Mexican Corruption and misguided U.S. Counternarcotics Policy: Prescription for Drug War
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Introduction

The purpose of this thesis is to fill the void in the European and Hungarian literature on the events in Mexico, the generally absent understanding and knowledge of the dynamics of the violence there, and the manifold contemporary implications of the issue. The available sources focus on different aspects, examining it from economical, social and historical perspectives. Given my knowledge of Mexican history in the 20th century, the history of economic development and the roots of U.S. lead “War on Drugs”, my purpose is to write a reliable thesis to thus serve future research to the topic. My goal is to describe the internal and external causes of the Mexican drug, and to analyse the efforts and measures carried out in response to it. My hypothesis is that the complexity of the drug war in Mexico, the broad scale of internal corruption, and the unsuccessful U.S. counternarcotics policies in the region together constitute the main reasons for the escalation of violence in Mexico.

Structurally, this thesis contains three chapters analysing two different aspects to prove the complexity of the Mexican drug war. The aspects are tightly linked to each other and play a major role in the born and the further escalation of violence. In the first chapter I would like to analyse the interior reasons of the drug war, with a special focus on the corruption and the evolution of smuggling in the border region. In my opinion, the phenomena of the state capture is existed in Mexico and was a perfect fuel and breeding ground for the illicit economy, the corrupt political system answered correctly to the criteria. A small number of individuals, the leadership of the PRI (Partido Revolutionario Institucional, Institutional Revolutionary Party), and its subordinates was able to rule the game to their advantage through a massive illicit and non-transparental provision of private benefits, the polla system and illicit revenues from drug trafficking, to the officials and the politicians of the ruling class. The leaders of the PRI and the beneficiaries of the political system had the ability to control the legislative votes by exploiting their majority in the Mexican Congress, to obtain favourable executive decisions and court decisions as the Attorney General’s Office was a pawn if the government and hushed up several scandals. To describe the corruption in Mexico precisely, I examine the corruption in three different levels with an up-to-down approach by separating the level. In my opinion, this separation describes the best the
cohesion between the levels and presents the complexity of corruption and political-criminal interpenetration. The secondary importance is on the borderzone dynamics that created a unique entity to that region. Due to its characteristic divergence, the U.S.-Mexican borderzone seems to be an area that is separated both from the United States and from Mexico culturally, socially, the traditions of the population and the closeness of the U.S. eased the establishment of smuggling organisations and an illicit economy.

In the second chapter, after a short overview of the changing international dynamics of the drug trading, I would like to examine the role of the U.S. in the current situation in Mexico. The Mexican drug trafficking organisations (DTO) obtained a share in the cocaine smuggling, therefore their profit multiplied that created the possibility to purchase greater insurance and security from the corrupt political system. The U.S. launched War on Drugs and the misguided counterdrug measures led to severe cooldown in the U.S.-Mexican relations. The arrogant approach towards Mexico started in the Nixon Administration and lasted till the millenium, when President Bush and President Fox settled the disputes between the two countries and cooperated in economical and criminal issues. The certification process caused great damage for the U.S. in its international relations, though Mexico could successfully avoid the sanctions posed by the certification process. Columbia was decertified two times, in 1996 and 1997 that resulted in the strengthening of the FARC and other insurgent groups. As a response to the increased militarisation, the Mexican DTOs utilised lethal weapons and modern equipment to outgun the law enforcement agencies and the military units, the most favoured models are the assault guns and .50 cal anti-armour sniper rifles, with the ability to penetrate and pierce. According to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), about 90 percent of the discovered weapons in the Mexican crime scenes are have their origin in the United States.¹ The lack of regulation resulted in the smuggling of weapons through the U.S.-Mexican border, these high-power firearms provide huge firepower to the cartels enforcement units and that equals the technological advantage of the military units related to the firearms. The lack of regulation on firearms in federal and state level, the flood of weapons to Mexico, called „Ironriver” gives a perfect source to the DTOs to ensure their armament with good quality firearms, the U.S. technically support the drug cartels by proxy. The drug cartels

wouldn’t be able to realise such an enormous profit from the drug trade, if they wouldn’t face with a huge demand on behalf of the United States. Until Obama’s presidency, the U.S. administrations denied or even not mentioned the responsibility of the U.S. drug consumption in the escalation of violence and the growing demand for drugs fuels the drug trafficking activities. About 90 percent of the cocaine consumed in the United States is coming from Mexico the Mexican DTOs are also the main suppliers of heroin, methamphetamine and marijuana. The Mexican drug cartels are only responsible to the wholesale distribution of drugs to the local U.S. criminal groups which manage the retail distribution and send the profit back to Mexico. Due to the push-down, pop-up effect drug cultivation the drug eradication programs seem to be ineffective, the cultivation bases are move to new places as soon the pressure on drug cultivation turns out to be unmaintainable for the drug cartels.

In the third chapter I would like to analyse the Fox-and the Calderón Administrations, the anti-drug measures and the improvement of U.S.-Mexican relations. The Fox Administration substantiated the basics for a string of effective anti-drug measures, though the president lacked commitment to carry out the necessary institutional reorganisation for a successful counterdrug campaign. His successor, President Calderón presented the drug cartels and organised crime as the number one security threat to Mexico, therefore he stated the counterdrug fight as the cornerstone of his presidential. The new president uses the Mexican military as the most important instrument in the anti-drug campaign and eradication efforts and cultivates a respectful relation with the United States. As a peak of the relations the U.S. and Mexican authorities signed the Mérida Initiative in 2008/7 in order to tackle drug trafficking in the region. Surprisingly, the Initiative was built up logically and focuses not only on the counterdrug measures, but also contains civil part like the institution building and the improvement of educational standards. The Initiative not related only to Mexico, countries in the Caribbean region receive such aids and assistance to prevent the re-shift of drug trafficking routes to the Caribbean if the Mexican interdiction efforts would root out drug trafficking through Mexico.

In the Conclusion I would like to summarise the consequences written in this thesis and prove my argument. Furthermore, I would like to give some solutions to end the drug war in Mexico and to avoid such menace in the Western Hemisphere.

2 Beittel, June S. op. cit. pp. 1
Since the 1990’s, the Mexican governments confronted firmly with the Mexican drug trafficking organisations, that resulted a war-like situation and an enormous rise in the wave of violence throughout the country. Due to the scale of violence, many experts questioned the existence of the government’s control over the territories affected by the drug cartels and the borderzone cities, like Tijuana and Ciudad Juarez, where the main drug trafficking routes cross the U.S.-Mexican border. Moreover, Mexico was untimely marked as a failed state by several experts and publicists, though since 2000, the Fox and Calderón administrations refused such impeachments and started anti-drug and anti-crime measures to ensure the government’s rule over the seized areas. It is quite observable, that the Mexican drug cartels launched attacks on the civilian population, in order to undermine the government’s respect in the areas and cities under discussion. As a result, the death tolls are rising, to prove this statement, the numbers of deaths passed the 28000 thousand since 2006 and this number is still growing. Several news programmes covered in the television show discovery of unknown corpses in ranches, building sites and remote urban areas, these crimes are usually attributed to the drug cartels.  

In response, the Mexican governments established still closer links to the U.S. administrations to cooperate in the counterdrug operations with aid and assistance to Mexican law enforcement agencies to tackle the activity of drug cartels. The extradition treaties and initiatives works effectively in arresting the cartel leaders and other criminals, though the cartels responded to attacks on civilians. However, in the international reports the current Mexican security situation is marked as a regional concern, the Mexican DTOs undermine the stability of the Central American region by maintaining connection with deadly criminal gangs, like the MS-13, Barrio 18 etc., and the drug cartels drown this criminal organisations into the drug business as wingmen or distributors.  

Furthermore, the Mexican DTO’s influence is not limited to the Western Hemisphere, due to their wealth and brutality in the drug business they are running business in the Caribbean region and having safehouses in Central American countries. Shockingly, Mexican criminal cells appeared in Europe, especially in Spain with exploiting the Ibero connection, indeed the European demand for cocaine is rising.

3 Agren, David: Mexico: Death Toll From Drug-related Violence Is Thousand Higher Than Was reported Earlier  
http://www.nytimes.com/2010/08/04/world/americas/04forbriefs-MEXICO.html?_r=1 [2010.08.03]

and the Mexican cartels give an alternative against the Western African, especially Nigerian trafficker groups.\textsuperscript{5}

The extraditions of arrested top drug lords to the U.S. and the effective drug eradication and interdiction measures and the heavily militarisation of the issue forced the DTOs to target the law enforcement units and the harmful civilians. Such organisations like the Los Zetas and other hitmen groups organised and sponsored by the cartels are waging a war against the Mexican administration, therefore the situation escalated to a quasi small scale civil war.

\textbf{Clearing the definitions}

As I would like to analyse the Mexican drug war, therefore I think I have to give a good definition of the followings: organised crime, drug cartel. I think these definitions are attaching close to the subject of this thesis therefore I think I have to give a clear view to these concepts. As the definition of „war on drug” has not been institutionalised yet, for that very reason I had to create my own explanation. As the Federal Law on Organised Crime is the cornerstone of the judiciary in Mexico against crimes related to drug cartels and organised crime I use the definition of the Federal Law.

\textit{Organized crime}

First I like to present the mexican federal law against organised crime: „When three or more persons agree to organize themselves or to be organized to carry out, in an ongoing or repeated way, actions which themselves or related to others, have as a goal or result, to commit one or more of the following crimes, they will be prosecuted for that very fact, as members of organized crime”.\textsuperscript{6} This law was constituted in 1996, though this definition doesn’t contain the fact that these groups must have a structure and sub-levels and also doesn’t contain the possible goals that the group want reach or the method how this attainment would take place to call them an organised crime group. Many times the cohesion is not the profit that the group can make from criminal activities, it is much more the fear that the members feel to each other or to the boss.

\textsuperscript{5} U.S. Department of Justice, National Drug Intelligence Center: National Drug Threat Assessment 2009 pp 25-32 \url{http://www.justice.gov/ndic/pubs31/31379/index.htm}

\textsuperscript{6} Articulo 2, Ley Federal contra la Delincuencia Organizada, 1996; English translation by Bailey and Chabat, 2001 \url{http://www.organized-crime.de/OCDEF1.htm#leyfed}
Other cohesion can be the practice of corruption, a way how a group seeks to find security and postpone or blocks the discovery of the group’s activities and members.

**War on Drugs**

The War on Drugs has no academical definition it is a political expression for the longlasting U.S. anti-drug policy that was first stated by President Richard Nixon in the press on June 17, 1971. The expression reflects to the international counterdrug commitment led by the U.S. authorities to tackle the drug related issues. However, its quite observable that drug consumption fuels the drug trade, this policy states that the threat carried by drugs is coming from outside the U.S. border, the U.S. authorities put less concentration in the domestic drug production and consumption. The core of this policy is the supply-side approach, according to the International Narcotics Control Strategy Report for 2003, the U.S. law enforcement agencies are focusing on a grower-to-user chain: cultivation, processing and transit, therefore the main focus is on the impact of the producer and source countries and the trade routes. The main purpose of the supply-side approach is the effort to disrupt the supply of illicit drugs, if it’s successful, it will drive up the retail prices and decrease the quality, therefore the whole process reduces the demand as it’s discourage U.S. citizens from buying and consuming illicit drugs. The War on Drugs reached its full speed under the Reagen era, paralell to the efforts from U.S. law enforcement agencies, the U.S. government focused on training and supporting special eradication paramilitary and military units and inject aid and assistance to source country governments. The main problem was the resistance of these countries, due to the lack of local drug issues, the Latin American governments viewed drug abuse as a „Yankee problem” and the U.S. authorities couldn’t understand the cultural basis of drug cultivation and their moderate attitude towards drug use. Comparing the War on Drugs to the Prohibition, it is observable that prohibiton creates a greater demand and the illegal production sector. The supply-side approach underestimated the survival abilities of the drug producers, as the production needs only a little technical background and the cost of production is very low, but the huge profit can ensure continuance of the production abilities and the enormous demand significantly decreased the prices. For example, a gram of heroin in 1981 was $5000, in

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7 United States Department of State: International Narcotics Control Strategy Report 2003
2001 the prise moved to $1000, the same happened with cocaine, a gram was $490 in 1981, in 2001 only $150.\textsuperscript{8} Production could easily comply the difficulties, as arrested drug lords could be easily replaced by others who move up positions, disrupted cartels could be replaced by smallers and the intercepted trafficking routes could easily shift to elsewhere. However, the official counterdrug policy is still driven by the supply-side approach the Obama Administration focuses more on the demand reduction and drug treatment programs, in addition to a more cooperative tone with the partner countries, the drug eradication measures are still the most important activities in the official U.S. counterdrug policy.

\textsuperscript{8} Carpenter, Ted Galen: Bad Neighbor Policy: Washington’s Futile War on Drugs in Latin America. Palgrave Macmillen, England pp. 6-7
Interior causes

In this chapter I would like to analyse the interior reasons of the current situation in Mexico, especially the corruption and the borderzone dynamics, the essence of the escalated violence and the war-like situation in the borderland states. First, I would like to rank the interior reasons according to my opinion.

The main interior reason at first place is the enormous corruption that interlocks with the short history of Mexico. Since the existence of the PRI and the national revolutionaryism, the corruption turned into a massive obstructing force that soaks the economic development, political decisionmaking and the social life. Since its independence, Mexico, throughout its history, corruption always existed in a patron-client system, but from the 1980’s, when the Mexican drug cartels began to participate in the cocaine trade, the violence and the bloodshed connected to the corruption, grew. Due to the cocaine smuggling and the foundation of Los Zetas and La Familia Michoacán, the tradition and style of corruption moved from a somewhat peaceful instrument to brutal phenomena. Corruption is observable from state and federal level to local level and affects both sides of the U.S.-Mexican border, and when corruption is mentioned, we mustn’t forget about the role of the Mexican military.

At second place of the interior reasons I rank the economic difficulties that connected with the oil-prise criseses, the devaluation of the Mexican peso in the 1990’s, the failure of the import-substitution industrialisation (ISI) and the increasingly successful NAFTA. Although Mexico has the 12th biggest economy in the world and becoming even more dominant in the western hemisphere after Brasil and Argentina, the amount of poor people, and the diversity between the incomes is increasing. This issue is not only reflecting in the amount of people working and living in the mexican illicit economy, but also in the increasing illegal migration, smuggling of other illegal goods, such weapons, cash etc. and the rising scale of smuggling of legal consumptional goods, such LCD-televisions, refrigerators and other electronic devices.

At the third place of the interior reasons I rank the unique operation of the Mexican drug cartels. Every cartel has an enclave, from it originates, and exists as a

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base of operations. Although, the world’s focus is on the drug trafficking, smuggling has a tradition in Mexico, between Mexico and the U.S. smuggling always existed only the profit grew with the participation in the cocaine trade. Smuggling has a history over generations, especially illicit goods, and the border region during the Prohibition worked as a safeheaven for the travellers, who were looking for goods and services, that was not legal or difficult to reach in northern neighbor of Mexico. The romantic attitude towards the traffickers dissapeared, after the cartels launched attacks against each other due to the pressure of the Fox and Calderón government and the reorganisation of drug trafficking route, and many innocent civilians died in the crossfires.

The Mexican corruption is a complex phenomenon, which affects every level of the Mexican society. The corruption can be viewed as the main reason of the current drug war in Mexico, as most of the experts do so, although I belive, it is the main indicator and the biggest retarding force that holds back every measure to tackle the drug war, and increase the inability of the institutions to initiate useful reforms, or obstacle the success of the current programs. The Mexican corruption follows a top-to-bottom pattern, which means, the corruption runs from the highest level through the middle level to the lowest level. If we would like to describe this chain as a pyramid, I put the PRI to the top. The top level leadership, the president, who was often the head of the PRI, and his loyal circle, holds the true power and control the instruments of law enforcement. This circle contains some followers few in numbers, so the concentration of authority is enormous, following the trend, that some elements within the government seek to control drug trafficking, other elements of the government form an allience with the criminal organisation, but the detection of the cooperating groups is nearly impossible, due to the harsh control of the general opinion and the accessible instruments. With full knowledge of the facts related to the corruption in the level of the presidential cabinet, I state that in Mexico a typical form of structural corruption existed, because of the cooperation between the governmental elements and the organised criminal elements. The regime change earlier in the state-level and the PAN’s victory in the presidential elections in 2000 resulted also in a significant decrease in the scale of corruption in the highest level, although it hasn’t disappeared totally, in spite of the strict and systematic vetting processes. To the middle level I put the Office of the Attorney General, the state governors and the leaders of the federal institutions. Theese persons were subordinates of the highest level, but the Office of the Attorney General represents this class specifically. Since this level was the beneficiary of the highest
level, besides functioning as the organisers of anti-drug campaigns, eradication and interdiction raids this institutions organised the gathering of illicit payments and contributions to the highest level. The Office of the Attorney General holds all the instruments to persecute crime, controls most of the law enforcement agencies that falls under its competency and prepares the proceedings and represents the state in the trials, this institution often fulfilled the wishes and orders from the highest level that can affect the image of the system by turning a blind eyes to the investigations of corruptional and other harmful cases. The middle level was also a beneficiary of the corrupt system and its members could draw significant supplemental incomes from the illicit activity. To the lowest level I put the police officers, soldiers, law enforcement agents and border guards, who are maintaining interaction with the criminal organisations. This level is also a beneficiary of the system by paying contribution to buy their assignment and secure their position in the mechanism. If we interpret the Mexican corruptional trend into a patron-client model, we can see that the government stands for the patron, who distributes positions and assignments in exchange for unquestioned loyalty and contributions that the clients could only provide by interaction with the criminal organisations. The middle and lower level of the corruption mechanism stands for the clients, for the assignments the clients were employed as intermediaries to represent the interests of the higher level and maintain the cooperation between the political system and organised crime groups. The clients could increase their income by taking part in the illegal activities, such extortion, bribery, selling protection to criminals besides fullfilling their duty.

Surprisingly, when the PRI lost positions in the municipal elections and therefore the the drug trafficking routes had to be reorganised, the character of corruption slightly changed. A wave of violence rushed through the northern states and the bigger cities, resulted in a death toll of more than 28000, since Felipe Calderon took the presidential office, due to the declearation of war against the government and law enforcement agencies by the drug cartels.\textsuperscript{11} The longlasting arrangements between the drug traffickers and the government came to an end, so the cartels have to face with their greatest fear: no security and intangibility is guaranteed from investigations and prosecutions of domestic and foreign law enforcement agencies. In response, the drug

\textsuperscript{11} Agren, David: Mexico: Death Toll From Drug-related Violence Is Thousand Higher Than Was reported Earlier \url{http://www.nytimes.com/2010/08/04/world/americas/04forbriefs-MEXICO.html?_r=1} [2010.08.03]
cartels launched a serious bloodshed over the local authorities and innocent civilians. The level of violence increased so much in the spring of 2000 that the DEA was taking stock of the situation to pull out all of its agents from the city. Border cities, like Tijuana or Ciudad Juárez, which were key points in the drug trafficking turned into urban battlefields in the fights between the local authorities and the criminal groups, so when the local police officers realised, that the cartels are far more stronger than the authorities, they cooperated with the organised crime groups to secure self-preservation. In the fights against the cartels, choosing the wrong side instead of the cartels could result in a serious threat to the safety of one’s or one’s family.

Although, this thesis doesn’t focus on the early history of Mexico, like the colonial times, and the main attention is on the events from 2000 and the victory of the PAN in the presidential elections with regard of the role of the PRI, I must give a brief overview of the history of the tradition of the patron-client system to point out the similarities later in this thesis.

Similarly to other overseas Spanish colonies, Mexico, or in that time, New Spain was ruled by the king’s agents, the viceroys were assigned from the motherland Spain and the institute of the royal court or *audencia* was established in 1535. The viceroys were promoted by the Spanish Crown, they were reporting to the king of Spain. The viceroy resided in his palace and governed the colony in the spirit of exploitation. Due to the *encomienda-system*, he was also responsible for assigning offices for the conquistadores or the newly immigrated Spaniards. Other important institute was the Church of New Mexico, which was under the control of the Crown and payed its homage to the Council of the Indies, not to the Vatican. This isolated position eased the possibility of building out a typical patron-client system, in which the clients could gain any progress by paying revenues and bribes to the viceroy or to the Church.\(^\text{12}\)

At the dawn of the 1800’s the power of the scale of repression of the homeland administration was declining, although New Spain was still the pearl of the Spanish Crown. The War of Independence started in 1810, the fights lasted till 1824, when Mexico’s first national charter, the Constitution of 1824, was framed and the country was recognised as independent. The Colony of New Mexico, not only contained the territory of nowadays Mexico with the northern regions of Texas, California, New Mexico etc., but also the Central American region, which were cut off from Mexico, in

\(^{12}\) Raat, W. Dirk; Brescia, Michael M. op. cit. p. 50-56
the name of the Constitution. The country of Mexico was envisioned as a federal republic composed of autonomous states. In the mid-1830’s, Mexico abandoned the federalist system in order to replace it with centralist government. In the time of transition, when the colonies became independent and tried to organise their governments, the so-called caudillo-system meant the local jurisdiction, until the government could establish order over its territory. Due to the attempts of the administration to form a centralist government in Mexico, the local caudillos often raised armed revolts against the government. The caudillos (local strongmen) were often local heroes of the wars of independence, who had enough respect and talent to keep small-sized private armies and keep up the order in the rural areas of the countries. In Mexico, the idea of the centralist government replacing the federalist government endangered the position of the caudillos, so the strongmen often raised armies against the central government, the stereotypical Mexican caudillo was Santa Anna, who led the Mexican forces as a general in the Texas-Mexico war and held the presidential position several times. In their operating regions, the caudillos maintained the strong patron-client system in the name of jurisdiction.\(^{13}\)

After the era of La Reforma, and the French occupation and the establishment of the Second Mexican Empire with the reign of Habsburg Archduke Ferdinand Maximilian of Austria, after several political fights and revolts against Benito Juarez, General Porfirio Diaz was elected president of Mexico. Under his administration, a huge economical development took place, Diaz was able to modernise the Mexican economy with the help of significant increase in foreign investments, especially british and american, aiming the heavy industry, the railroad system, the infrastructure and the oil industry. Diaz favoured free trade and the profit orientated economy, which was attractive for foreign investments, but this system required a stabil political regime. Therefore Diaz used the way of divine and conquers to maintain his rule over the social classes of Mexico. In addition to this, he could secure his regime, by influencing appointments of state governors, approving candidates to the Congress, dispensing big amount of patronage to his friends, using a rotation policy in the military commanding structures, controlling the courts, subsidizing and supressing the press, and cultivating the support of the church. Although the country was developing with great prosperity and the scale of the middle class was expanding, the population in the countryside was in a

\(^{13}\) Raat, W.Dirk; Brescia,Michael M. op. cit. p. 70-83
difficult economic situation, the diversity between the social classes grew, and huge amount of state property was sold in order to make the country attractive for foreign investors.\textsuperscript{14}

\textbf{The PRI}

Mexico’s most successful governing party in the 20th century, the PRI, could maintain its political hegemony for seven decades with the mixture of bureaucratic reorganisations, repressional measures, electoral frauds and a strong patron-client system.

After the revolution, that overthrew the dictatorship of Porfirio Díaz and put an end to the era of \textit{Porfiriato}, the new political system was not cleared. The new order and the achievements of the revolution were legitimated in the 1917 Constitution. This constitution gave an example for the Weimar Constitution of 1919. Several guarantees were enshrined, including overt anti-clericalism, control of the government over petroleum and other subsoil resources, communal farms for peasants, a strong and interventionist state and several workplace rights. The so-called \textit{sexenio} (six years presidential term) and the rule of non-reelectivity was also granted, this two rules had severe impact on corruption and the future activity of the PRI.

The party was organised under the name of National Revolutionary Party (Partido Nacional Revolucionario, PNR), but after several reorganisations and incarnations, the party’s name remained PRI. The ideology of the revolutionary party was the „national revolutionalism”, which gathered the values of the civil war and rallied up the social groups of the uprising fractions of the Mexican society. However the military actions of the civil war ended, the political struggles were hindering the measures to stabilize the Mexican governance. After the assassination of his predecessor in 1928, Alvaro Obregón, the succeeding President Plutarco Elías Calles created the key structures of the party. With an intention to create a state-party, Calles gathered the different social classes into a confederal organisation, which could cover the whole political arena. The already existing trade unions, peasant groups and safeguarding groups of interest gave the backbone of the different divisions, the so-called sectors. The party had a „labor sector”, that contained the officially recognised trade unions

\textsuperscript{14} Raat, W.Dirk; Brescia,Michael M. op. cit. p. 93-114
headed by the Confederation of Mexican Workers (CTM), the „peasant sector” gathered the residents of communal farms (ejidos) under the name of National Confederation of Campesinos (CNC). The avarage citizens, white-collar state and federal bureaucrats, professionals and intellectuals and the owners of small businesses were able to join the „popular sector”, the National Confederation of Popular Organisations. The „military sector” only existed for a short term, later the military was independent from the PRI, and was subodinate to the chief executive. The wealthier classes, bankers, lawyers large farmers, industrialist were also „represented” in other associations, but theese groups required to be registered with the state, so the goverment could maintain the control over theese important segment of the mexican society.  

With the isolation of the different sectors, the government could make it impossible to coorporate and oppose to the regime. Later the sectors were separated to smaller units with a leader delegated by the PRI; with this method the control was total over the civil society. The military was kept out of this system, the regime promised great awards, created civilian oversight over the supplies, and rotated the zone commander offices. Illicit activities by the military, such as contraband, prostitution, drug trafficking were tolerated, but in the public media the military was treated as a „sacred cow”.

The party could create a monopoly of access to power by ruling the accesses to decision-making, all the economical, social and political mobility passed through the party and with the support from the military and the state-supervised media, the regime could legimitate itself. During seven decades, while the party governed Mexico, the PRI operated under a typical patron-client hierarchy by distributing patronage, contracts, jobs, educational opportunities, social services and other benefits only to its loyal adherences via its governors, trade unions and other associations.

The second most powerful position next to the presidency was the Secretaría de Gobernación (Ministry of Government or Interior). In this ministry, the Federal Security Directorate (DFS) was created, in order to investigate matters that affect the national security and other similar duties directed by the president. However, the DFS was later disbanded this intitute kept connection with the drug traffickers and other outlaw elements and protected the interests of the executive branch. With the numerous coalitions of interest groups and other alliances with powerful political institutions, the

PRI and the president could set up a huge pyramid of power. In different levels, other connections and cooperation created pyramids of power. The different political cliques and interest groups were loyal to the President, but these groups were also competing against each other, in order to broaden their influence and raise their share from the dividend. At the end, because of the loyalties to the bosses and ultimately to the president, the institutions could not become professionalised, so the checks and balances to offset the prolific corruption were vanished, or even never existed. The PRI could intrude the every day system of living in Mexico, everyone indebted to the party bosses and ultimately to the president. In addition, the President made most of the decisions, normally those fall within the competence of deputy secretaries.16

With this structure, the PRI and the president enjoyed virtually absolute power with the support of several interest groups. As mentioned earlier, the Constitution includes the rule of non-reelectivity. This rule enhance the scale of corruption, when the appointed officers were aware of the fact, that they are not able to make longterm arrangements with possible positiv outcome, the focus was more and more on the personal progress. The politicians, governors, mayors, congressman, senators and everyone, who was appointed by the president, was more interested in „making hay while the sun shines“, preparing for the time, when they won’t be in the position to obtain benefits. Carlos Hank Gonzalez, former notorious Secretary of Agriculture in the Carlos Salinas administration and a former mayor of Mexico City reported, when he was asked about his accumulated wealth and his high status as one of the richest person in Mexico: „A politician, who is poor, is a poor politician.“17 This behavior obstacked the development and the professionalisation of the governmental, security, law enforcement institutes, those in the past 20 years had difficulties in the fight against drug trafficking and activities related to the DTOs.

Peter A. Lupsha’s models help to interpret the political-criminal relationship in the case of Mexico before the changes in the 2000’s. He poses to basic patterns of the political-crime nexus: the stage-evolutionary model and the elite-exploitative model, they reflect to the evolution in the relation between the political system and the criminl


17 Ibid. p. 39
organisations, and the exploitation of the drug cartels in exchange for security and intangibility.

According to the state-evolutionary model, the progress in the relationship between the organised crime groups and the political system evolved through three stages: predatory, parasitical and symbiotic. In the predatory stage, the criminal organisation is only a small time criminal group rooted in a particular territory, such as the gangs in any U.S. cities. They gain size and develop to the parasitical stage, when they can set up a corruptive interaction with the legitimate power centers. Political corruption and the enormous amount of profit, which accompany the provision of illicit economy, provide the glue for the binding between the legitimate sectors and the underworld criminal groups. The symbiotic model evolves, when the relationship between the political system and the criminal organisations transformates into a mutually beneficial connection, when the political and economical system become dependent upon the subject and the revenues of the criminal organisations have to offer. In contrast with the Colombian drug cartels, the leaders of the Mexican organisations didn’t seek the possibility of incidental political career or membership to the parliament to legitimate their wealth, nor do they seek publicity in the press. Some cartel leaders bought newspaper and magazine businesses to try to keep their names out of the media.\textsuperscript{18}

According to Lupsha’s elite-exploitative model, the criminal organisations were not treated like necessary evils, but rather as „cash cows”, that can the political authorities manipulate and exploit. In this model, corruption is the tool for the criminal organisations to ensure insurance and protection from the Mexican law enforcement agencies and from their American counterparts. In the elite-exploitative model, the criminal organisations are under pressure from the government to accept and sell loads of seized drug also the organisations are also threatened or taxed by the intermediary, who passes percentages of the taxes to higher-level officers. In this model, the organised criminal groups are called upon to support the oligarchy, and the members are not permitted to quit the game. The drug lords are „cash cows”, protected and often milked (taxed), but when no longer useful, they are imprisoned, killed or extradited to the U.S.\textsuperscript{19}

\textsuperscript{18} Ibid. p. 39-40
\textsuperscript{19} Ibid. p. 39-40
The PRI-lead country was often viewed as the „perfect dictatorship”, because all social classes and their interests were formally represented in the „sectors” and their rights were declared in the Constitution. The outcomes of failures and the misguided economical and social arrangements, such the trend of the import-substitutional industrialisation could be easily minimalised by the enormous petrodollars and the newfound crude oil reserves. The support of the PRI from the population remained unbroken until the Tlatelolco Massacre in 1968, when the government repressed the protest against the declining living standards due to the economic improvement by killing officially 39 students and arresting several hundred protesters. From that time, the Mexicans claimed that something changed in the political system and the PRI could maintain its rule by electoral frauds.

The rules of the game

The growing illicit economy in the northern part of the country created a massive demand on behalf of the corrupt political system to work out a responsible cooperative method, in which the intermediaries could collect the revenues from the criminal groups.

Until the 1940’s and 50’s, members of the political system, with the exception in the northern regions, didn’t realise the great possibility of personal income from the illicit economy. The changes during the Miguel Aleman administration (1946-1952) grew the nation-level involvement by police officers and intermediaries into the drug trafficking, this system remaineded more or less intact until the 1980’s. The law enforcement agencies could force the drug barons to cooperate, because the agencies could boost their firepower with modern handguns. Informally, the regions were divided into smaller districts, so-called plazas. The plazas were areas or corridors, where the groups could produce, store or ship the narcotics. The calculation of prices adopted the „1-2-3” system. According to several reports, the amount of pay-off to the authorities for an interior location was $1 million, for a coastal zone was $2 million and for a U.S.-Mexico border crossing was $3 million. Each criminal group was active in one or several more plazas, under the concept of the plaza-system, the drug traffickers or

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20 Greyson, George W. op. cit. p. 29
smugglers had to buy a „license” to run their business from the local police chief, military commander, mayor or from any individual, who has the authority to run the plaza, with the permission from the PRI. The person, who took the illicit revenue, conveyed the payments to higher levels, effectively to his superior or patron, to whom he was thankful to have his office. With this top-down chain of connections, the intermediary only keeps his share of the payments, the other part is sent forward to the highest level. When a trafficker was notoriously successful in business, it raised the interest of the local plaza owner the trafficker was visited by the „judicales” (state level agent of the law enforcement agencies) and a bit later by the „federales” (agents from the national police agencies). 21

To maintain the flow of illicit income for the corrupt government officials, the system required intermediary actors. The leaders of the PRI and the law enforcement agencies, with some exceptions, were not involved virtually into the extortion and the relations with the criminal group, the centralised party hierarchy with the loyal executives and the corrupt institutions with their subordinate agencies facilitated the awkward transactions. The insitute of the Federal Security Directorate (Dirección Federal de Seguridad, DFS) was established in 1947, in order to preserve the internal stability of Mexico against all forms of subversion and terrorist attacks. It meant that the leaders of the PRI could use this institute to spy on their enemies and to investigate contingent communist conspiracies. The DFS nourished the image of an elite, special police force that can ignore law in order to fight communism or other conspirators. The DFS was one of the most corrupt and worst quality police force in the modern history of Mexico. Its recruitments were poorly educated individuals from the lower social classes, mostly from the age of 35-45, with great great intention towards personal career and possibly illegal incomes. As a reckless U.S. ally during the Cold War, the DFS tapped telephones, photographed and investigated on suspicious individuals entering the Soviet embassy in Mexico City, and observed the passangers flying from Mexico to Cuba. In return, the newly established CIA (Central Intelligence Agency) provided information over dissidents in the USA. The DFS also worked as a political police force related to the PRI, the institute gunned down unarmed demonstrators before the Mexico City Olimpics and played an important role in the dirty war against the „subversives”, mostly gerilla groups and uprising peasant and civil organisations. The DFS organised the

21 Pimental, Stanley A. op. cit. p 41-42
„anti-subversion” group, namely the Los Halcones (Falcons) and the Brigada Blanca (White Group), with containing several policemen and soldiers in order to repress guerilla movements and civilian dissenters. The activity of the White group resulted in the disappearance of several leftists the government mostly claimed that these individuals were killed in turf wars between radical bands. As a reward for the important „achievements” in the political fights for their sponsors and for the proven institutional loyalty, their leaders turned blind eyes when members supplemented their incomes by participating in illicit business, trafficking in drugs, extorting money or selling protection to businessman and prostitutes. The organisation’s identification card, the charola, provided a licence to take part in illegal activities moreover, the directors invited several members of the armed forces, civilians and agents from other police groups to serve as honorary DFS members. Of course, with the possession of the charola, these persons were granted with the same rights as members with full power. After several corruption scandals and the probable participation in the notorious Camarena case, which will be mentioned in later chapters, the organisation was disbanded in 1985 and some of its members were merged into the newly established Center for Investigation and National Security (Centro de Investigación y Seguridad Nacional, CISEN). 22

The lack of legal and institutional regulations

As we can see, the hegemonised mexican political arena, lead by the president from Los Pinos (the presidential resident), turned the DFS with its establishment to the PRI’s advantage, in representing the party’s interests, in cases with the drug traffickers, smugglers and other criminal organisations, and collecting the illegal payments and bribes for the highest level of the centralised executive branch. Until 1996, when the new Federal Law Against Organised Crime was passed in the mexican Congress, the framework of the judicial and investigational methods were not cleared or were unable to adapt the changing situation with the growing difficulties in promoting the rule of law. The domestic estimation of the activity of the PGR and the law enforcement agencies was very disappointing, however, in several times, military commanders were appointed to lead agencies related to the PGR. With a bald move to ease the burden of

22 Greyson, George W. op. cit. p. 129-146
governing and make it transparent, the newly-elected president, Zedillo decided to invite members of the opposition to his cabinet. One of the key positions was the PGR, which first was offered to the Party of Democratic Revolution (Partido de la Revolución Democrática, PRD), but the PRD refused it. The National Action Party (Partido Acción Nacional, PAN) accepted appointment, and made necessary reorganisations with the association of other important legal reforms.

The criminal acts related with drugs and narcotics falls under federal jurisdiction, codified in the Constitution. In that cases, the investigating and the prosecutorial process falls under the responsibility of the PGR (Procuraduriá General de la República, Office of the General Prosecutor), which belongs to the federal executive branch. The PGR (also the Attorney General of Mexico, Procurador General de la República) is a member of the President’s Cabinet, appointed by the president. The assignment of the PGR is to investigate and persecute criminal activities, prepare judicial proceedings and prosecute on behalf of the United Mexican States, and also take place in eradication campaigns and drug interdiction efforts with its own trained staff and equipment. In coordination with the military, the PGR also establishes checkpoints, maritime patrols and aerial surveillance, in order to detect and interrupt drug trafficking.

The assignment of the PGR required an investigating and law enforcing agency, for this task the Federal Judicial Police (Policia Judicial Federal, PJF) was organaised in order to assist the PGR in the investigating and arresting process. This police force often represented the PGR on the field operations, not exclusively in drug related cases, but also in every crime, that fell under federal jurisdiction. The PJF was considered as one of the most corrupt law enforcement agencies, and this picture is legislated by the constant interaction with drug related crimes and criminals. Unfortunatly, the PJF held contacts with criminal elements, organised the drug interdiction raids, therefore, the chance of getting corrupted, was significant. The applicants were motivated by the amount of illicit enrichment, rather than personal progress, and the recruits were socialized in this corrupt athmosphere. The so-called polla system was active in the bonds of the PJF and other divisions of the PGR. The best positions to earn or get money were in the northern part, especially in the border region of the coutry. When an

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aspirant wanted to get appointed to one of such state field office, he had to pay contributions to the polla, depending on his occupation – police officer, military commander or delegate, etc. - and the office he wishes to join. The scale of the contribution started at US$10000 until US$400000, obviously, the payments to the polla had illicit origin, and the sums of money were mostly collected by selected officers, this proves the harmful collusion between the prosecutors, police officers and drug traffickers. After a several corruption scandals, the Attorney General initiated a vetting campaign in 1996 to weed out the undesirable and suspected officer. As a result, General Lozano dismantled 826 PJF agents with numerous subdelegates, the total reach 1200 during his term in the office. The assignment of the PGR constantly required a professional law enforcement division, that can ease the process of the investigation and arresting, therefore the Federal Investigations Agency (Agencia Federal de Investigación, AFI) was established as the predecessor of the dismantled PJF in 2003 by President Fox.

The proneness to corruption in the bond of the PJF and other institutions coupled with a terrible lack of professionalism. This could ease the infiltration of criminal elements into the judicial branch that occurred several scandals and obstacles in the judiciary process to sentence criminals and maintain the rule of law. However, the competence and the functions of the PGR and the Mexican criminal justice system were determined in the Constitution, in the 1980’s and 90’s the criminal justice system was superannuated in the circumstances of the fight against the transforming underworld. This manifested in the lack of elaboration in the legal framework of the scope of authority and an underdeveloped tradition of proceedings. With the political support from the higher levels and the presidential appointment created hegemony for the PGR in the judicial process. The PGR could decide which cases the office wanted to investigate and send it to further trials, this occurred mostly the hushing up of corruptional cases, bribery or any other cases that could harmful for the centralised political leadership and for the complex system of loyalties. The underdeveloped judicial branch was very vulnerable to the pressure from the the executive branch and from the prosecutors to sentence the suspect without deeper investigation or simply allow the wealthy and patroned criminals to evade justice. The prosecutors could exercise monopoly over the proceedings, and judges didn’t play an active role in the

24 Ibid. p. 103-126
25 Ibid. p. 103-126
trials. Surprisingly, the judges were often absent from the proceedings, and making the sentence on face value, and issuing guilty verdicts to speed up the trials. At that time, the Mexican criminal justice system was very underdeveloped, mostly the evidences were presented in written form, the confessions were handled as the „queen of evidence” and the accused were not guaranted to have access to legal conseil. As the public security and law enforcement role of the military has grown throughout the years since the 80’s, the prosecutors and judges accept „evidences” gathered by the military, however this, this form of investigation is prohibited. The military, due to the lack of training and experience of handling civic methods in investigation, the confessions are often forced during torture, illegal detention and other human rights violations. Regularly, members of the PGR, the public prosecutors, were fresh graduates from law schools, who could join the bond of the institution, after passing several examinations. The public prosecutors were in charge of initiating investigations, analysing the facts if the law was actually broken and finally, submitting the charges to the judge and inaugurate the trials. Characteristically, the applicants, due to their lack of experience, faced serious difficulties to fullfill the duty of the public prosecutor. Without any framework, the competence was not cleared and the scope of activity of other prosecutors were crossing each other, this deficiency obstructed the functions of the prosecutional process and the rule of law. 26

To elaborate the legal framework for the functions and the duties of the PGR and its subdivisions, several reforms were made under the presidency of Ernesto Zedillo (1994-2000). The string of reforms were leaded by the appointed PAN member Attorney General Antonio Lozano, but the first step was made by President Zedillo with the iniatiation of a new tradition by the requirement of the mexican Senate’s ratification on the general attorney’s appointment and creation of the Legal Counsel for the Presidency. This initiative worked as the first pillar of an independent office of the public prosecutor and decreased the pressure on the insitution from the political leadership. To clear the competence of the PGR and the process of the proceedings several measures were taken. With creation of the Federal Code of Penal Proceedings (CFPP), the PGR received a guideline to follow in the prosecutional process, in which case the public prosecutor should carry out investigation. After receiving the report, accusation or complaint that can be presented in an oral or written form, the prosecutor

26 Ibid. p. 103-126
must examine the facts and the possibility of a legal offense and the verification of a crime. The prosecutors became responsible for the arrest or the detention of a suspect if necessary. The new Federal Code contained articles about PJF, the law enforcement agency became subordinate and subject to the public prosecutors instructions and orders. To declare the public prosecutor’s regulations of the sphere of activity, the Regulations for the Career of the Federal Public Prosecutors Office were issued in order to create a judicial framework to legislate the responsibilities that a prosecutor must hold, and regulates the process of selection, entry, training, promotion, benefits and sanctions for the prosecutors. To secure the training and the gain of experience, the PGR reestablished the National Institute of Penal Sciences (INACIPE) and the Training Institute (ICAP) to professionalise the prosecutors and the police officers together. Parallel to passing the new regulations, a strict structural reorganisation took place in the PGR. Several new subdivisions were created and a broader competency was ensured to the Deputy Attorney General. Among the new divisions, the former Office for Judicial Affairs was reorganised as the International Judicial Affairs, with the main objectives to maintain fruitful cooperations with similar bodies internationally, prepare and execute extradition treaties, exchange training methods. This office playes an important role in the extraditions of members of the drug trafficking organisation and maintain a clear cooperation with the judicial branch of the U.S. authorities. The PGR needed a specialised division to broader the fight against organised crime and drug trafficking, therefore the National Institute to Combat Drugs (Institutio Nacional para el Combate a las Drogas, INCD) was established. Due to a shocking corruptional case, which will be mentioned later, the INCD was reorganised and renamed as the Special Prosecutor’s Office for Health Crime (FEADS). The FEADS operated in three major areas. The Border Task Force (BTF) created with the cooperation of Mexican and american law enforcement authorities in the norther border states of Mexico. The Organised Crime Unit (UCO) is an elite unit its core is built up of a small and well-trained group of prosecutors. Its members must pass a strict vetting process, the UCO is responsible for operations including eradication and drug interdiction raids in all terrain. The FEADS runs a specialised group to observe the communication channels of the criminal organisation, and an anti-money laudering unit inspects the financial transaction of such groups.  

27 Ibid. p. 103-126
The most important measure to reform the PGR and its legal framework to attack drug trafficking, the Federal Law Against organised Crime was passed in 1996, the new federal framework meant a radical change in the approach towards organised crime. The Federal Law introduced a new concept of organised crime and enabled the adaptability of the use of several investigational techniques that can improve the chance of successful investigating and prosecutorial process, such as the use of tapped private communications, rewards, undercover agents and a witness protection program.

The PGR simply lacked credibility and was treated as another instrument to maintain the centralised political system and execute the interests of the corrupt political elite and the president, and the institution maintained the rule of force. The political leadership was also concerned about the corruption scandals and the responsibility of the infiltration of criminal elements into the bonds of the PGR, therefore, military commanders were appointed to key positions in the institution, following the conception: due to the harsh life of the soldiers, the military commanders are untouched by bribery and they would be able to plant this plain and unquestionable attitude into the leadership of the PGR. Among the institutions of the United Mexican States, the military is the most respected. The main objective of the military is to secure the sovereignty of the country in times of war and peace, secondly, maintain domestic order, and from the 70’s, in times of national disasters, execute support and rescue activities assisting to the civilian population. The military could successfully hush up its responsibility in the increasing corruption, with the fake picture of a politically independent organisation, and the concealment of several human rights violation issues in military tribunals. The military in times of natural disaster, such as volcanic eruptions, floods and earthquakes shepherds the population to safe places, in times of peace the institution takes part in several civic operations, such as road building, helping in the harvest, infrastructure developments. Soldiers helped keeping the peace in times of the A(H1N1) “Swineflu” outbreak by distributing about 6 million mouth masks in the cities and demonstrated calmness in the Mexican cities by strong military presence. 28

Inspite of the appointments to key positions in the judicial branch, the military became also a field of corruption and a new target for criminal elements to bribe and infiltrate. Several corruptional scandals shocked the Mexican public opinion, although the politicians always try to maintain the appearance of the impeccable bonds of

military, but due to the scandals, this attitude is being questioned several times. I would like to demonstrate the success of criminal infiltration in the military branch with two astonishing cases that shocked both the Mexican general opinion and the American law enforcement agencies.

The first case took place in November in 1991, when U.S. radars detected the sight of a suspicious airplane, presumably used for drug trafficking flying north from Columbia. The plane approached to the Mexican Veracruz, so the U.S. authorities alerted their Mexican counterparts to be ready to welcome the plane in the airfield, to hinder the chance of a possible escape after the landing. Units from the PJF closed in on the plane as soon as it landed, but the units suddenly came under fire from an ambush and most of the police officers were killed. Retired DEA agent Joe Halsey reported about the details of the shocking incident: „There were army vehicles in the perimeter area around where the attack took place. We found out later [that] army troops had been paid to protect that airstrip and that load coming into Mexico. Of all shocks I’ve had in my career, that was probably the biggest, that an entire military unit would be involved in protecting drug lords, and to the point that they would actually attack and murder Mexican federal drug police.”

The second case reflects on the scale of influence and infiltration into the office of the PGR, therefore into the judicial branch of Mexico. This event overshadowed the cooperation between the Mexican and U.S. authorities. When Ernesto Zedillo won the presidential elections and became president, the PJF was a symbol of corruption, therefore Zedillo appointed General Jesús Gutiérrez Rebollo as a director to the head of the newly established National Institute to Combat Drugs (INCD) in December 1996. The three star general seemed to be the perfect choice for the position: he commanded the Fifth Military Region, and directed several successful eradication campaigns against the drug trafficking organisations in his field of objectives. This appointment was highly praised by the american drug czar (head of the Office of National Drug Control Policy), General Barry McCaffrey and he predicted a new era in the Mexican-U.S. cooperation in the war on drugs: „He has a reputation for impeccable integrity...He’s a deadly serious guy.” Three months later, an unexpected bomb exploded: General Rebollo was sent to a maximum-security prison after being arrested by military authorities on February 18, with the charge of being on the payroll of Amado Carillo Fuentes, the then

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29 Carpenter, Ted Galen op. cit. pp. 180  
30 Ibid. p. 178
head of the Juárez Cartel. During his short term in the office, General Rebollo dispatched loyalist to the INCD’s local offices, who were soon corrupted the local police officers and built out a working network to support his efforts. The scandal shocked the general opinion, therefore Defense Secretary General Enrique Cervantes Aguirre later addressed on television on behalf of the military and he denounced General Rebollo as Judas who committed treason. However, both the Mexican and U.S. authorities were shocked from the evidences; they could utilize the event as political capital for their further efforts. In a later statement, President Zedillo legitimized with the arrest his regime’s „unshakable determination to pursue and punish drug trafficking and combat corruption.“³¹ The U.S. authorities took a similar hard line and praised the Mexican government’s effort to root out corruption.

**Border zone dynamics**

The Mexican-U.S. border is not just separating the two countries, but also separate two different civilisations of the western hemisphere. The region has a deep rooted history of wars, skirmishes, prosperity, but also illegal activities, like smuggling, drug trafficking and other crimes. However, the region is based on two separate civilisations, the borderzone created a special cultural formation, Mexamerica that combines the cultural flavours of the southwestern border regions of the USA and the northern border states of Mexico. Mexamerica is not just a series of twin cities, like San Diego-Tijuana or El Paso-Ciudad Juárez, this region is the home of the „border culture”, that manifests in different aspects of the every day life. The dialect the people speak, the Spanglish, which is a mixture of Spanish and English languages that allows the use of Spanish and English words in the same sentence. The so-called Texmex cuisine that unifies the flavours and spices used both side of the border this mixture could be find in the local music that becomes more popular among the local youth. In the communities the Mexican and American originated people enjoys the same informal privileges and the population consider themselves as the border peoplehis and the communities.

³¹ Greyson, George W. op. cit. p. 50
As mentioned earlier, the 3169 km (1969 miles) long border, from San Diego, California to Brownsville, Texas, separates a rich and the most powerful country in the world from a poorer, but rapidly improving one. This diversity served as a basis for birth of the border underworld and for a deep rooted history of smuggling. In the colonial times, due to the Bourbon Reforms, New Spain developed significantly in mining and industrial productivity, however, in the name of mercantilism, the colonies were required to trade through Spain. This pattern was quite unworkable, indeed the exploitative trend gained wealth for the motherland, but in return, the scarcity of products from Spain, resulted in the development of smuggling on the eastern coast of New Spain to reach the trading facilities of other foreign colonies. After the successful War of Independence in 1821, smuggling became ordinarily within the border states in addition with Tejas (Texas) and New Mexico. After the war with Texas and the United States, smuggling increased significantly and grossly damaged the balance of trade of Mexico, in 1850, an estimated rate of two-third of the goods sold in the northern states of Mexico was smuggled across the border. In order to stem the flow of smuggled goods, the Mexican government organised a customs enforcement agency, the Contraresguardo de Gendarmería Fiscal.  

The volume of smuggling in the borderlands has recently changed but the operations weren’t limited to a north-south direction, both the Mexicans and Americans accepted the theory of „changing market conditions”. The wars and domestic conflicts always increased the scale of smuggling we can observe it in times of the late 1850’s in the Guerra de la Reforma (War of Reform), when weapons and ammunition was smuggled into Mexico. The same pattern happened during the U.S. Civil War, to an opposite, south-north direction, when the Confederates smuggled cotton into Mexico and from there to Europe to avoid Unionist blockade, in exchange for weapons. A very active period of smuggling was the time of the Prohibition in the U.S. The three most important goods were weapons and prostitutes from north to south and the Mexican liquor from south to north. The brothels, bars and saloons were safeheaven for Americans, who were looking for illegal goods and services. Stars from Hollywood, sportsmen and small-time celebrities often visited the cities of Tijuana and Ciudad Juárez to visit casinos to gamble, to bet on horse- and dog-track racing, to sale and

consume alcohol. To stem the flow of alcohol into the U.S., Federal Prohibition Agents and Texas Rangers were patrolling on the border and searched for liquor smugglers, furthermore, in 1924, the U.S. Congress created the U.S. Border Patrol and passed the first comprehensive immigration statute. Human smuggling intensified after 1965, when the so-called Bracero program ended. The Bracero program started in 1943, when the U.S. and Mexican authorities agreed to allow that several thousand Mexican workers would travel to the United States and work for the time of harvesting. With the termination of the program, the scale of human smuggling increased, the coyotes (human smugglers) built out a system of safe places and routes, surprisingly, in the recent years, most of Americans view the problem of indocumentados (illegal immigrants) more severe, than the smuggling and narcotraficantes (drug traffickers). The smuggling of consumer goods started after the Prohibition, when items like stoves, refrigerators and automobiles were nearly impossible to purchase. In the 60’s, the Mexican government imposed high tariffs on items like televisions, microwave ovens and radio sets, this measure made smuggling a large and profitable activity. Nowadays, the smuggling of consumer goods is still blossoming, although the range of products has permanently broadened, from the United States to Mexico come firearms, stolen cars and trucks, pornography, laundered money, electronic devices like DVD players, flat screen TVs, and iPods. The Mexican contraband includes pharmaceutical drugs, cheaper gasoline, cigarettes, pirate DVDs and CDs, exotic birds and cattle, prostitutes, unregulated liquor, drugs and counterfeit money.

In the late nineteenth century new, more profitable products appeared on the market: narcotics. Drug trafficking in Mexico originates from the late end of the nineteenth century, when the U.S. and the Chinese government agreed bilaterally in the trading prohibition of opiates in 1880. Due to the San Francisco earthquake in 1906, many Chinese immigrants lost their homes, so they headed to Mexico, to the state of Sinaloa, where they planted the habit of opium smoking and poppy cultivation. Since, sinaloan poppy cultivation wasn’t in a large scale to satisfy the demand from the U.S. and less from the Mexican inhabitants, opium was smuggled into Mexico from the Far East, and later transshipped to the U.S. Drug consumption made a great concerns in the U.S., therefore the American authorities initiated several prohibitionist measures to curb drug consumption and extended this view to international forums, such the

33 Ibid. p. 165-166
International Opium Commission in Shanghai in 1909, the International Opium Convention, that was held in The Hague in 1911. The Harrison Act was later passed in 1914, which beared strict prohibition and regulation over producing, consuming and trading of opium, although this law had nothing to do with marijuana. Marijuana consumption was first reported in the Mexican-U.S. war by both nations’ soldiers in 1846-48. However, the habit of marijuana consumption was first brought the U.S. by immigrant Mexican workers from the northern states in the 1920’s, the drug became popular first among jazz musicians. The boom in the the widespread consumption of marijuana in the U.S. only took place in the 60’s, forty years later. In Mexico, the national prohibition of the cultivation and marketing of marijuana didn’t occur until 1920, and for opium poppy, the same measures were passed in 1926.\textsuperscript{34} As in the U.S. during the time of the Prohibiton, the prohibiton created the crime and the criminal, the smugglers soon realised the chance of making great business. The northern states became strategic in the drug trade that was controlled mostly by Mexican resident with chineese origin, but later Mexican families took part in the business by organising smuggling groups on a kinship basis.

The World War II caused a strange procedure in the drug smuggling, poppy and marijuana cultivation became legal under governmental supervision to satisfy the American demand for opiates and painkiller substantials. The traditional poppy cultivating regions in Asia were occupied by the japanese military, and Turkey, as a tradition source of opium was allied with the Axis powers, so the U.S. was forced to seek an alternative source of opium, to produce morphine and secure the support of painkillers for the American military during the war. The U.S. authorities helped to create a more modern poppy cultivating system, Edward Heath, who was the head of the DEA in Mexic for ten years, reported about that period: „To supplant the Middle East supplies, the United States reached a secret accord with Mexico [to] open up its uncultivated areas… in the Western Sierra Maestra. The Sinaloan Mountains were crowded with unofficial instructors from both countries who taught the local popultaion to grow poppy. The poppy flourished and prosperity reached the lost people of the mountains thanks to its golden brilliance.“\textsuperscript{35} In this time of officially-legal period, the sinaloans could make their fortune, as Mexico became the leading source for morphine for both the legal and illegal markets. The marijuana cultivation became also popular,

\textsuperscript{34} Carpenter, Ted Galen op. cit. pp. 229-232
\textsuperscript{35} Grayson, George W. op. cit. pp. 24
the U.S. demanded huge amount of hemp fiber to produce rope for the needs of the U.S. military. After the war, with the victory of the Allied forces, the U.S. authorities could return to the former opium sources and force the Mexican government to readopt the drug regulations. Many Mexican farmers continued to cultivate poppy, the demand and the profit was so enormous, so the governmental officials, governors and local police chiefs took place in the process and supervised the illicit activity in the northern states, especially in the Golden Triangle of Sinaloa-Durango-Chihuahua. Its climate, geographical conditions and remoteness made Sinaloa the ideal poppy cultivating area this region still constitutes the basis for Mexican heroin production. To solve the problem of distributing the Mexican heroin, the concerned officials and policemen soughted contacts to the huge American market, and forged links to Mickey Cohen and Benjamin „Bugsy“ Siegel, who were member of the Al Capone gang and had great experience in distributing illegal goods. The present-day drug cartels utilize the same pattern, although they shifted their marketing system from the help of American criminals to the Mexican drug syndicates, which exists in the American cities, in numbers more than 250.

To describe the lowest level of corruption, I would like to analyse the traditions of the customs officers and the local police authorities who were responsible to control the border crossings and investigate smuggling activities and maintain the rule of law in the border region. In Mexico, the Customs Guard (Resguardo Aduanal) was responsible to supervise the flow of goods across the border. The institution fell under the control of the Ministry of Finance (Secretaría de Hacienda y Crédito Público). The main reason for corruption among the customs officers were the ridiculously low salaries therefore it was not difficult for the smugglers to bribe the in order to avoid paying tax after their illegal merchandise. Not surprisingly, the customs officers also practised smuggling of illegal goods by avoiding the formal procedures of customs investigations when they returned from the U.S. At that time, a quite interesting relationship is observable between the Mexican and U.S. customs officers, as they cooperated in controlling the border crossings. The officers from the two nation viewed themselves as colleagues, they respected each other, this manifested in that they knew the others

36 Ibid. p. 24-25
phone number, spoke English or Spanish fluently and in cases of emergency they could count on their friends in both sides of the border. The corruption among the Mexican customs officers had tight rules that every officer had to respect in order to do their duty without a problem. The polla system was existing in the bond of the customs officers, the money received from the bribes had to be collected and later distributed of course according to the hierarchy the Custom Administrators received the largest portion and then the leading officers in the General Customs Administration (Administración General de Adanuas) in Mexico City. The customs officers could easily maintain the flow of bribery by building out a well-working system of punishment, therefore a smuggler who tried to avoid the bribery and previously didn’t come to an agreement with the customs authorities had to face an inspection. If the contraband was discovered, the smuggler couldn’t convince the officer to make a deal, the smugglers merchandise was confiscated and he was sentenced to prison. This trend successfully frightened the smugglers who tried to avoid the procedure of bribery hereby the officers could set up a longlasting system to accumulate wealth. In the early 90’s, the customs officers were a group of cynical middle-aged and completely corrupt group as they treated themselves as an impenetrable union. The Salinas Administration decided to change this image, therefore the government dismantled the institution and hired a younger force and created the Federal Fiscal Police (Policía Fiscal Federal). Due to the lack of training and the low salaries, the members of the new organisations followed the same track as their predecessors and the system of controlled smuggling remained intact. Surprisingly, with the passage of the important economic treaties like the GATT and the NAFTA, the disruption of the border economic activities started, the lack of duty on the goods coming from the U.S. cut the illicit income for the customs officers and the decrease of the profit on smuggled goods, pushed the smugglers to traffic drugs in order to maintain their standard of life.


39 Ibid. pp. 183
Exterior causes

In this chapter I would like to analyse the exterior reasons of the Mexican drug war, which current of exterior events and factors influenced the escalation of violence, that resulted in a war-like situation in Mexico in the 2000’s. I focus on the role of the U.S. in the current situation, how the wrong-headed supply side approach undermined the possibly appropriate anti-drug government measures, how the unregulated flaw of weapons through the border supports the drug cartels and the drug consumption fuels the drug trafficking.

International dynamics

Until the participation in the cocaine trade and became beneficiary of the enormous wealth that was generated by the new and profitable good, the Mexican drug cartels could keep their low profile. The corrupt political system ensured protection to the insurance to the drug trafficking organisations from the investigations of the Mexican and American law enforcement agencies, the system operated properly, the cartels respected each other and the trafficking had its own patterns. The cartels didn’t fight against each other and the mordida, the bite or the profit was distributed equally compared to the scale of activity. However, Mexico is the main supplier and producer of the U.S. in heroin and metamphetamine, the cocaine trade left out Mexico from the business.  

Until the mid- and late-1980’s the main cocaine smuggling routes departed from Venezuela to the Caribbean, especially to Haiti and Dominica. The Bahama Islands and the Caribbean String formed the last stop before the U.S. soil and arrival of the illicit shipments to Florida. The cocaine produced in the Andean Region, and supervised by the Medellín and Cali cartels from Colombia, was distributed and sold by Colombian organisations and dealers related to the cartels. Due to the successful crackdown of law enforcement agencies, like the DEA and the ATF, on the Florida-based dealers, the Colombian cartels envisaged serious difficulties in the cocaine marketing process. The

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40 Carpenter, Ted Galen op. cit. p. 175
successful naval and land interdiction raids caused serious damage to the cartel’s drug trafficking routes and to the distribution and marketing process. These phenomena resulted in the shifting of trafficking routes, the Caribbean route became less important, but smuggling remained as tool to keep the attention of U.S. authorities to divide the expendable resources and units. The Mexican drug trafficking organisations had great experience in smuggling and drug trafficking to the U.S. and built out earlier the ideal smuggling routes for heroin and marijuana, therefore they became the main supplier of the growing demand of drugs in the U.S. The safe and well-covered smuggling routes could provide a continuous flow of drugs toward the American consumers.

This cooperation between the Colombian and Mexican cartels were so fruitful, that later the Mexicans received a share of the profit in the form of cocaine to market. In exchange the Mexican and Colombia organisations reached an agreement, they declared the sphere of influence, the columbians kept the influence over Florida and Miami, the Mexicans obtained the important marketing area of New York. This pattern remained intact the system could avoid danger, with the remarkable help from the corrupt Mexican political system. The U.S. enhanced the pressure on the Colombian government to fight against the drug cartels and the insurgent groups in the rural areas, with considerable military and technical aid and instructions, the Colombian authorities started a hunt after the kingpins of the Medellín cartel. On December 2, 1993, the technically and tactically better and more improved law enforcement units hunted down Pablo Escobar, this event symbolised the defeat of the rule of the cartels in Colombia. Later, the Colombian authorities totally disrupted the remnant of the Medellín cartel, afterward successfully dismantled the Cali cartel that resulted in the structural disintegration of the Columbian cocaine economy. However, the Colombian anti-drug efforts beheaded the leadership of the cartels, the main organisation fell apart to more than 300 smaller organisations and gangs, the chartelitos, but the cocaine production and shipments remained continuous. The mexican cartels found themselves in a comfortable position to renegotiate the deals related to the trafficking, the colombian organisations lost an amount of the profit, but acknowledged the advantage of the safe mexican trafficking routes and handed over the distribution and marketing in the U.S. to the mexicans. The Mexicans profited shockingly from the cocaine trade, the corrupt elements obtained their share from the illicit income, although a new trend in the mexican politics stood out, the PAN won its first governorship in Baja California. Later, the PAN could broaden its political success to other states, like Guanajuato, Chihuahua,
Nuovo León, Jalisco, etc. This political change resulted in the settlement of the agreement between the traffickers and the authorities, the PAN-member governors didn’t tolerate the trafficking operations in the states led by the PAN, therefore, the authorities insisted the local law enforcement to fight back the criminal groups, these efforts lead to an increase in violence in the states, where the PRI couldn’t maintain its rule.\textsuperscript{41}

The U.S. approach towards Mexico in drug related issues until the presidency of Richard Nixon and the beginning of the War on Drugs was a non-committal attitude then this stance shifted to a much more influential and tougher approach. Mexico and the United States signed their first agreement in 1978, notwithstanding their relation remained distant.

\textbf{The U.S. approach towards Mexico}

If we deeply analyse the cooperation between the U.S. and Mexico, we can observe that the character of the connection transformed from a more threatening and extorting manner to a co-operative approach. This is the result of the victory of Vicente Fox in the presidential elections, this event proved the will of democratization and the break with the previous Mexican government-criminal nexus.

Before the presidency of Richard Nixon, the U.S. authorities paid relatively no attention to the events taking place south from its territory, although the U.S. Border Patrol was patrolling along the U.S.-Mexican border, but the efficiency of their activity was very low. Due to the growing trend of drug consumption in the country proven by statistics and the broadening of the counterculture, President Nixon launched the War on Drugs, to end the menace of that threatens the USA and its youth. The first step in the anti-drug measures was the establishment of the Presidential Task Force to Narotics, Marijuana and Dangerous Drugs (Task Force One). Members of the Task Force One reported that the highest priority should be an intensive „eradication of the production and refinement in Mexico of opium poppies and marijuana”\textsuperscript{42}. Task Force One advised

\textsuperscript{41} Felhab-Brown, Vanda: Shooting up: Counterinsurgency and the War on Drugs. The Brookings Institute, Washington, 2010 pp. 69-77
\textsuperscript{42} Carpenter, Ted Galen op. cit. p. 12
the U.S. authorities that with a permission on behalf of the Mexican authorities, the unit could vägez aerial reconnaissance of the mexican drug cultivation and véghezvinni aerial eradication efforts. In a bilateral meeting in 1969, Washington requested a permission to
grant such measures, G. Gordon Liddy, who was at that time a special assistant to the
secretary of the treasury, jellemezte the mexican reactions: „When the United States and
Mexico met… the Mexicans, using diplomatic language of course, told us to piss up a
rope.”43 The U.S. authorities replied by launching Operation Intercept, the first special
anti-drug offensive. Operation Intercept was rather an extorting measure than an
effective anti-drug effort. The U.S.-Mexican border was totally locked down, several
thousand customs and border patrol agents were deployed in the south to search and
seize carefully any individuals and vehicles crossing the border. Legally and
technically both the U.S. and Mexico have the right to inspect any suspicious individual
or vehicle, although this process caused serious damage to the commerce in the
borderzone and resulted in traffic jams at the border crossings. Furthermore, thousands
of Mexican workers lost their jobs in the U.S. because of the customs delays, totally
about 5 million people were affected by the inspections. Operation Intercept turned out
to be a typical extorting measure, its collateral damages, economically and socially, were
so devastating that the Mexican government couldn’t hold out any longer, finally, the
Mexican authorities agreed on the eradication projects. The outcome of Operation
Intercept affected the U.S.-Mexican relations severely and created an atmosphere of
suspicion that lasted throughout the 70’s. Due to the 1971 reports from Vietnam about
the growing rate of drug addiction of U.S. army troops and the growing hysteria,
President Nixon established the Drug Enforcement Administration (DEA) in March 1973
to be the spearhead in the anti-drug campaign. However, Nixon launched the War on
Drugs, surprisingly, the Nixon Administration focused on the domestic drug issues
rather than the international eradication efforts, and domestic drug treatment and
demand reduction played an important role in the anti-drug measures.44 The massive,
militarised international anti-drug offensive was only initiated in the 80’s under the
Reagen Administration, as it will be discussed later.

During the rule of the Ford and the Carter Administration the War on Drugs in
the domestic front fell into the background, although the war continued outside the

43 Ibid. p. 13
44 Ibid. p. 15
country. Due to the less attention towards the domestic drug consumption, the rate of drug use increased among the population, especially in the younger age groups, like high school students. Shockingly, among the White House staffers drug consumption was also reported, mainly the use of marijuana. This trend lead to a significant change in the public opinion towards drug use, in addition, eleven states decriminalised private marijuana consumption at home, in some states his law was granted according to the state constitution, but this phenomena only lasted for a decade. By numbers, occasional use of cocaine among high school students rose from 18.7% in 1975 to 25.3% in 1979.\textsuperscript{45}

Ellentétben to the domestic approach towards drug consumption, the U.S. Authorities continiously maintained the pressure on the Mexican government to eradicate marijuana and poppy crops.

The more tolerant attitude towards drug use significaly turned back to a hard-line anti-drug public opinion under the presidency of Ronald Reagen. Reagen, backed up by strong parent group networks, who were seriously concerned about the rising drug use among students and minors, in cooperation with law enforcement agencies started to pass new anti-drug measures to clear the American life from drugs. Reagen and the conservatives viewed the drug use as not only a public health problem, but also the key source of increasing criminal rates and other social problems. President Reagen represented a more katonai approach towards drug related issues and emphasized a heavy supply-side campaign against drugs infiltrating to U.S. soil. In 1984, Miami, Reagen stressed that „drug use is not only a top priority for this Administration’s top priority, it is a top priority in our foreign policy as well.”\textsuperscript{46} This statement was followed by several others, but also formal, directly from the White House and from the Rose Garden. To reflect to this approach, the U.S. spendings tripled on international narcotics efforts from fiscal year 1980 to 1987, furthermore, since the 80’s, the activity of DEA agents in Mexico increased.\textsuperscript{47} DEA agents have been depoyed in Mexico and the borderzone, to collect and investigate on drug trafficking organisations and prove the gossip of a possible cooperation of the Mexican government and the drug trafficking organisations. The Camarena-case shocked the public opinion and szolgáltatott terrible consequences.

\textsuperscript{45} Ibid. p. 18  
\textsuperscript{46} Ibid. p. 19  
\textsuperscript{47} Ibid. p. 20-21
On February 7, 1985, DEA agent Enrique „Kiki” Camarena was forced into a car by five armed men at daylight near the U.S. Consulate in Guadalajara. After about a month of political discussions, the Mexican authorities found the tortured and bruised corpses of Camarena and his pilot buried in plastic bags near Guadalajara. Camarena was working on Operation Godfather, an investigation operation of Miguel Ángel „The Godfather” Félix Gallardo, to prove his involvement in drug trafficking with the focus on heroin and cocaine trade. During his investigation, Camarena discovered El Búfalo, a 12 squarekilometres nagy, sophistically irrigated marijuana plantations and with drying sheds in the Chihuahua desert. El Búfalo was owned by Felix Gallardo and Caro Quintero, the then leader of the Sonora cartel, and the plantation was heavily and permanently guarded by federal and local policemen. The Mexican prosecutors stated, that Camarena and his pilot were victims of the vengeance that occured by the drug raids that caused billions of dollars damage to the drug barons. The U.S. authorities accused their Mexican counterpart of obstactoring the investigations of the murders and vándolta giving a helping hand to the suspects and assist in the escape of the murders. The Mexican authorities replied that Camarena’s torture is reflecting to the DEA agent’s connection to the cartels that he had double-crossed. The death of Camarena caused a major upsurge in the American public opinion and became the symbol of the drug war in Mexico. Camarena was a man personalised the ideal male American, he was 37 years, a high-school football star, ex-Marine and former police officer who left behind a wife and three children. The Camarena-case created a series of action in the media, the Time magazine put Camarena on it cover on May 7, 1988, the report lead to the initiative of wearing the red ribbon and the National Red Ribbon Week, as a symbol of intolerance toward drug use. The mini-story, Drug Wars: The Camarena Story received an Emmy Award.\footnote{Grayson, George w. op. cit. pp. 219-221}

The Camarena-case, in addition with several attacks on U.S. personnel, like bombing the U.S. embassy in Bogtá, the assasination of the U.S. ambassador in Bolivia and the death of 19 members of a U.S.-sponsored eradication project urged President Nixon to initiate a string of legal and formal steps to escalate the War on Drug. 1986 meant a turning point in the U.S. approach toward international drug related issues. In April 1986, Preasident Reagen signed the National Security Decision Directive (NSDD) 221 that declered that drug trafficking is a threat to the security of the United States.
The NSDD 221 asserted: „The national security threat posed by the drug trade is particularly serious outside U.S. borders Of primary concern are those nations with a flourishing narcotics industry, where a combintaion of international criminal trafficking organisations, rural insurgents, and urban terrorists can undermine the stability of local governments; corrupt efforts to curb drug production; and distort public perception of the narcotics issue in such a way that is becomes a part of an anti-U.S. or anti-Western debate.“

The new NSDD required a cooperation of several government agencies to fullfill the requirements of the directive, therefore drug related questions became essential in the U.S. decision making. The new directive required the full consideration of drug control activities in U.S. foreign assistance planning and execution emphasized the discussion with other nations on narcotics as a national strategy issue. Militarily, ensure an expanded role for U.S. military in supporting counternarcotics efforts, improve the capabilities of counternarcotics telecommunication, increase the U.S intelligence community support in counter drug trafficking and ensure greater assistance to other nations to establish and implement their own drug abuse and eradication programs.

In 1986, Reagen signed the Drug Abuse Act, that became the cornerstone of every international drug related planning and decisionmaking, but also determined the failure of the War on Drugs and became another key instrumment of thrusting the U.S. interests on the coutries of the Western Hemisphere. The law named the coutries with serious drug related issues „source” countries and distiguished drug-producing or drug-transiting nations, the law required the source countries to participate in eradication and interdiction programs to be entitled for U.S. foreign aid and other various trade preferences. The president had to certify the source coutries by March 1 every year, after inspecting weather they fullfilled the requirements of cooperation with the U.S. authorities and the measures made by the source government had any affect on reduction of illicit drug production. The Congress had thirty days to accept or reject the president’s decision. If a coutry failed to pass the certification process, it had to face several devastating aftermath in the form of economic and diplomatic sanctions that can be distinguished to mandatory and discreitional punishment. The not-certified coutries have to face a suspension of 50 percent of all U.S. assistance with the exception of humanitarian aid and international narcotics control aid for the current fiscal year, also a suspension of all types of aid with the aforesaid conditions. Theese coutries also had to

49 Carpenter, Ted Galen op. cit. pp. 29-30
50 Ibid. p. 30-31
face with the votes of U.S. representatives against loans in multilateral development bank. The discretionary sanctions include a denial of "most favored nation" that means a normal tariff treatment to goods exported by the decertified country. The U.S. also imposed duties up to 50 percent on exports to the U.S. in addition to a curtailment of air transportation and a denial of sugar quotas. The decertified countries have to face a severe economical and financial damage, those countries which are heavily dependent on the U.S. markets, would generate a devastating impact on those economies. As an instrument in the certification process, the U.S. Department of State’s Bureau of International Narcotics and Law Enforcement Affairs (INLE) permanently presented findings and statistics on drug strategies and actions. In theory, this should have provided useful information for the president and the members of the Congress in decisionmaking in the certification process, although neither the chief executive nor the congressman had proper guidelines to make the perfect decision in the drug related issues. The certification process emphasised military participation in the anti-drug measures, to comply the requirements of the U.S., the source countries had to put into action the military to bring the numbers of arrests and statistics to avoid decertification, this resulted in the militarization of the War on Drugs in the Western Hemisphere. Surprisingly, the certification process had a positive outcome in Mexico, due to the critical voices about the lack of proper jurisdictional and prosecutorial instruments, the Mexican Congress soon passed the new Federal Law on Organised Crime in 1996 and created a legal framework for the prosecutorial methods. President Ernesto Zedillo was continuously protesting against the certification process and took the permanent certification process as an annual tug-o’-war with U.S. to submit Mexico’s national sovereignty to the American interests. His opinion was grounded by the attempts of decertification from the U.S. legislators in 1987, 1988, 1997, 1998 and 1999, although the formal decertification of Colombia in 1996 and 1997 drew the line that the Mexican government musn’t cross. President Vicente Fox during his presidential trip to the U.S. in September 2001 urged the U.S. Congress to suspend the requirements of the certification process as a gesture of faith in the newly elected Mexican government, in furthermore, President George W. Bush guaranteed Fox to replace the annual certification process with putting the international narcotics cooperation to a bilateral

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field. The process was only modified later, the role of the Congress was eliminated, and only those countries were decertified which failed demonstrably to adhere their international counterdrug obligations, which were determined by international and not U.S. standards.\textsuperscript{52}

However, the certification project had some positive and prompting effects in the development of the Latin American countries its negative effects had more negative influence on the economic and social life of the countries of the Western Hemisphere. The case of Colombia in the certification process demonstrated the negative effects, as when Colombia failed to fulfill the requirements in 1996 and 1997, the country had to face the disrupting sanctions. This chain of events enabled the recovery and the strengthening of the insurgent groups in the rural areas that led to protraction of the crisis in the country. The Mexican government faced the most stunning requirements in the certification in 1997, when Mexico wouldn’t been certified unless it wouldn’t allowed more U.S. narcotics agents in to its territory, it wouldn’t allowed U.S. law enforcement agents to carry weapons while in Mexico, it wouldn’t agreed to extradite Mexicans sought by U.S. officials on drug charges and it wouldn’t allowed U.S. Coast Guard to chase vessels of suspected drug traffickers into Mexican territorial waters. Of course, the Zedillo Administration refused to fulfill the requirements.\textsuperscript{53}

Other similar method to prove the U.S. arrogance and the bully tactics in the War on Drugs against Mexico is the unilateral management of the extradition treaties on behalf of the U.S. The U.S. and Mexico signed their first extradition treaty in 1978, although the United States and its law enforcement agencies decided to extradite and capture suspects in drug related issues without a grant from the host government. Operation Leyenda describes perfectly describes how the U.S. forced the Mexican government to hand over a presumable suspect of the Camarena-case. Operation Leyenda was launched after the death of Camarena in order to bring back 19 suspects allegedly involved in the murder. The U.S. sponsored a kidnapping mission to bring Humberto Álvarez Machaín, a Mexican physician, whom the DEA accused of participating in the torture and murder of Camarena. In addition, to enhance the pressure on the Mexican Government, the U.S. authorities initiated Operation Intercept II, indeed it only lastd for several days. This operation had the same disrupting economic and political outcome that the original Operation Intercept caused during the Nixon

\textsuperscript{52} Grayson, George W. op. cit. pp. 222
\textsuperscript{53} Carpenter, Ted Galen op. cit. pp 149-150
Administration. In 1989, November, the U.S. Supreme Court finally authorised the the U.S. military and law enforcement agencies to apprehend accused criminals related to drug issues without the consent of the host government, therefore the DEA offered a bounty to anyone who captures the physician. The kidnapping of Álvarez was only successful in 1990, although the U.S. Supreme Court declared that this process didn’t violate the extradition treaty between the two countries. Surprisingly, the federal judge, who headed the proceeding of Álvarez in the U.S., acquitted the accused from due to the unfounded accusation, so Álvarez was freed and could return to Mexico. Instead of reducing the tension between the two countries, the U.S. Authorities demanded to put Álvarez on trial in Mexico to honor the spirit of the extradition treaty, not surprisingly, the Mexican government refused to fulfill the demand. The violation of the extradition treaty and the decision of the U.S. Supreme Court, led to the success in the debate, therefore the Mexican government found itself in a favorable position that encouraged the Mexican authorities to renegotiate the extradition treaties and include the prohibition of U.S. kidnapping enterprises.\textsuperscript{54}

The U.S. authorities launched Operation Casablanca, 3-years-long undercover sting operation that targeted the financial and money laundering system of the Mexican drug cartels and cleared up the nexus between the drug traffickers and corrupt bankers. The operation was initiated in 1995, fake financial companies were set up in order to offer money laundering and other financial services to Mexican and columbian traffickers, paralelly, the U.S. Customs service was investigating major Mexican banks for handling illicit profit. When the operations became public in 1998, the outcome was stunning, the sting resulted in the charges of money laundering against more than twenty high-and middle-level officials and several prominent bankers from twelve of Mexico’s nineteen largest banks. As a positiv effect, the authorities and agencies seized two tons of cocaine, four tons of marijuana and nearly 11 billion pesos (about $100 million).\textsuperscript{55} The U.S. authorities didn’t inform their Mexican counterpart on accunt of the large scale of criminals infiltrating the governmental institutions of Mexico that could compromise undercover operations. The Zedillo Administrations was outraged and a vehement diplomatic protest was sent to the U.S. authorities, therefore the United States had to pay a considerable price in damaged relations.

\textsuperscript{54} Ibid. p. 146-148
\textsuperscript{55} Grayson, George W. op. cit. p. 229-230
If we observe the U.S. relationship to the Latin American countries in drug related issues, it seems well perceivable that the U.S. authorities utilised a typical „carrot-and-stick” model to ensure its interests over the countries in the Western Hemisphere and treat Mexico as another arena for the jurisdiction of U.S. law enforcement. If we analyse this model, we can easily set the limits of the „carrot” and the „stick” side, how the U.S: government influenced positively or negatively the countries to participate in the anti-drug measures. The „carrot” stands for the important and essential economic aids and assistance programs, but also for the critical military and law enforcement aids and programs. The U.S. supports the anti-drug measures not only by financial means, but also provides military and police training programs which are also critical in the anti-drug efforts. After the millennium and the 2001 September 11 attacks, it is quite observable that the U.S. government put a greater emphasis on civilian programs and fundings relating to implication of public security and law enforcement, institution building and implementing the Rule of Law. After the September 11 attacks, the U.S. government enlarged established fundings related to counterterrorism. The „carrot” programs and aids strenghten the relationship between the U.S. and the Latin American coutries and support the building of trustworthy partnership. In contrast with the „carrot”, the unsuccessful anti-drug measures and the arrogance on behalf of the U.S. governments can be interpret as the „stick”, the decertification process as a threat of terminating the flow of aid and assitance. Unfortunately, the economic and military postion of the United States and the increased anti-drug hysteria strenghtened the arrogance of the U.S. legislators and the different presidential Administrations, that led to the misunderstanding of the trends in the drug-related issues. The arrogance of the U.S. authorities resulted in an atmosphere of mistrust and the obstackled the creation of a possibly fruitful cooperation that could distinguish the drug trafficking organisations from the government, disrupt their insurance and protection from corrupt government official and manoeuvre them into the corner.

Weapons Trafficking

The United States is responsible not only for the strenghtening of the Mexican drug cartels, but also for the escalation of violance in the border region and in entire Mexico. However, the Mexican drug trafficking organisations are indepted to have their tremendous power to the lethal, bloody and commited approach towards the drug war.
and the law enforcement agencies, but the U.S. weapons industry also plays an important role in the current situation. According to the statistics, at least 90 percent of the guns recovered from crime scenes in Mexico have their origin in the United States.\textsuperscript{56} According to the investigations and statistics, the ATF states that source states for weapons in the southwest are California, Arizona and Texas, although arms trafficking and illegal arms trade is an issue also in almost every state from Florida to Washington, furthermore, the arms smuggling also affects Canada. The Mexican drug cartels and criminal groups employ individuals, who obtain weapons for professional traffickers, who later smuggle the arms through the U.S.-Mexican border. This process is called „straw purchase”, clear-background individuals visits gun shows and gun stores to obtain the weapons. A great example for the method is the Rodriguez case. A Dallas-area carpet-layer, called Adan Rodriguez was employed as a purchaser for the cartels totally he bought more than 100 assault rifles, 9 mm handguns and other weapons in gun shops around Dallas. He cleared his background by asserting he is a private security officer and he could make a profit of $30 or $40 on each guns. He was sentenced for five and a half years in prison in 2006, typically, the men who paid him never get caught. Stunningly, only five of the guns he purchased were recovered, a pistol he bought was found after a shootout near Reynosa, Mexico, in which two federal police officers were shot.\textsuperscript{57}

Although, the U.S. gun lobby claims, that weapons manufacturing and trade is well regulated, in fact the weapons industry is lightly regulated. If a costumer buys a weapon through a federally licensed dealer, the costumer becomes a subject to a federal background check, according to the federal Brady law. Criminal or legal costumers can easily pass this test by presenting legal documents, but in fact, the dealers neglect to check the backgrounds, or they simply don’t ask anything. Importing weapons to U.S. soil is even easier as namely foreign firearms are not qualified as contraband. However, imported weapons are required to have „sporting purpose”, although sporting-purpose-tests significantly weakened during the George W. Bush administration, therefore, it allowed the importing big quantities of cheap assault weapons and handguns. According to the Gun Control Act of 1968, each domestic manufacturer, importer or dealer has to obtain a Federal Firearms License. This license can be easily obtained by anyone, who

\textsuperscript{56} Sullivan, Mark. P; Beittel, June S. op. cit. pp. 25
is at least 21 years old, has clean arrest record, nominal business premises, agrees to follow the applicable law, pay a fee and submitting a set of fingerprints. The main problem is not only the light regulation of the Brady Law, but the firearms purchased in federal retail are mainly resold in a totally unregulated secondary market, that is avoiding any federal regulation or inspections. The secondary market includes the internet exchanges, „flea markets” and gun show; furthermore classified advertising in newspapers and newsletter are instruments of this totally unregulated flow of arms. Most states don’t regulate the transfers of the secondary market, except a few like California. The approach towards gun regulations is focusing on the after-the-fact law enforcement and investigations instead of passing regulations of tighter control of firearms obtainment.

However, the U.S. gun industry briefly resurge in several periods, there is a long term trend of decline for gun arms manufacturers as fewer American own gun. According to the study of the National Opinion Research Center at the University of Chicago, during a period of 1972 to 2006 a twenty percent decline is observable among the number of households having a gun at home. Therefore, to stimulate the stagnant market, the arms manufacturer addressed „innovation” as their keyword. Innovation means in this context the introduction of new firearms with increased firepower and quality, the key is lethality. Reflecting to this trend, the weapons of choice for the Mexican cartels and drug enforcers are the highcapacity semiautomatic pistols, semiautomatic Colt AR-15 .223 cal assault rifle, AK-47 7.62 cal assault rifle and its variants, the M4 assalt rifle, the FN 5.57 cal handguns (capable of piercing the heaviest police armors, therefore it called mata policias, „cop-killer”), and 50. cal anti-armour sniper rifles. The Mexican authorities reported that the cartels use military firearms like machine guns or hand grenades, the ATF holds that such weapons are accessible in military bases and stolen by gang member.in the U.S: Army, Gang members in the army are usually assigned to military support units were they have access to such weapons and they may steal them by improperly documenting supply orders or falsifying paperwork.

The tremendous wealth that the drug cartels gain from drug trafficking is the instrument not only to ensure their security against the law enforcement agencies by

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58 Ibid. p.16-18  
59 Ibid. p. 19  
60 Ibid. p. 7-8
corrupting government officials and local police officers, but also makes available to purchase weapons and firearms from the U.S. The drug cartels need weapons to outgun the law enforcement agencies and maintain the fear over the civil population hereby they question the rule of the government over their territory. With the deployment of military units and the cartels faced a more severe threat than the police units. To outgun and successfully fight against the well-equipped and well-trained military units, the cartels needed large quantities of weapons that have the same technical level. Sometimes the cartel’s drug enforcement units and hitmen are equipped with military tactical gear and laser sights. The largest seizure of weapons in Mexican history related to the drug cartels, demonstrate scale of armament that the drug trafficking organisation carry out to outgun the Mexican military. In November 2008, the Mexican government discovered a cache of totally 540 rifles, including 288 assault rifles, 7 Beretta .50 cal anti-armour sniper rifles, 14 FN Herstal 5.57 cal pistols, 500000 rounds of ammunition, 14 sticks of TNT in addition to several various military weapons.61

**Drug Consumption**

The Mexican drug trafficking organisations realise the largest part of their profit through the drug trade, their income is stunning. U.S. Department of Justice’s National Drug Intelligence Center (NDIC) estimates, that the Mexican cartels, to a lesser degree with the Columbian drug trafficking organisations, generate, remove and launder between $18 billion and $39 billion in wholesale drug business annually.62 To demonstrate the scale of the illicit income, this amount of money is more than the half of Hungary’s annual budget revenues.63 The Mexican drug cartels realise their profit mostly in the U.S., although the cartels are expanding their scope of interest to Europe due to the increasing scale of cocaine consumption, though their main market remains the U.S. With its population, wealth and drug consuming traditions, the United States are the largest market for drug trafficking in the World. According to the National Drug Threat Assessment 2009, more than 35 million individuals used illicit drugs or abused prescription drugs in 2007, if we compare it with the population of the country in mid-

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http://digital.library.unt.edu/ark:/67531/metadc26132/m1/1/high_res_d/R40135_2009Jun01.pdf
62 National Drug Threat Assessment 2009 op cit. 49
2007, 302.2 million, we can see the rate is more than 11.5 percent of the whole population.\textsuperscript{64}

The U.S. authorities claim that the leading drug threat to the U.S. is powder cocaine and crack, the ranking continues with methamphetamine on the second place, then marijuana, heroin, pharmaceutical drugs and MDMA mostly in the form of ecstasy pills. The drug of choice is cocaine in the U.S., powder cocaine is quite easily accessible for the high-and middle-classes crack represents the form of cocaine to the lower classes. The first crackhouse in the U.S. was detected in Miami 1982, but crack became popular soon in the poorer districts in almost every biggest U.S. city. Due to the high addiction, especially in the form of crack, the U.S. state and local law enforcement agencies identify that most threatening drug because of the contribution mostly to violent and property crimes, 50 percent (powder) and 39 percent (crack), respectively higher than any other drug, authorities state that cocaine has the most disrupting effect on communities, families and individuals.\textsuperscript{65} According to the Department of State’s 2009 International Narcotics Control Strategy, about 90 percent of the cocaine entering the U.S. transits through Mexico, therefore the cocaine distribution is supervised and controlled by the Mexican drug cartels, after they could pushed aside the remnants of the Colombian cartels. In fact, the Mexican drug trafficking organisations organise the wholesale process, Mexican criminal gang sin more than 250 cities arrange the retail marketing, but the profit is transferred or smuggled back to Mexico for money laundering purposes. Mexican drug trafficking organisations represent the greatest organised crime threat to the U.S., since they are the main distributors of cocaine, furthermore the main producer of heroin, methamphetamine and marijuana heading to the U.S. The Mexican cartels are not the only drug distributors, though other factions like the colombians, dominicans, italians, haitians and cubans are covering only a negligible part of the drug distribution in the U.S..\textsuperscript{66}

Due to the U.S. Patriot Act, the laundering of illicit incomes from the drug trade is facing severe difficulties in the U.S., therefore the incomes have to be smuggling out of the United States. The favorable method to carry out such operations is the bulk cash smuggling as the members of the criminal gangs are packing up the illicit income into vehicles and try to avoid police inspections and later cross the border to launder the

\textsuperscript{64} National Drug Threat Assessment 2009 op cit. summary III.
\textsuperscript{65} Ibid. p. 2009 op cit. 1
\textsuperscript{66} Ibid. p. 45-47
money in Mexico. Surprisingly, the most favourite bulk cash smuggling routes are crossing the Native Territories both on the southern (Tohono O’odham Reservation) and northern (St. Regis Mohawk Reservation) border of the country. Due to their special privileges, the Native Territories are rarely subjects to inspections by the U.S. authorities; therefore they serve as ideal trafficking routes and cultivation areas for illicit crops under the supervision of Mexican DTOs.  

Inspite of reaching a significant increase in the price of drugs, the inefficiency of the U.S. counterdrug measures reduced the price of drugs on the streets. The so-called „push-down, pop-up effect” ensures the continuous flow of drugs into the U.S. and proves that drug trafficking became impossible to eradicate. The core of the effect is that when the eradication measure disrupts the production or cultivation in a territory, due to the low cost the basis moves to a different territory or country. This phenomenon was quite observable, when the Nixon Administration was granted to launch the aerial eradication actions on marijuana fields and used the Paraquat herbicidet to carry out the operation. The U.S. consumers were afraid of smoking herbicide treated good therefore the marijuana production moved to Colombia. Nearly the same happened in 1976, when the U.S. authorities pressed Mexico to take part in counternarcotic measures therefore the Mexican authorities launched Operation Condor. The Mexican military waged an efficient eradication offensive on the marijuana supply that resulted in shortage of marijuana in the U.S. market. The share of Mexican marijuana fell from 75 percent in 1976 to barely 4 percent in 1981. When the Colombian authorities responded to the pressure from the U.S. the majority of marijuana production returned to Mexico as it regained its status as the main exporter.

The devastating result of the continuously growing drug consumption is well-presented, as the drug-related crimes are high represented in the criminal statistics, in 2007 more than 1.8 million arrest were carried out by different federal, state and local law enforcement agencies. This number can be easily interpreted to the number of inmates in the prisons, as in 2008 about 100000 inmates in the federal prisons were sentenced for committed to prison for drug offense or drug-related crime, this number represent more than 50 percent of the prisoners in federal prisons.

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67 Ibid. p. 41-42
68 Carpenter, Ted Galen op. cit. pp. 114-117
69 National Drug Threat Assessment 2009 op cit. summary III.
Changes in the new millennium

In this chapter, the further changing trend of the Mexican political system will be analysed with a special focus on its dynamics and the counterdrug measures after the new millennium and the victory of the PAN. Comparing with the rule of the PRI-member presidents, the Fox- and Calderon administrations brought new characteristics to presidential office. With the acceptance of the Mérida Initiative a new perspective is constituted to decrease the negative effects of the devastating influence on behalf of the drug cartels.

The Fox Administration

With the new millennium, not only an era of the Mexican political history was brought to an end, also a new chapter began in the relation between Mexico and its northern neighbour. With the success in the Mexican presidential elections, Vicente Fox Quesada and the PAN put an end to the long lasting rule of the PRI in the Mexican political system, as the presidential candidate was inaugurated into office in December 2000. President Fox was a successful member of the PAN and became the first non-PRI member president who governed Mexico since the Mexican revolution in the 20th century. As the new regime expanded a collaborative status, the distrustful U.S.-Mexican relations transformed into a more cooperative partnership, furthermore the U.S. authorities considered this turn as a huge step towards Mexican democratisation, due to the electoral frauds in the previous elections. President Fox became an important ally of the United States in counterdrug and anti-crime effort, he maintained a good relation with the U.S. legislation and executive branch and organised the relation between the two countries on a new basis, namely on the fields of counterterrorism. Fox represented a new trend of pragmatism and commitment as an instrument of the Mexican presidents, as he held a manful mindset to tackle the drug-related crime issues in Mexico and ensure the peace and stability in every day living of the Mexican population.

During his Presidency, Vicente Fox cultivated an interesting friendship with U.S. President George Bush and his family, this special relation contributed to the improvement in the U.S.-Mexican relations and the cooperation in drug-related issues.
By the U.S. legislation Fox was recently mentioned as „Marlboro Man”, due to his 6’5 height, his „FOX” belt buckle and handmade black boots. Fox was usually depicted as a typical *ranchero*, bilateral presidential meetings between the U.S. and Mexico were held in his ranch in Guanajuato in a trustful manner.\(^{70}\) Besides the „Marlboro Man” title, Fox commenced his business career at Coca Cola as a route supervisor and truck driver, later he advanced on the company’s hierarchy as he became the supervisor of the company operations, later in all Latin America. He achieved great business success, as his management could increase the company’s sales by 50 percent, with this position he could expand his name into repute in the business sector. Fox became a politician as a member of the PAN, and then reached the governorship of Guanajuato to the second run-up in 1995. The economical and development program during his governorship favoured government efficiency and transparency therefore he became the first governor in Mexico who gave public, timely financial account of the state of Guanajuato. Due to the consolidation of local small firms with promoting the trade of local manufactured goods, the state could became more marketable and improved as it became the fifth important state economy.\(^{71}\)

Fox addressed the economical development primarily, and the fight against organised crime secondly as the cornerstones to his presidential policy. After being inaugurated Fox transplanted his economical methods and view to his presidential program, although at the end of his presidency that couldn’t reach the prognosticated success. The program decreased inflation rates to an average of 4.5 percent, successfully created 1 million new workplaces and expanded the number of tax payers by more than 200 percent, though the GDP growth declined parallel to the competitiveness that suffered a significant drop due to the underdeveloped stance of infrastructure and the high costs of manufacturing. Financially, the Mexican Stock Exchange was on the wing during the Fox Administration due to the better economical prosperity, the incremental foreign currency reserves and the reduced interest rates, in addition to the auspicious economic indicators, the Mexican Human Development Index also increased, though comparing to other Latin American countries this growth was not as high as expected. As President Fox stated, the low-level improvement and the economical slowdown of the U.S. generated negative effects and default of progress in the Mexican economy.

\(^{70}\) Grayson, George W. op. cit. pp. 224-225

\(^{71}\) Vicente Fox, [http://www.clubmadrid.org/en/miembro/vicente_fox](http://www.clubmadrid.org/en/miembro/vicente_fox) [2010.06.27]
The Fox Administration notably altered the 70 years old tradition and heading of the Mexican foreign policy, when Secretary of Foreign Affair Jorgé Castaneda broke with the previous guideline. Since the 1930’s the Mexican foreign policy exercised the Estrada doctrine, as the most influencing instrument of the foreign politics, the Mexican government addressed its status in an inflexible stance for neutrality, the country and its cabinet doesn’t appraise any government or change in the foreign policy positively or negatively, such actions would be considered as a breach on sovereignty. The Mexican government gave a preference in foreign affairs to non-intervention, peaceful resolution to disputes and self-determination of nations, furthermore, the administrations required the same proportion from the partner countries. This foreign policy was well-revered among the other Latin American countries and the rest of the world, though it represented concern for the U.S. planning. Jorge Castaneda announced the change in Mexican foreign policy, with implementing a more opened approach, adopting criticism and disapproval from foreign countries and a more improved participation in the international dynamics. The critics named the new policy the Castaneda doctrine, wherein Mexico deepened the relations with United States, supported several international conferences related to Latin American issues and development and during the Fox administration, Mexico successfully gained a temporary seat in the U.N. Security Council. This orientation of the Mexican foreign policy induced damage to the relations with several Latin American countries, including Cuba and Venezuela that later the Calderón Administration had to amend by reason of the better relations with the U.S.. Fox didn’t support the international war on Iraq, causing a minor cool down in the relations between the two countries.72

President Fox initiated a large-scale counterdrug program that aimed to reduce the influence of the Mexican DTOs and clean out corruption from the governmental institutions. The U.S. authorities praised the commitment of the new Mexican government therefore to attest their confidence they tripled the aid and assistance to their Mexican counterparts and for the first time in the history of the relation between the two countries, the Bush Administration shared intelligence information about criminal organisations with the Mexican institutions. President Fox concentrated the pressure from the law enforcement agencies on the Arellano Felix Organisation and the commitments resulted in the dramatic weakening of the once invincible cartel. The

72 Carpenter, Ted Galen opp. cit. p. 188-190
death of Ramon Arellano Felix and the capture Benjamin Arellano Felix in March 2002
came upon both the U.S. and Mexican authorities unexpectedly, but it proved the
commitment of the Mexican authorities in addition to about 22000 arrests related to
drug issues including high profile kingpins later the initial years of the presidential
term. Like the first years of the presidency of his successors, the Fox Administration
produced favourable numbers in drug-related arrest, although this drive decreased from
the middle of his presidential term

President Fox viewed the solution of the drug-related issues in the establishment
of new and professionalised police forces through further training of military and navy
personnel. Due to the successful counterdrug efforts, the U.S. authorities provided
training to the Mexican military and police forces, in 1994 the U.S. FBI (Federal Bureau
of Investigation) was authorised to launch international drug investigation program
called Resolution Six investigations. In 2003 nine FBI agents were assigned to Mexico
to train Mexican police forces, from February to March the FBI agents trained almost
800 police officers. The FBI practised the program with an average of 1000 law
enforcement officers by teaching interview and interrogation techniques, crime scene
investigations and evidence recovery, crisis management, ethics and anti-corruption,
media relations, police street survival and other tactical operations. The history of
training the Mexican military by U.S. assistance began in the 90’s under the supervision
of the Pentagon. In October 1995, U.S. Defence Secretary William Perry visited Mexico
and reached an agreement on training and acceptance of U.S. military aid. In 1996, the
Pentagon devised a program to create the Air-Mobile Special Forces Group (Grupos
Aeromóviles de Fuerzas Especiales, GAFEs) in order to provide special Mexican army
units to attack drug cartels. These units were trained in U.S. military academies, like
Fort Bragg and Fort Benning in courses such as helicopter assault tactics, explosives,
rural and urban warfare, drug interdiction and operational intelligence gathering and
planning. When the GAFEs program ended in 1998, the U.S. authorities began to train
an amphibious military unit, the GANFEs (Grupos Anfíbios de Fuerzas Espaciales) and
improved the counterdrug capabilities of the Mexican Marines.75 The importance of
mentioning the evolution of U.S. military assistance in the training of Mexican special
forces manisted as later ex-GAFEs members and deserters from the army endowed form

73 Freeman, Laurie; Sierra, Luis Jorge op. cit. pp. 265-266
74 Ibid. p. 276
75 Ibid. p. 279
the notorious hitmen group Los Zetas in the service of the Gulf Cartel in which these individuals could capitalise their high-level training in enforcement missions. Furthermore, military, navy personnel and different members of the Mexican armed forces became subjects to recruiting of the cartel’s enforcement groups. During the Fox administration the Mexican military requested U.S. training for larger groups at lower costs to improve their counterdrug capabilities. In 2003, the U.S. Mobile Training Teams trained and instructed about 1000 troops on Mexican soil on the payroll of the Pentagon.

In the name of transparency and anti-corruption, President Fox carried out several reorganisations and shut downs of several corrupt institutions. The most important step was taken when the Mexican government dismantled the completely corrupt and devastated PJF in 2003 and replaced the agency by the newly established the Federal Investigations Agency (Agencia Federal de Investigación, AFI) on the pattern of the FBI. The AFI fell under the oversight of the PGR and the agency was responsible for investigating all federal crimes including drug trafficking and serve the arrest warrants. However, the Federal Preventive Police (Policía Federal Preventiva, PFP) was later reorganised as the Federal Police (Policía Federal, PF) in 2000, its operational arm the Federal Support Force ((Fuerzas Federales de Apoyo, FFA) was formed in 2002 which composed entirely from military and navy personnel and fell under the direct order from the president in order to manage critical situations when the social peace and public safety was disturbed and disrupted. The PF gathered intelligence on a range of federal crimes, detained criminals furthermore it fell under the control of the Public Security Ministry (Secretaria de Seguridad Publica, SSP).76

However, most of his critics state that President Fox showed great commitment in counterdrug efforts and institutional reorganisations, the lack of legal reforms and an improvement in the judicial, prosecution and executive branch, the Mexican authorities missed a great opportunity to exploit the advantage given by the U.S. training and eradication raids. Due to the lack of such capabilities the Mexican judicial branch was not able to punish and sentence the arrested criminal therefore the counterdrug measures seemed to be completely ineffective and useless in the fight against the drug cartels. In my opinion, due to the inability to disrupt the main DTOs, and the weakening of the Arellano Felix Organisation, the turf war between the Sinaloa Cartel and the Gulf Cartel

76 Ibid. p. 272-276
broke out to control the important Ciudad Juarez territory and trafficking route. But I have to mention that the Fox Administration laid the essential foundations of the upcoming effective anti-drug measures during the Calderón administration.

President Fox governed the country without clear political directives his main ideology was the conception of a more democratic regime that could lower the huge price of the internal security furthermore that freed amount of the budget could be shifted to economical development programs that could improve the standards of life in Mexico and help the industry out of it fall. As an unsuccessful politician, Fox failed to unite the PAN and his coalition with the Mexico Green Ecological Party (Partido Verde Ecologista de México, PVEM), the he wasn’t able to settle the disputes with the Chiapas-based Zapatista National Liberation Army who the continued their low scale fight against the government and the NAFTA. The weaknesses of the government became obvious in April 2002, when the Congress denied to grant a the permission to the president to briefly visit the United States and Canada, essentially President Fox became a lame duck four years before his term ended therefore the government wasn’t able to carry out major economical reforms.77

**The Calderón Administration**

The presidential term of Vicente Fox ended in 2006, when his successor, Felipe Calderón was inaugurated to the presidential office on December the first. Calderón’s presidency represented a serious change in the softer attitude of the law enforcement towards the fight against drugs. Calderón stated that the most severe threat to the security of the country and its people are manifested in the form of the drug cartels and the organised crime groups therefore the main program of his cabinet is to defeat the cartels and restore peace and prosperity in Mexico. The Bush Administration praised the hard commitment of the newly elected Mexican government and ensured the Calderón Administration from further U.S. aid and assistance in financial or material form. Calderón’s pragmatism in the politics and counterdrug issues became evident when he reached an agreement with the PRI, which has the third most seats in the main legislative forums, to cooperate in economic, fiscal and security issues therefore he could avoid the crippling his policy in the Congress and the Chamber of Disputes, most

77 Grayson, George W. opp. cit. p. 51
of his critics understood this step as a cooperation with the devil the arch enemy of the PAN. Fox continued to maintain a respectful and cooperative relation with the U.S. and held several bilateral meetings with the governing U.S. presidents.

President Calderón faced politics in the early years of his life, as his father was a co-founder of the PAN and Calderón was the president of the PAN’s youth movement in his early twenties. His was not successful enough to won a governorship in any states, though he was the national president of the PAN from 1996 to 1999, as the party first reached bigger influence in the politics by maintaining rule in 14 states before its member could won in 2000. Calderón is a highly educated politician, he has a bachelor’s degree in low, a master’s degree in economics and he received a master’s degree in public administration in the Harvard University. Calderón held the position of the Secretary of Energy in the Fox cabinet, but later he dismissed due to the criticism from President Fox on his presidential aspiration. Fox supported his former Interior Secretay Santiago Creel, but the majority of the PAN elected Calderón as its presidential candidate in the 2006 presidential elections.  

Calderón slightly won the 2006 elections with 0.56 percent, about 234000 votes before the PDR president candidate Andrés Manuel López Obrador, though before the Federal Electoral Institute (IFE) certified the results of the elections, both candidates claimed themselves the legitimate president. The controversies continued at the inauguration procedure, when Fox didn’t hand over the presidential band to Calderón, although the most stunning events happened right before the inauguration ceremony, when the PAN and PDR members threw punches and pushed each other and shouted to protest against victory of Calderón.

In addition to the emerging violence throughout the country, the international economic crises delivered serious blows to the Mexican economy that also enlarged the devastating impact of the drug war waged against the violent drug cartels. According to the United Nations Economic Commission for Latin America and the Caribbean (ECLAC), nearly 32 percent of the Mexicans lived in poverty in 2006 and just lower the 9 percent lived in extreme poverty. The lowering of the poverty throughout the country stands for a cardinal commitment to the fight against organised crime as its plays an important role to curb the support of DTOs from the lower income classes.

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78 Minster, Christopher: Biography of Felipé Calderón  
http://latinamericanhistory.about.com/od/presidentsofmexico/p/fcalderon.htm [2010.4.20]  
79 Sullivan, Mark. P; Beittel, June S. opp. cit p 7
When the population is not able to maintain its standard of living without illicit activity, crime became a perfect breeding ground to ensure wealth therefore the Calderón administration continued to run its poverty reduction program, the Oportunidades (Opportunities, formerly known as Progresa). This program was initiated during the Zedillo administration and expanded the Fox administration to benefit 5 million families in whole Mexico. The key element of the program is the attempt to break the cycle of poverty by improving nutrition and health standards among the poor families. The program provides financial support for families in poverty who can demonstrate regular attendance on medical appointments and can certify that their children’s attendance at school.  

Due to the devastating effects and slow down of the international economic recession, Mexico was highly affected to the U.S. economic crises, as the three pillars of the nation’s income faced serious throw back. As the majority of the Mexican exports head to the U.S. the Mexican economy is seriously dependent on the U.S. economical efficiency and foreign investments. From a peak of the yearly growth of 5,1 percent in 2006 the yearly economic growth fell to 1,4 percent in 2009 as the remittances from sent from Mexicans living in the U.S. also declined to bear a resemblance with other Latin American countries. As oil production comes out as about one third of the state revenues, the decline in oil prices and oil production occurred a major setback for the Mexican economy. President Calderón made several steps to stem the decline in the economic downturn in Mexico by accepting short-term funding from the IMF and the U.S. Federal Reserves to shore up the stability of the peso, furthermore to protect the economy from the declining oil prices the Mexican government hedged the price of its oil export at $70 in 2009. Due to the declining oil production and exploration of new drilling sites, the President Calderón submitted a new act as a wide majority boosted the modernisation of the PEMEX (Petróleos Mexicanos) that supported transparency and management flexibility.  

After the inauguration of President Calderón dispatched 45000 troops and 500 federal police officers along the U.S.-Mexican border and throughout the country, in addition the Mexican authorities reutilised the institution of extradition on the arrested criminals. However, during the presidency of Vicente Fox, the Mexican National Supreme Court disabled the extradition process on the grounds that Mexican citizens

80 Seelke, Clare Ribando; Beittel, June S. op. cit
81 Ibid. pp.
could not be sentenced longer than sixty years and collective punishment, though the
existence of such sanctions is not uncommon in the U.S. In November 2005, the
Mexican Supreme Court reinvestigated the status its decision and stated that life
imprisonment without parole was not a cruel punishment according to the 1978 bilateral
extradition treaty the U.S. requests on extradition satisfied the agreement. To set a tone
to the Calderon regime, the Mexican authorities increased the number of extradited
criminals per year average from 41 in 2005 to 95 in 2008.82

Due to the successful extradition procedures, the government’s crackdowns and
turf wars for territory and trafficking routes, the nationwide violence escalated to a
horrific scale, especially in the cities of the border region. As the influence and the rule
of the Juárez Cartel declined, the turf war of the Sinaloa Cartel and the Gulf Cartel
fuelled the endemic violence in all Mexican border-states and death rates tripled
averagely. By number, the best example is the state of Chihuahua, where a significant
jump in murder occurred, from 130 in 2006 to 1652 in 2008, most of the murders were
committed in the “besieged” city of Ciudad Juárez.83 The most affected areas are the
previous city and Tijuana, the two twin-cities stands for the most lucrative turfs due to
there location and importance for the drug cartels, therefore the Mexican authorities
claimed these places as “hot spots” that occurred the chance of a possible spill over to
the streets of San Diego and El Paso. To commit great efforts in to stem the further
increase the rate of violence in these regions, the Calderón Administration dispatched
thousands of troops and other law enforcement troops, 5000 soldiers and 2000 law
enforcement agents are deployed in Ciudad Juárez. To demonstrate the pressure in the
city, the soldiers took over the law enforcement activities, police duties, set up
checkpoints and guard the prisons.

To give a framework to the joint counterdrug measures, in addition to the
increased militarisation of the issue, the Mexican government implicated an essential
judicial and legal reform to tackle the then incomplete method of the proceedings and
prosecution. In March 2008, the Mexican Congress approved a Constitutional
amendment to replace the secretive proceedings and the inefficient techniques with a
U.S.-style adversarial approach. However, a serious judicial modernisation process took
place in the 90’s the new Organic Law included open trials, allowed recorded phone
calls admitted into evidence, permitted prosecutors to hold organised crime suspects in

82 Ibid. pp.
83 Grayson, George W. op. cit. 107-109
custody without charges for up to 80 days. The reform also introduced some theoretical instruments like presumption of innocence, the right of the defendant to face his accuser, and evidence-based procedures with a greater emphasis on forensics and meticulous fact-gathering and investigations.\textsuperscript{84}

Nominally, the Mexican authorities control the Mexico’s penitentiaries, especially the high-security federal prisons but in reality the penal institutes are highly influenced with cartel activities. The guards are often corrupted this is combined with the proliferation of criminal group activities. For the top drug lords the status of locked up makes no difficulty to continue to arrange negotiations or settle disputes, furthermore the criminals can easily. The Mexican prisons are not able to fulfil their assignments to separate the criminals from the outside world as the prison guards are not able to stem the flow of drugs and other contraband. To demonstrate the inability of separation, between January 1 and December 19, 2008, in the ten prisons of Mexico City the guards discovered 1397 cell phones, 167.7 kilograms of marijuana, 8449 psychotropic pills and a quantity of cocaine in 4.7 kilograms in addition to several handmade weapons.\textsuperscript{85} To increase the Administration’s difficulties, overcrowding accentuates turmoil furthermore the high number of escape attempts and uprisings decrease the security of the Mexican penal institutes. The government recently reported to build twelve new penitentiaries and enlarge the existing ones therefore the will be able to expand the number of accommodates.

The Bush administration realised the fact that the war-like situation expand to an unacceptable scale therefore the U.S. and Mexican authorities elaborated a project that was later announced on October 22 2002, in the city of Mérida located in the Yucatán Peninsula. The Mérida Initiative expands the U.S.-Mexican relations to its peak therefore the initiative stands for a multi-year proposal for $1,4 billion in U.S. assistance mainly to Mexico and to the Caribbean region, the Central American countries, the Dominican Republic and Haiti, aimed at combating drug trafficking and organised crime. The initiative highlights the counterdrug efforts from both the U.S. and Mexico as the Calderón administration increased the country’s security spending by 27 percent in 2007 furthermore represents the joint effort to curb weapons, human and drug trafficking along the border and prevent the possible spill over effect of the violence throughout the borders. The Central American portion of the initiative aims to enhance

\textsuperscript{84} Ibid. pp. 146-148
\textsuperscript{85} Ibid. pp. 149
the capability of governments to interdict and inspect illegal drugs, goods, arms and people by supporting regional anti-gang and antidrug efforts. The initiative can only be successful, if the countries involved in the program accept their shared responsibility in the dynamics of the international drug-related issues including U.S. demand and governmental inability from the Central American government. Before the Initiative was launched the Bush administration and the Congress balanced the containment of the agreement’s hard-side security assistance with the important soft-side contents with expanding the implementation of rule of law, human rights and development assistance programs. In the program that lasts for three years, in addition to the financial aid and assistance the U.S. authorities provide important technological assistance and equipment for the Mexican military and law enforcement agencies. U.S. government provided Bell 412 EP helicopters, CASA CN-235 maritime patrol aircrafts and UH-60 Black Hawk helicopters to support interdiction and rapid response and expand the transport capabilities of the Mexican counterdrug units. To improve border and highway inspections, the Initiative provides non-intrusive inspection equipment such as ion scanners, gamma ray scanners, X-ray vans and other canine units for both Mexico and Central America. The improvement of secured telecommunication capabilities in counterdrug measures, the U.S. also provided intelligence data and communication systems to their Mexican counterparts in addition to training and instructions, document verifications systems and databases, financial intelligence software. 86

To receive the funding and assistance granted provided by Washington, the Mexican government has to satisfy our main criteria: improving the transparency of national police forces, ensuring civilian investigations and prosecutions in the growing number of accused human rights violations by police and military personnel, engaging in consultations and cooperation with Mexican human rights groups, prohibiting the admission in trials obtained through torture, extortion and lawless proceedings. 87

The majority of the funding and material assistance and equipment is provided to Mexico, the Central American countries, the Dominican Republic receives financial assistance to strengthen the process of institution building and improve the capabilities of counterdrug efforts by the government and the law enforcement. The previous trafficking routes were shifted to Mexico due to effective maritime interdiction efforts committed by the U.S. in the mid 80’s, though the changing dynamics of smuggling

86 Seelke, Clare Ribando; Beittel, June S. op. cit.
87 Ibid. pp.
might cause a possible rediscovery of the Caribbean route. The institution building programs and the enhancing of transparency and the rule of law in the transit countries is able to stem the support of the organised crime groups by establishing alternative possibility to enhance the standard of living and improve the confidence in the legal way increasing wealth of the individuals in the countries and communities affected by drug trafficking and other illicit activities.
Conclusion

However, the Fox-and Calderón administrations expanded effective anti-drug measures to weaken and disrupt the main Mexican DTOs, the turf wars and the escalation of violence is spreading throughout Mexico. As the death tolls are rising the Mexicans confidence in the government is significantly declining as the population presumes the lack of the slightest chance to restore peace and prosperity in the country. The permanently growing numbers of the discovered corpses and mass graves undermine the view of immovability of the government’s efforts to wage the war against the drug cartels. President Calderón addressed several times in the international media that the disruption of the drug cartel’s influence and the restoration of peace in the northern regions will take a long time, though the government’s victory is inevitable.

Since the new millennium, Mexico went through several essential reorganisations that created and implemented an efficient framework to lock down criminal suspects. As the judicial and the prosecutional system became susceptible to back up the counterdrug efforts, the major anti-drug raids and arrests have been occurred to stem the activity of criminal elements. With these operable effects the governments counterdrug efforts were praised by the U.S. authorities, therefore the confidence of the United State towards have been strenghened.

Corruption in Mexico has deep rootes in its history, throughout the country’s societial evolution; the occurance of a patron-client system is observable as an instrument for prosperity and progress. Throughout the colonial times and the early years of independence a group of strong men and the government held the postions as beneficiaries of the system. Positions and career were for sale, though the patrons came from a distuingused group and maintained to keep their high value position.

With end of the Mexican revolution, after several incarnations, the PRI could solidify its rule over the country for 71 years. The PRI and its organisations covered the whole Mexican society and maintained control over the civil organisations and movements to broaden the its influence. The Mexican Constitution formulated the values and duties of the Mexican population in addition to the governmental system. The prohibition of re-electivity seems a favourable precept for the imprecise observers; in reality this provision of the Constitution composed the basics for the expanditure of a
corrupt political system. The interest of the government officials were focused on the benefits and the ensured wealth of their position instead of building the nation and serve the people. This corrupt behaviour infected the whole society and obstructed the progress. In the new millennium, the trend of corruption turned into a more frightening phenomenon, as the subject of corruption is not the method of gaining wealth, more of insurance from the escalated violence.

The arrogant U.S. approach towards Mexico before the new millennium occurred several periods of cool down in the relation of the two countries. If the U.S. could cooperate with the Mexican government in drug-related issues, the joint commitments could manoeuvre the drug cartels into the corner. Furthermore, the regulation of gun purchases in the U.S. must be strengthened, as it can expand a spill over effect to the southern states of the U.S.

Favourable measures were both taken by the two governments to tackle the drug cartels, but ensuring a special focus on education and decreasing the scale of poverty can decline the support of the drug cartels. With different development programs and trustbuilding measures can root out the drug trafficking organisations.

Unless, there is no typical drug source countries in Europe, the negative effect of drug trafficking activities are also observable. The Mexican drug war demonstrates the importance of treatment programs and demand reduction programs.
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Appendix

Összefoglalás

Szakdolgozatom témája a mexikói drog háború, különös tekintettel a külső és belső okaira. Miután a téma Magyarországon és Európában egyaránt alig feldogozott, valamint a témában elmélyülő irodalom sem megtalálható, megfelelő témának tartotta a munkámhoz. Úgy vélem, hogy a szakdolgozatom akár alapul is szolgálhat további még mélyebb kutatásokhoz, ugyanakkor elismerem, hogy a probléma összetettsége és a szakdolgozat formai kerete miatt az eseményeket csak néhány szemszögőből tudtam megvizsgálni.

A mexikói drog háborút a szakértők egy regionális problémának tartják, ennél fogva az európai tudományos körökben sem számottevő téma, valamint a hírműsorokban és a médiában is csak ritkábban jelenik meg hírként. Vél eményem szerint a probléma mélyebben gyökerezik, mint ahogyan azt sokan gondolják ugyanis a kábítószerkereskedelem és a hozzákötő illegális tevékenységek Európában is megfigyelhetők, azonban szerencsére a probléma mértéke korántsem hasonlítható Mexikóban bevezetett állapotokhoz. Ugyanakkor a folyamatok hasznos tanulságul szolgálhatnak az európai kormányzatoknak, hogy a kábítószer-kereskedelem és a kábítószer-használat milyen hatásokat generálhat a kontinensen.

A kutatásaim során a következő hipotézist állítottam fel, melyet a fejezetek során próbálok bizonyítani: A Mexikóban megfigyelhető széleskörű korrupció és a régióban alkalmazott elhibázott amerikai kábítószer-ellenes politika összefonódása együttesen járultak hozzá a probléma és az azt övező erőszak eszkalálódásához.

A szakdolgozatom struktúráját tekintve három részre tagolódnak, melyek szervesen kapcsolódnak egymáshoz.

Az első fejezetben a belső okokat derítem fel, fő szempontom a korrupció vizsgálata és az amerikai-mexikói határvonalakon zajló folyamatok változása és a helyi csempész szokások fejlődése. A második fejezetben röviden bemutatom a regionális kábítószer-csempész evolúcióját, majd az elhibázott amerikai kábítószer-ellenes politikát derítem

A korrupció mértéke Mexikóban megdöbbent megelőzően, a jelenség áthatotta az egész társadalmat, gazdaságot és a politikát is. Az ország történetét folyamatosan végigkíséri egy tipikus patrónnus-kliens viszony, mely rányomta a bélyegét az ország szociális fejlődésére. A gyarmati korszakban ez a szerepkör felosztás a korona képviselői és a helyi lakosság között jelent meg, majd a függetlenség elnyerése után az úgynevezett caudillo rendszerben folytatódott.

A mexikói forradalomban követően többszöri négváltottatás és átalakulás után a PRI (Intézményes Forradalmi Párt) struktúráját Alvaro Obregón dolgozta ki és szilárdította meg, így a párt egyeduralmat alakított ki a mexikói politikai palettán és képes volt hatalmát 2000-ig megőrizni. A párt tevékenysége és befolyása lefedte a teljes mexikói társadalmat, melynek szegmenseit szektorokra osztotta fel a katonaság kivételével. A katonaság kivételezett szerepét az ország vezetőinek félelme biztosította, a katonaságot fenyegető szervezetként értékelték politika szempontjából. Az agrár, ipari és egyéb szektorokon kívül maradottak csak szoros megfigyelés alatt működtek. A mexikói Alkotmányt 1917-ben szövegzték meg, mely a forradalomban elért értékeket mellett az újrajavasítás tiltásának intézményét is bevezette. Ennek következménye az lett, hogy a tisztségviselők nem az ország és az emberek ügyeinek előrelendítésében voltak érdekelt, hanem saját bevételiereket igyekeztek maximalizálni. Ebből egyenesen következett egy patrónnus csoport kialakulása, amely az ügyintézés és egyéb szolgáltatások idejének felgyorsítását áruként kezelte és jelentős bevételekre tett szert. Továbbá a különböző szektorok élére pártembereket neveztek ki, így ezek tevékenysége is ellenőrizve volt, valamint a párt a döntéshozás, a mobilitási útvonalak, oktatási támogatások és egyéb szociális juttatások irányítóivá váltak. A
hatalmi piramis tetején az elnök áll egy személyben, az alatta levő csoportok mind lekötelezettjei, tökéletes felülől jövő függőségi viszony akult ki.

A PRI viszonya drog kartellekkel érdekes jelenséget hozott létre, addig, míg a kartellek által fizetett védelmi pénzek jelentős bevételeket jelentettek a korrupt politikusaknak és külföldi nyomás nem érkezett, addig a kartellek tevékenysége elfogadott és támogatott volt a politika részéről. Ha azonban a kartellek nem kívánatos jelenséggé váltak, a kiirtásuk vagy kiadatásuk teljesen jól bevált módszer volt. Cserébe a politikusok és döntéshozók biztosságot nyújtottak mind a külföldi ügynökségek, mind a belföldi nyomozó hatóságok vizsgálatai elől. Ez a sajátos megállapodás a kilencvenes évek végéig működött, amikor a PRI elvesztette befolyását a különböző államokban, és a más pártból érkező kormányzók nem vettek részt az egyezményben és üldözni kezdték a kartellek tagjait.

Hogy a párt érdekeit képviseljék, létrehozták a Szövetségi Biztonsági Igazgatóságot, mely a párt érdekeinek érvényesítése mellett vizsgálati és nyomozati felhatalmazással is rendelkeztek. Fő tevékenységük között tartozott a különböző „felforgató” csoportok és a hozzájuk köthető személyek felkutatása és letartóztatása, terrorizmus elleni harc, disszidensek után nyomozás és más elfételethető tevékenységek. Az 1968-as tlatelolcói mészárlásban is kivették a részüket, valamint illegális tevékenységeket is folytattak a vezetőség hallgatólagos belegyezésével, mint zsarolás, futtatás, védelmi pénzek szedése, stb.

Miután a pozíciók megvásárlása képezte az hivatali előmenetelt és a bevételek növelését, a „pláza” rendszer bevezetésével megvalósíthatóvá vált rendszer kiépítése. Az ország közigazgatását plázákra osztották fel és az „1-2-3” módszer alapján működtették, miszerint egy egyszerű belföldi igazgatási pozíció 1 millió dollárba, egy óceánparti pozíció 2 millió dollárba és egy amerikai-mexikói hátár átkelésével lévő pozíció 3 millió dollárba került, így a törlesztést csak az illegális tevékenységből származó bevétellel lehetett megoldani, amit a lekötelezettnek kellett fizetnie a patrónusnak.

A korrupció szintjének vizsgálatakor a szinteket három részre osztottam fel, ez alapján a felső szintet a pártvezetés, a középső szintet a Legfőbb Ügyészség és a Szövetségi Rendőrség, az alsó szintet pedig a helyi rendőrök és határáborúk képettek.

A középső szinten a Legfőbb Ügyészség képviselte, amely a saját hatáskörében vizsgálhatta a szövetségi ügyeket, ezen belül is a fő hangsúly a kábítószer kereskedelemmel kapcsolatos ügyeken van. A fejletlen jogi keretek és a
professzionálizmus hiánya miatt az ügyészeknek teljhatalma volt a bíróságok felett, ezáltal beleszölhattak a bírósági ítéletekbe és jelentős ügyeket tussolhattak el.

A Legfőbb Ügyészség főbb posztjaira katonákat helyeztek abban a reményben, hogy életmódjuk és szemléletük miatt meggátolhatják a korrupció további burjánzását a hivatalon belül, azonban ezek a törekvések gyakran kudarcba fulladtak amiatt, hogy ezek a katonai vezetők is korrumpálhatóak voltak, amely a Rebollo-ügyben ki is csúcsosodott. Rebollo tábornokot az Ügyészség egyik információgyűjtő hivatalába neveztek ki 1996-ban, azonban három hónap után letartóztatták amiatt, hogy bebizonyosodott, hogy az egyik kartell pénzelte és ennek fejében információkat szolgáltatott a kartellnek.

A szakdolgozatomban a korrupció mellett fontos oknak tartom a határ menti övezet sajátos dinamikáját. Ez a régió mind a mexikói, mind az amerikai kultúrától eltérő, amely a nyelvben, a konyhában, zenében és a közösségek összetételében is különbözik a két szomszédos országtól.

A csempészet történetének kutatásában azt a tényt világítom meg, hogy a régió bevételének növekedésében jelentős szerepet játszott a csempészet alakulása. A történelem folyamán a két ország között nemcsak az illegális áruk, hanem a fogyasztói javak csempészése is fontos szerepet játszott. A csempészet különösen a polgárháborúk idején volt jelentős, amikor a fegyverszállítmányok és a kártételek is jelentős szerepet játszottak a csempészésben. Ez a szakasza több ígéretet visel el, mint amennyit a másik szakasza valóban hozott. Ez a tevékenységet a GATT és NAFTA csatlakozások miatt jelentős profitot realizálva ezzel a tevékenységgel.

A korrupció al só szintje is legjelentősebben ebben a régióban jelent meg, ugyanis a határőrök és vántisztek egy jól működő rendszer építettek ki. A csempészek kötelező jelleggel lefizették a vámokat, csak ennek teljesítése után kerülhették el a vámvizsgálatokat. Ha nem teljesítették a kötelezettségeket, akkor az árujuk elkobzásra került, valamint jelentős börtönbeli büntetést is kaptak. Az így befolyt összegeket a vámosok elosztották együttesen között a tevékenységük szályának megfelelő részben. Ezt a tevékenységet a GATT és NAFTA csatlakozások miatt vámlalépéseket tették tönkre azáltal, hogy jelentősen csökkent a vámolni való áruk listája.

A korrupció motorja az ezredfordulón jelentős átalakuláson esett át, miszerint a fő cél már nem az alacsony fizetések miatt bevétel-kiegészítés volt, hanem az egyre eszközöltő erőszak hullám miatt a rendőrök a saját biztonságuk megteremtése miatt korrumpálódtak. Ahol nőtt a kartellek befolyása, ereje és brutalitása a rendőrök fő
célpontokká váltak, így gyakorlatilag saját és családjuk biztonságát garantálták azáltal, hogy elfogadták a kenőpénzeket.

A változó nemzetközi folyamatok miatt a kábítószer-kereskedelem útvonal Mexikóba helyeződött át. A sikeres Karib-térségbeli amerikai kábítószer ellenes lépések következében a Floridába irányuló kereskedelemnek új útvonalakra volt szüksége. A már korábban kiépült mexikói csempészútútvonalak használata ideálisnak tűnt a kolumbiai drog cartellek számára, amiért az USA déli határidéke nem volt jelentősen ellenőrzött. A kereskedelmi útvonalak pozitív működése miatt a mexikói cartellek hamarosan részesedtek a kokain kereskedelem hatalma és jövedelmeiránt, majd miután kolumbiai kartelleket szétzúzták kisebb csoportokra, befolyásuk miatt a mexikói a cartellek átvették a kolumbiaiak szerepét, lévén az ő fennhatóságuk alá tartoztak az útvonalak.

Az amerikai kábítószer-ellenes politika Nixon elnöksége alatt intézményesült, aki a növekvő kábítószer-fogyasztás és a Vietnámba állomásozó katonák körében megugrott kábítószer-függés miatt megindította a „War on drugs” politikáját. A kábítószer ellenes politika militarizálódására a Reagen kormányzat alatt került sor, aki a kábítószereket helyezte az országot fenyegető fő veszély pozíciójába.

Sajnálatos módon az Egyesült Államok militáns politikája több kárt okozott, mint amennyi hasznot hozott volna. A termelés oldalú megközelítés alapja az volt, hogy a kábítószer-kereskedelem úgy lehet csökkenteni, ha a termelő eszközöket kiiktatják, ezáltal a kábítószereket ára megnő, és ez elbátorítottja az amerikai fogyasztókat a vásárlástól, ezáltal a fogyasztás is csökkenésnek indul. Ennek éppen az ellenkezője történt, ugyanis az árak csökkentek és a termelés alacsony költségei és a rendkívül magas profit miatt a bevétel kiesést a termelők könnyedén pótolták.

A militáns megközelítés bilaterális kapcsolatokban is komoly gondokat okoztak, ugyanis a durva beavatkozásokat a latin amerikai országok a szuverenitásukat ért fenyegetésként értékelték. Mexikó különösen kiszolgáltatott volt az amerikai beavatkozásokkal szemben, így a két ország kapcsolata jelentősen romlott, melynek hatását a certifikációs folyamatok által nyújtott fenyegetés csak még jobban elmélyítette. Ezáltal az amerikai kormányzat sikeresen elézte, hogy a cartellek védelmet találjanak a kormányzatnál és elkerüljék egy esetleges bilaterális együttműködés által generált hajtóvadászatot, melynek keretében elszeparálódnának a mindkét kormányzattól és kiszolgáltatottá váltnának.
A jelenlegi erőszak hullámot jelentősen befolyásolja a kartellek modern és hatásos fegyverzete, amelyet az Egyesült Államokból könnyedén beszerezhetnek. A rendkívül laza szabályozás lehetővé teszi, hogy nagy mennyiségű fegyverzetet a határon erre szakosodott bűnözői csoportok átcsempésszenek, majd ezeket a fegyvereket a mexikói hatóság állománya ellen használjanak. A csökkenő tendencia az amerikai fegyvereladások terén arra ösztönzi a gyártókat, hogy nagy tűzerejű fegyverekkel próbálják meg a potenciális vásárlókat visszacsábítani. Ennek az a negatív hatása lett, hogy a kartellek modernebb fegyverzetet rendelkeznek, mint a hatóságok, ezáltal a mexikói kormányzatok a mexikói katonaás jelentősmértékű bevetése mellett döntöttek, hogy a kartellek befolyását csökkentsék és tevékenységüket meggátolják.

Másik, az Egyesült Államok által csak az Obama kormányzat alatt elismert befolyásoló tényező az Egyesült Államokban szárnyaló őrási fogyasztás. A kábítószerkereskedelmet a kereslet és a fogyasztás befolyásolja, így a szállítmányok is az USA területét célozzák meg. Az amerikai Igazságügy Minisztérium kimutatásai alapján a mexikói drog kartellek éves szinten 18 és 39 milliárd dollár értékű jövedelmet realizálnak 2008-as adatok alapján, továbbá kimutatható, hogy 2007-ben az Egyesült Államok 35 millió lakosa használt kábítószert, amely az 2007-es lakossági adatokkal összevetve azt jelenti, hogy a lakosság 11,5 százaléka használt kábítószert. A hatóságok szerint a legnagyobb fenyegetést a kokain jelenti, ugyanis a bűnügyek elkövetésének legnagyobb része és a letartóztatások is ehhez a kábítószerehez köthetők. Az Egyesült Államokba érkező kokain 90 százaléka Mexikón keresztül érkezik az országba, azonban Mexikó a fő forrása az USA-ba érkező heroinnak, metamfetaminnak és, valamint a külföldről jövő marihuána szállítmányoknak is. Fontos kiemelni, hogy a mexikói kartellek csak az áru nagybani eladásában érdekeltek, a fogyasztókhoz a főként az Egyesült Államokban élő mexikói származású utcai bandák juttatják el, így az utcai árat is ezek a csoportok alakítják ki, a profitot pedig járművekbe rejtve csempésszik vissza Mexikóba.

Az ezredforduló jelentős változásokat hozott a mexikói politikai életben, ugyanis a PRI elveszette a 2000-es választásokat, így Vicente Fox, a PAN (Nemzeti Akció Párt) tagja alapíthatott kormány. Programjának fő központi témája a gazdaság fejlesztése és a kartellek elleni harc volt. Győzelmét az Egyesült Államok sikerként értékelte, valamint a mexikói demokratizálódás egyik legnagyobban lépésének tekintette. Fox üzleti sikereinek tapasztalatát, melyet a Coca Cola egyik vezető beosztású
dolgozójaként ért el átültette a politikai módszeri közé is, Guanajuato kormányzójaként a pénzügyi átláthatóságot és az üzleti eredményességet tartotta fontosnak, valamint kormányzósága alatt sikeres felvirágoztatta az általa vezetett államot. Fox jó személyes viszonyt ápolt Bush elnökké, ezt a viszonyt sikeres átültette a két ország kapcsolatába is. Az amerikai gazdaság lelassulása miatt a mexikói gazdaság nem tudta az elvárt fejlődési szintet produkálni, és érzékenyen reagált az amerikai gazdaságot érintő változásokra. Külpolitikáját tekintve az amerikai-mexikói kapcsolatokat sikeresen új alapokra helyezte, a hagyományos mexikói külpolitikai irányvonalat, az Estrada doktrínát elvetette és a Castaneda doktrínát alkalmazta külpolitikájában, ezek szerint Mexikó szakít a korábbi hagyományos elzárkózó külpolitikával és egy aktívabb külpolitikát vezet be, melyben Mexikó részt vállal a nemzetközi folyamatok, elfogadja és fenntartja a kritikát. Fox elnöksége alatt Mexikó volt az ENSZ Biztonsági Tanácsának nem állandó tagja, az ország kapcsolatai Venezuelával és Kubával megromlottak, ugyanakkor meglepő módon az ország és a kormányzat sem támogatták az iraki háborút.

A kartellek elleni harcba Fox szigorú álláspontot képviselt, elnöksége megkezdése után kemény drogellenes lépéseket foganatosított, melynek keretében az Arellano Félix szervezet és az Öböl Kartell több magas rangú tagját is elfogták, vagy megölték, majd kiadták az Egyesült Államoknak. A sikerek mind az amerikai, mind a mexikói hatóságokat meglepték, ugyanakkor rendkívül meggyengítették az Arellano Félix szervezet befolyását, ami rövidtávon nagy sikernek előnyvelhető, azonban hosszú távon jelentősen hozzájárult a kartellek közötti harc kirobbanásához, ami a meggyengült szervezet által birtokolt területekért folyik.

Fox a drog ellenes harcikerének kulcsát a fegyveres testületek továbbképzésében és amerikai segítséggel történő kiképzésében látta. A sikerek hatására az Egyesült Államok megháromszorozták a Mexikónak nyújtott katonai támogatást megháromszorozta, valamint tevékenyen részt vállalt a katonai fegyveres erők képzésében.

Fox a fegyveres testületek modernizálásán kívül az intézményi újraszervezésre és a reformokra is nagy hangsúlyt fektetett. Fő célja korrupció visszaszorítása, valamint jól működő intézményi struktúra kialakítása volt. 2003-ban a hírhedten korrupt Szövetségi Rendőrséget feloszlatta és az amerikai FBI mintájára létrehozta az AFI-t (Szövetségi Nyomozó Ügynökség), melynek fő célja szövetségi bűncselekmények, ezeken belül is a kábítószerrel kapcsolatos bűncselekmények felderítése volt.
Politikájához köthető volt a katonák kulcsposzicióba történő előléptetése, azonban utódjától eltérően nem ápolt jó kapcsolatokat a mexikói katonasággal.

Kritikusai a Fox adminisztráció legnagyobb hibájaként azt látják, hogy az erőteljes drogellenes politika és az azt övező lépések ellenére, a kormányzat elmulasztotta a mexikói törvényeket nem sikerült a megváltozott körülményekhez alakítani, ezáltal az ítélekezésben jelentős problémák kerültek felszínre, mivel a bíróságok képtelenek voltak a bűnözőket elfeléni. A kormánya a kiadatási egyezményt sem sikerült megfelelően alkalmazni, ugyanis a Legfelsőbb Bíróság nem tartotta elfogadhatónak, hogy mexikói állampolgárokat 60 évnel tovább börtönben tartsanak.

A kezdeti sikerek után Fox politikája sajátos fordulatot vett, szilárd elhatározások nélkül és folyamatosan változó irányvonalak mellett nem volt képes összetartani a koalíciót, gyengesége akkor vált nyilvánvalóvá, amikor a mexikói kongresszus megtíztotta, hogy elhagyja az országot egy Kanadába és az Egyesült Államokba irányuló elnöki utazásra. Gyakorlatilag elnökségének utolsó négy évét bána kacsaként töltötte és képtelen volt nagyobb, szükségessé esett reformokat elfogadatni.

Fox utódja, Felipe Calderón 2006-tól tölti be az elnöki tisztséget. Húszas éveitől a PAN tagja, melynek alapító tagjai között szerepel apja, így Calderón már korán megismerkedett a politikával. Politikai karrierje alatt a kormányzóságot nem szerzett, azonban 1996-99-ig a PAN elnöke volt, a párt ezekben az években könyvelhette el első sikereit, ekkor nyerték el több kormányzóság irányítását a helyi választásokon. Rendkívül szoros választásokon fél párttal győzte le a másik esélyes elnökséget, beiktatási ceremóniája a Kongresszusban botrányosra sikeredt, miután a képviselők között verekedés tört ki. Pragmatikus politikusként együttműködést ajánlott a PRI vezetőinek, amely a harmadik legteljebb helyet birtokolta a Kongresszusban és más törvényhőzói intézményekben, ezáltal a jelentősebb és létfontosságú törvényeket könnyedén elfogadattnak a törvényhőzésszel.

Elnöki programjának központját a kartellek elleni háború képezi, melynek megalapozására körülbelül 45000 katona és 5000 szövetségi ügynök vezényeltek a határrégióba, hogy a rendfenntartást és a rendőri funkciókat átvegyék a növekvő erőszakkal szemben tehetetlen helyi hatóságoktól. A Legfelsőbb Bíróság a kiadatásról szóló döntése felülvizsgálata után újra engedélyezte a bűnözők kiadatását az Egyesült Államoknak.
A kiadatások, rendőri és katonai rajtaütések hatására a kartellek háborút üzentek a hatóságoknak, a rendőrök és más hivatalnokok is célpontjai lettek a támadásoknak, ezen felül a civil lakosságot is jelentősen veszélyeztették. A fő célpontok Tijuana és Ciudad Juárez határ menti városok, ugyanis ezek a helyszínek amellett, hogy határok közvetlen közelében terülnek el, a legfontosabb Egyesült Államokba tart tranzitútvonalak is. Ezek a városok számítanak a legkényesebb helyszíneknek, így itt a katonai egységek teljes mértékben átvetették a rendfenntartást és folyamatos harcban állnak a kartellekkel.

A Calderón rezsim a kemény katonai fellépés mellett jelentős jogi reformokat alkotott és az intézményeket is átszervezte. Egy 2008-ban elfogadott alkotmánymódosítás alapján, a bírósási eljárások sokkal effektívebbek és átfogóbbak lettek. A túlzsúfolt, alig örzött büntetés-végrehajtó intézményeket felújították, kibővítették és megerősítették annak érdekében, hogy feladatukat teljes mértékben el tudják látni.

A legfontosabb drogellenes lépésként a Bush kormányzat és a Calderón kormányzat együttműködésével került sor. A Méridában, 2007. október 22-én elfogadott javaslat alapján, a Mérida Kezdeményezés, melynek eredeti tervezetébe az Egyesült Államok 1,4 milliárd dollárt juttat segély és más juttatások formájában Mexikónak, más közép-amerikai városoknak, valamint a Dominikai Köztársaságnak és Haitinek. A támogatások nagy részét Mexikó kapja, ugyanakkor az ország különböző felszerelésekehez is hozzájut, a többi kedvezményezett pénzbeli támogatásokhoz jut. A Kezdeményezés célja a kábítószer-kereskedelemmel kapcsolatos tevékenységek

Calderón az ország gazdasági helyzetén is szándékozott javítani. Miután a szegénység és kilátástalanság szoros összefüggésben van a bűnözői tevékenységgel. A nemzetközi gazdaságot sújtó recesszió, hazaütemelés és más juttatások formájában Mexikónak, más közép-amerikai városoknak, valamint a Dominikai Köztársaságnak és Haitinek. A támogatások nagy részét Mexikó kapja, ugyanakkor az ország különböző felszerelésekehez is hozzájut, a többi kedvezményezett pénzbeli támogatásokhoz jut. A Kezdeményezés célja a kábítószer-kereskedelemmel kapcsolatos tevékenységek

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