks on 16th November 2015 during Operation Tidal Wave II a fear to look uncommitted to the war effort also likely drove the decision to bomb the oil trucks, although the evidence indicates that the actual criminal activity played less of a role in public debate surrounding the operation. Although U.S. commanders had drafted plans for bombing the oil trucks as part of Operation Tidal Wave II, the Obama administration initially resisted targeting oil trucks because of a concern over civilian casualties.[931] Following the Paris attacks on 13th November, 2015, (and a series of other ISIL terrorist attacks outside of ISIL controlled territory) public pressure on the Obama administration to signal greater resolve in

[929] SIGIR, 'Hard Lessons: The Iraq Reconstruction Experience', 125.
[930] 'Washington Post-ABC News Poll: Bush and Iraq'.
[931] Miller and Corey, 'Follow the Money'.

combatting ISIL increased.[932] Targeting the oil trucks was viewed as a way of signalling such resolve.

However, the bombing of oil trucks under Operation Tidal Wave II may also be considered a deviant case. While in 2005 in Afghanistan public pressures to implement crime control efforts were associated with the fact that drug crimes were 'hot-button issue' in the U.S. public[933], the decision to target oil trucks during Operation Tidal Wave II was more likely connected to the moral outrage that ISIL generated among the U.S. public. The actual characteristics of the crime that ISIL used to finance itself mattered little in informational cues sent by elite cue-givers.

Furthermore, in the case of bombing the oil trucks the material and human costs, as defined as the expenditure of U.S. material and loss of life of U.S. personnel, were not the reason for why the bombing of oil trucks was rejected. While there was a concern that U.S. personnel could be exposed to greater risk if the United States was to target oil trucks because it required the moving of Information, Situational Awareness and Reconnaissance (ISR) assets that could be used to support U.S. ground troops[934], it was a concern over the possible loss of civilian lives that made President Obama reject targeting the oil trucks.[935]

Nonetheless, the bombing of oil trucks under Operation Tidal Wave II supports the argument that only after the President expects to incur domestic audience costs for not pursuing a policy option, does the strategic role of crime control change.

For the cases under scrutiny here, a simple demand for crime control on the ground was insufficient to lead to a change in the strategic role of crime control. Instead, crime control

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[932] Gordon, *Degrade and Destroy: The Inside Story of the War Against the Islamic State, from Barack Obama to Donald Trump*, 188–92; Rhodes, *The World as It Is*, 312–13.

[933] Risen, *State of War*, 152.

[934] Wasser et al., *The Air War against the Islamic State*, 217–18.

[935] Mansfield, 'Denying Revenue or Wasting Money? Assessing the Impact of the Air Campaign Against "Drug Labs" in Afghanistan'.

was treated only as a strategic tool when the U.S. President (including his advisors or their deputies) believed that not doing so would make them look uncommitted to the war effort or that doing so would allow them to assuage public concerns over a failing war effort. Similarly, except for the case of bombing oil trucks during Operation Tidal Wave II, when the material and human costs of crime control efforts were considered too high, the United States did not approve demands for treating crime control as a strategic tool.

5.2. Implications of U.S. crime control in military interventions

One of the implications of this thesis is that it points to a relationship between the ways in which the United States thinks about achieving security at home to the ways in which it thinks about achieving security abroad. The domestic audience costs investigated here are tied to the United States and its comparatively high reliance on punitive measures to achieve security at home. As David Garland has argued because of the United States' 'ultra-liberal political economy' – in which there is a comparatively small welfare state – the U.S. government responses to crime and insecurity at home are often based on punitive measures instead of social welfare interventions.[936] In other words, while in other Western democracies responses to crime can draw on social welfare system, the absence of a strong social welfare state in the United States makes such responses difficult. This is reflected in excessively high incarceration rates, disproportionately harsh sentences when compared to Western European countries, the use of capital punishment, the more frequent use of solitary confinement, and the less frequent use of fines or retributive mechanisms.[937] At the same time, the U.S. public expects its government to act in this punitive and harsh way with crime and punishes politicians

[936] Garland, 'Penal Controls and Social Controls: Toward a Theory of American Penal Exceptionalism'.
[937] Garland.

that do not conform to this norm.[938] This then suggests that reform on how the United States thinks about crime control at home, can have an influence on how the United States behaves in military interventions abroad.

On a more abstract level, this thesis explains why the United States engaged in military behaviours and security policies that – with the arguable exception of Operation Tidal Wave II[939] – failed to produce desired strategic outcomes much less did it successfully protect civilians from the harms of crime. In most cases, the crime control efforts the United States implemented led to increased criminal activity, exposed innocent civilians to the harms of criminal actors, and added to grievances driving the conflict in the theatre of operations.[940]

For example, U.S. counternarcotics policies created a demand for protection against law enforcement from farmers and drug traffickers.[941] Faced with a strong push against narcotics, these farmers and drug traffickers found a willing protector in the Taliban.[942] The political and material capital that the Taliban drew from protecting the narcotics industry fuelled their re-emergence.[943] If the United States had limited evidence that the Taliban were benefitting from the drug trade before 2005, after the United States implemented counternarcotics policies in 2005 the Taliban certainly were able to gain political and material capital from the Afghan drug trade.[944]

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[938] Simon, *Governing through Crime How the War on Crime Transformed American Democracy and Created a Culture of Fear*; Garland, 'Penal Controls and Social Controls: Toward a Theory of American Penal Exceptionalism'; Garland, 'What's Wrong with Penal Populism? Politics, the Public, and Criminological Expertise'.

[939] Operation Tidal Wave II is widely considered a success in the U.S. National Security establishment. The operation is credited with having significantly reduced ISIL financing streams and thereby contributing to the territorial containment and eventual dissolution of ISIL-controlled territory in Iraq and Syria. See: Miller and Corey, 'Follow the Money'; 'Economic Defeat of the Islamic State: Behind the Scenes of Operation Tidal Wave II'.

[940] Felbab-Brown, 'Afghanistan Affectations: How to Break Political-Criminal Alliances in Contexts of Transition'; Chayes, *Thieves of State*; SIGIR, 'Hard Lessons: The Iraq Reconstruction Experience'.

[941] Felbab-Brown, 'Afghanistan Affectations: How to Break Political-Criminal Alliances in Contexts of Transition', 6.

[942] Felbab-Brown, 6.

[943] Felbab-Brown, *Shooting Up*, 150–51.

[944] Felbab-Brown, 149–51.

Similarly, capacity-building efforts in Iraq failed to build an Iraqi police force that would have been able to protect Iraqi civilians against criminal predation.[945] On the contrary, in some instances, Iraqi police forces were composed of sectarian militias that engaged in sectarian violence as opposed to protecting Iraqi civilians from it.[946]

Operation Iron Tempest failed to cut the financing streams of the Taliban because many drug laboratories were already inactive by the time they were hit or easily replaceable.[947] In addition, many compounds bombed were virtually indistinguishable from houses and compounds used by regular people to live in, raising significant questions about Operation Iron Tempest's compliance with the laws of armed conflict.[948]

Only Operation Tidal Wave II, which was intended to reduce ISIL financing streams, achieved its stated strategic goals[949], although it is questionable whether the targeting of oil trucks was indeed necessary to achieve that goal. According to U.S. officials Operation Tidal Wave II was able to reduce ISIL funding from roughly $500 million to $50 million.[950] Like Operation Iron Tempest, Operation Tidal Wave II also raises serious questions about its compliance with the law of armed conflict.

This thesis then suggests that because of domestic political considerations, U.S. crime control efforts have often been designed to display resolve and determination, while being injurious to either stated strategic (with the exception of Operation Tidal Wave II) aims or the needs of civilians on the ground facing crime in conflict. It is this point that addresses a gap in the crime conflict literature. Despite the established crime-conflict literature which explored

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[945] Perito, 'The Iraq Federal Police: U.S. Police Building under Fire'.

[946] SIGIR, 'Hard Lessons: The Iraq Reconstruction Experience', 201–2.

[947] Mansfield, 'Denying Revenue or Wasting Money? Assessing the Impact of the Air Campaign Against "Drug Labs" in Afghanistan'.

[948] Mansfield.

[949] Miller and Corey, 'Follow the Money'; 'Economic Defeat of the Islamic State: Behind the Scenes of Operation Tidal Wave II'.

[950] 'Economic Defeat of the Islamic State: Behind the Scenes of Operation Tidal Wave II'.

how crime perpetuates conflicts,[951] as well as numerous studies which have assessed the successes or failure of crime control efforts to resolve the crime-conflict nexus,[952] the United States has frequently engaged in efforts that had little prospects of success. By introducing domestic audience costs as a critical variable in the decision-making process, this thesis adds to the crime-conflict literature and helps to make sense of why the United States would engage in crime control behaviours in military interventions that have little prospect of success.

How can one address the dilemma of crime in conflict and what does this thesis mean for the context of crime in conflict? Crime control policies need to be catered towards each context specifically and need to be based on a careful analysis of how crime and a potential crime control effort affects people on the ground. For example, in Operation Tidal Wave II, the only arguable case investigated here in which a crime control effort met the stated strategic aims of the United States, the United States analysed swaths of different data and intelligence to identify exactly how each oil production facility fits within the overall financing network of ISIL.[953] In Operation Iron Tempest, however, the same policy of dropping bombs on criminal objects did not yield the desired strategic results.[954]

This thesis' argument suggests that even when such analyses yield feasible crime control policies, they will not be implemented unless President's can expect that not implementing them will incur domestic audience costs. This means that the U.S. public, where these audience costs ultimately are incurred, plays an important role in determining whether the U.S. President will pursue a crime control effort or not.

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[951] James Cockayne and Adam Lupel, eds., *Peace Operations and Organized Crime: Enemies or Allies?* (London: Routledge, 2011), https://doi.org/10.4324/9780203804735; Shelley, 'Unraveling the New Criminal Nexus'; Kaldor, *New & Old Wars*.

[952] Reitano, Jesperson, and Bird Ruiz-Benitez de Lugo, *Militarised Responses to Transnational Organised Crime : The War on Crime*; Felbab-Brown, *Shooting Up*.

[953] Miller and Corey, 'Follow the Money'.

[954] Mansfield, 'Denying Revenue or Wasting Money? Assessing the Impact of the Air Campaign Against "Drug Labs" in Afghanistan'.

In domestic crime control policymaking settings, revelations that crime control policymaking is influenced by political considerations have led to a call to insulate crime policymaking from politics and leave it to technocratic experts to design policies on crime.[955] These authors argue that if political considerations prevent the advice from experts on crime control to be implemented, then we need to protect the policymaking process from the political incentive structure that fosters the adoption of bad crime control policies, or other security policies for that matter.[956]

However, as Loader and Sparks have argued, rather than insulating crime policymaking from politics, we ought to analyse and be mindful of the various political influences that inform crime policymaking.[957] Scholars such as Ian Loader and Neil Walker have already suggested some avenues for how this rethinking of the relationship between society, security, and crime control can occur. In *Civilizing Security,* they write that pluralistic contestation and inclusive discourses on security within a state can help states be 'better' security actors.[958] They hence argue that security needs civilising. Conversely, they argue, such security can also have a civilising effect. Citizens that are kept in a state of insecurity make bad choices about security policies that can erode the normative values they seek to uphold.[959] When citizens feel secure in their own environment, they may then be more prone to make more morally just choices on how to achieve security.[960]

The findings in this thesis suggest that the discourses on security and crime inside the United States can also have an effect on crime policymaking in military interventions. In other

[955] See e.g.: Philip Pettit, 'Is Criminal Justice Politically Feasible?', *Buffalo Criminal Law Review* 5, no. 2 (1 January 2002): 427–50, https://doi.org/10.1525/nclr.2002.5.2.427.
[956] Pettit.
[957] Loader and Sparks, *Public Criminology?*; Loader and Walker, *Civilizing Security*.
[958] Loader and Walker, *Civilizing Security*.
[959] Loader and Walker.
[960] Loader and Walker.

words, the way in which the U.S. public thinks about and relates to security, crime, and governance domestically, affects how it expects its security institutions to behave abroad.

It is the lack of these inclusive discourses that not only push U.S. policymakers to implement crime policies in military interventions that are not only counterproductive but also fails to hold them accountable for implementing crime policies that could be productive. In the case of counternarcotics in Afghanistan, for example, counterproductive eradication policies were implemented in parts because informational cues problematised drug crimes which were already considered to be a 'hot-button' issue in U.S. public discourse.[961] The counterfactual, which are difficult to prove, is then that if the U.S. public had been less sensitive to these informational cues then the President and his advisors would expect to incur less domestic audience costs for not appearing to be combatting the drug trade. Even more so, if the U.S. public had been more informed about the Afghanistan war and the complexities of the Afghan narcotics economy, it could have applied pressure on the Bush administration to drive policies that would address the concerns of civilians on the ground, hold criminal powerbrokers accountable, and at the same time reduce crime in Afghanistan.

In other words, the public is an important lever in pushing decision-makers towards crime policymaking that meet the strategic requirements on the ground and help address the needs of civilians. What is required to address the dilemma of crime in conflict is not less influence from the public but rather more involvement from an *informed* public that cares about the humanitarian and security impact of its governments' policies.

[961] Risen, *State of War*, 152.

5.3. Generalisation

The scope of this research is limited to the U.S. military interventions in Afghanistan and Iraq (including the intervention against ISIL in the territories of Iraq and Syria), which all represented U.S. military interventions conducted after 11th September 2001 with one thousand or more ground troops. This begs the question of whether the findings presented here are generalisable to other contexts.

Of course, military interventions that occurred after 9/11 are not the only military interventions in which the United States encountered crime. In the late 1980s and throughout the 1990s the United States intervened in Panama, Haiti, Kosovo and Bosnia, and Somalia and encountered the problem of crime in each conflict.[962] Given that these interventions occurred at a time when the politicisation of crime in the United States was particularly high, it is plausible that similar cost considerations played a role in determining whether the United States was to treat crime control as a strategic tool or not. At the same time, in many of these operations, except for Panama, decisions were made within the United Nations peacekeeping forces system or NATO system and hence we can expect the way in which decisions regarding crime control were made to change. While NATO also played a significant role in the war in Afghanistan, decisions in the Afghanistan intervention were much more dominated by the United States than in pre-9/11 interventions.[963] In Operation Just Cause, the U.S. invasion of Panama in 1989, the United States declared from the get-go that one of its goals was to create a stable police force after the capture of Manuel Noriega and the defeat of the Panamanian military.[964] This operation falls outside the scope of my research, but it would serve as an

[962] See e.g.: Perito, 'Police in Peace and Stability Operations: Evolving US Policy and Practice'; Cockayne and Lupel, *Peace Operations and Organized Crime*.

[963] See e.g.: David P. Auerswald and Stephen M. Saideman, *NATO in Afghanistan: Fighting Together, Fighting Alone* (Princeton University Press, 2014), https://doi.org/10.1515/9781400848676.

[964] Taw and Peters, 'Operations Other than War'.

interesting case for further investigation to understand when and why the United States may start interventions recognising the need for crime control.

Can we generalize based on the findings of this thesis on strategic decision-making beyond the United States to other Western democracies?[965]

As Garland argues, the United States and its political relationship to crime control is in many ways an outlier from other countries.[966] This may mean that the findings presented here may not be the same for the United Kingdom or other Western democracies. However, anxieties of crime and associated theatrical displays over combatting crime feature prominently in other Western liberal democracies, such as the United Kingdom.[967] This may mean that these findings could be applicable to other countries such as the United Kingdom.

If these findings are generalisable beyond the United States, it is reasonable to assume that they operate differently in other contexts. In other Western democracies crime control is often a combination of punitive and social welfare measures. This means domestic audiences in those countries may be more attuned to the use of less punitive crime control measures. Thus, while we can expect domestic audience costs to still matter in how other Western democracies deal with crime in military interventions, these audience costs may operate differently and produce a different incentive structure than they did in the United States.

5.4. Limitations and future research

The thesis has limitations which provide avenues for future research. Contemporaneous data was scarce or only available in secondary sources, such as journalistic accounts. While I reached out to archives, particularly those holding the records of members

[965] Autocracies are likely to behave differently given the role of domestic audiences in crime control policymaking.

[966] Garland, 'Penal Controls and Social Controls: Toward a Theory of American Penal Exceptionalism'; Garland, *The Culture of Control*; Loader and Walker, *Civilizing Security*.

[967] Garland, *The Culture of Control*.

of Congress that pushed for harsher crime control policies in Afghanistan and Iraq, I could not access them because U.S. Congress rules proscribe that such records remain classified for thirty years after their creation.[968] Given that many official documents on the period under investigation remain classified, the thesis relies heavily on retrospective material such as author interviews, secondary sources, so material created after the conclusion of the events under scrutiny. In such accounts, decision-makers often have an incentive to argue that public opinion considerations did not matter at all.[969] Hence, the evidence I uncovered likely underplays evidence in favour of my argument. Thus, future researchers can look at Congressional records and other archival material when these become available and build on the theory presented and test the robustness of the theory against alternative explanations.

Another limitation pertains to the granularity of this thesis. I focus on the strategic decision-making at the highest level of the U.S. government. However, future research could focus on lower-level decision-makers on the ground. In Iraq, for example, commanders on the ground often ignored criminal activity on the ground despite the United States treating crime control as a strategic tool in Iraq.[970] Similarly, in Afghanistan local U.S. commanders ignored the criminal predations of individual powerbrokers, even when the overall strategy was to treat crime control as a strategic tool.[971] Future research can take a more granular approach and investigate how the United States treated individual criminal powerbrokers in war; an account of which falls short in this thesis. Investigating these local dynamics would help understand better how local tactical considerations can influence when and why individual powerbrokers

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[968] Art. 3(4) Rules of the House of Representative: Rule VII: Records of the House.

[969] Payne, *War on the Ballot*.

[970] Pregent, 'Rule of Law Capacity Building in Iraq'.

[971] See for example the case of Ahmed Wali Karzai in Stephen Watts et al., *Securing Gains in Fragile States: Using U.S. Leverage in Iraq, Afghanistan, and Beyond* (RAND Corporation, 2021), 201–2, https://doi.org/10.7249/RR-A250-1. See also the case of General Abdul Raziq Matthieu Aikins and Victor J. Blue, 'Who Was Abdul Raziq?', *The New York Times*, 22 May 2024, sec. Magazine, https://www.nytimes.com/2024/05/22/magazine/abdul-raziq-afghanistan-war.html; Matthieu Aikins, 'Our Man in Kandahar', *The Atlantic*, 21 September 2011, https://www.theatlantic.com/magazine/archive/2011/11/our-man-in-kandahar/308653/.

will be held to account by U.S. commanders on the ground. It could highlight evasion strategies used by these criminal powerbrokers to avoid criminal prosecution and try to identify how these evasion strategies could be countered. Holding these individuals accountable is an important step for a more humanitarian conduct in military interventions.

5.5. Conclusion

Crime presents a menacing dilemma in conflict. The way in which the United States responded to crime has had profound impacts on conflict dynamics, and hence the lives of civilians and belligerents on the ground.[972]

If the way in which the United States responds the presence of domestic audience costs, this argument implies that the U.S. public can have a strong influence over whether crime control efforts will be established in a military intervention. An informed public that holds leaders to account to drive crime policies that protect civilians on the ground is then critical for crime control policies that address the context specific humanitarian and strategic requirements to be successful.

While crime control efforts are important, experts and researchers need to carefully analyse how, when, and why crime control efforts should form part of a military strategy. In such analyses it is important to consider that crime can both serve as a coping mechanism for civilians on the ground as well as a way to line the pockets of criminal powerbrokers in conflict zones. It is incumbent on analysts and researchers to carefully trace the links between crime and the various actors benefitting from it, how exactly these actors benefit from crime, and how any suggested policy is going to address this problem as well as the negative consequences of such policies.

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[972] Felbab-Brown, 'Drugs, Security, and Counternarcotics Policies in Afghanistan'.

An informed public that acknowledges that crime can be both a harmful and beneficial activity for civilians on the ground, and that a crime control effort needs to be informed by the demands of civilians on the ground, the importance of illicit economies in sustaining livelihoods, and how the response itself may foster trust in the rule of law in the host nation, is then an important factor in fostering 'better' crime policymaking in conflict.

Publics can act as a powerful tool to hold leaders accountable both when they ignore crime or address it in ineffective and counterproductive ways. It is incumbent upon civil society to be guided by humanitarian norms and constantly evaluate the foreign policies of their countries and hold their leaders to account to avoid harmful decision-making.

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Appendix A: Conducted Interviews (in order of date conducted)

The following is a list of all 59 interviews conducted for this thesis. I interviewed some individuals twice and count each interview with the same individual as a separate instance. To differentiate between two separate interviews with the same individual I use the words first or second author interview, depending on whether it was the first or second author interview with that individual. I anonymise the identity of the interviewees where I did not get explicit permission from the interviewee that I can use their name. In most cases, the interviewee told me about their preferred title for anonymisation. However, in some instances I needed to find an apt title description that prohibits the interviewee from being identified while also giving information about the position the interviewee may have played in the U.S. decision-making process.

The list is ordered according to the date in which I conducted the interview, starting with the earliest interview conducted and ending with the latest interview conducted. The list includes the date and the location of the interview, or if the interview was conducted remotely, whether it was conducted via MS Teams (the preferred virtual meeting tool by the University of Oxford) or phone call.

1. First author interview with Douglas Brand, chief police advisor to the Interior Ministry of Iraq, held on 20th October 2022, via MS Teams.
2. Author interview with former British diplomat, held on 28th October 2022, in Oxford.
3. Author interview with former U.S. anti-corruption official in U.S. embassy in Afghanistan, held on 9th November 2022, via MS Teams.
4. Author interview with former senior British official, held on 14th November 2022, via MS Teams.

5. Author interview with British academic expert on Afghanistan counternarcotics trade, held on 29th November 2022, via MS Teams.
6. Author interview with former U.S. diplomat, held on 23rd December 2022, via MS Teams.
7. Author interview with former U.S. Army Colonel, held on 18th January 2023, via MS Teams.
8. Second author interview with Douglas Brand, chief police advisor to the Interior Ministry of Iraq, held on 19th January 2023, in Oxford.
9. Author interview with former British FCO official, held on 23rd January 2023, in London.
10. Author interview with former journalist, held on 31st January 2023, via MS Teams.
11. First author interview with Sarah Chayes, held on 2nd February 2023, via MS Teams.
12. Author interview with former U.S. official, held on 6th February 2023, in Washington D.C.
13. Author interview with Ambassador Ronald Neumann, former U.S. Ambassador to Afghanistan, held on 6th February 2023, in Washington D.C.
14. Author interview with former member of the Iraq Threat Finance Cell, held on 8th February 2023, via MS Teams.
15. Author interview with Anonymous, held on 8th February 2023, in Washington D.C..
16. Author interview with former U.S. military police colonel, held on 10th February, via MS Teams.
17. Author interview with former SIGAR official, held on 15th February 2023, in Washington DC.
18. Author interview with former senior DFID official, held on 18th February 2023, via MS Teams.

19. Author interview with former senior British official, held on 23rd March 2023, via MS Teams.
20. Author interview with former ICITAP official, held on 28th March 2023, via MS Teams.
21. Second author interview with former U.S. Military Police Colonel, held on 28th March 2023, via MS Teams.
22. Author interview with U.S. academic, held on 21st April 2023, via MS Teams.
23. Author interview with former Iraqi police officer, held on 4th May 2023, via MS Teams.
24. Author interview with former British ambassador to Afghanistan, held on 14th May 2023, via MS Teams.
25. First author interview with former U.S. diplomat in Afghanistan, held on 19th May 2023, via MS Teams.
26. Author interview with former U.S. Colonel and academic expert on crime-conflict nexus, held on 21st May 2023, in Washington DC.
27. Second author interview with former U.S. diplomat in Afghanistan, held on 23rd May 2023, via MS Teams.
28. Author interview with U.S. journalist, held on 24th May 2023, in Washington DC.
29. Author interview with former Chief of Staff to a former U.S. Congressman, held on 25th May 2023, via MS Teams.
30. Author interview with former Iraqi police officer, held on 25th May 2023, via MS Teams.
31. First author interview with former senior U.S. adviser on counter-terrorism finance, held on 25th May 2023, via phone call.
32. Author interview with former Afghan ambassador to the United States, held on 30th May 2023, in Washington DC.

33. Author interview held with Colonel (ret.) John Agoglia, strategic planner at CENTCOM, held on 30th May 2023 in Washington DC.
34. Author interview with former U.S. ambassador to Afghanistan, held on 31st May 2023, via MS Teams.
35. Author interview with former U.S. Congressman, held on 31st May 2023, via MS Teams.
36. Author interview with former senior U.S. military official, held on 6th June 2023, via MS Teams.
37. Author interview with former senior White House official, held on 6th June 2023, via MS Teams.
38. Author interview with William Wechsler, former Deputy Assistant Secretary of Defense for Special Operations and Counterterrorism (2012-2015) as well as former Deputy Assistant Secretary for Counternarcotics and Global Threats (2009-2012), held on 7th June 2023, in Washington DC.
39. Second author interview with former senior U.S. adviser on counter-terrorism finance, held on 7th June 2023, in Washington DC.
40. Author interview with former senior U.S. Treasury official, held on 8th June 2023, in Washington DC.
41. Author interview with former senior U.S. diplomat, held on 8th June 2023, via MS Teams.
42. Author interview with former senior DEA official, held on 9th June 2023, in Arlington, Virginia.
43. Author interview with former DEA official, held on 12th June 2023, via MS Teams.
44. Author interview with former senior U.S. counterterrorism official, held on 14th June 2023, via MS Teams.

45. Author interview with former U.S. diplomat, held on 16th June 2023, via MS Teams.
46. First author interview with Douglas Lute, former Deputy National Security Advisor for Iraq and Afghanistan, held on 22nd June 2023, via MS Teams.
47. Author interview with General (ret.) John Allen, Special Presidential Envoy for the Global Coalition to Counter ISIL (2014-2015) and former commander of the International Security Assistance Force (ISAF) (2011-2013), held on 6th July 2023, via MS Teams.
48. Author interview with former senior U.S. White House official, held on 10th July 2023, via MS Teams.
49. Author interview with former senior U.S. NSC official, held on 12th July 2023, via MS Teams.
50. Author interview with former senior Australian military officer, held on 17th July 2023, via MS Teams.
51. First author interview with former senior U.S. military officer, held on 20th July 2023, via MS Teams.
52. Second author interview with Douglas Lute, former Deputy National Security Advisor for Iraq and Afghanistan, held on 25th July 2023, via MS Teams.
53. Second author interview with former senior U.S. military officer, held on 2nd August 2023, via MS Teams.
54. Author interview with former U.S. civilian rule of law adviser in Afghanistan, held on 27th October 2023, in London.
55. Author interview with Lieutenant General (ret.) H.R. McMaster, held on 7th November 2023, via MS Teams.
56. Author interview with Brigadier General (ret.) Andrew MacKay, 1st commander of CPATT, held on 23rd November 2023, via MS Teams.

57. Author interview with former rule of law advisor in Afghanistan, held on 29th November 2023, via MS Teams.
58. Second author interview with Sarah Chayes, held on 19th February 2024, via MS Teams.
59. Author interview with former senior official in the Law and Order Task Force in Iraq, held on 8th April 2024, via MS Teams.

Appendix B: Participant information sheet

The following includes my participant information sheet that I sent out to participants before interviewing them. As is common in elite interviewing, often participants did not have the time to read the participant information sheet before the interview. This may have been because the interview was scheduled on short notice (sometimes same day), participants had prohibitively busy schedules, or other logistical reasons that made it difficult for participants to read the participant information sheet. Hence, I always carried printed participant information sheets and consent forms with me to interviews in case they had not signed it previously. This also allowed me to be prepared for interviews scheduled on a short notice. Because interviewees were often busy and hence may not have attentively read the participant information sheets, I always orally informed participants at the beginning of each interview about the research purpose, how I plan to use and store their data, and how they can withdraw from the research. I then asked whether they would have any questions for me before proceeding to ask for their explicit consent to be interviewed.

In outlining the research goals and aims I tried to be specific enough to inform individuals about the goals about the research while not priming them to any answers. The participant information sheet is dated September 2022, which is when I received the required ethics approval for the research. The introduction in the participant information sheet mentions

that the research aim is to understand the role of organised crime in military interventions. While the overall research aim – to understand how the United States navigated the problem of crime in military interventions – remained the same as it is outlined in the participant information sheet, the research evolved over time, and I decided to not focus on organised crime alone but also on crime overall. This is because a lot of times interviewees naturally progressed to talk about crime control efforts that were not solely designed to tackle organised crime, but to tackle crime overall. This included for example police-building efforts in Iraq. The minor change in terminology is not expected to have influenced the findings of this research as interviews were often focussed on the crime control efforts implemented and the decision-making behind it, regardless of whether the effort was focussed on organised crime or crime itself.

PARTICIPANT INFORMATION SHEET

Central University Research Ethics Committee Approval Reference:

SSH_DPIR_C1A_22_028

Introduction: Research goals and aims

You are being invited to take part in a research project which is conducted in partial fulfilment of the DPhil in International Relations at the University of Oxford. The research assesses the role of organised crime in U.S. military interventions. On the one hand, organised crime can be a threat to strategic objectives because it funds adversaries or enjoy political legitimacy in the theatre of operation. On the other hand, acting against organised crime may distract from the achievement of strategic objectives of the intervention. This research seeks to explore how the United States navigated this problem. It is hoped that this research will provide insights on how harmful crime response strategies in military interventions can be avoided.

Before you decide to take part, it is important for you to understand what the research will involve. Please take time to read the following information carefully and discuss it with others if you wish. Ask me or my supervisor if there is anything that is not clear or if you would like more information. Take time to decide whether you wish to take part.

1. ***Why have I been invited to take part?***

You have been invited to take part in this research because you are part of an elite group of experts on U.S. military interventions and U.S. crime response strategies. You either have held important positions in those military interventions, were part of the effort to design strategies in U.S. military interventions, or were working in an auxiliary area (journalism, think tank experts, researcher etc.). #

2. ***Do I have to take part?***

No. It is up to you to decide whether to take part.

If you decide to take part, you can withdraw yourself from the study at any time, without giving any reason, by advising me or my supervisor (Dr. Janina Dill) of this decision. The deadline by which you can withdraw any information you have contributed to the research is 01.09.2023. If you decide to withdraw any information you have contributed to the research, the files which store this information will be securely deleted. Any hand-written notes or information collected during the interview will also be destroyed.

3. ***What will happen to me if I take part in the research?***

In case you decide to take part in the research, I will schedule an interview with you. The interview will be semi-structured. This means that I will ask some predetermined questions on U.S. military interventions but may adapt the exact phrasing or ask follow-up question depending on our conversation.

The interview will be either done in person or via phone or video call depending on your preference. Whether the interview will be recorded and how is up to you.

Before each interview, I will ask you for your consent to partake in the research and consent to use the information you provide for my DPhil dissertation and potential future publications. You may opt to have your data anonymised. Please be aware that if you choose your data to be anonymised, some readers of the research outputs may be able to identify you from the information you provide. This is because you belong to a select group of people who enjoy access to information that only individuals to this group have.

With your consent, I would like to audio record you, so I can have an accurate record of our conversation. After our interview, I will produce transcripts from these recordings. If you wish, I will send you the written transcripts to check with you whether I have an accurate account of our conversation.

You may decide to stop or pause the interview at any time without justifying your decision.

4. ***How long will interviews be?***

Interviews are planned to be approximately one hour long. I plan to interview you only once. You may choose to give me permission to contact you in the future in case there are any necessary follow up/clarification questions.

5. ***What are the possible risks in taking part?***

The interview will be about military interventions and how to deal with criminal behaviour in those interventions. This may evoke negative emotions or cause you some form of distress, although this is not intended. In case you feel any form of distress or discomfort please do pause or stop the interview.

6. ***What information will be collected?***

In case you give full consent, I will collect the following information from you. This is to ensure that I depict your account as accurately as possible:

- Your name

- The positions or ranks you held in relation to the military interventions under question
- The time you spent in each position (and your current status)
- Your responses to interview questions
- Your consent (either in written or oral form)
- The date, time, and place of the interview

Your data will be stored on encrypted hard drives, which will not be used for any other purposes and will be kept in a safe location. You may opt to only provide me with some of the data above. The research data will be stored for three years after completion of the DPhil.

Both my supervisor and I will have access to the research data.

7. ***Will the research be published?***

The findings from the research will be written up in a dissertation in partial completion of the DPhil in International Relations at the University of Oxford.

The whole or parts of this research may be published at a later stage. If you would like the information you provide to be excluded from any future publications that may result from this research, please do let me know.

A copy of my dissertation will be deposited both in print and online in the Oxford University Research Archive where it will be publicly available to facilitate its use in future research.

8. ***Data Protection***

The University of Oxford is the data controller with respect to your personal data, and as such will determine how your personal data is used in the study. The University will process your personal data for the purpose of the research outlined above. Research is a task that is performed in the public interest. Further information about your rights with respect to your personal data is available at https://compliance.admin.ox.ac.uk/individual-rights.

9. ***Who has reviewed this study?***

This study has received ethics approval from a subcommittee of the University of Oxford Central University Research Ethics Committee. (Ethics reference: SSH_DPIR_C1A_22_028).

10. ***Who do I contact if I have a concern about the research or I wish to complain?***

If you have a concern about any aspect of this study, please contact Frederik Florenz (Frederik.florenz@politics.ox.ac.uk) or Dr. Janina Dill (Janina.dill@politics.ox.ac.uk) and we will do our best to answer your query. I will acknowledge your concern within 10 working days and give you an indication of how it will be dealt with. If you remain unhappy or wish to make a formal complaint, please contact the Chair of the Research Ethics Committee at the University of Oxford who will seek to resolve the matter as soon as possible:

The Chair, Social Sciences & Humanities Interdivisional Research Ethics Committee; Email: ethics@socsci.ox.ac.uk; Address: Research Services, University of Oxford, Boundary Brook House, Churchill Drive, Headington, Oxford OX37

Further Information and Contact Details

For any questions or queries you may have before or after partaking in the research please contact:

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