

**The London School of Economics and Political
Science**

The Mexican Drug “War”

*An examination into the nature of narcotics-
linked violence in Mexico, 2006-2012*

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Relations of the London School of Economics for the
degree of Doctor of Philosophy, London, June 2013.

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Abstract

This thesis examines incidences of violence in Mexico related to the trade in illegal narcotics from the election of President Felipe Calderón in late 2006 to the election of his successor, Enrique Peña Nieto, in mid-2012. The thesis, which is arranged methodologically as a single case study, begins with an examination of the state of literature on violence, crime and warfare. The theoretical basis is specified by subsequent inquiry into the role of illegal narcotics as a driver of violence, and together, these theoretical chapters form the basis of the hypothesis, that under certain circumstances, the drugs trade can create a market of violence, in which non-political actors are incentivised by their constraints to engage in acts of violence not normally associated with criminals.

The next three chapters comprise an empirical examination of the hypothesis – the first on historical inflection points in Mexican history and the US/Mexican relationship along with the geographic and historical challenges, as illustrated by the border region around Ciudad Juarez and the violence in Guatemala, the second on the divergent structures and strategies of selected Mexican drug trafficking organisations as a window into the nature of the overall conflict, and the third on the effects of Mexican and American governmental strategies to control the violence.

The thesis concludes that while drug violence in Mexico does have the overall shape of a market of violence, developments toward the end of the period studied give some hope that the constraints will change and markedly reduce the incentive for violence. Policy ramifications and the overall future of drug violence given the uncertain future of prohibition are considered in the conclusion as well.

Acknowledgments

Writing a doctoral thesis is a lonely and difficult task. In my experience, the difference between the process being survivable and not is the strength of the bonds the writer forges in the course of the years during which he or she is engaged on the task. Before starting on my doctorate, I was told (or perhaps warned) that the relationship between graduate student and supervisor was the most significant professional relationship in academia. This is undoubtedly true, and I was extraordinarily lucky to find in Christopher Coker an exceptionally talented and capable supervisor, whose friendship and guidance were instrumental in helping me find my feet in the world of academic research and guiding me through its intricacies and low points.

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TABLE OF CONTENTS:

CHAPTER ONE: Introduction and Literature Review..... 7

Introduction
Case Selection and Hypothesis
Literature Review
Thesis Outline
Concluding Notes

CHAPTER TWO: On Violence, Crime and War..... 29

Introduction
Violence
Crime
War
Conclusion

CHAPTER THREE: The Characteristics of the War on Drugs and the Market of Narcotic Violence.....62

Introduction
The history of narcotics and the international order
The modern history of the War on Drugs
Drugs in the context of warfare
The Market of Narcotic Violence
Conclusion

CHAPTER FOUR: History and Geography: Specific Constraints of the Mexican Drug Conflict.....95

Introduction
External constraints: Three illustrative periods in Mexican/American history
Internal constraints: The contemporary history of Mexican drug violence
The border nexus of crime and commerce: Ciudad Juarez and El Paso
The significance of geography and history: The case of Guatemala
Conclusion

CHAPTER FIVE: Examining Mexican Drug Trafficking Organisations.....130

Introduction
The Corporatist Model: The Sinaloa Federation
The Anarchic Franchise: Los Zetas
The Insurgents: La Familia Michoacána
Strategic Geography
Assessment
Conclusion

CHAPTER SIX: Mexican and American Counter-Narcotics Policy.....	167
<i>Introduction</i>	
<i>Mexican Government Counter-Narcotics Policy</i>	
<i>Mexican government hard and soft power</i>	
<i>Mexican government strategy and its effects</i>	
<i>American Government Counter-Narcotics Policy</i>	
<i>America's War on Drugs as a Foreign Policy and the Mérida Initiative</i>	
<i>Guns, drugs and immigrants: Domestic determinants of American</i>	
<i>policy in Mexico</i>	
<i>American direct involvement in Mexico</i>	
<i>"Intermestic" Policy?</i>	
CHAPTER SEVEN: Analysis and Conclusions.....	206
<i>Introduction: The Mexican Drug Conflict in Perspective</i>	
<i>Implications for the Mexican government</i>	
<i>Implications for the American government</i>	
<i>The Question of Regularisation</i>	
<i>Overall conclusion: Mexico and the Future of Drug Violence</i>	

Chapter One: Introduction and Literature Review

I. Introduction

Illegal drugs, crime and violence are linked at a basic level in popular consciousness and policy discourse. The very term “drug trafficker” connotes a dangerously illicit type of lifestyle, defined in equal measure by brutality and glamour. While the reality is usually much more mundane, there is a real and lasting correlation between drug trafficking and violence. The production of drugs fuels insurgencies from the Andes to Central Asia; drug trafficking disrupts peace-building and society building from Central America to West Africa; and drug violence plagues inner cities from North America to East Asia. In the broadest sense, this thesis represents an attempt to elucidate the relationship between organised violence and the trade in illegal narcotics. But while the broad linkages between violence and the drugs trade have been widely remarked upon, there remains significant definitional confusion about specific instances in which large outbreaks of violence have been tied to narcotics trafficking. Much of the blame for this confusion lies on Richard Nixon's widely known shorthand for government counter-narcotics efforts: the “War on Drugs.” The rhetorical simplicity of this phrase and its appeal to common cause and shared sacrifice in the face of an implacable enemy served a distinct political purpose in 1971, but in the intervening decades, the same rhetoric has been used to explain and justify a vast range of military, paramilitary and law-enforcement activities worldwide.

As discussed, drug violence tends to cluster around the three stages of the “life-cycle” of narcotics: production, transit and distribution. By its nature – specifically, that the production of most of the world's commonly used narcotics relies upon agricultural processes – the first stage correlates heavily with insurgencies and other forms of irregular but organised conflict, and as a result, has increasingly been treated as a military problem.¹ The violence that accompanies distribution to end users, on the other hand, is also tailored to its scale – atomised, localised and therefor largely considered a law enforcement or domestic security problem, rather than one requiring a military strategy as a counter. But the violence that

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Felbab-Brown, Vanda, Shooting Up: Counterinsurgency and the War on Drugs (Washington, Brookings Institution Press, 2010), Ch. 2.

accompanies transit markets lacks such defining characteristics and is more difficult to classify.

This thesis represents an attempt to shed some light on this particular aspect of organised violence and the drugs trade. Specifically, it situates the global market for illegal drugs within two critical trends: the existence of an extremely restrictive, all-encompassing prohibition regime and a globalised economy that makes the effective control of illicit international flows virtually impossible. These two trends are further combined an unequal distribution of wealth and state coercive resources, which enable narcotics to be produced cheaply in poor countries unable to provide compelling economic alternatives or execute full control of their territory, and shipped internationally for sale at huge profit in rich consumer countries. This thesis argues that the incentives created by these trends has led to the formation of a singular type of conflict, which I call the *Market of Narcotic Violence*. This type of conflict is distinct from small-scale criminal violence, as in end user markets, and from the types of insurgencies which can accompany large-scale drug production. Normal criminality does not seek to unseat state power, and accordingly, uses violence relatively sparingly to avoid overwhelming retaliation. War has fewer limits on the scope of its power, but is defined by a political or ideological struggle. The Market of Narcotic Violence is distinct from both types of violence.

This is a uniquely topical discussion, as organised violence is, by most accounts, undergoing a transition. The 20th century saw the most destructive conventional wars in history give way to a series of national liberation movements; while the 21st has seen those insurgencies transform into a variety of hybridised conflicts, with a multitude of participants, unclear battle lines and mixed motivations. In that context, greater definitional clarity is essential. Both academic and policy discourse need to acknowledge these distinctions and arrive at a better understanding of how these conflicts differ.

II. Case Selection and Hypothesis

Rather than constructing a hypothetical circumstance, this thesis uses the single case study method to illustrate and examine its claims. Per John Gerring, a case study comprises “...an intensive study of a single unit for the purpose of understanding a larger class of (similar)

units. A unit connotes a spatially bounded phenomenon—e.g., a nation-state, revolution, political party, election, or person—observed at a single point in time or over some delimited period of time. (Although the temporal boundaries of a unit are not always explicit, they are at least implicit.)”² In this instance, the selected case is contemporary drug violence in Mexico, with a specific date range of 2006 – 2012, eg. the term of President Felipe Calderón, who oversaw the Mexican government's most aggressive approach to drug trafficking to date, and whose term has coincided with a massive uptick of drug-linked violence. The case was selected on several grounds: that Mexico is inarguably a transit state, producing a small quantity of heroin, a moderate quantity of marijuana and a moderate but increasing quantity of methamphetamine, but largely serving as a transfer point for drugs produced in South America and destined for consumers in the United States;³ that the violence in question can be studied in relative isolation, given that there is no other large-scale concurrent conflict in Mexico; and 3) that the violence in question is attributable to specific groups with identifiable operational and strategic profiles.

Given the relative newness of the conflict, Mexico has not been subjected to the same extent of academic scrutiny as older conflicts, such as the drug-linked insurgencies in Peru⁴ and Colombia,⁵ which date from the 1970s and 80s. This has several connotations for the research design. Thanks to the relative paucity of academic work on the subject, this research relies heavily on news reports, studies compiled by non-governmental organisation (NGO), policy-focused research institutions and documentation from the Mexican and American governments, and interviews with knowledgeable observers of the conflict. These sources are collated and assessed in qualitative fashion to test the hypothesis. As Melissa Dell has ably

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Gerring, John “What Is a Case Study and What Is It Good For?” American Political Science Review, Vol. 98, No. 2, May 2004, p. 342.

3

United Nations Office on Drugs and Crime, World Drug Report 2012, (Vienna, United Nations, 2012), pp. 28, 44, 80.

4

Ron, James, “Ideology in Context: Explaining Sendero Luminoso's Tactical Escalation,” Journal of Peace Research, vol. 38, no. 5, 2001.

5

Mejía, Daniel, and Gaviria, Alejandro, Anti-Drugs Policies in Colombia: Successes, Failures and Wrong Turns (Bogota, Universidad de los Andes, 2012).

demonstrated,⁶ a quantitative survey of the conflict is both possible and demonstrative of trends which illuminate specific dynamics of the violence. But while both the Mexican government's statistical arm, INEGI,⁷ and independent groups such as México Evalúa⁸ have compiled detailed statistics on the discrete incidents of violence in Mexico, the intrinsic danger and difficulty of collecting such data makes certifying their accuracy difficult. Furthermore, given the emphasis placed here on both the structure of a rapidly-evolving system of criminal groups and the political responses of two bureaucratic governments, a qualitative approach allows for a clearer and more comprehensive narrative without undue complexity. In short, the combination of the available data and the purpose of this thesis necessitate a qualitative approach.

This hypothesis of this work, then, has two parts:

1. *That the passage of narcotics through transit states under a condition of general prohibition can create a Market of Narcotic Violence.*

1a) That such a marketplace, once established, is resilient and decentralised – the conditions of such a marketplace endure regardless of the success or failure of any individual or group within it.

1b) That violence is not simply incidental but instrumental for the functioning of such a market.

2. *That the conflict in Mexico from 2006 to 2012 is the paramount example of such a violent market, but that the conditions that created it are singular rather than*

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Dell, Melissa, "Trafficking Networks and the Mexican Drug War," 2011. Accessed from <http://scholar.harvard.edu/dell/publications/trafficking-networks-and-mexican-drug-war> on 13 May 2013.

7

Mexican National Institute of Statistics and Geography (INEGI). Accessed from <http://www.inegi.org.mx/est/contenidos/espanol/proyectos/continuas/vitales/bd/mortalidad/MortalidadGeneral.asp?s=est&c=11144#>, 13 May 2013 (in Spanish).

8

México Evalúa, "Índice de Inseguridad ciudadana y violencia," accessed from http://www.mexicoevalua.org/descargables/d15292_Indice-de-Inseguridad-Ciudadana-y-Violencia.pdf on November 15, 2011 (in Spanish).

unique.

III. Literature Review

In terms of the broader question, this study aims to fill a key theoretical niche between a number of disciplines, including international relations, conflict studies and criminology. Again, given the newness and difficulty of studying the Mexican case, the quantity of directly relevant literature is a relatively small, if rapidly increasing. The following literature review is therefore not intended to be exhaustive, but rather to focus on the pieces which have been most relevant to the development of this work's hypothesis.

The first point of reference is the enormously broad body of literature on the study of conflict, war and organised violence. The hypothesis of this dissertation is based on numerous sources, but the central concept owes the largest debt to John Robb's book Brave New War.⁹ Robb's argument endorses the somewhat controversial "Fourth Generation Warfare" thesis propounded by a group of scholars and soldiers affiliated with the U.S. military, William S. Lind,¹⁰ and T.X. Hammes¹¹ chief amongst them. The theory argues that certain conflicts are better explained not as Clausewitzian contests between competitive political actors, but as evolutionary networks of individuals "superempowered" by modern communications technology and weaponry in such a way that they do not need a centralised structure to be capable of challenging and even breaking the power of the state. The most important part of Robb's argument to this thesis is the notion of the "bazaar of violence," his term for a dynamic in which individual actors are free to offer their specialised violent services to the highest bidder, rather than being beholden to a single employer. Compared to a hierarchical structure, a bazaar of violence is incredibly difficult to break apart, as it becomes entwined with the economy of a conflict zone. Robb argues that under the right set of circumstances, defeating such a network is effectively beyond the power of a state. As a result, either the

⁹ Robb, John, Brave New War (Hoboken, John Wiley and Sons, 2007).

¹⁰ Lind, William S., et al. "The changing face of war: Into the fourth generation." *Marine Corps Gazette* 73.10 (1989).

¹¹ Hammes, T.X., "Insurgency: Modern Warfare Evolves into a Fourth Generation," Strategic Forum, No. 214, January 2005.

circumstances must radically change or the state must be willing to simply “manage” the violence rather than fight its way to a complete victory.

The generational theory of war has come in for a fair amount of criticism, however. The bulk of this criticism has to do with the charge of selective history. This critique is well-summarised by Lawrence Freedman, who writes, “the activities covered by 4GW are best viewed not as an evolution from earlier, more conventional types of warfare but instead as aspects of a separate process, reflecting strategies that the weak have long adopted in conflicts with superior military powers. These activities, and their interaction with regular forms of warfare, vary considerably in their size and scope, and in the underlying politico-military assumptions that inform them.”¹² This critique is echoed by a variety of other writers;¹³ the primary complaint being that the idea of 4th generation warfare as a chronological ordering system ignores the long history of conflicts between asymmetrical forces. This is the great weakness of 4GW theory – it assumes that the developments in contemporary military history are unique or new, without properly contextualising them. Nor does it offer any explanation for the motivations of those taking part in contemporary conflicts, preferring instead to argue that such inquiry is irrelevant to the understanding of war. To understand conflicts without an obvious political motive – those which fall in between violent crime and war – 4GW offers some useful ideas about categorising organised violence using operational and organisational qualities, but its inherent ahistorical qualities belie a lack of nuance which severely limits its value as an analytic tool. It, along with other organisational models such as netwar do have some descriptive value even though wars and insurgencies with a small number of parties and traditional organisational structure are still better understood by traditional models of war; conversely, most criminal organisations are not so violent that the traditional models of crime are insufficient.¹⁴

12

Freedman, Lawrence, “War Evolves into the Fourth Generation: A Comment on Thomas X. Hammes,” in Contemporary Security Policy, 26:2, 2005, p. 254.

13

Evans, Michael, “Elegant irrelevance revisited: A critique of Fourth Generation Warfare,” and Echevarria, Antulio J., “Deconstructing the theory of Fourth-Generation Warfare;” in Terriff et. al., 2008.

14

See Sullivan, John P., “Future Conflict: Criminal Insurgencies, Gangs and Intelligence,” Small Wars Journal, 2009. Sullivan uses the phrase 'criminal insurgencies' to describe criminal organisations which have evolved to a level of violence that threatens the state. I prefer to avoid this

A closely-related thesis comes from David Ronfeldt and John Arquilla, whose conception of “netwar,” first published at the turn of the 21st century, has been enormously influential to subsequent applications of network theory to the study of war and organised violence.¹⁵ Arquilla and Ronfeldt usefully categorise the different types of network 'shape' that can be adopted by violent actors, ranging from centralised 'hubs' to 'chains' in which each 'node' (individual or specialized group) only has access to its immediate neighbours. While this typology is useful, it is – consciously – a notably broad categorisation of groups that can range from terrorist and insurgent groups to nonviolent actors. Other writers, however, have applied network theory to specific conflicts. Particularly relevant here is Michael Kenney, who describes how Colombian drug cartels reorganised into 'flatter' networks following the government's successful decapitation strategy against the highly centralised Medellín and Cali cartels, personified by Pablo Escobar.¹⁶ There have been some previous academic attempts to describe Mexican drug violence in network terms, but most are relatively short and do not focus exclusively on the Mexican example.¹⁷

More broadly, this thesis makes reference to the ongoing debate over the future of warfare. Despite the contention of this thesis that the conflict in Mexico amounts to something that is not definitionally a war, the literature on irregular violence conflict is suffused with the language of war. Indeed, there is a large body of literature that uses the word “war” as a starting point for a category of contemporary conflicts wherein at least one side is composed of irregular combatants. These conflicts are variously referred to as “new wars” (Mary

terminology since the use of “insurgency” - a word with specific political meaning – confuses the meaning of criminality.

¹⁵

Arquilla, John and Ronfeldt, David, Networks and Netwar (Arlington, RAND Corporation, 2001).

¹⁶

Kenney, Michael, "Turning to the 'Dark Side:' Coordination, Exchange and Learning in Criminal Networks," in Kahler, Miles, ed., Networked Politics: Agency, Power and Governance (Ithaca, Cornell University Press, 2009).

¹⁷

Garzon, Juan Carlos, Mafia and Co: The Criminal Networks in Mexico, Brazil and Colombia (Washington, Woodrow Wilson International Center for Scholars, English Edition, 2008).

Kaldor),¹⁸ “wars amongst the people” (Gen. Rupert Smith),¹⁹ “War 2.0” (Thomas Rid)²⁰, “hybrid wars” (Frank Hoffman)²¹, or “netwars,” (Arquilla and Ronfeldt). While there are substantial differences between these conceptions at both the practical and definitional levels, they are all grappling with the same concept: that the vast majority of modern organised violence is less like the Clausewitzian metaphor of two wrestlers using comparable exertions of force to compel the other to give way, and more of what Herfried Münkler defines as asymmetrical combat. Münkler's conception differs from most notions of asymmetrical warfare in that not only are the *means* of warfare asymmetrical between the combatants, but everything else – the strategy, intentions and most importantly, *ends* – are as well.²² Extending Münkler's analogy to Mexico is particularly apt, as the goals of the major forces (the Mexican government, the American government, and the various drug trafficking organisations) are fundamentally different from one another, as are the means by which they seek to achieve their objectives and the decision-making apparatus they use to make strategic and tactical decisions.

Writers such as Hans Magnus Enzensberger have taken an opposite approach to the questions of unconventional warfare. Enzensberger describes modern civil wars as “molecular civil wars” which are similar to the Hobbesian conception of a “war of all against all.”²³ Robert D. Kaplan famously advanced a similar argument in his 1994 article “The Coming Anarchy,” in which he used the example of contemporary West Africa to portray a future in which roving gangs devoid of apparent political aspirations would become the most powerful force in much of the world – essentially arguing that the 'roving bandit' model would become the prevalent

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* Kaldor, Mary, New And Old Wars (Cambridge, Polity, 2006).

19

* Smith, Rupert, The Utility of Force: The Art of War in the Modern World, Vintage, New York, 2007.

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* Rid, Thomas and Hecker, Marc, War 2.0: Irregular Warfare in the Information Age (London, Praeger Security International, 2009).

21

Hoffman, Frank, “Conflict in the 21st Century: The Rise of Hybrid Wars,” Potomac Institute for Policy Studies, December 2007.

22

Münkler, Herfried, The New Wars (Cambridge, Polity, 2005).

23

* Enzensberger, Hans Magnus, Civil War (London, Granta, 1994) pp. 17-19.

one for irregular armed forces.²⁴ One issue with this thesis is that it relies on the utter failure of the state, or at least the state's decline to a point where its armed forces are effectively indistinguishable from the groups operating in opposition to it. Mexico, which is by no means a failed state,²⁶ demonstrates that resilient armed conflict does not necessarily rely upon utter state failure; states which are fragile rather than completely failed are also vulnerable to widespread organised violence – although certainly the more powerful a state is, the more likely it is to be able to manage and mitigate such violence. Still, in order to be analytically useful, state weakness is best thought of as a continuum rather than as a binary of failed and functional states.

A larger issue with the “anarchic violence” theory of modern conflict is that it makes it far too easy to dismiss the possibility that actors in such an environment have interests, strategies or much in the way of agency. It imposes upon those actors a framework designed for highly structured violence carried out by states in a basically ordered political and social environment. Doing so fails to adequately consider the massive structural differences between war as an international or internal endeavour²⁷ - or, indeed, of the differences between *international* wars, fought between states, and *transnational* violence occurring without regard for established international borders.

In a similar vein, but on the other side of the spectrum of organised violence, is the model of organised crime that challenges state authority. It is worth pointing out at this stage that organised crime is a category which includes gangs, but the two are not necessarily coterminous. Organised crime, as a category, includes a variety of groups which are not gangs

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Kaplan, Robert D., “The Coming Anarchy,” in *The Atlantic*, February 1994, accessed May 3 2011 from <http://www.theatlantic.com/magazine/archive/1994/02/the-coming-anarchy/4670/>.

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It is worth noting that the most common interpretation of Kaplan's article – that there was nothing that could be done for the Third World – was not the author's intention. See Garfinkle, Adam, “The Sky is Always Falling,” in *The New York Times*, March 19, 2000, accessed from <http://www.nytimes.com/books/00/03/19/reviews/000319.19garfint.html> on May 3 2011.

26

Fund for Peace, “Failed States Index 2012,” accessed from <http://ffp.statesindex.org/rankings-2012-sortable> on May 14, 2013.

27

Kalyvas, Stathis N., “Civil Wars,” in Boix, Carles and Stokes, Susan C., *The Oxford Handbook of Comparative Politics*, (Oxford, Oxford University Press, 2007).

per se and whose activities may not even be violent. A group of computer hackers illegally accessing personal data are engaging in organised crime, but the absence of physical violence makes them distinct from a gang.

With that in mind, the most relevant model here is that used by Max Manwaring, who classifies the evolution of gangs into three stages. Stage one gangs are relatively small, weak entities mostly concerned with immediate survival and avoiding confrontation with more powerful entities, including the forces of the state. Stage two gangs can engage in more profitable and complex criminal enterprises, and have begun to broaden their geographical focus. Stage three gangs are large, horizontally- and vertically-integrated entities active across a wide range of economic activities (both legal and illegal), and have acquired the means to directly challenge the state in some instances. In Insurgency, Terrorism and Crime,²⁸ Manwaring makes the case that the failure of governments to provide adequate economic conditions to their people leads to a competition between various types of armed non-state actors (including classical insurgencies and evolved gangs) for the loyalty of the people and the attendant power. The description of stage three gangs is highly consistent with the situation in Mexico today, although the political awakening Manwaring describes has not visibly manifested itself. While Manwaring's analysis is in large part consistent with the approach of this thesis, it is important to note the particular circumstances of Mexico, which complicate the application of his thesis: economic conditions in Mexico are not the sole cause of the supply of apparently unlimited manpower for the cartels. The proximity and wealth of the United States, and its massive, unceasing demand for narcotics plays a more pivotal role in the shape of and motivation for the violence.

While this body of literature provides useful signposts for understanding the tactical and operational aspects of conventional war, a deeper understanding of resilient and decentralised conflict depends upon the linked questions of motivation and sustenance. While much of the

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Manwaring, Max, Insurgency, Terrorism and Crime: Shadows from the Past and Portents for the Future, (Norman, University of Oklahoma Press, 2008).

foundational work here was done by Mancur Olson,²⁹ the most relevant point of reference is the work of David Keen, who proposes that ongoing unconventional war be understood not as warfare in the classic sense, but as “an alternative means of profit, power and protection;” in other words, that the persistence of civil conflicts is not due to the *inability* of one side to fight through to victory, but because under some circumstances, it is seen as more strategically beneficial to remain involved in a conflict.³⁰ William Reno, drawing on late-20th century conflicts in Africa, makes a related argument: that ostensibly weak “shadow states” benefit from long-term disorder and violence on the grounds that those conditions permit extremely profitable forms of corruption.³¹ There is perhaps no better example of the phenomenon of violent conflict enabling otherwise forbidden economic activity than the drugs trade, which is subject to essentially universal prohibition and aggressive enforcement by most governments, backed by the United Nations. The particular influence of drugs on conflict economies and ongoing conflicts across a variety of milieus has been studied by scholars including Svante Cornell,³² Peter Reuter,³³ Vanda Felbab-Brown,³⁴ and Paul Rexton Kan.³⁵ In general, however, most academic and policy examinations of the nexus of drugs and armed conflict have focused on drug producer states. Mexico's drug conflict, by contrast, is defined by its proximity to the United States and its deep-pocketed customers. It is the implications of this relationship, not Mexico's domestic drug production, which define the conflict and make it worthy of study on its own terms.

29

* Olson, Mancur, Power and Prosperity: Outgrowing Communist and Capitalist Dictatorships, (New York, Basic Books, 2000).

30

* Keen, David, Complex Emergencies (Cambridge, Polity, 2008).

31

* Reno, William, Corruption and State Politics in Sierra Leone, (Cambridge, Cambridge University Press, 1995).

32

* Cornell, Svante E., “Narcotics and Armed Conflict: Interaction and Implications,” Studies in Conflict and Terrorism, vol. 30, 2007.

33

* Reuter, Peter, “Systemic violence in drug markets,” Crime, Law and Social Change, vol. 52, 2009.

34

* Felbab-Brown, 2010.

35

* Rexton Kan, Paul, Drugs and Contemporary Warfare, (Dulles, Virginia, Potomac Books, 2009).

IV. Thesis Outline

The thesis is divided into seven chapters. Following this introductory chapter, the next two are largely theoretical in nature, and serve to lay out the general theoretical argument that the case study serves to examine. Chapter Two examines the question of how organised violence is defined. It examines the basic definitions of organised violence starting with Hobbes and moving to more modern sociological and anthropological ideas, before moving on to examine the two predominant forms into which violence is classified: organised crime and war. Based on an understanding on organised crime drawing on Edwin Sutherland's differential association theory and the idea of coercive orders originally propounded by Hans Kelsen, it determines that organised crime is inherently a form of violence that is self-limiting in order to extract profits, while war is an unlimited form of violence in support of a political objective. It concludes with an examination of the “metaphor” of war as a model of shared sacrifice and unifying political purpose, contrasting the War on Terror with the War on Drugs and examining the similarities between the two abstract concepts, as well as the significant differences between a war against a violent, political ideology in the form of non-state networks, and a war against an inanimate object effectively used as a consumer product by the state's own citizens.

Chapter Three examines the theoretical issues around narcotics as they relate to organised violence. It starts with a history of the international narcotics prohibition regime and moves into the contemporary history of state counter-narcotics policies, particularly following American President Richard Nixon's declaration of a “War on Drugs” in 1971. It then examines the rhetoric and policy of American counter-narcotics, largely summarised by that phrase. Having established the characteristics of drugs and their historical and practical linkages to organised violence, this chapter lays out the theory of the Market of Narcotic Violence, which is defined by a set of external constraints and in which violence serves as a product, a service and the market regulator.

Chapters Four, Five and Six provide a detailed examination of the thesis's core case study, the drug-linked violence in Mexico from 2006-2012. Chapter Four lays out the argument that history and geography are determinative of the constraints on such a market of violence. In

order to present this argument, it examines the history and geography of Mexico, focusing especially on a number of historical eras that defined the Mexican government's relationship with its people and with the United States. To explain how geography and history affect the market of violence, it examines two separate regions and their roles in the conflict: the “border metropolis” of Ciudad Juarez, Chihuahua and El Paso, Texas, and Guatemala, on Mexico's southern border. Rather than a cross-comparison, examining these separate regions illustrates the ways in which geographic and historical factors – particularly national borders and a history of violence or corrupt institutions – can contribute to the creation of a Market of Narcotic Violence. Using this combination of historical and geographic analysis, the chapter concludes with a list of the common factors of such markets.

Chapter Five examines the drug trafficking milieu in contemporary Mexico. The chapter is broken down into three sections, which examine three notable Mexican drug trafficking organisations and the models they each represent: the Sinaloa Federation, whose business model follows those of traditional cartels and is largely transactional in nature; the Zetas, who are termed an “anarchic franchise,” with a hard core of extremely violent former military officers and a much larger group of affiliates; and the (now mostly defunct) “narco-insurgents” of *La Familia Michoacána*, who combined a territorial approach with a pseudo-Christian ideology. While the early days of the drug conflict saw a proliferation of unaffiliated minor groups, the last few years have seen a process of polarisation, with smaller groups either declaring allegiance to Los Zetas or the Sinaloa Federation or losing territory and becoming less and less powerful and relevant. Chapter Six details the Mexican and American policies that have attempted to cope with the upsurge in violence. Using Bayliss Manning's conception of “intermestic” policy as a framework, this chapter demonstrates that neither country's government has managed to craft policy that accounts for the combination of domestic and international factors that have created the storm of violence in Mexico.

The last chapter concludes the thesis by returning to the question of the extent to which violence in Mexico from 2006-12 constituted a Market of Narcotic Violence, and what that implies for the Mexican and American governments. It subsequently considers the question of

drug regularisation (popularly, if somewhat inaccurately, called legalisation) and what effects such a policy might have on the emergence of future instances of drug violence.

In essence, the thesis concludes that the violence in Mexico from 2006 to 2012 had the characteristics of a Market of Narcotic Violence, and that Mexican and American policies have not adapted the kinds of intermestic strategies which might change the constraints on that market; and that this failure has allowed the violence to flourish. This conclusion is caveated by the fact that the market has evolved significantly from a multipolar to a bipolar form, centred around two major groups (the Zetas and the Sinaloa Federation), which could pave the way for further evolution toward a different form of conflict entirely.

V. Concluding Notes

Finally, a few terminological issues need to be clarified. First, the narcotic-linked violence in Mexico (amongst other places) is commonly attributed to “cartels.” This terminology, though common, is essentially inaccurate: a cartel, by definition, is a monopolistic price-fixing organisation,³⁶ and there is no evidence that any group in Mexico is capable of either developing a monopoly or fixing prices. Indeed, as Michael Kenney has demonstrated, it is not clear if even the archetypical drug cartels (the Colombian Cali and Medellín cartels of the late 1980s and early 1990s) deserve the term.³⁷ A better, if somewhat generic, term is “Drug trafficking organisation,” or DTO. Some authors prefer to use the term TCO, for Transnational Criminal Organisation, which is also more accurate than “cartel” and correctly signifies that large criminal organisations almost invariably diversify their operations across different aspects of criminality, from simple drug trafficking into extortion, protection, human trafficking, software piracy, and so forth. I have elected to use DTO in this thesis, for two major reasons: first, that the Mexican groups that are the focus of the bulk of the thesis make most of their profits from activities directly related to narcotics; and second, that drug

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³⁶ Astorga, Luis and Shirk, David A., "Drug Trafficking Organizations and Counter-Drug Strategies in the U.S.-Mexican Context," Center for US-Mexican Studies Working Paper, USMEX 10-01.

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³⁷ Kenney, Michael, From Pablo to Osama: Trafficking and Terrorist Networks, Government Bureaucracies and Competitive Adaptation, (University Park, PA, University of Pennsylvania Press, 2007).

trafficking and the violence that enables and supports it is the topic at hand. That said, some groups involved in drug trafficking either self-identify as “cartels” or are widely known by a name which includes the word, as with the Medellín, Cali and Gulf Cartels. In those cases, this piece uses the word descriptively rather than categorically.

Additionally, as the next chapter will explore in more detail, the terminology of violence is central to our understanding of it. The situation in Mexico has been referred to by politicians, newspaper headline writers and various academic and think-tank writers as a “war,” usually with reference to the scale of the violence. This thesis does not use that terminology, largely because the term “war” carries a political connotation that such situations do not merit. That distinction will be explored in much greater detail in Chapter 1, but for clarity's sake, I have chosen to refer to it as a “conflict,” which is a relatively neutral term.

Finally, on the topic of drugs: this thesis is written within the discipline of international relations, not the study of public health or medicine. Accordingly, some of the fundamental questions of drug use – why human beings choose to use narcotics, whether it would be possible to enact a policy that would prevent drug use, and so on – are beyond its scope. However, in terms of understanding illegal drugs as a resource that can fuel conflicts, it makes sense to categorise them with other harmful but addictive substances used – and largely legalised – by contemporary societies, such as alcohol and tobacco. This classification of illicit drugs as simply a commodity akin to alcohol and tobacco (which, in terms of social harms, are at the very least comparable) but for their legal status, underpins the market metaphor for drug trafficking, and helps provide historical and contemporary counterexamples for how the legal status of a particular substance can affect the types of harms associated with its production, trafficking and use.

Chapter 2: On Violence, Crime, War and Warfare

I. Introduction

At a theoretical level, this work seeks to explore the relationship between two basic topics: drugs and violence. Of those two, violence has been the subject of much more examination within International Relations, but – perhaps for that reason – is also the subject of more controversy and debate. As the violence in Mexico from 2006-2012 represents a confluence of the two phenomena, before the case study can be examined in detail, we must construct a theoretical model of violence and of the characteristics of narcotics. Of course, drugs and violence are not necessarily correlative – the vast majority of organised violence worldwide is unrelated to drugs, and substantial aspects of the trade in and use of drugs occur peacefully. To understand the relationship between drugs and violence, first we must examine each separately. This chapter, therefore, examines a spectrum of theories that address the questions of organised violence, while the next will both examine the nature of drugs as a topic and begin to reconcile the characteristics of the drugs trade and the violence that it engenders. The subsequent chapters will then explore the central case study, the ongoing Mexican drug conflict, in more detail.

At its base level, violence is a fairly simple concept. Carl von Clausewitz, perhaps the most central theorist of organised violence in the Western canon, wrote that the ultimate expression of violence – war – could be boiled down to its essence, combat, eg., two combatants using (any) means of violence against each other with the intention of disabling, disarming or killing the other.³⁸ More simply, violence could be described with a phrase common in American military circles: “killing people and breaking things.” As crude as that phrase is, it speaks to a quality of violence as an instrument, though an inherently brutal and unforgiving one, whether carried out in a war between states, conducted with industrial means, or in straightforward street crime. Between those two poles, but connected by the brutal and unforgiving qualities of violence, lies an extraordinarily complex world of violence that does not fit neatly into either category. It is in that middle ground where the case study at hand falls. The differences are a matter of scale, to be sure, but importantly, also of the motivations of the actors, their capabilities and the way in which they are organised – and

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Clausewitz, Carl, translated by Graham, J.J., *On War*, (Radford, Wilder, 2008).

while the *nature* of brutality may be the same regardless of whether the aggressor is a street criminal or a uniformed soldier, the *character* is vastly disparate in different circumstances.

This world of violence that exists between completely formal and completely informal archetypes has also been the subject of substantial academic exploration, but there has been little agreement amongst international relations scholars as to its characteristics. Crucially, there is a debate about motivation in violent conflict, often referred to as “greed versus grievance.” This debate proceeds from an assumption that motivation is critical to understanding the character of organised violence, and that such violence manifests itself differently based on motivation. This chapter serves to successively explore those archetypes and, subsequently, to outline the one best suited to explain the character of violence in the case study. To do so, it proceeds along broadly thematic lines, starting with an assessment of the basic characteristics of organised violence as a tool and tactic of forces both formal and informal. Next, it goes into greater detail on the use of violence by informal, profit-driven forces by examining theories of violent crime. There is some dispute over the exact boundaries of crime, particularly with respect to the terminology of “organised crime,” and where criminality becomes violent politics; this debate segues into the discussion of the critical relationship between politics and war. Therefore, the following section will address the question of war and whether it is the appropriate frame of reference for irregular conflicts such as the one in Mexico.

Having demonstrated that the archetype of “crime” does not sufficiently explain the scale of violence in Mexico, while that of “war” fails to account for the apparent motivations of its participants, the chapter's final section examines the way in which metaphors of war affect questions of public policy which are not inherently military in nature. This point is demonstrated by inquiry into the nature of two famous metaphorical wars: the War on Terror and the War on Drugs.

As a final note, this study does not purport to provide an answer to the question of how all types of “semi-formal” violence should be classified or understood; instead, its goal is to

contribute a theory of how the relationship between drugs and violence can lead to persistent violence, with the hope of informing policy that could limit its scope and damage.

II. Violence

Violence, as a concept, has a wide variety of definitions. Some authors, such as Charles Tilly, have included in their studies violence whose target is property rather than persons;³⁹ others, particularly those in policy fields, have suggested that certain types of social effects – the health risks from drug use, for example⁴⁰ – also constitute a type of violence. There are also broadened conceptions of violence, such as Johan Galtung's concept of 'cultural violence,' which he defines as “any aspect of a culture that can be used to legitimise violence in its direct or structural form.”⁴¹ These definitions have important places in the study of violence as a cultural or moral phenomenon. But although they may support useful debate in other fields, they are less helpful for this thesis, which has a more limited mandate and specific relevance to an ongoing conflict in which the major issue is the damage to, and loss of, human lives. As a result, for these purposes the simplest and most analytically useful approach is to definitionally limit violence to intentional acts that physically harm human beings. Therefore, for the purposes of this study, I define 'violence' as *acts causing physical harm directed by human beings at other human beings*.

In many respects, the foundational piece of theory in the modern understanding of violence is Hobbes' *Leviathan*. Hobbes identifies three primary causes of strife amongst humans: competition, diffidence and glory. From this, he concludes that violence is fundamentally

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Tilly, Charles, *The Politics of Collective Violence*, (Cambridge, Cambridge University Press, 2003), pp. 2-4. Tilly recounts the story of Malaysian tenant farmers who engaged in nighttime sabotage of their landlords as an example of violence against property; he counterposes this example against two examples of violence against people: cowboys shooting each other in the American “Wild West” and the Rwandan genocide.

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See for example Bertram et al, *Drug War Politics: The Price of Denial*, (Berkeley, University of California Press, 1996), p. 32, where the social harms inflicted by drugs and – particularly – the war on drugs are analogised to collateral damage in a military campaign.

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Galtung, Johan, “Cultural Violence,” in *The Journal of Peace Research*, vol. 27, no. 3, 1990, p. 291. Galtung's definition was based on his previous work on 'structural' violence, which also does not fit into the conception of direct violence useful for this thesis.

driven by desire for three qualities: gain, safety and reputation. Hobbes famously wrote that in the absence of a common power to hold those individual motivations in check, life would be “solitary, poore, nasty, brutish and short,” and elaborated that the constant necessity of self-defence in an environment where security was only guaranteed through individual strength would deprive society of its scientific and cultural progress.⁴² To Hobbes, those advances could only be imposed by participation in a hierarchical society, where individual desires would be suborned to the will of the state in exchange for peace, security and social advancement – a basic structure which we will return to in time.

But where Hobbes laid out the principal human motivations for violence, others have elaborated on the character of the violence itself. Here, I will rely primarily upon the work of the Dutch anthropologist Anton Blok, who writes that violence has both an *instrumental* and *expressive* character. To Blok, the concept of 'senseless violence' is not analytically useful; in his conception it usually has both a purpose and a meaning. In critiquing the tendency of anthropologists to simply treat violence as a characteristic of certain environments, he writes, “We want to understand violence primarily in utilitarian, 'rational' terms, in terms of means and ends. The question of what violence signifies, 'says' or expresses is at best of secondary importance. In this way, historically developed sensibilities serve as a standard in comparative research and are responsible for distorted view of both violence and society.”⁴³ In contrast, to Blok even informal violence (football hooliganism, for example) is freighted with symbolic importance, and is tied in with a particular conception of honour – even if that is simply a variation upon “honour amongst thieves.”⁴⁴ For the purposes of this study, viewing violence in both expressive and instrumental terms is extremely helpful, since it allows us to examine individual acts of violence in the central case study in light of the perpetrators, what they accomplish and the unique effects of the way in which they are carried out. This

⁴² Hobbes, Thomas, *Leviathan*, London, 1651, Ch. 13, Project Gutenberg Version (2013), accessed from http://www.gutenberg.org/files/3207/3207-h/3207-h.htm#link2H_4_0113 on 2 March 2014.

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Blok, Anton, “The Meaning of 'Senseless' Violence,” in Blok, ed., *Honour and Violence*, (Cambridge, Polity, 2001), p. 104.

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Ibid., p. 109-110.

combination is particularly valuable in Mexico, where, as we will see in Chapter 5, acts of highly symbolic violence such as “corpse messaging” are common.⁴⁵

Allan Bäck draws a useful further distinction between 'violence' and 'aggression,' arguing that the forcefulness of an act should be measured by its effects rather than its other characteristics, concluding that “[i]n short, aggression is forcefulness plus intention and injury.”⁴⁶ *Violence*, to Bäck, implies a further moral dimension: “Violence, then, contains a moral component associated with choosing to engage in actions that harm another person and attempting to force that person to act as you want.”⁴⁷ This study is concerned primarily with the practical implications of violence, but the moral abhorrence of violence should never be left entirely out of any discussion of conflict.

It must also be recognized that nothing in these conceptions of violence implies any particular scale. They do not draw distinctions between levels of violence; instead, they represent an attempt to draw out a set of characteristics generalisable to the entire concept. Violence encompasses an extraordinarily broad range of possibilities: constituted according to the rules above, an “act of violence” might be a single thrown punch, causing transient injury to a single individual, or it can be the detonation of an atomic weapon in a city that might kill tens or hundreds of thousands. But when we increase the scale of violence from an individual confrontation to a group or state effort, the instrumental and expressive implications of such an action change significantly.

Understanding the workings of groups is the domain of sociology, so it is perhaps unsurprising that the most useful understanding of collective violence comes from a

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Blok's definition of violence as both instrumental and expressive stands in contrast to that of Hannah Arendt, who viewed violence in purely instrumental terms. As useful as the instrumental aspect of violence is for understanding the organisations and systems which use it, including the expressive aspect, as Blok does, is critical for a fuller understanding of the phenomenon. See Arendt, Hannah, *On Violence*, (London, Harcourt, 1970).

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Bäck, Allan, 'Thinking Clearly About Violence,' in Vittorio Bufacchi, ed., *Violence, A Philosophical Anthology*, (Hampshire, Palgrave MacMillan, 2009), p. 223.

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Ibid., p. 224. The phrase “attempting to force that person to act as you want” of course raises the spectre of Clausewitz, who I will address in much more detail later in this chapter.

sociologist, Charles Tilly. Tilly writes, “With collective violence, we enter the terrain of contentious politics, where people make discontinuous, public, collective claims on each other. By no means all contentious politics generates violence... But all collective violence involves contention of one kind or another.”⁴⁸ To Tilly, groups engaging in contentious politics – a category that can encompass a vast spectrum of politics, including but not limited to violent resistance – have in common claims to political identities, which are classified as legitimate or illegitimate by the local government. This sorting process can (but does not necessarily) lead contentious politics to become violent politics.⁴⁹ The ability of these groups to utilise violence to effect depends on a successful marriage between “political entrepreneurs” and “specialists in violence,” the former to connect disparate elements into a collective with sufficient mass to support action and the latter to develop and utilise the expertise that allows the group to force its will upon outside individuals and groups (although there is some overlap between the two).⁵⁰ This specialisation, along with the greater resources of groups, allows for a larger variety of violence on the collective level than on the individual.

We have therefore established a basic definition of violence, with some specifics relevant to the case study at hand. This definition consists of intentional human acts causing harm to other humans, with three aspects: instrumental meaning, expressive meaning and a moral component. The next task is to explore some of the varieties of collective violence, starting with the least formalised – crime.

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* Tilly, 2003, p. 26.

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* Ibid., pp. 33-34.

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* Ibid., pp. 34-36. Importantly, Tilly notes that the existence of violence specialists does not necessarily entail the *active use* of violence; rather, given sufficient reputation or coercive power, the threat of violence or simple intimidation may suffice to attain the same goals.

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* This idea finds perhaps its clearest expression in Just War Theory (JWT), which was initially promulgated as a set of divinely-inspired principles to reconcile religious imperatives with political exigency. Proportionality, in Just War terms, has two related meanings: that the initial decision by a state to go to war should be in proportion to the injustice it seeks to right; and that during war, actions taken by combatants should be proportional to the goals they seek to accomplish. Crucially, proportionality is the only concept which is represented in both categories, which demonstrates its centrality to the entire conceit.

III. Crime

The metaphor of crime is frequently used to categorise violence that takes place outside an established, formal political context. The term “crime” by itself, of course, does not necessarily denote violence – many forms of crime as recognised by states are not inherently violent, particularly given our established understanding of violence as a form of action directed against persons. Criminality, at its base, entails *failure to adhere to codified societal guidelines*; but many of these guidelines have nothing to do with violence – in most of the world, it is possible to fall afoul of those guidelines by engaging in specifically proscribed forms of economic, sexual or cultural behaviours (amongst other categories). Of particular concern to this thesis is the criminal status of narcotics, whose production, trafficking and growth are not *necessarily* violent, but whose relationship with violence in one particular country is at the heart of the inquiry at hand. Aside from drug use, which will be explored in greater detail in Chapter 3, other forms of nonviolent criminality are not particularly at issue here, so I will focus my inquiry on violent crime.

In terms of violent crime, individuals may choose to employ violence on their own behalf for a variety of purposes: self-defence, passion, prejudice, desire for immediate profit – all of which would have been familiar to Hobbes. But in an environment outside the state of nature – some kind of legitimate authority wielding something approaching a monopoly of violence – a more sophisticated understanding of what drives criminality is necessary. Edwin Sutherland's differential association theory, first articulated in 1939, is a touchstone here. The theory holds that criminal behaviour is not inherited but rather learned from greater exposure to criminal acquaintances and networks than to legitimate ones. More specifically, Sutherland holds that, “A person becomes delinquent because of an excess of definitions favourable to violation of law over definitions unfavourable to violation of law.”⁵² In short, criminality is not simply a moral failing – rather, it represents the product of a complex socio-economic structure in which the normative value of obeying the law may vary widely within societies and even smaller groups.

⁵² Sutherland, Edwin H., et. al., Principles of Criminology, Eleventh Edition, Lanham, MD, General Hall, 1992, p. 89.

Differential association does not account for a number of varieties of crime, such as crimes carried out by individuals with no previous criminal history (say, a mass shootings perpetrated by a high school student) or white-collar crime – but those are not at issue here. Rather, differential association describes the process by which criminal forms of behaviour, including the use of violence for non-state sanctioned ends, become ingrained within communities and normalised.

As Tilly notes, those Hobbesian individual motivations for crime may have analogues at the collective level, and may contribute directly to collective violence.⁵³ Yet individual acts of violence disconnected from organisational interest, despite their possibly analogous relationship with collective violence, are not at issue here. The phenomenon under the theoretical microscope is too large to be accounted for by individual interests. The Westphalian state is predicated on the idea that the government maintains a monopoly of violence within its borders; all states see individual acts of violence to a greater or lesser extent and virtually all have at least some degree of organised, collective violence, but relatively few see the rise of organisations able to challenge that monopoly on a broad scale.

But as Hans Kelsen pointed out in his seminal Pure Theory of Law, the distinction between states and other forms of social organisation is more a normative difference than a functional one. He writes, “Collective security or peace – as we have said – is a function that the coercive orders designated as 'law' have in various degrees when they have reached a certain level of development. This function is an objectively determinable fact. The scientific statement that a legal order is pacifying the legal community, is not a value judgment. Specifically, this statement does not mean that the realization of justice is essential to the law; this value, therefore, cannot be made an element of the concept of law and can therefore not serve as a criterion for the distinction between a legal community and a robber gang.”⁵⁴

In making this distinction, Kelsen cites Augustine, who wrote, “Set justice aside then, and what are kingdoms but thievish purchases? Because what are thieves' purchases but little

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Tilly 2003, pp. 23-24.

⁵⁴ Kelsen, Hans, Pure Theory of Law, Berkeley, University of California Press, 1967, translated by Knight, Max (2008), p. 48.

kingdoms?”⁵⁵ He also refers to the pirate states of North Africa from the 16th through 19th centuries, arguing that while their foreign policies (specifically attacks on foreign shipping) were considered criminal, their means of maintaining domestic order were not notably different from those of other states. Kelsen's example demonstrates that outwardly-directed criminality and violence do not necessarily coincide with inwardly directed chaos; indeed, given the complexity and cost of pirate operations, an ordered internal structure may even be *necessary*. Kelsen's conception of coercive orders underlies the entire understanding of complex criminal structures, not as agents of chaos but as alternative means by which order can be imposed and objectives achieved.

In a more contemporary context, the intersection of a particular type of criminality (namely, the large-scale production and distribution of controlled narcotic substances) and violence is not an automatic relationship: some drug markets indeed operate without large-scale violence, despite the fact that they by definition operate outside the law; in contrast, the production of legal goods in conflict zones is often linked to violence.⁵⁶ For example, despite its role as a leading supplier of marijuana to the United States,⁵⁷ Canada's drug traffickers seem- to operate with an extremely low level of violence, generally relying on trust relationships and implied threats rather than the actual use of force.⁵⁸ But Canadian drug traffickers in the Pacific Northwest are operating in an environment with low levels of overall crime, meaning that any violence is likely to be thoroughly investigated and prosecuted.⁵⁹ Perhaps more interesting, then, are certain groups of Mexican black-tar heroin traffickers, who participate in drug sales without engaging in large amounts of violence, despite the high

⁵⁵ Ibid., p. 48.

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Snyder, Richard, and Duran-Martinez, Angelica, “Does illegality breed violence? Drug trafficking and state-sponsored protection rackets,” in Crime, Law and Social Change, vol. 52, 2009, pp. 253-273.

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United Nations Office on Drugs and Crime, “World Drug Report, 2012,” 2012, p. 51.

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Desroches, Frederick John, The Crime That Pays, (Toronto, Canadian Scholars Press, 2005), pp. 119-121.

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Canadian Ministry of Justice, Police Services Division, “Crime Statistics in British Columbia, 2011,” October 2012, accessed from <http://www.pssg.gov.bc.ca/policeservices/shareddocs/crime-statistics.pdf> on May 17, 2013.

levels of overall violence in their area of operations.⁶⁰ This is worth pointing out because drug markets are completely outside the scope of legality and therefore need an alternative system of regulation to ensure that obligations are met. H. Richard Friman argues that violence serves as a “selective” tool for market regulation, with limitations based on its cost and disruptive effects, pointing to the “ebbs and flows” of violence in the cocaine market in the United States of the late 1980s and early 1990s, when Cuban and Colombian gangs vied for control of the main trafficking routes.⁶¹ In this conception, it is the lack of authority from one overwhelmingly powerful criminal group that creates the incentive amongst competitors to make violent claims on market share. Charles Tilly uses the term 'segregated trust networks' to refer to organisations operating inside areas of state control but for their own purposes.⁶² Per Tilly, five strategies are used by such organisations: “1) Predation on external individuals and organizations; 2) concealment, 3) clientage, 4) dissimulation, and 5) combinations of 1 to 4.”⁶³ However, the majority of segregated trust networks do not use predation to support themselves – in other words, most groups in this category are not criminal organisations but rather interest groups based on some form of identity (culture, ethnicity, religion) that face oppression or disapproval from the state.⁶⁴ Even criminal groups are unlikely to rely entirely upon predation, as this leaves them with little in the way of recourse for survival once the attention of the state, which inevitably has greater coercive capacity, turns toward them.

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Quinones, Sam, “A Lethal Business Model Targets Middle America,” *The Los Angeles Times*, February 14, 2010. The latter example is particularly interesting, since unlike their Canadian counterparts, the black tar gangs exist in a drug market which is notably violent both on the production and distribution ends.

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Friman, H. Richard, “Drug Markets and the Selective Use of Violence,” in *Crime, Law and Social Change*, vol. 52 (2009), p. 286.

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Tilly, Charles, *Trust and Rule*, (Cambridge, Cambridge University Press, 2005).

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Ibid., p. 83-4 and 92. *Concealment* refers to “secrecy and dissimulation;” *clientage*, which Tilly associates with the distinction between pirates and privateers, essentially entails selling services (usually related to violence) to a state or other “power holder” for cash; and *dissimulation* involves “conceding just enough compliance with rulers' demands and regulations to hold off close surveillance and expropriation.”

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Ibid.

The role of violence in relation to other forms of criminality is therefore complex, and dependant upon the positioning of a criminal organisation in relation to other criminal groups, as well as the state and non-criminal groups in society. Vadim Volkov draws a useful distinction here between “bandits” who provide services outside the bounds of the law and “thieves” whose relationship to society is strictly parasitical.⁶⁵ Volkov's argument, which relates to Russian organised criminals during and immediately after the fall of the USSR, serves here to describe the way in which violent, non-state groups operating where the state does not have a monopoly on violence can serve as “violence-managing agencies,”⁶⁶ whose activities construct an alternate form of social organisation where the state does not wield sufficient power – a process similar in some respects to Weberian state formation.⁶⁷ Misha Glenny seconds this description and provides a memorable description of the criminals: portraying the Russian Mafiya as the “midwives of capitalism.”⁶⁸ In this way, we see that criminals – even though they may be acting out of pure self-interest – are not chaotic actors; instead, their actions are part of a larger network of relationships. This brings us back to Blok, and reinforces his argument that violence for violence's sake – pure sociopathy – is sorely lacking as an explanation for persistent conflict and instability.

Still, beyond the characteristics already applied to the concept of violent crime, there are two further relevant considerations that we need to examine – the concept of “organised crime” and the concept of “transnational crime,” both of which are germane to the case study. The simplest definition of “organised crime” is, essentially, any crime carried out by a conspiracy of two or more people. This is not a particularly useful definition, however, as it covers everything from the smallest of criminal cooperatives with the lowliest of goals to the most complex, sophisticated criminal conspiracies. At this base level, defining crime as 'organised' serves mainly to distinguish crimes committed by individuals acting on their own behalf from

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· Volkov, Vadim, Violent Entrepreneurs: The Use of Force in the Making of Russian Capitalism, (Ithaca, Cornell University Press, 2002), p. 59.

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· Ibid., p. 64.

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· Ibid., p. 158.

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· Glenny, Misha, McMafia, (London, Vintage, 2008), p. 69.

crimes committed on behalf of a larger organisation or purpose. This distinction was extrapolated by Mancur Olson, who uses the analogy of “stationary” and “mobile” bandits to explore the origins of coercive power. Olson writes:

“The typical individual thief in a society of, say, a million people, bears about one-millionth of the loss to society that occurs because his crime makes society's output less than it would otherwise be. Yet he alone normally bears the whole loss of whatever opportunities for theft he passes up. Therefore, the gain to criminals from a wealthier society and the reduction in that society's wealth due to crime do not keep crime from paying... Now let us contrast the individual criminal in a populous community with the head of a Mafia family or other criminal gang that can monopolize crime in a neighbourhood. Suppose that in some well-defined turf, a criminal gang cannot only steal more or less as it pleases but can prevent anyone else from committing crime there. Obviously the Mafia family has an incentive to keep other thieves out of its own domain. But will it gain from taking all that it can on its own ground? Definitely not. If business in this domain is made unprofitable by theft, or migration away from the neighbourhood is prompted by crime, then the neighbourhood will not generate as much income and there will not be as much to steal. Indeed, the Mafia family with a true and continuing monopoly on crime in a neighbourhood will not commit any robberies at all.”⁶⁹

Olson's point here is that the behaviour of groups of criminals changes dramatically as the level of organisation increases – and, more specifically, as criminal groups have more investment in the territories in which they operate. He refers to this dynamic using the “stationary bandit analogy,” in which a mobile bandit stands to gain the most from taking 100% of what it is possible to take before moving on to new targets, whereas a criminal or group of criminals who conduct their activities within the same community can increase the amount of profit they accumulate over time by relying on less aggressively coercive methods and taking less than 100% of possible loot – in other words, by establishing a system of taxation.⁷⁰ A mobile bandit – whether an individual or a small group – can make a living, for a time, based on violently appropriating 100% of lootable goods, but this necessitates a high degree of mobility in order to avoid reprisals from the state or more powerful interests; the same limitation also applies to the amount of time a mobile bandit can expect to utilise the same strategy successfully. In the long term, given the various hard limitations on mobility and the inherent dangers of such an approach, this is neither sustainable nor maximally profitable.

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Olson, Mancur, Power and Prosperity, (New York, Basic Books, 2000), p.5.

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Ibid., pp. 6-7.

Once a group has established itself as a “stationary bandit” with interests in a particular community (broadly speaking), it can undergo a further evolution. Max Manwaring describes this development from simple to complex criminal organisations as a process of evolution through three generations. First-generation gangs are small, generally preoccupied with territory (or “turf”), limited in their activities to variations upon “protectionism and gangsterism” and limited in the extent to which they can apply violence against rivals or the state. Most gangs never move past this stage. If, however, a gang manages to develop into the second generation, it spreads itself across a larger geographic area, solidifies an organisational structure and diversifies its activities. Second-generation gangs tend to be more capable of violence, but this capability is usually more directed at rivals than at the state. Finally, third-generation gangs are spread across borders and have a widely diversified “portfolio” of economic activities, many of which may be legitimate, or at least serve a legitimising function. Most importantly, their capability to do violence is exponentially improved over their predecessors, to the point where they are institutionally capable of employing violence against the state in defence of their economic interests.⁷¹

Clearly, the *capacity* of an organisation (particularly a highly evolved organisation) to commit violence is far greater than the capacity of an individual, thanks not only to its greater numerical strength but to the possibilities inherent in specialisation. Large criminal organisations can afford to have some members who are specialists in committing acts of violence, which frees other members of the organisation to focus on other aspects of management and profit-making.⁷² Yet what constitutes “organised crime” rather than groups of cooperative bandits remains disputed. As Adam Edwards and Michael Levi write, “Despite the constant use of the term 'organised crime' in media, political and policing spheres around the globe, the overwhelming consensus within the criminological literature and among contemporary police... is that networks are very important and are more appropriately refined

71

Manwaring, Max G., Insurgency, Terrorism and Crime: Shadows from the Past and Portents for the Future, (Norman, University of Oklahoma Press, 2008), pp. 106-108. It is important to note that the generational classification of a gang depends in large part on the environment it exists within – which is to say, a 3rd generation gang capable of challenging state authority in a weak state may not be capable (or willing) to employ violence against a more powerful country.

72

Tilly, 2005, pp. 83-4.

than 'organised crime' as a dynamic depiction of how criminals operate.”⁷³ They go on to list three common uses of the term:

“1) As a way of describing the structure and/or everyday workings of the market as a whole, in the sense that the market can be regarded as a complex social network (singular noun), within which different participants have to network (verb) (to carefully seek out and interact with traffickers who may be like or unlike themselves, etc.: see for example Coles, 2001, Pearson and Hobbs, 2001). In other words, through networking, traffickers [and other offenders] construct the market. 2) As a way of describing drug markets as made up of independent small groups or individuals, sometimes called ‘disorganized crime’, sometimes simply ‘networks’ (plural). Doubt is cast upon the existence of larger and/or ‘harder’ criminal organizations operating in the UK or other European contexts [outside of Italy], partly because it is posited that law enforcement agencies break up larger groups.... In other words, in European drug trafficking [and many other offences], ‘small is beautiful.’ 3) As a way of referring to the durability or otherwise of criminals’ organisational and other arrangements, when these are seen as ever-changing....In other words, impermanence is the name of the game. (This approach often co-exists with number (2) earlier, although they are analytically separable.)”⁷⁴

The idea of organised crime as a 'network' (number 1, above) is particularly useful for the purposes of this study. Traditional depictions of organised crime groups as straightforwardly hierarchical organisations, both in academic and public policy literature⁷⁵ and in more informal cultural settings (eg. the relatively traditional hierarchy embedded in the Corleone family in *The Godfather*), limit our understanding of what this phenomenon is and how complicated and parasitical its relationship with the rest of society is. Michael Kenney argues at length in From Pablo to Osama that criminal organisations (in his example, contemporary Colombian drug cartels) are much less hierarchical than generally thought and form instead a “flattened” network, which is better suited to its environment than a hierarchy. Criminal networks, in Kenney's conception, exhibit naturalistic organisational learning and are more resilient in that they are far less vulnerable to the “decapitation” strategy of the type that destroyed their predecessors, the Cali and Medellín cartels.⁷⁶ Such networks, on the other

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Edwards, Adam and Levi, Michael, “Researching the organization of serious crimes,” in Criminology and Criminal Justice, 2008; 8; pp. 364-5.

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· Ibid. pp. 364-365.

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· Bonner, Robert C., "The New Cocaine Cowboys: How to Defeat Mexico's Drug Cartels," in Foreign Affairs, July-August 2010, pp. 35-47. Bonner, a former director of the American Drug Enforcement Administration, argues that using the 'decapitation' strategy applied in Colombia during the early 1990s would be successful in ending or at least managing the ongoing conflict in Mexico.

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· Kenney, Michael, From Pablo to Osama, (University Park, Pennsylvania State University

hand, often find it more difficult to coordinate complex offensives or engage in other very specific forms of strategic behaviour. But when the objective of such a group is general, rather than specific – for example, to carry out a series of economic exchanges outside the legitimate economy – an organised crime network is capable of success on its own terms.

Transnationality is the final dimension of criminality that needs to be addressed here. Traditionally, crime has been viewed as a failure to adhere to the domestic norms of the country in which the activity in question takes place, but this has been changing in the last few decades as economic activity becomes increasingly globalised. Relatively popular works such as Misha Glenny's *McMafia* and Moises Naím's *Illicit* have popularised the idea that the 'growth sector' in criminality is flows of persons and goods (both grey- and black-market) across international boundaries.⁷⁷ Moreover, the idea of transnational crime as a national security threat has gained substantial traction in policy circles over the last two decades.⁷⁸ Indeed, the existence of offices such as the U.S. Department of State's Bureau of International Narcotics and Law Enforcement Affairs and the United Nations Office on Drugs and Crime indicates the seriousness with which transnational criminal organisations are taken by contemporary policymakers (and, importantly, the centrality of drug trafficking to official perceptions of dangerous trans-border crime).

This dimension is particularly important given the varying levels of control that states have over their own territories. It is more difficult to cultivate large quantities of marijuana or opium, for example, in a small country with a strong government and security services – Britain, for example – than it is to do so in a large country with a weak government and less capacity to disrupt those operations, such as Afghanistan or Colombia. Yet the comparatively wealthy residents of Britain are able to spend substantially more money on narcotics than

Press, Kindle Edition, 2007).

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Glenny, 2008; Naim, Moises, *Illicit: How Smugglers, Traffickers and Copycats are Hijacking the Global Economy*, (London, Random House, 2005).

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See for example, Killebrew, Bob and Bernal, Jennifer, "Crime Wars: Gangs, Cartels and U.S. National Security," Center for a New American Security, September 2010, which argues that the "scale and violence of [criminal] networks threaten civil governments and civil societies in the Western Hemisphere and, increasingly, the United States as well." A similar British perspective comes from: Gustafson, Kristian, "Complex Threats: The Globalisation of Domestic and Foreign Security," *RUSI Journal*, 155, 10 March 2010, p. 72-78.

Afghans or Colombians, which creates a powerful incentive for a criminal organisation to maintain operations on both sides – and more importantly, to have separate *types* of organisation on both sides, since the utility of violence is much higher on the production and trafficking side than on the distribution side.⁷⁹ Nikos Passas refers to this discontinuity as “criminogenic asymmetry,”⁸⁰ which operates within a global system he refers to as “anomie and dysnomie.” In these linked conceptions, contemporary globalised crime has been shaped by the end of the Cold War and the spread of neoliberalism as the sole major socio-economic model for global governance. Moreover, transnational crime is itself a product of that model: “... it would be erroneous to argue that stereotypical organized criminals are giving capitalism a bad name and undermining neoliberal policies. The implication is that, were we to rid ourselves of some very bad apples, everything would be fine. Rather, it appears that serious organizational misconduct is a consequence of such policies.”⁸¹ Contemporary transnational crime can therefore be understood as a variation on contemporary transnational capitalism, except one in which organisations cannot rely on an external body to enforce their contracts and must therefore engage in either explicit or implicit violence in order to safeguard their mechanisms of profit. By the same token, criminal groups do not generally operate within completely ungoverned spaces, but in regions where more legitimate authorities have at least some sway. As with the case of the mobile and stationary bandits, criminal groups are presented with a strategic choice based on this factor: they can make some profit by directly confronting states (generally by violently carving out ungoverned spaces in order to make room for activities frowned upon by the authorities), or they can pursue the potentially more profitable option of finding some accommodation with the state, either by bribing and co-opting officials or by maintaining a low enough profile to avoid repercussions. Both

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This bifurcation between production and distribution in the drug trade will be explored at greater length in Chapter 3.

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Passas, Nikos, “Globalization and Transnational Crime: Effects of Criminogenic Asymmetries,” in Vlassis and Williams, eds., Combating Transnational Crime: Concepts, Activities and Responses, Routledge, London, 2013.

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Passas, Nikos, “Global Anomie, Dysnomie, and Economic Crime: Hidden Consequences of Neoliberalism and Globalization in Russia and Around the World,” in Social Justice, 27:2, Summer 2000., p. 39.

alternatives generally involve minimal violence, or at least minimal violence that directly challenges the authority of the state.

Globalisation adds some complication to this picture. Given the unequal distribution of government authority, and the transnational demand for criminal products, from narcotics to pirated software to human beings, criminal organisations are incentivised to spread their operations beyond established borders.

Crime, therefore, is a useful model for understanding the dynamics of profit-making activity outside the legitimate economy. The profit motive inherent in criminality is also helpful for understanding the limitations that criminal groups operate under – as opposed to ideologically or politically motivated violent actors, criminals operating in a state that maintains at least some authority are incentivised to manage their use of violence rather than using it randomly and haphazardly. However, as a result, it does not do a particularly good job of explaining violence driven by transborder networks, or violence of a persistent and intense nature, as seen in Mexico. We must therefore extend our enquiry into another form of organised violence better suited to those conditions: war.

IV. War

The precise meaning of the word *war* has always been a contentious debate in international relations and conflict studies, but the debate has been particularly vigorous in the post-Cold War era, with its proliferation of irregular conflicts and dearth of conventional state-on-state wars. In the Western world, at least, much of this long-standing debate can be traced back to the Prussian strategist Carl von Clausewitz, in whose widely-cited words war was “not merely a political act, but also a real political instrument, a continuation of political commerce, a carrying out of the same by other means.”⁸² Of equal importance to this discussion, Clausewitz believed that war entailed a certain symmetry:⁸³ “[W]ar is always the shock of two hostile

82

Clausewitz, 2008, p. 42.

⁸³ Hobbes, too, believed that war and violence entailed symmetry, after a fashion: “Nature hath made men so equall, in the faculties of body, and mind; as that though there bee found one man sometimes manifestly stronger in body, or of quicker mind then another; yet when all is reckoned together, the difference between man, and man, is not so considerable, as that one man can

bodies in collision, not the action of a living power upon an inanimate mass, because an absolute state of endurance would not be making War; therefore, what we have just said as to the aim of action in War applies to both parties.”⁸⁴ Here, we see the roots of the difference between violent crime and war. Given the presence of organised, violent crime in even the most powerful industrialised nations, the “action of power against inanimate mass” seems a more apt description for attempts to control persistent forms of violence than a clash between two relatively equal opponents, each with some kind of central organising principle, as in conventional warfare.

Of course, as previously mentioned, contemporary wars are frequently neither conventional nor symmetrical. While there is some dispute as to the precise nature and cause of this change, most argue it is the combination of the level of devastation incurred by WWII and the potential for even greater destruction if nuclear weapons were used on a large scale.⁸⁵ Indeed, conventional war is now at a historic low ebb.⁸⁶ Unconventional wars, on the other hand, have remained common. Yet these conflicts frequently challenge Clausewitz's conception of warfare. As Herfried Münkler points out, the 'new wars' that have arisen since the end of the Cold War are inherently asymmetrical: “Whereas symmetrical wars tend to result in a symmetrical distribution of costs between the belligerents – so that the incentive to economise by avoiding war is the same for both sides – this is precisely not the case in asymmetrical wars.”⁸⁷ As we have already seen, the costs and economic motivations are

thereupon claim to himself any benefit, to which another may not pretend, as well as he. For as to the strength of body, the weakest has strength enough to kill the strongest, either by secret machination, or by confederacy with others, that are in the same danger with himself.” (Hobbes, 1651, ch. XIII). Hobbes elaborates that this equality of potential violence leads to diffidence, or a sense of insecurity, from which arises the desire to make war out of self-protection.

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Ibid, p. 30.

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See for example Van Creveld, Martin, The Transformation of War, (New York, The Free Press, 1991), p. 10.

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There are a number of sources which track the incidence of violent conflict worldwide; one of the most thorough and authoritative is the annual Stockholm International Peace Research Institute (SIPRI) Yearbook – see <http://www.sipriyearbook.org/>.

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Münkler, Herfried, The New Wars, (Cambridge, Polity, 2005), p. 73.

fundamentally different between banditry and more sophisticated forms of crime – let alone between criminals and the state. This dynamic is particularly strong in unconventional wars.⁸⁸

Furthermore, although Clausewitz broadly addressed the question of "small wars," he was primarily concerned with the kind of conflict that turned on a decisive battle; to him, all aspects of war turned on the outcome of such battles.⁸⁹ Needless to say, this sort of decisive action is somewhere between extremely difficult and impossible to replicate in efforts to control criminality. In recent history, a few criminal organisations have grown to a size where a decisive battle or some close analogue is possible; one good example would be the US/Colombian "decapitation" strategy against the Cali and Medellín cartels in Colombia in the early 1990s. But even this victory was dependent upon very specific circumstances and a particular type of cartel organisation. In addition, it had little impact on the actual flow of cocaine from Colombia to the US; instead, it drove Colombian traffickers to adopt less centralised network forms of organisation that were less vulnerable to decapitation operations.⁹⁰ While these decentralised networks are less capable of achieving complex strategic or political goals,⁹¹ they demonstrated in this instance that they are ideal for maintaining a challenge to the state by means of providing illegal services, both drugs and violence. In this sense, true organised criminal networks are not definitionally capable of taking part in Clausewitzian warfare, as they lack both the ability to engage in decisive battle and the interest or organisational structure to take part in politics as part of the trinitarian relationship between state, military and populace.

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Keen, David, "Incentives and Disincentives for Violence," in Berdal, Mats, and Malone, David M., Greed and Grievance: Economic Agendas in Civil Wars, (Boulder, Lynne Reiner, 2000). Keen argues that in civil wars and irregular conflicts, violence (or at least lawlessness in which the normal prohibitions on violence do not apply) can actually be profitable for non-state actors, permitting types of economic activity difficult or impossible to carry out during peacetime.

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Clausewitz, 2008, p. 52.

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Kenney, Michael, "Turning to the 'Dark Side:' Coordination, Exchange and Learning in Criminal Networks," in Kahler, Miles, ed., Networked Politics: Agency, Power and Governance, (Ithaca, Cornell University Press, 2009), p. 99.

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Ibid., p. 101.

But there is another strain of thought, which holds the traditional conception of politics as something practiced by states alone needs to be updated to take into account the growing power of non-state actors, particularly in regions where the power of the state is less than absolute (as it is in regions where large-scale drug production takes place). Isabelle Duyvesteyn has argued that the Clausewitzian conception of politics continued through violence can be scaled down to include irregular wars inside states, using the hypothesis that “...actors involved in armed conflict in which the state structures have collapsed are political actors.”⁹² This argument, much like the argument about violence explained earlier in this chapter, holds that politics is an inherently scalable concept – that the politics that exist between ephemeral, less-organised groups that take part in such violence are real and exist in the service of political objectives, even if those are not objectives common to a state, or common to an organisation that has state-like interests.

David Keen gives us a more useful framework for describing the kind of low-level fighting predominant since the end of the Cold War. He refers to conflicts of this type not as wars, but as "complex emergencies," which he describes as "alternative means of profit, power and even protection."⁹³ The lack of a discrete political objective – such as an overt military victory or takeover of the apparatus of government – is, in this view, not just an incidental feature of these conflicts but a central characteristic: they last many years precisely because their participants benefit from prolonging them indefinitely.⁹⁴ As Münkler points out, not only is the historical trend of conventional warfare one of indefinitely increasing expense, but the combination of low-cost unconventional war with a globally-linked “open war economy” allows for the sustenance of war over decades, without any clear victor or resolution.⁹⁵

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Duyvesteyn, Isabelle, Clausewitz and African War, (New York, Frank Cass, 2005), p. 9.

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Keen, 2000, p. 22.

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Ibid., pp. 21-22.

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Münkler, 2005, p. 93.

To this end, Robert Mandel defines victory in two parts: *war winning* and *peace winning*, the former occurring “when a state attempts to bring a war to a successful military conclusion, affecting the mode of battle in terms of how one fights and whether one continues or ceases to fight,” and the latter occurring “when a state attempts to reap the payoffs of war, affecting the mode of postcombat activities in terms of how one manages the transition afterwards and whether one stays in or leaves the area in which the fighting occurred.”⁹⁶ Such a split is important in contemporary warfare, since frequently at least one of the opposing sides does not have a centralised command structure that can concede defeat and agree to the victor's terms. Furthermore, as demonstrated by the contrast between the speed and success of the U.S. invasion of Iraq and the subsequent descent into insurgency and civil war, even a war won rapidly and overwhelmingly can be a strategic defeat if it is not followed by a comprehensive victory over the peace.⁹⁷ States, generally speaking, do not benefit from the continuation of conflict as in a complex emergency – at least not when it occurs on their own territory, or that of their allies, but the benefits of continuing violence are much clearer for non-state actors – a phenomenon explored in greater detail in Chapter 3.

None of this is to say that the concept of “war,” writ large, is no longer a useful framework for understanding violent conflict. Indeed, in the post-Cold War era, there have been a (relatively small) number of wars that both started and ended conventionally in recent history; Russia's war with Georgia in 2008 and the first Gulf War being perhaps the strongest examples. Moreover, in the same time period there have been a number of wars that have largely adhered to the classic insurgency/guerrilla warfare paradigm, such as the insurgencies in Colombia and Sri Lanka, both of which ebbed and flowed throughout the 1990s and 2000s before declining significantly – if not permanently – around the beginning of the 2010s. But the groups that participated in these wars – state militaries and ideological or religiously oriented insurgent movements – tend to have an overarching strategy leading to victory, or at

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Mandel, Robert, “Defining Postwar Victory,” in Angstrom, Jan and Duyvesteyn, Isabelle, eds., Understanding Victory and Defeat in Contemporary War, (New York, Routledge, 2007), p. 19.

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Coker, Christopher, War in an Age of Risk, (Cambridge, Polity, 2009), p. 107.

least a desired end state, no matter how improbable.⁹⁸ In contrast, the idea of complex emergencies – a system whose sustenance provides benefit for actors within, even if those actors are not intentionally sustaining it, points to a more useful model for understanding organised violence as somewhere in between crime and war.

That said, a critically important distinction must be drawn here between two conceptions of “war.” Proponents of the anarchic violence thesis seem to be using the term to refer to violence that has met a certain threshold – to mark a certain condition or set of conditions as particularly serious. In this conception, war does not necessarily have an overt political component, but it does not need one: the trappings of “war” are sufficient, whether those are a certain quantitative level of violence, an ineffable quality to the brutality, or even the simple fact of militarisation (eg. the presence of armed soldiers, or heavily-armed police officers, on civilian streets) can make a “state of war.” While this conception has a certain emotional truth to it, it is of limited analytical value. To be meaningful analytically, we must draw a distinction between conflicts that simply have what might be termed the *optics of war*, and those which meet a more specific definition of war.

This brings us back to the question of the nomenclature of unconventional violent conflicts. The most straightforward categorisation in that regard is probably Mary Kaldor, who simply calls these conflicts “new wars.”⁹⁹ Kaldor argues that the dominant form of warfare in the post-Cold War era has been internal violence in poor and failed states, which often entails a combination of large-scale human rights violations and the creation of a criminalised economy. Martin van Creveld, under the heading of “non-trinitarian warfare,” takes the same basic concept and elaborates it using explicitly Clausewitzian terms. According to van Creveld, the “new wars” are different from the old because they do not require a unity of purpose

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Al Qaeda is an excellent example here – a group that has been relatively adaptable in changing from a hierarchical leadership-oriented structure to a network relying on a 'brand' in the wake of 9/11 and the US-led invasion of Afghanistan. Although it remains to be seen how the organisation will react to the killing of its founder and spiritual leader Osama bin Laden, it successfully carried out a campaign of attacks designed to instil fear into the populaces of Western nations which it opposed. See Richardson, Louise, What Terrorists Want, (New York, Random House, 2007), ch. 7.

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Kaldor, Mary, New and Old Wars: Organized Violence in a Global Era, (Cambridge, Polity, 2007).

between the “remarkable trinity” of state, people and military. Coupled with the “force multiplier” effect of modern technology (particularly modern small arms and communications gear) and the corresponding ability of small armed groups to do vastly more damage per capita than in any previous era, the proliferation of this type of warfare, in van Creveld's view, indicates that the (post-Westphalian) era in which states are indisputably the most powerful international actors is coming to an end, to be replaced with new forms of social organisation.¹⁰⁰¹⁰¹

Other thinkers have focused on the organisational aspect of the non-state actors around whom this entire conceit is based. The traditional view of war, outlined above, is that it is a *process*, a means by which actors achieve their desired goals using violence. The alternative, to borrow a description from Robert Bunker, is the school of “Future Warfare Studies,”¹⁰² which holds that warfare is an evolutionary process, and that its modern iteration leverages technological developments to allow for entirely new forms of organisation, decision-making and tactical adaptation. In other words, the concept of 'future warfare,' broadly construed, considers armed non-state actors not primarily as political actors with political objectives, but as agents in a violent market seeking to maximise profit through technological and tactical innovation, including frequently shifting patterns of alliances and connections and a willingness to experiment at all operational levels. This is a fundamentally different model of violent group behaviour because it emphasises the linkages between such groups and sees

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Van Creveld, Martin, The Rise and Decline of the State, (Cambridge, Cambridge University Press, 1999).

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Christopher Coker provides a variant upon this idea, arguing that the modern age has come to be defined as “an age of risk,” in which war is used not as a tool of politics, but as a tool to manage insecurity. As Coker points out, even though the actual risk from warfare has declined – particularly since the end of the Cold War – the threats faced in conventional and even nuclear warfare were relatively quantifiable and therefore manageable using the standard tools of Westphalian statecraft. While modern threats from non-state actors such as terrorists, drug cartels or guerrillas may not be existential to relatively rich, industrialised nations the way the threat of a nuclear-armed Soviet Union or an ascendant Nazi Germany were, the new category of threats are less predictable; as a result, the efforts of states can only hope to 'manage' rather than eliminate them. In other words, in a very broad sense, there is a disconnect between the tools available to states and the nature of the threats they face. This is true for threats of contemporary organised violence; as we will see in Chapter 2, it is also true of the 'threat' of drug use. See Coker, 2009.

102

Bunker, Robert J., “The Mexican Cartel Debate: As Viewed Through Five Divergent Fields of Security Studies,” in Small Wars Journal, 11 February 2011.

their actions as taking place in a network of similar groups, rather than simply arraying the interests of such a group against the interests of a state. Traditional conceptions of war tend to focus on two opposed groups with contradictory interests; as useful as this model can be in a conflict with exactly two sides, it becomes less and less useful as the number of individual participatory groups increases beyond two. In a complex conflict with some dozens of individual combatant groups, alliances and tactical cooperation of varying depths and lengths become necessary for all participants. In order to map out such a conflict, we must turn to the study of complex networks.

These theories of future warfare owe a large debt to Manuel Castells, whose work helped create a model of society based on a complex set of interrelationships between individuals and groups.¹⁰³ Instead of unitary bodies with specific interests, this model understands society as a series of connected “nodes,” and bases the study of behaviours on the relationship between the individuals and groups which comprise those nodes. In The Network Society, Castells writes, “Networks constitute the new social morphology of our societies, and the diffusion of networking logic substantially modifies the operation and outcomes in processes of production, experience, power and culture. While the networking form of social organization has existed in other times and spaces, the new information technology paradigm provides the material basis its pervasive expansion throughout the entire social structure. Furthermore, I would argue that this networking logic induces a social determination of a higher level than that of the specific social interests expressed through the networks: *the power of flows takes precedence over the flows of power.*”¹⁰⁴ [Italics added.] In other words, the prevalence of modern networking technology – the Internet, mass media communications, rapid travel, global trade – have fundamentally altered the form of society, and made it dependent upon the ability of groups to form alliances of convenience based on mutual utility rather than old

103

Castells was far from the lone originator of social network analysis, but his work is particularly important to the military futurists, as he explores the role of information technology in creating a network which can rapidly communicate and adapt to changing circumstances. However, the field of social network analysis predates his writings, with some arguing that the first 'real' social network analysis was carried out by Jacob Moreno in the 1930s. For a good historical overview of the topic, see Freeman, Linton C., The Development of Social Network Analysis: A Study in the Sociology of Science, (Vancouver, Empirical Press, 2004).

104

Castells, Manuel, The Network Society, (Oxford, Blackwell, 2000), p. 500.

forms of social, geographic, cultural or religious affinity. In the contemporary world, Castells tells us, the power lies with the ability to form ties between groups and create such alliances.¹⁰⁵

Castells, however, largely based his theory on legitimate economic, political and cultural flows. The armed form of the network society is based the work of John Arquilla and David Ronfeldt, who use network theory to draw similar conclusions to Castells with regard to warfare, rather than to economic and cultural issues. They argue that violent actors need not form hierarchical structures modelled vaguely after state military or political organs, with strategic direction coming from a small top echelon, tactical directives coming from a larger middle echelon and operational actions carried out by the bottom rungs. Instead, a violent group taking part in netwar might organise itself according to one of three basic models: 1) the chain network, in which each node communicates with one directly before and directly after it, and has no other communications elsewhere in the network; 2) the hub/star network, in which different nodes (which might represent different specialised groups – money laundering, for instance, or security) are connected through a small number of central nodes; or 3) the all-channel network, in which every individual actor is able to communicate with every other within the network.¹⁰⁶ These archetypes are not entirely formal, and can be modified on an ad-hoc basis, but they demonstrate the ways in which a violent non-state actor can organise itself without becoming reliant upon the strategic direction and knowledge embodied in one vulnerable leader. Of course, all of these basic models have their individual weaknesses – the chain network, typical of smuggling networks, is vulnerable to disruption along any point of the pathway; the hub network is vulnerable at the central point of communication, and the all-channel network can be destroyed from the inside, since every member is able to provide information about every other member. But allowing for greater individual autonomy, particularly by using an all-channel form of organisation, allows members of a group to adapt to local conditions and provide testing under operational

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^{*} Ibid., p. 502.

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^{*} Arquilla, John, and Ronfeldt, David, Networks and Netwars: The Future of Terror, Crime and Militancy, (Arlington, RAND Corporation Press, 2001).

conditions of new tactics and technologies much faster than a centralised bureaucracy can learn and innovate – in other words, the process allows for a much faster Observe-Orient-Decide-Act (OODA) loop than a traditional hierarchical model.¹⁰⁷

The metaphor of a network is useful for explaining the process and organisational logic of violent non-state actors, but it lacks explicatory power with regard to the broader dynamics of conflict. One of the commonalities between general network theorists like Castells and more conflict-inclined researchers like Arquilla and Ronfeldt is their relative agnosticism with regards to the purpose of networks. Arquilla and Ronfeldt argue, toward the end of Networks and Netwars,¹⁰⁸ that organisational models used successfully by criminal, militia and terrorist groups can also be used with success by legitimate groups operating in the civil society sphere. The concept of a network is a useful counter to the misconception of a violent non-state group as, essentially, a mirror-image of a state's hierarchical military or police force; but it does not in and of itself represent a change in the nature of warfare. The idea that there is something fundamentally different about the *organisational structure*, and therefore the *capabilities* and *weaknesses* of the non-state actors in 'new wars' has led to a strain of thought which argues that contemporary modes of communication and organisation have led to a fundamental shift in what war means, generally known as fourth generation warfare, or 4GW, theory. (Interestingly, these commandments coincide to some degree with Sun Tzu's notions of the ideal strategy, in which “to fight and conquer all your battles is not supreme excellence; supreme excellence consists in breaking the enemy's resistance without fighting.”¹⁰⁹) In sum, 4GW theory holds that the irregular organised violence – everything from relatively straightforward political insurgency to violence for nonpolitical causes – can be grouped

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The OODA loop – OODA standing for Observe, Oriente, Decide and Act – was the brainchild of John Boyd, a United States Air Force pilot and tactician, who suggested that all responses to stimuli, whether in the mind of a combat pilot during a dogfight or in the collective mind of a government or large corporation adjusting to market conditions, could be described by a four-stage process of understanding and response. To Boyd, the winner of any given competition would be the one capable of making it through all four stages of the loop faster. See Bousquet, Antoine, The Scientific Way of Warfare, (London, Hurst & Company, 2009), p. 188.

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Arquilla and Ronfeldt 2001, Ch. 10.

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Sun Tzu, The Art of War, translated by Galvin, Dallas and Giles, Lionel, (New York, Barnes and Noble Classics, 2003), p. 15.

together based on tactics. In other words, it holds that the questions of “who is fighting” and “why are they fighting” are independent from the question of “how are they fighting.”¹¹⁰

The difference between war and crime is therefore in part a qualitative one, as the objectives of those engaged in profit-minded criminal violence cannot be met with maximal violence, whereas no such limitation applies in war. But there is no absolutely reliable metric to differentiate war from other incidences of organised violence – the conflicts in which the greatest number of people have died have not always been subjected to the most academic or media scrutiny.¹¹¹ Because of this lack of metrics to adequately describe and understand conflicts that fall in between clear, definable models of war and crime, we must examine the role of metaphor and language in security policy.

V. Terror, crime and the metaphor of war

The optics of war could be said to be accompanied by the soundbites of war. Describing a conflict, struggle or campaign as a “war” has a number of virtues as a rhetorical strategy: it implies a sense of moral clarity, of national unity or simply of purpose. American presidents in particular have historically deployed this metaphor to a variety of ends not related to violence; Lyndon Johnson called for a “war against poverty,” for example, which did not entail the deployment of the U.S. Army into inner cities to distribute aid to the homeless. Similar declarations of war on inanimate or inhuman subjects – cancer, AIDS, climate change – may indeed be problematic from a critical perspective in that they can militarise non-military problems. But the purpose of the critique here is more limited: to examine the use of “war” as a metaphor for combating irregular violence. In that context, there are two significant and ongoing examples: the war on drugs, as declared by Richard Nixon in 1971; and the war on

110

Terriff, Terry et. al., “Can we adapt to Fourth Generation Warfare?” in Terriff et. al., Global Insurgency and the Future of Armed Conflict, (New York, Routledge, 2008), p. 281.

111

Perhaps unsurprisingly given the contentiousness of the debate over the topic, there is no widely-accepted simple quantitative definition of “war.” Perhaps the most widely-accepted attempt at such comes via the Nobel Prize Committee, who define a war as “an armed conflict with at least 1000 military battle deaths, where at least one of the parties is the government of a state.” (Nobel Prize Committee, “Conflict Map,” Nobel Media AB, accessed from <http://www.nobelprize.org/educational/peace/conflictmap/about.html> on 6 June 2013).

terror, as declared by George W. Bush in 2001. There are significant similarities between these two constructions, particularly in their vagueness, their openness to interpretation and their lack of a clearly construed enemy. But there are also significant differences, which demonstrate the difficulties inherent in using the metaphor of war to encapsulate complex conflicts with a combination of domestic and foreign elements. This admixture of foreign and domestic elements, which Bayliss Manning described with the term “intermestic,”¹¹² has increasingly dominated contemporary policymaking, as security problems increasingly involve a mix of domestic and foreign policy issues. But even as security threats have become globalised, and governments have moved toward a risk-management approach to contain them, the rhetorical usage of war has not kept pace. The wars on terror and drugs have many differences, but the mismatch between the rhetorical ambition inherent in the terminology and their policy outcomes demonstrates the need for a more sophisticated means of communicating a typology of organised violence.

First, it is important to note that American policymakers have explicitly linked these two “wars” in the past. Public service announcements designed to leverage the relative popularity anti-terrorism to boost the fortunes of the war on drugs have made the most explicit public linkage between the two. One such campaign warned potential drug users that money spent on the illicit goods would find its way into the pockets of terrorist groups.¹¹³ While there is some evidence¹¹⁴ that terrorists have used drug profits to support their activities, and while some organisations such as the Taliban have been linked to both terrorism and drug trafficking, the linkage is not particularly strong. As discussed previously, drug traffickers

112

Manning, Bayliss, “The Congress, The Executive, and Intermestic Affairs: Three Proposals,” in *Foreign Affairs*, 55:2, January 1977.

113

These PSAs were produced by a project of the Office of National Drug Control Policy entitled “The Anti-Drug,” which has subsequently scrubbed most of them off its website. One remaining piece of the campaign could be found as of 27 April 2011 at http://theantidrug.mondosearch.com/cgi-bin/MsmGo.exe?grab_id=0&EXTRA_ARG=&CFGNAME=MssFind.cfg&host_id=42&page_id=821&query=terrorism&hiword=TERRORISTS%20. Some of the TV spots from this campaign, however, are preserved on YouTube – as of 27 April 2011 one was at <http://www.youtube.com/watch?v=AVQnbNspHsk&feature=related>, and another at <http://www.youtube.com/watch?v=bFLFihL6JNk>.

114

Gustafson, Kristian, “Complex Threats,” in *The RUSI Journal*, 155: 1, 2010, p. 74-5.

operating in ordinary criminal contexts prefer to limit the scope and scale of their violence where possible in order to mitigate their risks from the authorities. Fighting against the more numerous, better-armed, better-trained forces of the state, after all, is not generally a profitable enterprise. Terrorists, on the other hand, have to compensate for their relative weakness by attracting as much attention as possible to their strikes. Fundamentally, there is a difference between terrorism and drug trafficking violence, with the former being offensive and expressive and the latter using more defensive and instrumental. The relationship is therefore one-sided: terrorist groups may profit from drug trafficking, but it is not in the interest of established drug trafficking groups to cooperate with terrorists.

But it is at the metaphorical level where the comparison between the war on terror and the war on drugs is both more important and more insidious. American drug war strategy documents are littered with references to “narco-terrorists” and “narco-terrorism.”¹¹⁵ While some of this language refers to the use by drug gangs of specific tactics normally associated with terrorists, it largely indicates a convenient conflation of two very different phenomena. As Phil Williams notes, the fact that the meaning of “narco-terrorism” has largely shifted from the use of terrorist tactics by DTOs to the use of drug trafficking as a source of revenue for ideological terrorists demonstrates its unhelpfulness as a categorisation.¹¹⁶ In any case, as enemies, drugs and terrorism are not really comparable. One is a banned, inanimate resource, while the other is a tactic used by groups that lack the ability to confront the state in more orthodox fashion. As Philip Bobbitt points out, these two also differ in the sense that drugs do not have a constituency¹¹⁷ – or at least, their constituency is unwilling to make itself publicly known, or to take action to defend the trade. Terrorists, on the other hand, do generally have constituencies – they have specific political objectives, and even if they do not necessarily represent a religious, ethnic or cultural group, there are usually groups of those varieties

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See, for instance, the 2010 National Drug Control Strategy, which links together “cartels, criminal bands and narco-terrorists” in a “symbiotic relationship of narcotics, insurgency and corruption.” (p. 77).

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Williams, Phil and Felbab-Brown, Vanda, “Drug Trafficking, Violence and Instability,” (Carlisle, U.S. Army Strategic Studies Institute, 2012), p. 31.

¹¹⁷

Bobbitt, Phillip, Terror and Consent, (New York, Alfred A. Knopf, 2008), p. 133.

whose interests align with theirs. This of course assumes that terrorists are rational actors with political, religious or cultural goals but methods beyond the scope of normal politics – an assertion which is fairly broadly accepted.¹¹⁸¹¹⁹ Finally, terrorism as a tactic relies on fear to induce either direct compliance or oblique compliance via compelling an official overreaction. By contrast, drug trafficking depends on the user's desire for narcotics to make a profit. Fear and violence can be used instrumentally to support the goal of profit-making, but neither are essential to its character.

Despite the fundamental differences between the drug-linked violence and terrorism, the universalisation of prohibition and the coterminous militarisation of language and policy has created a system in which states frequently respond to both using the same tactics. Both have also suffered from “mission creep.”¹²⁰ The Bush Administration's “Global War on Terror” may have started as a rhetorically punchy shorthand for a war against a particular band of Islamic extremists who perpetrated the 9/11 attacks, but the justification has subsequently expanded to cover counterinsurgency operations in Afghanistan and Iraq, along with the creation of a vast new security bureaucracy. While the Obama Administration has been somewhat less rhetorically aggressive than its predecessor, replacing the Global War on Terror with the much more anodyne “Overseas Contingency Operations,” the execution has been broadly similar, justifying a range of covert military actions against targets across Central Asia, the Middle East and Africa. Similarly, the war on drugs, which started as a demand-reduction programme for drugs and has come to encompass both vastly more aggressive domestic enforcement and involvement in foreign conflicts driven, or at least sustained by, the drugs trade. To refer to the wars on drugs and terror as “metaphors” is not to diminish the significance of the conflicts; it is instead to explain how language affects policy and drives it out of sync with the problem that policy at hand, and can lead to unnecessary escalation. In reference to the war on terror, Michael Howard writes:

118

See for example, Richardson, Louise, 2007, pp. 4-6. There is, of course, the “random” species of terrorism, in which individuals empowered by the destructive technology of firearms and/or explosives cause significant havoc for personal or psychological reasons divorced from any formal affinity group, but this is terrorism as a tactic only – a separate issue, which deserves a separate and less politicised description.

119

See also, Howard, Michael, “Are We At War?” in *Survival*, 50: 4, 2008, p. 253

¹²⁰ Mission creep refers to the unintended expansion of mission parameters and objectives over time.

“The threat of terrorist protest thus accompanies the development of our global society like an inescapable shadow, and is likely to remain a major social problem as far forward as we can foresee... It is a combination that presents a formidable challenge to the stability of the entire world order. But there is no point in ‘declaring war’ on it, let alone adopting the apocalyptic language of religious extremists who stigmatise their opponents as the embodiment of evil... This is not a mere matter of semantics. There is no harm in speaking of wars against poverty, or crime, or disease. These are mere metaphors: they do not give a license to kill. But in the world of international politics ‘war’ has a specific meaning. It means quite specifically the abandonment of civil restraints and the legitimisation of the use of whatever force is necessary to achieve one’s objectives. Restraints inherent in the culture of the belligerent societies may be observed in the conduct of war – restraints recently described by one American attorney general as ‘quaint’ – but they will be very quickly abandoned under duress. The leaders of nations at war have always considered themselves entitled, if all else fails, to use any means to defeat their adversary and avoid defeat themselves, whether it be the torture of individuals or the destruction of entire cities, and they will usually enjoy massive popular support when they do so. Let us be clear about it. To ‘declare war’ is formally to espouse a set of values and to legitimise activities normally outlawed in civil society.”¹²¹

In one sense, this is a helpful understanding of the war on drugs, as well: the “threat that accompanies the development of our global society like an inescapable shadow” could also describe the prevalence of illegal narcotics, and the inability of governments in a globalised world to shut themselves off from them without also shutting off other essential trade. No matter how much money is spent to counter them or how aggressive state counter-narcotics policies are, drugs have proven to be incredibly resilient and survivable – the basic facts of drug availability and use have not substantially shifted over 40 years of ‘war.’¹²²

However, there is a critical distinction between the wars on terror and drugs, which Howard’s point obscures. Unlike disease or poverty, the individuals in terrorist and drug trafficking groups have agency, so war can be made against them, at least in a tactical sense. But their objectives are vastly different. Individuals and groups choose to use terrorism as a tactic against enemies from whom they seek some concession; as Louise Richardson has demonstrated, they are rational (if not necessarily rationally self-interested) rather than agents of chaos or forces of nature. The goals of terrorist organisations may be unattainable (for instance, al Qaeda’s stated goal of killing 4 million Americans and resurrecting the Islamic Caliphate), but as they use directed violence with the intent of compelling others to do

121

Howard, 2008, p. 254

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Bertram, 1996, pp. 266-7.

their will, their actions could be construed as acts of unconventional war.¹²³ Drug traffickers have an entirely different relationship with violence, and it is here where we find a fundamental difference between them and terrorists. Since the drug trafficker's profitability depends on the maintenance of a complex, underground system of production, transportation and distribution, the maintenance of some form of order is necessary; violence directed at the state is often counterproductive to this goal.

Individual terrorists and drug traffickers can gain notoriety and even transient victory by challenging states aggressively and assertively, but the otherwise divergent examples of Pablo Escobar and Osama bin Laden demonstrate the risks of such a strategy. Even a weak and/or distracted state will respond more aggressively to a direct challenge to its authority, and the individuals most responsible make themselves targets for the state's violence by doing so. Importantly, though, neither war was ended with the death of its principal antagonist: whatever the immediate effects, the killing of Escobar did not change the fundamentals of the Colombian cocaine trade any more than the killing of bin Laden erased the threat of mass-casualty terrorism. In this, we see the weakness of using the metaphor of war to describe unconventional forms of violence: the removal of participants does not necessarily alter the structure of the conflict.

Therefore, in order to have any descriptive power, the war metaphor as used in these cases must be understood as a combination of violence directed at specific discrete targets (persons and groups) and a more general effort to change an underlying condition: namely, society's susceptibility to terrorism and drugs, respectively. This condition was made explicit by Richard Nixon, who in his original drug war statement, claimed that "[t]he final issue is not whether we will conquer drug abuse, but how soon."¹²⁴ More modern drug war proponents often espouse similar views: the world's leading anti-drug NGO, the World Federation Against Drugs, which is endorsed by both the UNODC and the American counter-narcotics authorities, adheres to a constitution that calls for an uncompromising end to the use of all

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Richardson, 2007, p. 14-15.

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Nixon, 1971.

varieties of drugs worldwide.¹²⁵ Yet such efforts often pave the way toward an oversimplification and over-reliance on military methods: President Ronald Reagan announced in 1982 that his administration was “hauling down the surrender flag and running up the battle standard,”¹²⁶ indicating that all aspects of the government's response would be hardened – more jail time for offenders, more aggressive domestic law enforcement and more military aid to overseas governments fighting drug-backed insurgencies. This set the tone for the subsequent three decades of American counter-narcotics policies, as we will see in the coming chapters. Here, the war on terror is distinguished only by the fact that it was explicitly launched as an intermestic campaign of domestic counterterrorism and foreign military operations, rather than evolving into a militarised campaign over time.

Despite the differences between the construction of the war on terror and the war on drugs, in both cases, it is clear that war is a problematic metaphor for complex intermestic forms of violence. Nevertheless, its continued use points to both a failure of political imagination and a lack of a better vocabulary to describe organised violence outside traditional conceptions.

VI. Conclusion

There are significant gaps in the policy/theoretical nexus in terms of categorising and describing organised violence. There are clear archetypes of crime and war that respectively cover small-scale violence carried out for economic purposes and large-scale violence carried out toward political or social ends. But in a world defined by global economic and cultural linkages and the attendant risk-management approach of governments and international organisations, many conflicts and security issues fall into a contentious category between those archetypes. Social scientists have not agreed on a common set of terms or definitions for these “intermediate” conflicts, and lacking any other framework, policymakers have proceeded to use inappropriate metaphors to describe their responses to social problems, leading them to mobilise the wrong types of national resources to address the problems.

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World Federation Against Drugs constitution, accessed from <http://wfad.se/about-wfad/wfad-declaration> on May 17, 2013.

¹²⁶

Buxton, 2008, p. 24.

Mexican authorities clearly demonstrated this confusion: In 2008, President Felipe Calderón referred to the country's drug violence as “a war,”¹²⁷ yet when asked for a definition of the violence, his government's own national security spokesman demurred from that characterisation and used the term “a fight against organised crime” instead.¹²⁸ And when U.S. Secretary of State Hillary Clinton used the term “insurgency” to describe the situation, the Mexican government protested, forcing President Obama to contradict her.¹²⁹ That there is so little agreement at the highest levels of the countries most affected on the basic, definitional question of the violence bodes poorly for a unified strategic response.

This thesis does not purport to create a new typology of violence or to propose policy solutions for all complex conflicts in a networked world. Instead, its purpose is to contextualise a specific relationship between violence and illegal narcotics, as demonstrated by the ongoing conflict in Mexico. Having explored and clarified the issues around contemporary understandings of organised violence, the next chapter will link these with the characteristics of illegal narcotics, and construct a model that sheds some light on the Mexican conflict, and by extension, irregular conflicts elsewhere.

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Ellingwood, Ken, “Mexico vs. drug gangs: a deadly clash for control,” in *The Los Angeles Times*, June 3, 2008, accessed from <http://www.latimes.com/news/nationworld/world/la-me-haven2,0,1246611.story> on May 3, 2011.

¹²⁸

National Security Spokesman for the Government of Mexico, public lecture at LSE, March 22, 2011.

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BBC News, “Clinton says Mexico drug crime like an insurgency,” 9 September 2010, accessed from <http://www.bbc.co.uk/news/world-us-canada-11234058> on 3 June 2013.

Chapter 3:
The Characteristics of the War on
Drugs and the Market of Narcotic
Violence

I. Introduction

Having examined the different species of organised violence, we must now move on to the second element of the theoretical formulation: drugs, which serve as the catalyst for the violence seen in the case study. This chapter serves largely to specify the theoretical argument of Chapter 2, examining a specific type of violence that falls between the theoretical categories established there. From a broad theoretical perspective, it will examine the linkages between drugs and violence in an attempt to further situate the case study within the theoretical literature on the different types of organised violence. More specifically, it serves to situate the case study of the ongoing violence in Mexico in the context of the history and broad characteristics of state anti-narcotics campaigns, as well as the violence associated with drug trafficking. Finally, this chapter serves to outline the overall hypothesis of this work: that the trade in illicit narcotics can lead to the creation of a resilient, persistent “Market of Narcotic Violence” in transit states. The subsequent case study chapters will test whether the drug-linked violence in Mexico from 2006 – 2012 forms such a Market of Narcotic Violence, or whether it falls into a more conventional category of organised violence.

Before discussing any specifics, however, it is necessary to address a simple question at the very heart of this research: *Why drugs?* Why does a single category of brain chemistry-altering substances command so much attention from policymakers and academics, while seeming to correlate with so many violent conflicts worldwide? Drug use undoubtedly has negative effects on individual and public health, but neither the legal classification nor policy focus on narcotics are proportionate to those threats, especially considering the comparable harms of tobacco and alcohol abuse.¹³⁰ So why is there so much violence linked to the traffic in drugs, but so little around products that have comparably deleterious public health effects?

The answer to this question lies with the policies pursued by both national leaders and international policymakers over the last century. The portrayal of narcotics as not simply a public health hazard, but as an *existential threat* to domestic peace and stability led to a rapid

130

Nutt, David, et al, “Development of a rational scale to assess the harms of drugs of potential misuse,” in *The Lancet*, vol. 369, pp. 1047-53.

progression from a balanced, public health-led approach to one shaped by law enforcement and military strategies. The change in emphasis from demand-based to supply-based solutions is the clearest policy outcome of this shift. By itself, the United States imprisons hundreds of thousands of people convicted of drug use and trafficking offences, both violent and nonviolent – a tactic which has had little measurable impact on demand or drug abuse.¹³¹ Anti-drugs enforcement has become a multi-billion dollar federal budget issue, spread across a number of agencies, with similarly little effect on demand.¹³² Meanwhile, the militarisation of both counter-narcotics policy and the drugs trade itself has spread far beyond the U.S. border, from drug-funded insurgencies in South America and Central Asia to widespread drug-related gang violence in Latin America and West Africa. What started as a rhetorical call to arms against a public health threat morphed into a very real, deadly set of global military efforts, and significant challenges to the existing international norms have begun to materialise only recently.

To make this case, the chapter begins with a brief outline of the history of narcotics use and efforts to control it, with a concentration on recent history, particularly the internationalisation of narcotics prohibition by the 1961 UN Single Convention on Narcotic Drugs and its associated instruments, and the militarisation of counter-narcotics which followed President Richard Nixon's declaration of war on drugs in 1971. Given the case study, it focuses especially on the Western Hemisphere drug trafficking networks that extend from the production regions in the Andes through the transit zones of Central America and Mexico to the world's largest individual market for recreational drugs, the United States. The chapter then examines the specific characteristics of drugs to determine why they correlate so frequently with conflict, and how they enable and empower violent non-state actors. Finally, the chapter lays out the theoretical model of the Market of Narcotic Violence, explaining both the characteristics that define it and the constraints that limit it, thereby setting up the research question for the empirical chapters that form the bulk of this work.

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See for example Bertram et al., *Drug War Politics: The Price of Denial*, (Berkeley, University of California Press, 1996), pp. 28-45.

¹³²

Ibid., p. 35.

A final note: it is not the purpose of this work to describe in great detail or critique American domestic drug policies, although some discussion of those policies is necessary to contextualise the subsequent empirical chapters. Instead, this chapter simply establishes that the status of drugs as a factor in, and driver of, a particular kind of conflict is not only because of their inherent characteristics, but because of a legal system that made them a banned resource. This chapter details the origins and nature of that system as a basis for understanding whether the conflict in Mexico is in fact a Market of Narcotic Violence.

II. The history of narcotics and the international order

To begin to understand the linkages between drugs and violence, one must understand the exact characteristics of drugs. The first step toward doing so is examining the historical context of drug use, drug abuse and government policies that seek to control them. Governments have long treated drugs as a security threat, or, even a social evil of foreign origins.¹³³ However, the institutionalisation of open warfare against them is a fairly recent development. The use of naturally-occurring narcotics¹³⁴ – especially coca, opium and cannabis – dates back essentially as far as civilisation itself.¹³⁵ Opium in particular spread widely and relatively rapidly across the world, starting from somewhere in the eastern Mediterranean region, originally as a medical aid and then as a recreational narcotic.¹³⁶ By the nineteenth century, opium byproducts were used to make increasingly effective painkillers. But as Western nations began subsidising opium cultivation for medical needs, they

133

Mena, Fernanda and Hobbs, Dick, “Narcophobia: drugs prohibition and the generation of human rights abuses,” in Trends in Organized Crime, Vol. 13, No. 1, March 2010, p. 61-2.

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Synthetic drugs – those whose active ingredients are produced via artificial methods from base compounds rather than from plants – are a relatively recent development and will be addressed separately later on.

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Buxton, Julia, “The Historical Foundations of the Narcotic Drug Control Regime,” World Bank Development Research Group, Policy Research Working Paper 4553, March 2008, p. 3. Cannabis, coca leaf and opium are respectively processed into marijuana, cocaine and heroin, which have supplanted their forebears as the three most common narcotics in the contemporary world.

136

McCoy, Alfred W., The Politics of Heroin in Southeast Asia, (Harper and Row, New York, 1972), p. 3.

discovered that opium addiction was on the rise as well.¹³⁷ In the latter half of the 19th century, chemists first synthesised opium into heroin, believing it to be a less-addictive, more-powerful alternative. As it gained popularity, it began to be sold commercially by a variety of major pharmaceutical companies.¹³⁸ The middle of the 19th century also saw the two Opium Wars between Great Britain and China. The Chinese government had long been isolationist, and resistant to the opium trade; Britain sought to open up China as a potentially lucrative market for opium, amongst other products. The British won both of these conflicts, and compelled China to open its borders to foreign trade, including opium.¹³⁹ As interesting as this conflict is as a historical example of drugs as at least part of a *casus belli*, it is fundamentally different from contemporary drug conflicts. The Opium Wars took place in a world where narcotics were a legitimate form of international trade and trade itself was an accepted cause for war. Today, neither of those conditions is true.

Around the same time as heroin emerged, chemists had isolated cocaine, the active ingredient of the coca leaf. This was not the first human use of coca – recreational use amongst Mesoamericans had been discovered by the *conquistadors* as long ago as the 16th century, and had almost certainly been occurring for centuries beforehand.¹⁴⁰ But here too, commercial interests took hold, bringing a variety of medical remedies based on cocaine to market by the 1870s, not to mention a new soft drink called Coca-Cola, whose original incarnation as an alcoholic drink sold as French Wine Coca was stymied by prohibitionists.¹⁴¹

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· Ibid, p. 3

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· Ibid, pp.3-4

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· See Holt, Edgar, *The Opium Wars in China*, (London, Putnam, 1964), and Gelber, Harry G., *Opium, Soldiers and Evangelicals*, (Houndmills, Palgrave Macmillan, 2004). Holt argues that the opium trade was not an issue in the Opium Wars, and that Britain sought merely to introduce China into the “company of nations.” With the benefit of an additional 40 years of history, Gelber adds that the drawn-out aftereffects of the Opium Wars and the resentment against Western interference played into the hands of Mao during the Chinese civil war, helping his communist forces defeat Chiang Kai-shek.

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· Streatfeild, Dominic, *Cocaine*, (London, Virgin Books, 2007), p. 23.

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· Buxton, 2008, p. 4.

Between their pharmaceutical and recreational uses, narcotics (primarily opium) were an important, lucrative resource for Western colonial powers by the turn of the 20th century.¹⁴² However, the permissiveness that had until then marked the international community's approach to drugs was about to change drastically, and quickly. At the beginning of the 20th century, global opium production was at an historic high, with global totals exceeding 41,000 metric tons.¹⁴³ The major colonial powers of the 19th century dominated the opium trade, including the UK, the Netherlands, Spain, and the Persian and Ottoman empires. Some of these states were also major international traders of coca leaf and its extracts.¹⁴⁴ Meanwhile, the major rising power of the era, the United States, differed from the others in two substantial aspects: it had no large commercial interest in the opium or coca trades, and it had a powerful, rising religious/social-justice inspired prohibitionist movement.¹⁴⁵ Following the American takeover of the Philippines from Spain in 1898 (along with its hundreds of formerly Spanish-operated opium retail outlets and its tradition of recreational opium use),¹⁴⁶ the United States in 1909 convened the first international drug control convention in Shanghai.¹⁴⁷ While this convention did not lead directly to the adoption of binding legislation, it set the stage for the first meaningful international convention on the opium trade: the 1912 International Opium Convention, signed in The Hague.¹⁴⁸ The convention compelled signatory nations to restrict opium imports to an amount deemed "medically necessary,"

142

Mena and Hobbs 2010, p. 61; see also Buxton, 2008, p. 6: "Revenues from opium exports... and domestic sales taxes contributed 11% of the total revenues accruing to the British administration in India."

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Buxton, p. 7.

144

Ibid.

145

Ibid., p. 8.

146

Ibid., p. 10.

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Thoumi, Francisco, "The international drug control regime's straight jacket: are there any policy options?" in *Trends in Organized Crime*, Vol. 13, No. 1, March 2010, p. 76.

148

Ibid.

though it left the exact amounts undefined. The splintering pre-WWI international order made widespread acceptance difficult; only five nations ratified the treaty.¹⁴⁹

The wake of the world wars left an international order dramatically more in favour of an aggressive prohibitionist regime. Nations that were previously major opium producers had either ceased entirely to exist (Austria-Hungary, the Persian and Ottoman empires), or seen their empires and influence winnowed down to a shadow of their 19th century selves (the UK, Germany, Holland, Spain). Meanwhile, the United States, which maintained a prohibitionist attitude toward drugs despite the failure of alcohol prohibition, emerged from the wars relatively unscathed physically and in a position to dictate terms to weakened allies and defeated enemies across the globe. Additionally, the League of Nations, though hobbled by lack of participation from major nations (notably the US), had created a number of conventions dedicated to suppressing the opium trade in particular, and the narcotics trade in general, thus laying the groundwork for a prohibition-focused international community.¹⁵⁰ Its replacement in 1945 by a more widely-representative and empowered successor, the United Nations, meant that there was now a more effective means in place to institute and enforce a global norm regarding the trade in narcotics.

The UN moved quickly to take up the prohibitionist mantle. In 1961, it enacted the most thorough international drug prohibition measure to date: the Single Convention on Narcotic Drugs. This sought to unite all the prohibitionist measures instituted under the previous treaties into a single document, with the ultimate aim of rendering illegal the non-medical cultivation, trade and use of narcotic drugs globally.¹⁵¹ While subsequent drug control conventions have modified its particulars, the 1961 convention remains the underlying basis for international prohibition, a regime without equal in scope or size. Virtually every country in the world is party to the Single Convention, and the UN has subsequently built up a bureaucracy for enforcing drug prohibition, most notably the UN Office on Drugs and Crime

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Buxton, p. 13.

¹⁵⁰

Ibid., p. 16.

¹⁵¹

Ibid., pp. 22-3.

(UNODC), whose remit is to aid national law enforcement and counter-narcotics units in prohibition enforcement.

Few countries dare to challenge the consensus. A few (most famously the Netherlands) have limited their enforcement of laws relating to “soft” drugs such as marijuana, ecstasy and psychotropic mushrooms. A few others have either directly participated in drug trafficking or intentionally turned a blind eye to it, including Panama under Manuel Noriega,¹⁵² Bolivia from 1980-1982,¹⁵³ Burma from 1991-1996,¹⁵⁴ Afghanistan¹⁵⁵ from 1996-2000 (and, arguably, at present) and North Korea¹⁵⁶ – but these are by and large outlaw states, separated from the international community primarily by their domestic and foreign policies rather than their approach to narcotics. In short, the ban on the drugs trade has evolved to a point where it is as solid an international consensus as exists in the world today.

This international consensus has three important consequences, which are explained in greater detail below. First, it moves the international narcotics trade out of the legitimate sphere into an unregulated, transnational criminal market. Second, it allows states to utilise as much violence in their counter-narcotics policies as they see fit, which legitimises an unlimited use of force in the name of narcotics control. Third, it creates an economic dynamic that favours the use of violence by traffickers, whether they have political motives or simply a desire to make large quantities of money.

The fact that the entire international drugs trade, from production to consumption, is now completely outside the sphere of legitimate economic activity creates a unique dynamic. Other conflict-linked resources are only illegitimate thanks to their provenance; timber or diamonds

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· Bertram 1996, p. 17.

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· Ibid.

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· Felbab-Brown, 2010, location 2140.

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· Ibid., location 1615.

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· “N Korea 'trafficking drugs,'” BBC News, 2 March 2004, accessed from <http://news.bbc.co.uk/1/hi/world/asia-pacific/3524857.stm> on April 26, 2011.

from a conflict zone are not inherently illegal and significant international cooperation is necessary to separate legitimately and illegitimately sourced goods (as with the Kimberley Process for diamonds). In other words, as a conflict driver, those resources are both lootable and launderable, which makes it feasible for states and non-state groups to profit from their trade at a relatively low risk to themselves. Drugs, on the other hand, are not launderable – under the current international system, there is no way to legitimise involvement in drug trafficking. A completely illegal market, with no recourse to courts or legitimate means of dispute resolution and contract enforcement, will accordingly operate along a different set of standards as it seeks its own order.¹⁵⁷ Mark Duffield draws a useful distinction here between “transborder trade,” which is any kind of international economic activity, and “parallel” or “informal” economic activity, which is inherently illegal to some degree.¹⁵⁸ While some types of illicit trade can be disguised as legitimate transborder trade in the complexity of modern commerce, drug markets by nature constitute parallel activity.

Second, in terms of government policy, the fact that narcotics are universally illegal creates space for states to define their counter-narcotics efforts using any amount of force they see fit. In other words, the international consensus *implicitly permits* a war mentality in the name of counter-narcotics. States party to the global economy cannot afford to openly flout prohibition, which limits their options to a spectrum from semi-tolerance to a full embrace of total eradication. Under those circumstances, nations such as the United States, which have long defined drugs as a security threat, are free to securitise and/or militarise their responses, confident in the knowledge that doing so will not generally strain their relations with other states, who are bound by the same standard and cannot visibly profit from the trade in narcotics. Delegitimising the entirety of the drugs trade also frees states to associate drugs with other forms of completely unacceptable activity, such as terrorism – as discussed in the last chapter.

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Reuter, Peter, "Systemic violence in drug markets," Crime, Law and Social Change, 2009, 52, p. 275

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Duffield, Mark, "Globalization, Transborder Trade and War Economies," in Berdal, Mats and Malone, David M., eds., Greed and Grievance: Economic Agendas in Civil Wars, Boulder, Lynne Reiner, 2000, p. 79.

Third, given the fact that states are free to use broad violence while “defending” their citizens from the “threat” of drugs, traffickers have become incentivised to deploy a certain level of violence in response. Additionally, there is at least some evidence of a correlation between drug markets and violence. There are some exceptions to this rule; marijuana-only markets, are not generally violent,¹⁵⁹ though marijuana is less attractive as a smuggled resource, both because it can be grown virtually anywhere, and because it is less profitable per kilo than opium or coca products.¹⁶⁰ Svante Cornell's survey of conflicts in which drug production supports an anti-government force demonstrates that while there is no correlation between the existence of drug markets and the inception of conflict, there is a notable correlation between drug cultivation and the temporal extension of existing conflicts.¹⁶¹ In other words, while drugs alone may not cause violence, the volatile combination of their presence and an international black market can extend a conflict that would have otherwise ground to a halt.

III. The modern history of the War on Drugs

From 1971, the narrative of this survey centres much more on the United States. While American counter-narcotics policy before 1971 tracks fairly closely with the history of the international narcotics consensus, the specific dynamics of drug trafficking in the Western Hemisphere, especially given the United States' overwhelming political influence in that theatre, require a specific focus on American policies in that timeframe.

One important point of reference for American counter-narcotics policies is the country's failed experiment with prohibiting alcohol in the early 20th century. A single-minded lobby, willing to make common cause with groups of every political, religious and geographic description made the constitutional prohibition of the sale of alcohol possible. However, once the ban came into force, the rate of alcohol consumption dropped only temporarily before returning to its previous levels – with the added problem that instead of funding legitimate

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· Reuter, Peter, "Systemic violence in drug markets," Crime, Law and Social Change, 2009, 52, p. 276.

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· World Drug Report 2009, 90

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· Cornell, 2007, p. 208.

businesses and the government, alcohol sales funded an unprecedented growth of organised crime. The experiment was such a failure that it was repealed just thirteen years later – the only Constitutional amendment in U.S. history to be repealed.¹⁶² The failure of alcohol Prohibition, however, did not undermine the efforts of American policymakers to extend controls over other forms of intoxicating substances, and the subsequent decades saw – as David Courtwright points out – a “decoupling” between alcohol and tobacco, which became socially acceptable to the point of invisibility, and other drugs, which were subjected to increasingly harsh controls.¹⁶³

Following the passage of the 1961 Single Convention, the United States became involved in the war in Vietnam, a country near the 'Golden Triangle,' which at the time accounted for the majority of the world's opium supply.¹⁶⁴ As the war dragged on and the number of American troops stationed in Southeast Asia grew, the rate of heroin use skyrocketed as returning veterans brought the drug home with them.¹⁶⁵ Faced with increased drug use amongst veterans, along with a generally unstable social situation in the wake of a losing and unpopular war,¹⁶⁶ President Richard Nixon borrowed a rhetorical strategy from his predecessor. As Lyndon Johnson called for a “war on poverty,” Nixon decided to declare a “war on drugs.” This 1971 statement was a rhetorical strategy aimed at unifying public opinion behind an increase in federal spending on drug prevention and domestic law enforcement.¹⁶⁷ In a statement that would come to define decades of American and international counter-narcotics policies, Nixon held a press conference in which he declared that drugs had

162

Okrent, Daniel, “Wayne B. Wheeler: The Man Who Turned Off the Taps,” in *Smithsonian Magazine*, May 2010, accessed <http://www.smithsonianmag.com/history-archaeology/Wayne-B-Wheeler-The-Man-Who-Turned-Off-the-Taps.html> on August 26, 2010.

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Courtwright, David, “Mr. ATOD's Wild Ride: What do Alcohol, Tobacco, and Other Drugs Have in Common?” in *The Social History of Alcohol and Drugs*, Vol. 20, 2005, pp. 105-40.

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McCoy, 1972, p. 8

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Musto, David, *The American Disease: The Origins of Narcotic Control*, Oxford, Oxford University Press, 1999, p. 252-3.

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Ibid., p. 252.

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Ibid.

“assumed the dimensions of a national emergency” and required the full force of the federal government to reach a solution. Despite being cast with militarised language such as “conquer,” “threat” and “struggle,” the original plan called only for stepped-up law enforcement efforts against major traffickers, along with an increased budget for preventative services and rehabilitation for domestic drug users.¹⁶⁸ To read Nixon's statement in the context of today's drug policy is to be struck by its explicit construction of drugs themselves, rather than users or traffickers, as the enemy:

“It is a problem which demands compassion, and not simply condemnation, for those who become the victims of narcotics and dangerous drugs. We must try to understand the confusion and disillusion and despair that bring people, particularly young people, to the use of narcotics and dangerous drugs.”¹⁶⁹

But those spending priorities, and the strategy they implied, did not last. At the time of Nixon's announcements, the most popular drugs in the United States were heroin and marijuana.¹⁷⁰ Heroin at the time mostly reached the United States via war-linked Southeast Asian routes (returning veterans and refugees), or via the so-called French Connection.¹⁷¹ With the end of the American military presence in Vietnam, heroin trafficking from Southeast Asia to the United States became much more difficult, and shortly thereafter, American law enforcement broke up the French Connection. As important as they were in the short term, these victories over drug trafficking would prove to be short-lived.

Around the same time, a number of changes were unfolding that would come to define the state of drug trafficking into the United States for decades to come. Misha Glenny describes three important, and more or less contemporaneous, developments in South America during the late 1960s and 1970s: 1) An increase in the number of American- and European- trained chemists, who returned to their homes in Colombia and Peru to find few legitimate jobs; 2) an

168

· Nixon, Richard, Message on drug abuse control, printed in *The New York Times*, June 18, 1971, p. 22.

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· Ibid.

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· Musto., p. 248.

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· Ibid., p. 250-1.

increase in American domestic marijuana production, which slashed the profit margins of marijuana importers based overseas, and 3) a growing awareness in the United States of cocaine as a 'fashionable' alternative to heroin or marijuana.¹⁷² These developments would combine to fill the void left by the decline in heroin use, and in doing so would create enormous violence at all stages of the drug distribution process.

Another factor that contributed to the increase in violence was the growth of left-wing insurgencies in South America, which had access to some ideologically-based Soviet aid, but sought additional sources of support to increase both their capabilities and independence.¹⁷³ The primary groups that in category were two Colombian rebel groups, the *Fuerzas Armadas Revolucionarias de Colombia* (Revolutionary Armed Forces of Colombia, or FARC) and the *Ejército de Liberación Nacional* (National Liberation Army, ELN), and a Peruvian group, the *Sendero Luminosa*, or the Shining Path.

The Colombian groups began their struggle against the government in the wake of the 20-year civil conflict known as *La Violencia*. From the end of *La Violencia*, in 1966, until the end of the Cold War, Colombia's civil war followed the general pattern of a proxy war: The USSR supported FARC and ELN financially and materially, while the U.S. aided the Colombian government.¹⁷⁴ Peru's conflict began slightly later – 1980 – and was more local, but followed the same basic pattern: a leftwing, socialist-inspired insurgency arrayed against a more conservative government backed by the United States.¹⁷⁵

Drugs soon came to play a major role for all three groups. The coca plant requires a very specific set of climactic conditions to grow successfully,¹⁷⁶ which puts a premium on areas

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Glenny, Misha, *McMafia*, (London, Vintage Books, 2008), p. 282.

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Felbab-Brown, 2010, locations 586 & 999.

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Restrepo, Jorge, Spagat, Michael, and Vargas, Juan F., "The Dynamics of Colombian Civil Conflict: A New Data Set," *Homo Oeconomicus*, vol. 21, pp. 396-429.

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Felbab-Brown, 2010, location 586.

176

International Crisis Group, 2005, p. 3.

with both limited governmental control and favourable coca-growing climates. The Peruvian and Colombian countrysides both fit this bill. The result was an alliance between traffickers and insurgents: the latter would protect the former from government interference in exchange for a cut of the profits. The exact relationship between the two groups during the 1980s was somewhat informal – generally, the cartels did not have political aspirations in the same way as the insurgents, but they were willing to employ spectacular violence against the state in order to secure their operations and profits. Pablo Escobar, the ruthless head of the Medellín cartel, was the most aggressive and infamous; his organisation was implicated in the assassination of Minister of Justice Rodrigo Lara Bonilla in 1984, along with the subsequent killing of presidential candidate Luis Carlos Galán.¹⁷⁷ Escobar was an unusual figure who presided over an unusually hierarchical criminal organisation. In his efforts to legitimise himself and his trade, he sought election to the Colombian Congress (successfully, although he was shortly thereafter barred from taking his seat) and later convened a group of drug traffickers nicknamed “Los Extraditables” for their shared opposition to the Colombian government's extradition treaty with the United States.¹⁷⁸ In centralising power, Escobar found that it was possible to more or less directly challenge the state - although he was aided in this by the FARC and ELN, which served the dual purposes of splintering the attention of Colombia's security forces and sheltering the all-important coca growing fields.¹⁷⁹ Had Escobar managed to continue, he might well have pioneered a mirror image of the war on drugs – a “war for drugs.” But his situation proved to be untenable. Having agreed to be imprisoned (under highly luxurious circumstances of his own creation¹⁸⁰) and then escaping when the government clumsily attempted to move him to a more secure facility, Escobar was killed in 1993 by a joint U.S.-Colombian task force.¹⁸¹ In the wake of his death, the Medellín

177

Snyder, Richard, and Durán Martínez, Angelica, “Drugs, Violence and State-Sponsored Protection Rackets in Mexico and Colombia,” in Colombia Internacional, 70: July-December 2009, p. 82.

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· Ibid., pp. 81-83.

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· Cornell, 2007, pp. 219-220.

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· Streatfeild, 2007, p. 460.

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Snyder and Durán Martínez, 2009, p. 83.

cartel fell into disarray, and its capacity to directly challenge the state came to an end. The same fate befell the somewhat less violent and aggressive Cali cartel a few years later, as the government shifted resources that had been devoted to defeating the Medellín cartel to its erstwhile rivals as part of a “divide and conquer” strategy.¹⁸² In subsequent years, Colombia's insurgent groups, both left- and right-wing, began to take a much more protective, involved approach to the cocaine trade,¹⁸³ while the international component of the trade has been taken over by a range of smaller, less hierarchical organisations.

A similar dynamic played out on a slightly different timeline in neighbouring Peru, where, following a government crackdown on independent drug organisations in 1984, the Shining Path became increasingly involved in the cocaine trade on its own behalf, acting as a “middleman” between local growers and international traffickers. However, the arrest of the group's leaders in the early 1990s dealt a fatal blow to the organization, and it shortly thereafter lost its ability to impact the cocaine trade, as Peru's share of the world cocaine market also subsequently declined significantly.¹⁸⁴

Another major global development affected the cocaine-growing nations of South America at around the same time: the dissolution of the Soviet Union. The USSR's downfall left communist and socialist insurgent groups bereft of their major supporter. The income from drugs may have been substantial, but it was not enough to replace the ideological, political and material support of a superpower patron. Between the early 1990s and the end of the first decade of the 21st century, left-wing insurgents in South and Central America went from seriously threatening the integrity of their host states to clinging on to small tracts of land, protected mostly by their distance from population centres. But neither the end of an era of state-sponsored left-wing insurgency nor the toppling of the most powerful Colombian drug

182

* Bonner, Robert C., "The New Cocaine Cowboys: How to Defeat Mexico's Drug Cartels," in Foreign Affairs, July-August 2010, pp. 42-3.

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Snyder and Durán Martínez, 2009, pp. 84-85. See also Glenny, p. 295 – the exact involvement of the insurgents in the drugs trade is disputed, with FARC sources claiming only to protect coca crops while exacting a 10% profit tax, and police and government sources claiming a much higher degree of involvement.

184

* Cornell, 2007, p. 220.

groups led to the end of drug trafficking in the region. Rather, it led to a new form of DTO, ably described by Michael Kenney:

"Rather than destroying the Colombian drug industry, however, the kingpin strategy decentralized it, as dozens of chain networks emerged in the wake of the few wheels targeted by the state. These enterprises were smaller, flatter and less hierarchical than the wheels they replaced. Individual nodes transacted through ad hoc support networks, sans the mediation and oversight provided by the core. Some chains arose from the institutional residues of the former wheels, while others had been quietly coordinating drug shipments for years without attracting the attention of US and Colombian law enforcers."¹⁸⁵

In other words, as the international circumstances evolved and law enforcement agencies changed tack, drug traffickers also adapted. While drug production did not prove to be a like for like replacement of Soviet support, leaving insurgent movements unable to completely uproot the state, it provided sufficient means for them to integrate themselves into the countryside and transition into resilient, survivable networks.

For its part, Mexico never had a substantial left-wing insurgency,¹⁸⁶ nor would such a group have had the option of integrating themselves into agricultural drug production in any significant way, given the relatively small amount of drugs that the country produces. Instead, Mexican drug trafficking groups had to navigate a similar terrain shift in how they co-existed with their own government.

As the next chapter explores, Mexico has long suffered from political corruption linked to the trade in illegal drugs, particularly during its 70-year period of one-party rule by the *Partido Revolucionario Institucional* (PRI, Institutionalized Revolution Party) from 1930 to 2000.¹⁸⁷ Under PRI rule, the drug market in Mexico functioned as what Snyder and Duran-Martinez refer to as a "state-sponsored protection racket," in which the government served as unofficial

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Kenney, Michael, "Turning to the 'Dark Side:' Coordination, Exchange and Learning in Criminal Networks," in Kahler, Miles, ed., *Networked Politics: Agency, Power and Governance*, (Ithaca, Cornell University Press, 2009), p. 99.

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The major political insurgency in Mexico of the last few decades has been the *Ejército Zapatista de Liberación Nacional* (EZLN, or Zapatistas), who have not engaged in any known form of major drug trafficking. See Cornell, 2007, p. 217.

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Lupsha, Peter A., "Drug lords and narco-corruption: The players change but the game continues," in *Crime, Law and Social Change*, vol. 16, 1991, pp. 41-42.

guarantor for the business conducted by illicit groups in exchange for concessions and limits on the amount of violence employed.¹⁸⁸ More specifically, until the 1990s, Mexican government agencies and drug cartels coexisted in a “one protector, many organisations” arrangement, in which the state's law enforcement agencies were corrupted by drug traffickers and served as a central organisational hub for the various cartels operating on Mexican territory.¹⁸⁹ The stability of this type of system is a result of a central authority regulating in some sense all the participant organised crime groups, which rarely happens in other types of illegal markets. However, during the 1980s, this long-lasting structure began to change substantially: increased political competition threatened the PRI's grip on power, while the growing strength of Colombian traffickers using their own distribution networks (which had previously extended from Colombia all the way to the U.S.) created intense competition for Mexican gangs and led them to become more violent. At around the same time, Mexican governmental reforms split up power within law enforcement and the attorneys general, which meant that corrupt officials could no longer guarantee protection for drug cartels, and the previously existing one-protector model began to fall apart.¹⁹⁰ The fall of the state-sponsored protection racket was occurring even before the PRI lost the 2000 election and a non-PRI president, Vicente Fox, took office for the first time in 70 years. Fox's election, and the subsequent replacement of PRI officials at all level of government, tore up what remained of the old arrangement.

This development laid the groundwork for the most recent stage of Mexico's drug war, in which numerous cartels have warred with one another and with the forces of the state using weaponry and tactics normally only associated with political insurgencies or by state forces. Mexican drug traffickers, on the whole, do not support a political insurgency or a social or religious resistance movement. They do not seek to secede from the state, or to overthrow the government. They have not articulated a specific grievance with the Mexican government

188

Snyder, Richard and Duran-Martinez, Angelica, "Does illegality breed violence? Drug trafficking and state-sponsored protection rackets," in Crime, Law and Social Change, vol. 52, 2009, pp. 253-273.

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Ibid., p. 262.

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Ibid., p. 265.

beyond its desire to enforce the monopoly of violence within its borders. In other words, on the much-discussed political science spectrum of greed vs. grievance, the drug-linked violence in Mexico is inarguably on the side of greed.¹⁹¹ It is therefore tempting to classify the violence there as simply criminal, but the scope of the bloodshed since 2006 belies that, and places the conflict outside the scope of normal state responses to either organised crime or a conventional military threat. The conflict in Mexico is the ultimate response of drug traffickers to the war against drugs: a multi-polar, hybrid conflict driven by the underlying economic realities of the drugs trade. In order to understand this dynamic further, we must look at the general characteristics of drugs and how they function as a driver for such conflicts.

IV. Drugs in the context of warfare

As the previous chapter addressed the definitional issues surrounding different types of organised violence, the task is now to explain the purpose of treating the war on drugs as anything other than a rhetorical exercise, particularly since it was conceived as a means of addressing domestic drug use rather than as a foreign policy strategy.¹⁹² In order to do that, one must understand the relationship between violence and illegal economic activity, and what kinds of violence are linked to the drugs trade specifically.

As demonstrated in the preceding chapter, “war” in the theoretical sense basically entails organized violence in the service of a political objective.¹⁹³ The elimination of drugs for reasons of domestic policy can certainly be described as a moral objective, but it is also without a doubt a political objective. But even at this basic level of analysis there is a definitional problem with the metaphor of war: when fighting against “drugs,” who or what is the enemy? Is it drug users, the citizens whose demand for narcotics drives the entire

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Williams, Phil, “Illicit markets, weak states and violence: Iraq and Mexico,” in Crime, Law and Social Change, vol. 52, 2009, p. 333.

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Musto, 1999, pp. 249-50.

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Clausewitz, Carl, translated by Graham, J.J., On War, (Radford, Wilder, 2008), p. 42.

economic system behind trafficking? Is it the traffickers and producers who embody the trade? Or is it the drugs themselves, the inanimate driver of so much bloodshed?

There are arguments in favour of each of these possibilities. In strictly military terms, the idea of a war against users is probably the weakest, at least with reference to domestic counter-narcotics policies. Direct action against the users of illicit drugs is generally limited¹⁹⁴ to imprisonment and, depending on the jurisdiction, rehabilitation or re-education.¹⁹⁵ The stricter amongst these arguably constitute a form of war, as imprisonment itself can be seen as a form of violence (not to mention the possibilities for violence in the process of arresting lawbreakers). But while drug users are in some sense the 'target,' the goal is not to eliminate them from existence; rather, it is to convert them to non-drug users or to punish them for engaging in criminal behaviour. Within the terms of the war metaphor, drug users are more closely akin to the populace in an insurgency; the "terrain" over which the battle is fought.¹⁹⁶ To that end, Nixon's drug war declaration – and subsequent official rhetoric regarding the threat of narcotics¹⁹⁷ – sought to portray drugs as an alien threat, coming from far-away

194

Exceptionally, during Prohibition in the United States, the federal government sought to poison the supplies of industrial chemicals used by bootleggers to produce illicit alcohol as a means of deterring the production and consumption of one type of illicit alcohol (though this would notably have no effect on supplies of commercial alcohol entering the country from abroad). Despite causing up to 10,000 deaths, the strategy failed to deter drinkers. See Blum, Deborah, "The Chemist's War," in Slate, published February 19, 2010, accessed from <http://www.slate.com/id/2245188/> on August 25, 2010

195

This is true for the United States, where the death penalty is only generally applied for murder and treason, and for the majority of countries in the world which do not practice the death penalty. A number of other countries technically have laws on the books allowing for the execution of drug offenders, although of these a relatively small number (China, Vietnam, Iran, and Saudi Arabia) account for a majority of the drug offenders executed every year. See Gallahue, Patrick and Lines, Rick, "The Death Penalty for Drug Offenses Global Overview 2010," International Harm Reduction Association, accessed from http://www.ihra.net/files/2010/06/16/IHRA_DeathPenaltyReport_Web1.pdf on April 26, 2011.

196

See, for example, US Army Field Manual 3-24, Counterinsurgency Operations, United States Army, 2006, p. 1-8: "The primary struggle in an internal war is to mobilize people in a struggle for political control and legitimacy. Insurgents and counterinsurgents seek to mobilize popular support for their cause."

197

See for example, Office of National Drug Control Policy, National Drug Control Strategy, 2010, p. iii : "Drug use endangers the health and safety of every American, depletes financial and human resources, and deadens the spirit of many of our communities. Whether struggling with an addiction, worrying about a loved one's substance abuse, or being a victim of drug-related crime, millions of people in this country live with the devastating impact of illicit drug use every day."

shores to threaten decent, sober citizens. Insofar as the war on drugs has an overall strategy, it does not emphasise violence against drug users. While usage is illegal, and a certain amount of violence accompanies domestic enforcement, most violence is targeted against producers and distributors.¹⁹⁸ Moreover, while drug traffickers directly serving end users engage in a certain amount of violence to secure their territories,¹⁹⁹ the violence is primarily competitive and also not directed at users. Furthermore, in the rich countries where the most valuable drug users (eg. those with the largest amounts of disposable income) live, this violence is scattered and sharply limited in its potential scope by the enormous coercive power of the state. Therefore, the dynamics of drug violence in end user markets, while an important topic for the understanding of drug violence overall, is beyond the scope of this thesis.

That said, the bifurcation of contemporary transnational drug trafficking is vital to understanding the phenomenon. The nature of the violence that accompanies the trade is shaped by the fact that the production and the majority of the transit process take place outside the borders of the wealthy nations whose populations will pay the largest amount for drugs.²⁰⁰ This is one particularly stark representation of Passas's "criminogenic asymmetries" – the uneven distribution of the benefits and harms of globalisation based on pre-existing levels of wealth and global influence.²⁰¹

Returning to the war metaphor, production and transport are the stages of the process at which drugs can most easily be intercepted. Consequently, in drug-linked conflicts, the violence tends to concentrate around the mechanisms of production and international distribution – crops, laboratories, and air, sea and road links.²⁰² Here we can see perhaps the

198

Feiling, Tom, *The Candy Machine: How Cocaine Took Over the World*, (Penguin, London, 2009), p. 69. Particularly notable is the rapid proliferation of paramilitary Special Weapons and Tactics (SWAT) teams in municipal policing in the United States.

199

Reuter, Peter, "Systemic violence in drug markets," *Crime, Law and Social Change*, vol. 52, 2009, p. 281.

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United Nations Office on Drugs and Crime, *World Drug Report 2010*, p. 4.

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Passas, 2001.

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most direct linkages between conventional war and the drug war: on one side, instead of munitions factories or oil fields, drug trafficking organizations must protect the systems from which they draw their profits and that allow them to pursue their objectives.²⁰³ On the other side, most governments, having by and large subscribed to the international drug prohibition consensus, view drugs and drug traffickers as security threats and are willing to escalate the level of violence in order to destroy both. In this (strictly limited) sense, the nature of a war against drugs can be seen as roughly comparable to other wars – a battle between, to borrow Clausewitz's metaphor, two wrestlers, each trying to compel the other to do his will.²⁰⁴

States seeking to combat drug traffickers have employed three basic tactics: demand reduction, eradication and interdiction. Demand reduction constitutes the “soft power” of anti-drug efforts, ranging from drug resistance training for children to programmes like the ones used in certain European cities that offer addicts stepped-down quantities or substitutes in a safe, legal environment in an effort to wean them off drugs. The idea behind such programmes is to reduce trafficking operations to unprofitability by reducing both the total number of users and the willingness of average users to violate the law in order to obtain drugs. Arguably, imposing prison sentences against users is also a demand reduction strategy, but as Reinerman, Cohen and Kaal point out in a comparative study of cannabis use in cities with varying levels of drug enforcement, drug prohibition does not appear to correlate with less (or less intensive) drug usage.²⁰⁵

States also find eradication attractive because it is the most direct approach to the war;

²⁰³ Felbab-Brown, Vanda, Shooting Up: Counterinsurgency and the War on Drugs, (Washington, Brookings Institute Press, Kindle Edition), locations 1412-18.

²⁰⁴ Arguably, users form another “system” over which drug traffickers and governments fight, but the supply of users is inelastic – generally speaking, government action tends not to define the market share of particular drugs, with the possible exception of heroin. As a result, drug traffickers are not left with any substantial motivation to protect their user base. See Reuter, Peter and Kleiman, Mark A.R., “Risks and Prices: An Economic Analysis of Drug Enforcement,” Crime and Justice, Vol. 7, 1986, pp. 289-340.

²⁰⁵ Clausewitz, 2008, p. 30.

Reinerman, Craig, Cohen, Peter, and Kaal, Hendrien, “The Limited Relevance of Drug Policy: Cannabis in Amsterdam and San Francisco,” in The American Journal of Public Health, Vol. 94, No. 5, May 2004, p. 840.

attacking, as it were, the enemy's means of production. It is appealing because it holds out the prospect that the mechanism of drug trafficking can be stopped at its source. Eradication has long been a major part of American drug control strategy, and remains so: in reference to Colombia, the 2009 National Drug Control Strategy reads:

"[D]isrupting the drug market at its source is at the core of the layered defense described in this strategy. By working with the governments of producing countries, we can eliminate illegal drug crops before they move to final production and interdict shipments before they are broken down into smaller loads, thereby removing the greatest amount of narcotics from the market."²⁰⁶

While this argument may make sense against a hierarchical opponent, the evolution of trafficking groups from hierarchical to networked forms severely limits its effectiveness. For example, the Colombian networks that produce and ship cocaine northward in enormous quantities have evolved from relatively traditional organisations with hierarchical leadership structures, which are vulnerable to decapitation strikes, into either semi-hierarchical "wheels" or leaderless "chains."²⁰⁷ Since everyone involved in drug production or trafficking is a potential target for both the government and rival groups, the economic, political and social structures that exist around drug production need to be resilient above all else. The result is that drug production in Colombia has spread out across a greater number of physically smaller farms, which makes eradication operations more difficult and puts a large number of farmers on the front lines.²⁰⁸ Since large-scale production is generally found in places where there is little in the way of alternative economic activity, this means that eradication campaigns tend to alienate the rural populations whose livelihoods depend upon drug production, which drives them toward drug traffickers, rather than the state, as providers of physical and economic protection. A network set up to take advantage of this dynamic is incredibly resilient: Colombia's FARC, for example, alienated their rural, agricultural base

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Office of National Drug Control Policy, National Drug Control Strategy, 2009, p.29.

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Kenney, Michael, "Turning to the 'Dark Side:' Coordination, Exchange and Learning in Criminal Networks," in Kahler, Miles, ed., Networked Politics: Agency, Power and Governance, (Ithaca, Cornell University Press, 2009), p. 81.

²⁰⁸

International Crisis Group, "War and Drugs in Colombia," Latin America Report No. 11, 27 January 2005, p. 22.

with a series of mass killings in the late 1990s and early 2000s, but have been able to maintain a grasp on the market partly because drug producers cannot expect government protection²⁰⁹ and partly because the guerrillas control the link to the market abroad, which is the only means by which the farmers can make a profit from their crop.²¹⁰

Furthermore, eradication suffers from the difficulty that the economics of the drugs trade upend the truism that structures (whether physical or organisational) are more difficult to build than to destroy. In Colombia, where enormous sums of American money has supported eradication programmes undertaken both by means of manual elimination and by more efficient but less discriminate aerial spraying, the main effect seems to have been to decrease the size and increase the number of cocaine fields.²¹¹ There are also substantial environmental and health effects associated with aerial spraying, which only exacerbate the problem of lost public support.²¹² These side effects can be avoided by means of ground-based eradication campaigns that either manually eliminate drug-producing plants or use tractors to precisely spray herbicides, but these campaigns are much slower and more logistically difficult, and as a result they are much more expensive and dangerous.

Finally, eradication is only relevant in some drug conflicts. Afghanistan and Colombia are world-leading producers of opium and cocaine, respectively, but Mexico has historically been only a relatively small producer of opium²¹³ and a mid-sized producer of marijuana.²¹⁴ Mexico's real value to drug traffickers is as a transit state – the ease with which products cross its thousands of miles of border with the United States. In places where eradication is an

209

· Ibid., pp. 12-13.

210

· See Streatfeild, Dominic, Cocaine, (London, Virgin, 2007), pp. 478-483 for a detailed breakdown of the economics of cocaine production vs. profitability at the point of final sale.

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· International Crisis Group, 2005, p. 23.

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· Ibid., p. 23.

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· United Nations Office on Drugs and Crime, World Drug Report 2009, p. 34.

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· Ibid., p. 98.

option, there has been some indication that it can – if undertaken thoroughly and consistently, and in the company of a policy of sustained violence against trafficking organisations – at least limit the ability of drug traffickers to coalesce into forms which directly threaten the state.²¹⁵ However, short of declaring total war on drug producers and their livelihoods, as the Taliban did in Afghanistan in 2000 and 2001,²¹⁶ it appears that even a well-financed, consistent eradication campaign, such as the one in Colombia, is at most capable of *limiting* the means of production: after considerable expenditure in lives and money, Colombian cocaine production in 2008 was approximately where it had been in 1998.²¹⁷ A similar dynamic has played out in Afghanistan since the U.S.-led intervention in 2001, where extensive eradication efforts failed to cut into the nation's majority share of the world opium market.²¹⁸ And even a "limited" production capacity still appears more than capable of meeting American domestic demand, given that retail cocaine prices in the United States over the same period are at about the same level they were in 1998.²¹⁹ Historically, then, it appears that eradication is not in and of itself a complete, functional strategy.

The third tactical choice is interdiction, which entails action against those transporting processed drugs from their point of origin to the point of sale. Interdiction generally relies on the employment of surveillance, intelligence, law enforcement and military assets, either individually or in concert. It bypasses one of the central problems with eradication in that it focuses on people directly involved in drug trafficking, rather than subsistence farmers who have generally chosen the best crop with which they believe they can make a living. However, effective interdiction is risky, expensive and labor-intensive. As with eradication, the

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· Kenney, 2009, p. 102.

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· United Nations Office on Drugs and Crime, Afghanistan Annual Opium Poppy Survey 2001, p. 21.

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· UNODC, 2009, p. 65.

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· United Nations Office on Drugs and Crime, World Drug Report 2010, p. 138. Afghanistan is listed as having 123,000 hectares of opium cultivation vs. a global total of 181,373 hectares; this is related to a potential opium production of 6900 metric tons over a world total of 7,754 metric tons.

219

· Ibid., p. 73.

economic forces at work are not favourable to the government, as the profit margins are high enough to permit a substantial law enforcement-related loss factor – the UNODC cites a 42% worldwide seizure rate for cocaine and a 26% rate for heroin,²²⁰ but the market for both drugs remains strong. Additionally, drug smugglers as networked agents display a degree of flexibility and innovation difficult for bureaucratic government agencies to match, having adopted a series of increasingly creative methods for bypassing interdiction efforts. For example, in the 1980s, faced with a growing American naval interdiction programme supported by aerial surveillance, drug smugglers shifted from attempting to import Colombian marijuana into the U.S. to relying upon Mexican and domestic sources, which undercut marine interdiction efforts.²²¹ The coca plant, which for climatic reasons cannot be grown closer to the U.S. than Colombia, required a different approach. This approach included the creation of an entire shipbuilding industry devoted to building powerful, stealthy “go-fast” boats in the jungle, along with a network of logistical support that allowed them to navigate hundreds of miles of open ocean to deliver their cargo while avoiding Coast Guard patrols.²²² More recently, as go-fasts have proven increasingly vulnerable to interdiction by American air and naval units in the Caribbean, they have been supplemented by semi-submersibles, which are much more difficult to detect, and even by true submarines.²²³ After the North American Free Trade Agreement (NAFTA) opened the border between the U.S. and Mexico, smuggling across land borders became much easier; with the advent of free trade, drugs could find their way north more easily while a parallel flow of guns purchased in the

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(UNODC, 2008:2)

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Reuter, Peter, Crawford, Gordon, and Cave, Jonathan, Sealing the Borders: The Effects of Increased Military Participation in Drug Interdiction, RAND Corporation, Santa Monica, 1988, p.

vi.

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Dudley, Steven S., “Drug Trafficking Organizations in Central America: *Transportistas*, Mexican Cartels and *Maras*,” Woodrow Wilson International Center for Scholars, Working Paper Series on US-Mexico Security Collaboration, May 2010, p. 16.

223

True to its name, a semi-submersible does not completely submerge, but is virtually undetectable to radar since only a few small components (typically an exhaust pipe and some kind of viewing and/or navigational equipment) rise above the water. Such “narco-subs” are also typically painted blue, which helps defeat visual identification. “True” submarines, the first few of which built for drug-smuggling purposes have been identified, submerge completely below the surface of the water and are detectable only with specialised military assets. See Collins, Craig, “Twilight of the Semi-Submersible?” Defense Media Network, 21 November 2010, accessed from <http://www.defensemedianetwork.com/stories/twilight-of-the-semi-submersible/> on 19 May 2013.

U.S. flowed south to arm the cartels.²²⁴ Interdiction, like eradication, is not a complete strategy in its own right, and its weaknesses are inseparable from a central part of what enriches and strengthens modern states: namely, international trade enabled by open borders.

Because of the superficial similarities to conventional military strategies, the militarisation of counter-narcotics can be sold and understood as a form of conventional war. But such wars, as we have seen, require symmetries between combatants – and the nature of the drugs trade lends itself, on the supply side, to massively asymmetrical approaches to production and distribution. Critical here is the concept of renewability: the combination of diffuse, resilient production structures, an apparently limitless user base and states whose borders are (in an era of globalised trade and commerce) necessarily open all contribute to the resilience of drug trafficking even in the face of determined and powerful foes. But since drugs are in essence a commodity with economic value, it is necessary to understand their significance in this respect as well.

As Svante Cornell points out, while the debate over resources as drivers of conflict has considered the causes of civil war extensively (often reduced to the useful if somewhat simplistic dichotomy of “greed versus grievance”), comparatively little work has been done on the specific effect that the drugs trade has on warfare. As Cornell notes, “drugs have been included in subcategories such as “lootable resources” together with [conflict] diamonds. The results of this research have tended to show that lootable resources, including drugs, have no link to conflict initiation, but that they are positively correlated with conflict duration.”²²⁵ In general, the availability of many transportable natural resources – timber, diamonds, oil, narcotics – can serve to extend conflict, but drugs have a number of characteristics that make them particularly valuable to violent non-state actors:

224

Brands, Hal, "Mexico's Narco-Insurgency and U.S. Counterdrug Policy," US Army Strategic Studies Institute, May 2009, p. 44.

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Cornell, Svante E., “Narcotics and Armed Conflict: Interaction and Implications,” in Studies in Conflict and Terrorism, vol. 30, 2007, p. 208.

- They are extremely portable (or “lootable”), and therefore relatively easy to smuggle in economically worthwhile quantities, unlike timber, oil, natural gas or semi-precious metals.
- They do not require a particularly sophisticated infrastructure to produce or transport, although technical sophistication in production and transportation certainly pays profit-margin dividends.
- Their very illegality renders them an inelastic product. In other words, since the market for almost all recreational narcotics is outside the scope of legality, there is no official regulation, unlike diamonds, whose profitability depends on a largely legitimate business model. Drug traffickers are therefore free to charge whatever “risk premium” they like, and demand appears to be unaffected.²²⁶ As a result, while the exact return on investment for drug trafficking organizations is extremely difficult to estimate, it is without a doubt very high.²²⁷
- Finally, the demand for drugs is also inelastic, thanks to their addictive qualities. While there is some dispute²²⁸ over the extent to which addiction is inherent to drugs (and further dispute over the addictive qualities of particular drugs), the most common and profitable narcotics are known to have at least some addictive qualities,²²⁹ which means that dealers have to do relatively little to ensure that their customers continue to require their services.

Drugs, therefore, can be seen as an ideal *correspondent* of irregular wars – a resource that can enhance or prolong existing conflicts, especially in producer countries such as Colombia, Peru

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Chouvy, Pierre-Arnaud, and Laniel, Laurent R., “Agricultural drug economies: cause or alternative to intra-state conflicts?” in *Crime, Law and Social Change*, vol. 48, 2007, p. 134.

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The exact profits from the drug trade are, for obvious reasons, unknown; however, the 2009 National Drug Threat Assessment estimated that Colombian and Mexican trafficking organisations alone cleared between 18 and 39 billion dollars that year.

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See Feiling, 2009, p. 219.

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Reinarman, Craig and Levine, Harry G., “Crack in context: America's latest demon drug,” in Reinarman and Levine, eds., *Crack in America: Demon Drugs and Social Justice*, (Berkeley, University of California Press, 1997), pp. 9-10. Reinarman and Levine, following the work of psychiatrist Norman Zinberg, argue that while drugs have an inherent, chemical effect on the cells which promotes addiction, the social and psychological context of the user also need to be taken into account, and it is those external settings which often account for addiction.

or Afghanistan. They also correspond with violence in consumer states, albeit at a much more disorganised and granular level thanks to the greater stability and security resources of those states. But few producer states directly border the wealthy states where the richest body of drug consumers lives, which leaves a third category of states. Devoid of either the violence-suppressing resources of the consumer states or the territorial considerations of producer states, transit states have the potential to host a markedly different type of conflict. The final section of this chapter will examine exactly what that type of conflict might look like.

V. The Market of Narcotic Violence

The preceding chapter established a model of crime in which violence occurs to the economic benefit of participants, but whose character precludes sustained, high levels of organised (rather than ordinary) violence. More violent and sustained conflicts are usually described with reference to the metaphor of war, either explicitly or implicitly through the language and strategies of militarisation. The proponents of 4GW theory, as discussed earlier, are correct that globalisation and technological advancement have strengthened the power of individuals to commit acts of violence and allowed for the creation of networks and organisations with new and innovative structural arrangements, but their analysis tends to group conflicts together based on tactics while ignoring larger structural differences. Networks are a useful way to conceptualise the structures of organisations, but offer little insight into their motivations. In order to describe conflicts that do not fall into the established categories of war or crime, a more specific metaphor is needed.

Mancur Olson's conception of markets as ubiquitous, self-enforcing and irrepressible is a useful starting point here as a metaphor for the entire environment in which drug traffickers operate.²³⁰ It has been established with reference to Kelsen that violence in the service of an economic order is not simply a project of legitimate states, with reference to Keen, Reno and others that violence can enable, rather than impede, certain forms of economic activity, and that network theory is useful for creating a typology of organisational forms, but is not especially illuminating with regards to motivations of violent actors. Participation in a market

230

Olson, Mancur, Power and Prosperity, (New York, Basic Books, 2000), pp. 175-180.

economy allows us to view violent groups through the prism of economic self-interest – and differential association theory allows us to understand that individual participation in those groups is not irrational but rather a result of exposure to specific influences.

Moreover, the concept of a market provides a multilayered view of the interaction of violent economic actors: violence, in such a conception, can be a *service* offered for sale or exchange by specialists; it can be a *medium* by which participant actors communicate; and it can serve an additional role as the *regulator* of a market in which no other regulatory mechanism exists. Therefore, the hypothesised type of violence examined in this work will be called the Market of Narcotic Violence, or MNV. This concept is defined by six primary characteristics. These are its *scope*, *scale*, *resilience*, *decentralisation*, *external constraints* and *internal constraints*.

Scope is a qualitative measurement of organised violence, relating to the *optics* principle discussed in Chapter 2. Violence associated with most organised crime has a mostly limited scope: assault, intimidation and sporadic murders do not rise to this level. Conflicts meeting the standard of a Market of Narcotic Violence must be indiscriminate, must involve targeting of uninvolved civilians and authority figures along with participants. The use of equipment and tactics normally associated with terrorist and guerrilla forces also helps a conflict meet this measurement – mass casualty attacks on civilian or state targets, the use of high-powered weapons and military-style small unit tactics are all signifiers of the scope that marks an MNV.

Scale, by contrast, is a measurement of the *breadth* of violence associated with a conflict. A single large-scope incident against a background of ordinary levels of violence does not by itself qualify a conflict as a Market of Narcotic Violence. Instead, an MNV must see levels of significant, relevant violence (assaults and murders relatable to the trade in narcotics) increase by a statistically significant amount in the area in question, and remain elevated for a period of years.²³¹

²³¹ For the reasons outlined in the previous chapters, these are not exact measurements. Rather, they are intentionally unspecific to account for the variety of possible dynamics in such a market.

Resilience is, effectively, the quality of survivability. A market of violence cannot have a single point of failure, nor can it be significantly impaired by small changes to the cultural, security or political environment in which it operates. Inherent to the concept of resilience is its ability to adapt and evolve to continue to survive changing conditions without mutating into a completely different form (an explicitly political insurgency, for example).

Finally, *decentralisation* is perhaps the most important characteristic, and forms a central part of the rationale for the use of the term “market.” John Robb built upon this idea of decentralised violent networks with the concept of a “bazaar of violence;” an open market in which individuals compete to offer their services as purveyors of violence to a variety of actors, thereby increasing their effectiveness through market dynamics. The concept of the bazaar was based on the violence in Iraq from 2003 to 2008 and serves to explain how organisations can survive, evolve and exhibit complex behaviour in an environment where both competition between non-state groups is fierce and a powerful authority is actively trying to suppress violence and destroy the organisations opposing it.²³²

But decentralisation is not simply an organisational concept, which is one of the reasons why the MNV is distinct from Robb's bazaar of violence. To Robb, the bazaar is the appropriate metaphor because those looking for violent services – insurgents in Iraq with a particular objective relative to the government or the American occupation forces, for example – have a broad variety of violent specialists available for hire, ranging from expensive, highly-skilled bomb-makers or sharpshooters down to the “unskilled labour” in the form of un- or under-employed young men willing to emplace an Improvised Explosive Device or fire an AK-47 at American troops for a small payment (and whose moral resistance to doing so has been eroded by differential association – specifically, that the influence of those who advise against such action is weaker than those who encourage it). In a Market of Narcotic Violence, these interactions certainly take place, but the absence of an overriding political agenda means that the market forces at work go a level deeper, meaning that violence serves not only as a service available to all who can pay, but also a means by which competing groups can communicate

232

Robb, John, *Brave New War*, (Hoboken, John Wiley & Sons, 2007), p. 15-16.

and the very force which regulates the market and ensures that the most evolved and efficient groups are the most successful.

A market possessing such characteristics is also defined by its constraints. These are both external and internal. The external constraints are the characteristics that the state affected cannot control – geography, climate, international economic trends and flows, etc. Internal constraints are those over which the state has at least some measure of control – the transparency and accountability of its political processes, the reliability of its security forces, its to provide adequate living conditions for its people, and so on. These sets of constraints provide the overall structure in a Market of Narcotic Violence could conceivably take hold.

Such a market can exist only within the “flow” of narcotics from producer to consumer regions, as the essential characteristic of resilience only functions if the profit margins of drug trafficking are sufficiently high at the transit stage to compensate for the inevitable attrition due to competition and state interference. Such a market's size is not necessarily linked to state boundaries – indeed, the transnational nature of contemporary economic transactions and particularly the bifurcated nature of the drugs trade means that such a market is unlikely to operate solely within the borders of one individual state. The transnationality is a critical element – distinguishing an MNV from single-state cases of illegal markets such as the U.S.'s alcohol prohibition experiment, where the coercive power of the restricting state was limited to its borders, rather than the multinational nature of enforcement in the global drugs prohibition system.

This, then, is the hypothesised type of conflict that will be tested against the case study of Mexico from 2006-2012. The international drugs trade, which has developed under conditions of near-total global prohibition during an era when markets were becoming vastly more internationalised, carries with it the potential for emergent behaviour – that even in the absence of larger organising forces, the profit motives are high enough (relative to the other economic alternatives) to create emergent forms of violent behaviour even in the absence of an overarching political structure or motive.

VI. Conclusion

The nature of the transnational drugs trade in an environment of general prohibition can result in conflicts with massive asymmetries between combatants. Herfried Münkler, extending an analysis of Clausewitz, writes, “In the new wars, by contrast, force becomes the dominant element in exchange relations themselves – either by being bought in order to produce certain results, or because the exchange of equivalents is overlaid or completely replaced with extortion and open threats of violence. Whereas classical inter-state wars are no longer worthwhile, because they cost more than they yield for each of the participants, the new wars are highly lucrative for many of the participants, because in the short term the force used in them yields more than it costs – and the long-term costs are borne by others.”²³³ Although Münkler was not writing about the war on drugs, he could well have been: the costs versus benefits accrued by the “combatants” in the war on drugs is vastly different between drug traffickers and governments. For governments, limiting the spread of drugs has historically been seen as worthwhile on the grounds of health, public order and security, whereas drug traffickers can turn a substantial profit without having to follow the classical constraints of war. Historically, drugs have been too powerful an economic force, and their prohibition too weak a social cause, to enable states to use the level of force that would be conducive to permanently defeating drug traffickers. While it is eminently possible, given sufficient determination and violence, for a state to kill or capture particularly powerful drug-traffickers, the history of drug warfare demonstrates that the underlying constraints of the international drug economy will usually lead to their replacement by more flexible individuals and organisations.

This thesis argues that the ongoing violence in Mexico occupies part of a broad category between traditional archetypes of violent crime and war. Specifically, it argues that DTOs do not fall into the category of Olson's “roving bandits,” since they require an established infrastructure to produce, process, move and sell their product; to collect, launder and distribute the proceeds; and to maintain the necessary personnel and equipment to perpetrate the violence necessary to protect themselves in a competitive and violent marketplace (a model that owes a great deal to Volkov's “violent entrepreneurs” thesis). Certainly the idea of

233

Münkler, Herfried, *The New Wars*, (Cambridge, Polity, 2005), p. 77.

violent entrepreneurs operating in direct conflict with authorities with the aid of a cash flow from the production of narcotics is not terribly out of sync with other drug conflicts, as seen in Afghanistan, where the Taliban and local warlords have had mutually convenient arrangements with opium producers that enable them to make money from the onwards sale of narcotics while gaining the popular support critical to a political insurgency.²³⁴ The growers are by and large subsistence farmers for whom producing drugs is the only reliable way to make a profit; preventing them from doing so has driven many into other forms of crime.²³⁵ As a result, efforts to reduce violence by targeting drug crops only propagate violence in apparently open-ended fashion. This self-perpetuating model has also been found in the border regions of Colombia and Peru in the late 1960s and early 1970s,²³⁶ where techniques for the large-scale growing and processing of cocaine coincided with political upheaval – and, importantly, the growth of demand for cocaine in the United States.²³⁷

The examples of Colombia and Peru demonstrate that it is possible at great cost for a state to reduce and marginalise an insurgency which uses drug trafficking as a source of funding. But even in those cases, the production and distribution networks remain intact, along with some degree of associated violence. In an environment without that agrarian/political insurgent dynamic, those counter-insurgency tactics are largely irrelevant; without a political cause to win over the population or terrain to win and hold, violent groups will inevitably adopt organisational forms best-suited for resilience and survivability. In such cases, the danger is not that the state will be overrun or outfought, but rather that a network outside its control will command sufficient violence to deteriorate its authority and hollow it out, and in doing so

234

Felbab-Brown, Vanda, "The Violent Drug Market in Mexico and Lessons from Colombia,"
Brookings Institution Policy Paper #12, March 2009, p. 2.

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Ibid., p. 3.

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Münkler, 2005, p. 96.

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Glenny, 2008, p. 282.

to create space for illegal trade to flourish.²³⁸ Within this hollow space, a Market of Narcotic Violence could take root and self-perpetuate, creating an environment in which levels of violence and insecurity remain high regardless of the fate of any particular group. The next chapters explore whether the conflict in Mexico from 2006-2012 fulfilled the characteristics of the hypothesis, and what relationship that has with Mexican and American counter-narcotics policies.

238

Cooper, Neil, "State Collapse as Business: The Role of Conflict Trade and the Emerging Conflict Agenda," in Milliken, Jennifer, ed., State Failure, Collapse and Reconstruction, (Oxford, Blackwell, 2003).

Chapter 4:

History and Geography: Specific Constraints of the Mexican Drug Conflict

I. Introduction

We now move from the theoretical to the empirical, advancing from a broad examination of issues surrounding organised violence toward a detailed look at the thesis case study, the drug conflict in Mexico from 2006 to 2012. Here it is critical to specify the ways in which Mexico's geography and history serve create the conditions for a Market of Narcotic Violence.

A detailed outline of the history and geography of Mexico is necessary to situate the drug conflict at the heart of this research. This begins with an overview of the relevant aspects of Mexican history, especially in relation to the critical U.S./Mexico border region, in order to establish the contested physical and human terrain in this conflict. Then, the more recent history of the Mexican conflict comes to the fore, with the roots of large-scale drug trafficking during the rule of the *Partido Revolucionario Institucional* (PRI), followed by the period of co-existence and cooperation between the transactional drug traffickers of the mid/late 20th century. This period is critical for understanding what came next: the transition from the PRI to the *Partido Acción Nacional* (PAN), which proved unable to maintain an effective monopoly of force nationwide despite an aggressive campaign against traffickers.

Finally, the chapter examines two separate subsystems within the broader theatre of drug trafficking violence. First, it examines a case in the north of Mexico, specifically the “border metropolis” comprised of Ciudad Juarez in the Mexican state of Chihuahua and El Paso, Texas, which illustrates the apparent contradictions of the market of violence: the two cities, linked by culture, populace and history and divided only by a national border, wherein one became the epicentre of the conflict with thousands of murders per year, while the other remained astonishingly safe by any standard. It then examines the case of Guatemala, whose location south of Mexico renders it vulnerable to many of the same drug trafficking and drug violence trends, but whose contrasting political and geographic circumstances have yielded violence of a dissimilar character. These discussions support the conclusion that that many of the factors that can create a Market of Narcotic Violence are unique to Mexico, it is possible to identify a general set of characteristics for actual and potential MNVs in other regions.

In the context of this largely empirical chapter, it is nonetheless important to note some of the essential qualities of drug violence in Mexico, including those that are *missing* from that conflict. Principally, it is important to note that despite the occasionally apocalyptic news coverage, Mexico's national murder rate is still relatively low by comparison to other Latin American states.²³⁹ Certain areas of the country, particularly along the country's northern and southern borders and along its Pacific coastline, have become vastly more dangerous since 2006; a few specific northern Mexican cities are now amongst the world's most dangerous urban areas.²⁴⁰ But much of Mexico still enjoys stability and low rates of violence by regional standards, and the national average murder rate is below that of El Salvador, Colombia or Brazil, and is roughly equivalent to that of Russia.²⁴¹²⁴² By itself, this dynamic of vastly differing levels of danger by region is not unique to Mexico; globally, most countries have strong regional variations in violence. But several factors make the dynamic in Mexico worth examining in detail. First, the speed with which relatively peaceable regions became havens of violence is uniquely extreme: the murder rate in Juarez, for example, escalated from 301 murders in 2007 to 1,607 in 2008 – an increase of over 500% in the space of 12 months.²⁴³ Second, there was not a particularly compelling rationale for the sudden upswing in violence: while Mexico has undergone significant political and economic changes in the last decade, there have been no other indicators of social resistance in the form of a significant insurgency or protest movement. Third, Mexico was not, by conventional indicators, a particularly

239

Guillermoprieto, Alma, "Inside the New Gangland of El Salvador," *The New York Review of Books*, November 10, 2011.

240

Felbab-Brown, Vanda, "Calderón's Caldron: Lessons from Mexico's Battle Against Organized Crime and Drug Trafficking in Tijuana, Ciudad Juarez and Michoacán," Brookings Institute Latin America Initiative, September 2011.

241

It is worth noting that the overall trajectory of violence in Mexico prior to the present conflict was following the trend, remarked upon by Pinker (2011) and others, toward a lower murder rate. Indeed, as Mexico Evalúa's statistics make clear, the country's overall homicide rate from the mid-1990s to the mid-2000s was trending steadily downwards, both in absolute numbers and proportionately to the country's population. The sharp reversal of this trend from 2006 onwards correlates with the increase in intra-DTO competition and state pressure on DTOs, and indicates the severity of the problem. (México Evalúa, "Índice de Inseguridad ciudadana y violencia," accessed from http://www.mexicoevalua.org/descargables/d15292_Indice-de-Inseguridad-Ciudadana-y-Violencia.pdf on November 15, 2011.).

242

México Evalúa, 2011, p. 27-30.

243

Bowden, Charles, *Murder City*, (New York, Nation Books, 2009), p. 234.

vulnerable state to this kind of upsurge of violence: certainly, its democratic and law-enforcement institutions were imperfect, but by no means were they in worse shape than those of other comparable nations.²⁴⁴²⁴⁵ Finally, as Chapter 3 detailed, the transnational nature of contemporary drug trafficking is central to understanding its dynamics and its interplay with violence, and that rarely finds a clearer expression than in Mexico, a state valuable to drug traffickers largely due to its proximity to a consumer market, rather than as a production zone or market in its own right. Mexico, in other words, may have largely escaped the political turmoil which swept its southern neighbours during and after the Cold War, but its characteristics made it singularly well-suited to host a Market of Narcotic Violence.

II. External Constraints: Three illustrative periods in Mexican/American history

No conflict occurs in a vacuum, and the drug conflict in Mexico is no exception. The dynamics of the turmoil have been deeply affected by that nation's relationship with its neighbours, most importantly by its relationship with its immediate northern counterpart, the United States. The relationship between the two countries is complex and multifaceted one; policy made by one country across a broad range of economic and security issue areas inevitably affects and pertains to the other. In this sense, Mexico and the U.S. demonstrate an evolved form of intermestic theory. Countries sharing borders do not always share destinies; for example, the relationship between Mexico and the U.S. has significantly more complex ramifications than the relationship between Canada and the U.S., despite the similarities of their shared borders.

244

While measuring the overall functioning of a state and the corruption of its institutions is a particularly complex and inexact task, the Freedom House rankings are a useful brief guide. In 2006, under Vicente Fox, Mexico was rated a 2 for both political rights and civil liberties, placing it in the highest category ("Free"). By 2011, due largely to the chilling effect of the drug conflict, Mexico had fallen one point in each category, relegating it to "partly free" status.

245

See, for example, Freedom House, "Map of Freedom in the World," 2006 edition, accessed from <http://www.freedomhouse.org/template.cfm?page=363&year=2006&country=7016> on November 15, 2011. See also 2011 edition of same, at <http://www.freedomhouse.org/template.cfm?page=22&year=2011&country=8091>.

The joint history of Mexico and the U.S. is not the central topic of this thesis. But some background is necessary in order to illustrate the specific constraints of the hypothesis. Here the relationship will be contextualised by examining three periods centred around the years 1846, 1911 and 1985, which demonstrate the critical aspects of this relationship in terms of U.S./Mexican security and counter-narcotics policies.

1846. Mexican-American relations began with the two countries in similar circumstances – recently independent post-colonial states competing to expand across what would eventually become the American southwest. Mexico's independence from Spain came within a few decades of America's independence from Great Britain, and was also the product of a national uprising. Despite this, the following decades saw the the competition between the two countries spiral into outright war. Unlike the United States, Mexico found itself marginalised by Europe – it was not even formally recognised by European powers until 1830.²⁴⁶ Meanwhile, the United States was rapidly consolidating its control over much of its present-day territory by sending settlers westwards and reinforcing them with military forces where they met opposition. Many American settlers ended up in modern-day Texas, which was legally part of Mexico; so many, in fact, that they soon outnumbered Mexicans roughly four to one.²⁴⁷ Given the harshness of the land and the difficulty the nascent Mexican government was having developing its economy, it initially saw the foreign settlers as a means to quickly and cheaply develop an underpopulated section of their territory, but the relationship soon soured.

The Mexican government could exercise little to no authority over Texans, who (amongst other violations) kept slaves, in contravention of Mexican federal law. The Mexican government attempted to maintain order by prohibiting further colonisation, but Texans instead elected to secede from Mexico entirely, forming an independent Republic of Texas.²⁴⁸

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Chávez, Alicia Hernández, *Mexico: A Brief History*, translated by Andy Klatt; (Berkeley and Los Angeles, University of California Press, 2006), p. 139.

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^{*} Ibid., pp. 139-140.

²⁴⁸

^{*} Ibid, p. 140.

When negotiations broke down and Mexico attempted to forcibly reintegrate its lost territory, the United States annexed the Republic of Texas and declared war on Mexico in 1846. With a larger population, a deeper treasury and a more developed industrial base, the subsequent war was lopsided: the U.S. Army broke through the piecemeal Mexican defences quickly by opening a number of fronts simultaneously and had taken control of Mexico City by October 1847.²⁴⁹ In the era of non-mechanised militaries, this was an enormous amount of territory to cover in a relatively short period; moreover, although the Mexican military aggressively contested the advance, it was soundly defeated in every major engagement. The Treaty of Guadalupe, signed at the beginning of 1848, ended the conflict; as part of the terms, the United States paid Mexico \$15 million for most of what is now the American Southwest – roughly half of Mexico's total area at the time.²⁵⁰ The images of American troops storming the ramparts of Mexico City and raising the U.S. flag over the capital echoed Hernán Cortés' defeat of the Aztecs at Tenochtitlan.²⁵¹

1911. The end of the 19th and beginning of the 20th centuries marked a period of significant domestic unrest in Mexico. The fluctuation of political and economic systems during this period undercut Mexico's growth and development and left it with a legacy of weakened, corrupted political institutions. Mexico's losses to the United States in the 1840s threw the country into turmoil, which was exacerbated by European interventions during the 1850s and 1860s. In the aftermath of the American Civil War, when the United States reasserted its authority over North America, and European intervention ceased, the government of Mexico briefly reverted to a republican norm. However, in 1876, Porfirio Diaz ascended to the presidency, which he held almost continuously until 1911. Diaz ran the country in semi-dictatorial fashion: he attempted to modernise the nation's agricultural and industrial bases,

249

^{*} Ibid., p. 142.

250

^{*} Ibid., p. 143.

251

The analogy is close, especially given that Mexico City was built on the site of Tenochtitlan, but not exact – Cortés' conquest was enabled by deception rather than the direct attack of the American military. As Casteñeda points out, Cortés is not remembered fondly in Mexico, even by the standards of *conquistadors* in Latin America – he is not commemorated by a statue anywhere in Mexico, and his burial place in Mexico City is nearly forgotten. (Casteñeda, 2011, loc. 1645).

but also accumulated enormous power within his own office which he used to reward a small inner circle to the exclusion of the vast majority of Mexicans.²⁵²

After several decades of Diaz's rule, several disparate groups of Mexicans, mostly representing the lower classes who felt left out of his reforms, revolted in the early 20th century and drove him into exile. Unfortunately, none of them were willing to cede or share power – perhaps unsurprisingly, given that the revolt represented a coming-together of disparate geographical and social groups against a shared enemy. Factions led by Pancho Villa, Francisco Madero and Emiliano Zapata turned on each other, transforming a revolution into a civil war. During this struggle, forces loyal to Villa crossed the American border and killed a number of American citizens, leading to a reprisal operation on Mexican territory led by U.S. Army General John Pershing. Madero ascended to the presidency in a compromise intended to bring a halt to the fighting, but was assassinated within two years, and Zapata was killed shortly thereafter. Villa, who had managed to evade General Pershing's forces (despite their use of aircraft, which at the time was considered revolutionary), never managed to attain formal political power. By 1930, with the dust settled from the civil war, the country fell into the hands of the *Partido de Revolucionario Institucional* (PRI), a political party whose domination over Mexican politics would last for the next seven decades. For all its apparent success, though, the PRI's 70 years in power would be marked by successive administrations pledging fealty to the same party structure, but in reality serving very different constituencies. The informal and unaccountable power structures created by this arrangement would ultimately have significant implications for the Mexican government's ability to cope with internal security threats.²⁵³

1985. The trends toward institutional corruption, weakness and an arm's-length relationship with the United States continued apace throughout the long stretch of PRI rule. These factors manifested themselves in increasingly bold and profitable strategies amongst trans-border

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Chavez, 2006., p. 179.

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Casteñeda, Jorge, Mañana Forever: Mexico and the Mexicans, (New York, Alfred A. Knopf, Kindle Edition, 2011), locations 2465 – 2477.

smugglers, especially drug traffickers. But what had been a limited amount of both trafficking and violence along the border began to change with the arrival of transnational drug-smuggling syndicates in the 1970s and 1980s. Initially, Colombian groups ran the drug traffic in the Western Hemisphere, with Mexican organisations primarily responsible for bringing narcotics across the American border. Production, the bulk of the transit and end-user distribution were all handled by Colombians. Mexico was also not a factor in the distribution of the most lucrative (by weight) product, cocaine, which was brought to the American market via the Caribbean and Miami. In the 1980s, however, increased American-led nautical interdiction efforts cut into the profits from this route while law enforcement on land dealt harsh blows to the leadership of the Colombian groups.²⁵⁴

However, these efforts did nothing to tamp down the demand for narcotics in the U.S. Instead, it created a power vacuum in the drug-smuggling industry and left Mexican organisations uniquely positioned to capitalise on it. Equally importantly, the PRI, with its centralised but complacent power structures, presented little resistance to enterprising traffickers with abundant financial and human resources, eventually accepting a symbiotic coexistence with them. Smugglers such as Amado Carrillo Fuentes, called “The Lord of the Skies” for his use of a fleet of aircraft (reputedly including massive Boeing 747s) in drug smuggling, neutralised the Mexican state by bribing security officials at the highest levels.²⁵⁵²⁵⁶ They also made an informal agreement with the government: they would limit the extent of violence used to regulate their trade, and in return the government would turn a blind eye to drug smuggling and stall the counter-narcotics efforts of the U.S. The degree to which the

254

Dudley, Steven S., “Drug Trafficking Organizations in Central America: *Transportistas*, Mexican Cartels, and Maras,” Woodrow Wilson International Center for Scholars, Working Paper Series on U.S.-Mexico Security Collaboration, September 2010, p. 4.

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Garzón, Juan Carlos, *Mafia and Co: The Criminal Networks in Mexico, Brazil and Colombia*, Translated by Kathy Ogle, (Washington, Woodrow Wilson International Center for Scholars, 2008), pp. 98-99.

256

Hill, Sarah, “The War for Drugs: How Juarez became the world's deadliest city,” *Boston Review*, July/August 2010, pp. 4-7.

central authority of the PRI was knowingly complicit with drug traffickers is disputed,²⁵⁷ but Peter Lupsha provides a helpful outline of the dynamics at the lower levels by breaking the principal trends in narco-corruption into chronological phases:

“Phase I (before 1960 to approximately 1965), the dance of narco-corruption appeared to be dominated by the rhythm of the “La Plaza”.²⁵⁸ In phase II (from approximately 1962-1982), the “Direction Federal de Seguridad” (DFS), the political police arm of the Secretariat of Government (Gobernacion), began to dominate the dance. Although the rhythm of “La Plaza” and that of Mexican Federal Judicial Police (PJF), and the military were still present. From 1982-1985, these latter rhythms came to dominate phase III. Phase IV, (1985-1990), witnessed a decentralization of narco-corruption with the military, State, and individual officials adding their regional and state rhythms to the dance.”²⁵⁹

Lupsha's research suggests that the internal power dynamics within the PRI served to create multiple resilient lines of communication between drug traffickers and state officials. The result was that whether or not the highest authorities were directly in contact with drug traffickers, the system of state security they relied upon to carry out their orders was so thoroughly corrupted that any attempts to impose reform from on high would be frustrated from the bottom up by the security apparatus.²⁶⁰

These trends came to a head in 1985, when undercover U.S. Drug Enforcement Administration (DEA) agent Enrique Camerana was kidnapped, tortured and murdered while on assignment in Mexico. This event triggered the largest homicide investigation in the history of the DEA, and resulted over the next few years in the arrest, extradition and

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Romo, Rafael, “Did a Mexican political party have agreements with organized crime?” CNN.com, October 17, 2011, accessed from <http://edition.cnn.com/2011/10/17/world/americas/mexico-politics-crime/index.html?iref=allsearch> on 21 May 2013.

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Generally, “La Plaza” refers to the central square of a town; in this context, it refers to the control over the general Mexican social environment, with all its attendant social and commercial exchanges. In reference to the drug trade, La Plaza generally refers to the effective control of the town for the purpose of narcotics distribution, both retail (through small “stores,” or *tienditas*) and wholesale, as a waypoint or distribution venue for larger quantities of drugs bound for larger-scale markets like the U.S.

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Lupsha, Peter, “Drug Lords and Narco-Corruption: The Players Change but the Game Continues,” in *Crime, Law and Social Change*, vol. 16, 1991, p. 41.

²⁶⁰ This process, by which the state is co-opted by criminal groups and operates in line with their interests, is known as state capture.

conviction of a number of high-level drug traffickers who had been involved in his murder.²⁶¹ More importantly, it represented the high-water mark for the strategy of virtually unrestricted state capture by DTOs. After 1985, the Mexican government began a process by which, slowly and unsteadily, its central power structures became increasingly less vulnerable to overt corruption, cutting traffickers off from a major source of power and an enabler of profit.

These historical benchmarks are important because they demonstrate what are, effectively, the external constraints for the Market of Narcotic Violence in Mexico: a combination of historical antagonisms with the United States, institutions undermined by decades of political instability followed by decades of single-party rule and the country's geographic situation as the vital last link in a narcotics supply chain that runs from South America to the rich customers in the United States. With this backdrop established, it is important to examine how the recent history of Mexico has shaped the dynamics of the drugs trade and created the conditions for conflict.

III. Internal constraints: the contemporary history of Mexican drug violence

By the mid-to-late 20th century the Mexican state had become increasingly entangled with the business of drug trafficking. The end of the 20th century and beginning of the 21st saw it slowly and haltingly start to extricate itself from this arrangement. Given that this study concerns the period from 2006-2012, an examination of the historical context of the last two decades is necessary in order to determine the internal constraints of the market.

Contemporaneously with the era of PRI state capture by DTOs, the legitimate border trade between Mexico and the United States was also experiencing a period of rapid growth. American companies were beginning to move operations south of the border in search of cheaper labour and less regulation, while Mexican manufacturing began to surpass the oil industry as the country's most lucrative export.²⁶² Given their common cause, companies on

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Astorga, Luis and Shirk, David, "Drug Trafficking Organizations and Counter-Drug Strategies in the U.S.-Mexican Context," Woodrow Wilson Center Working Paper Series USMEX WP 10-01, pp. 10-11.

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Clarkson, Stephen, Does North America Exist? Governing the Continent After NAFTA and

both sides of the border began to pressure their respective governments to lower the barriers to doing business transnationally. The culmination of this effort was the North American Free Trade Agreement (NAFTA), which largely eliminated tariffs and export/import duties between the U.S., Mexico and Canada. NAFTA's entry into force had both direct and indirect effects for the drug-trafficking industry: it vastly increased the volume of trans-border trade, which made detection of illicit cargo “piggybacking” with legal goods much more difficult and expensive, and it led to massive intra-Mexican migration.²⁶³ American companies seeking to cheaply produce goods destined for American consumers established large factories along the border, where shipping and labour costs could be minimised. These *maquiladoras* offered what were, at the time, reasonably good wages and the promise of a better life for unemployed Mexicans, who flocked north to cities such as Ciudad Juarez to find jobs. When these factories closed – a frequent occurrence, especially in the wake of the 2007-8 recession²⁶⁴ – the displaced workers found themselves with few legitimate alternatives that could compete with the pay offered by drug traffickers.

In 2000, the PRI – weakened by years of scandal and infighting – lost a presidential election for the first time in 70 years. The winner was the PAN's candidate, Vicente Fox. The PAN's rise continued a trend that had begun to define the structure of the Mexican state and society since the 1980s: the replacement of a top-down, hierarchical system with a more distributed system of authority. This system, while more democratic, also upset the fragile peace between DTOs and the state. Under the PRI, the Mexican government had come to an informal agreement with a small number of large cartels, principally those centred around Sinaloa and the Gulf coast. Broadly speaking, the government would not seek to interrupt the flow of drugs into the country from the south or out of the country to the north, while in exchange the cartels would limit the level of violence they used. On the whole, the hierarchical, centralised DTOs and their mutually beneficial relationship with the authorities kept violence local and minimal; there was, after all, no incentive for it to be otherwise.

²⁶³ 9/11, (Toronto, University of Toronto Press, 2008), p. 174.

²⁶⁴ Vulliamy, Ed, Amexica: War Along the Borderline, (London, The Bodley Head, 2010), p. 106.

²⁶⁴ Hill, 2010, p. 8.

The period from 2000 to 2006 represents a transitional period for drug trafficking in Mexico. With the defeat of the PRI at the national level – and, just as importantly, the widespread replacement of local PRI governments with those controlled by opposition parties (a process that had started in the 1990s²⁶⁵), the power structures which had enabled the traffickers to efficiently capture the state quickly ceased to be. The new PAN government not only brought in its own justice and law enforcement officials, it fundamentally reorganised the Mexican justice system. Crucially, it distributed power outwards from the national attorney general's office to the offices of the state attorneys general, which hampered the ability of a few large criminal groups to maintain control over the political-criminal nexus and establish themselves as the dominant, unassailable player in the drug-smuggling game.²⁶⁶ At the turn of the 21st century, the most powerful trafficking organisation was the Sinaloa Cartel, headed by Joaquín “El Chapo” Guzmán Loera, a flamboyant but canny trafficker whose billions in assets had landed him on the *Forbes* list of the world's wealthiest individuals, and whose escapades had become legendary.²⁶⁷²⁶⁸ The Sinaloa Cartel's major opposition came from the Gulf Cartel (*Cartel del Golfo*, or CdG), based on Mexico's eastern seaboard, while a smattering of smaller groups maintained territories spread out over other parts of the country. Under pressure from the Sinaloa Cartel, the CdG took a shortcut to developing a specialty in violence: they enticed a number of soldiers from an elite, American-trained Mexican Army unit, the Special Forces Airmobile Group (*Grupo Aeromóvil de Fuerzas Especiales*, or GAFES), to desert and become their “armed wing.” Styling themselves “Los Zetas,”²⁶⁹ this group was destined to become one

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Casteñeda, 2011, locations 2500-2525.

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Snyder, Richard, and Duran-Martinez, “Does illegality breed violence? Drug trafficking and state-sponsored protection rackets,” in *Crime, Law and Social Change*, vol. 52, 2009, pp. 253-273.

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Hill, 2010, p. 9.

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Most famously, El Chapo was rumoured to have escaped from prison by hiding in a laundry basket (although it seems much more likely that bribery was involved). Another story (told, as such things often are, in various incarnations) has El Chapo's henchmen arriving unannounced at a fancy restaurant, confiscating the diners' mobile phones and demanding that they remain at their tables for the duration of his stay – and paying everyone's tab upon his departure.

269

Zeta being the Spanish Z, the Zetas designate themselves “Z-[X],” where [X] coordinates roughly with the order in which they joined the group.

of the most violent and nihilistic of the criminal groups, but initially they served to defend the interests of the CdG, largely at the expense of the Sinaloas.²⁷⁰

In short, the fragmentation of the criminal power structure was already well underway during the Fox administration. Nationally, the level of violence, which had been trending downward for roughly a decade, began to creep upward again toward the end of Fox's time in office.²⁷¹ The Fox administration was on much friendlier terms with the United States than its PRI predecessors, so security cooperation with the United States was also slowly increasing during this period, although at least some of the increased security cooperation (particularly the ties between the militaries of the two nations) began in the last years of PRI rule.²⁷²

The 2006 election proved a pivotal point for violence in Mexico. Mexican presidents are prohibited by law from seeking consecutive terms in office, so Fox was not a candidate. Instead, the PAN nominated Felipe Calderón, a former party chairman and Fox's former Secretary of Energy. In a three-way contest with the candidates of the PRI and the PRD (*Partido de la Revolución Democrática*, a left-wing coalition party), Calderón prevailed by an officially certified margin of roughly one-half of a percentage point, with just under 36% of the total votes cast. The PRD alleged irregularities in the election, but were overruled in the courts, and despite major protests in Mexican cities on their behalf (not to mention a brawl in the Chamber of Deputies between PAN and PRD representatives²⁷³), Calderón was sworn in as the president of Mexico on December 1, 2006.²⁷⁴

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Garzón, 2008, p. 87.

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Meyer, Maureen, "At a Crossroads: Drug Trafficking, Violence and the Mexican State," Washington Office on Latin America/Beckley Foundation Drug Policy Programme briefing paper 13, November 2007, p. 1.

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Ibid., p. 4.

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Stevenson, Mark, "Brawl, Standoff in Mexican Congress," The Associated Press, November 29, 2006, accessed from <http://www.washingtonpost.com/wp-dyn/content/article/2006/11/29/AR2006112900319.html> on November 17, 2011.

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BBC News, "Profile: Felipe Calderón," 21 January 2011, accessed from <http://www.bbc.co.uk/news/world-latin-america-12242685> on 21 May 2013.

One of Calderón's first acts was to order the Army and the Federal Police into his home state of Michoacán in a show of force against drug traffickers. This operation met with initial public success: drug seizures escalated considerably without a noticeable uptick in violence.²⁷⁵ Moreover, the operation produced useful visuals for the Mexican government in a way that has subsequently become familiar: captured drug figures brought before the cameras, shackled, and paraded in front of tables groaning under the weight of confiscated drugs and weapons – often customised with gold or silver plating, inscriptions or ivory handles – all while under the vigilant eye of masked, heavily-armed *federales*.²⁷⁶

The target of the deployment in Michoacán was predominantly the local cartel, *La Familia Michoacana* (LFM). *La Familia* were in many ways an unusual player amongst Mexican DTOs. At the time, they were also one of the newest, having only announced their presence to the world (by means of rolling five severed human heads with a statement of principles attached to them onto the floor of a nightclub) earlier that year.²⁷⁷ They were also, unusually, a DTO with a socio-religious code; a criminal gang with insurgent tendencies that also developed an alternative social safety net and government-replacement structures.²⁷⁸ The Army and Federal Police made some arrests, but were unable to separate LFM from its power base. Nonetheless, the Calderón administration viewed the operation as a success, and widened the deployment of the federal police and military to other parts of the country affected by the drugs trade.

275

Molzhan, Cory, et. al., “Drug Violence in Mexico: Data and Analysis Through 2012,” University of San Diego, Trans-Border Institute, February 2013, accessed from <http://justiceinmexico.files.wordpress.com/2013/02/130206-dvm-2013-final.pdf> on 30 May 2013, p. 15.

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General term for the Mexican Federal Police, roughly equivalent to the American FBI.

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Finnegan, William, “Silver or Lead,” *The New Yorker*, May 31, 2010, p. 40.

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This network, interestingly, included a network of drug rehabilitation centres which supports their total prohibition of drug use within their territory. That prohibition, of course, doesn't extend to the extensive methamphetamine production facilities the group operates, or to its thriving business importing loads of cocaine into Mexico via Michoacán's extensive Pacific coast. The differences between LFM and other cartels will be explored in more detail in subsequent chapters. See Finnegan (2010).

Militarisation was in many ways an undesirable strategy, but one which the Mexican government viewed as a necessity. The Calderón administration's policy priority was to 'break' the drug organisations at all levels, from their linkages to legitimate power structures to their ties to local communities and their ability to launder money and undertake armed operations.²⁷⁹ In order to execute this strategy, the administration took stock of its law enforcement agencies and determined that they were not up to the task. Mexican law enforcement is, broadly speaking, organised in similar fashion to its equivalents in the United States. Municipalities and states have their own forces, which are primarily concerned with local crime and are the lowest-paid, worst-equipped and most vulnerable to corruption in the country.²⁸⁰²⁸¹ The federal police, which have been restructured, repurposed and renamed several times in the period since 2006, are responsible for security throughout Mexican territory, and are generally better equipped for more serious confrontation than the state and local police.²⁸² All these forces have had corruption at some level, although as local and state forces are lower-paid and are organic to the communities they are assigned to, they are inherently more susceptible to coercion and corruption.

The Mexican military, on the other hand, is organised somewhat differently from its American counterpart. The Mexican Army and Air Force form one branch, which answers directly to the Office of the President, while the Navy and Marines form another. There is no equivalent to the Pentagon; no central civilian official below the President is responsible for overseeing all the branches of the military, which has contributed to a higher level of institutional rivalry

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Bailey, John, "Combating Organized Crime and Drug Trafficking in Mexico: What are Mexican and U.S. Strategies? Are they working?" Woodrow Wilson International Center for Scholars and USD Trans-border Institute Working Paper Series on Mexico-U.S. Security Cooperation, May 2010, pp. 7-10.

280

One well-publicised story concerned the police department in Praxedis Guadalupe Guerrero, a small border town in Chihuahua, which elected a 20-year old woman with no law enforcement experience police chief for lack of other alternatives. At the time, her department was reported to have 13 sworn officers, one working patrol car, three rifles and one pistol. Carroll, Rory, "Student becomes new police chief in Mexican town," *The Guardian*, 21 October 2010, accessed from <http://www.guardian.co.uk/world/2010/oct/21/marisol-valles-police-chief-mexico> on 3 June 2013.

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United States House of Representatives Subcommittee on Western Hemisphere Affairs, "Hearing on U.S. Assistance to Mexico," October 25, 2007, pp.49-50.

282

Bailey, 2010, pp. 11-12.

between the different branches of the armed forces. The military is well-equipped and well-trained for a force whose main objective is the physical security of the nation, rather than power projection at a regional or global level.²⁸³ Furthermore, they are held in fairly high regard by most Mexican citizens, particularly compared to other parts of the Mexican government and security apparatus.²⁸⁴²⁸⁵ Nevertheless, they were not trained for the kind of specialised counter-insurgency/counter-narcotics work the Calderón administration was demanding.

As a result, the Mexican government turned to its northern neighbour for assistance. Even given the post-2000 warming in relations between the U.S. and Mexican governments, institutional and national rivalries and suspicions have imposed some limits on the scope of the links.²⁸⁶ But the requirements of the new counter-narcotics mission left Calderón with little choice. In 2008, the United States and Mexico formalised the new relationship through the vehicle of the Mérida Initiative, which pledged \$1.4 billion in training and equipment for the Mexican military and law enforcement. Unfortunately, this aid was relatively slow in coming. Internal politics, bureaucratic infighting and the unwillingness of the American government to simply hand over cash without substantial oversight slowed its distribution to the responsible Mexican agencies. By autumn 2010, two years into the programme, only 9% of Mérida funds had actually been spent.²⁸⁷ Meanwhile, the Calderón administration, eager not to appear as though it was simply settling scores in the president's home territory, was rapidly broadening the scope of its counter-narcotics campaign. It followed the deployment in Michoacán with military operations in Sinaloa, Matamoros, Chihuahua, Baja California and

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Deare, Craig, "U.S.-Mexico Defense Relations: An Incompatible Interface," *Strategic Forum*, No. 243, July 2009, pp. 4-5.

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A September 2011 national survey showed 72% approval of the Army and 69% for the Navy, with Federal and State police approval far behind, at 49% and 35%, respectively.

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Manaut, Raul, et. al., "Encuesta de Ciudadanía, Democracia y Narcoviolencia," CEGI, CASEDE and SIM, September 2011.

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Deare, 2010.

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United States House of Representatives Subcommittee on Western Hemisphere Affairs, "Assessing the Mérida Initiative: A report from the Government Accountability Office," July 21, 2010, p. 5. Accessed from <http://foreignaffairs.house.gov/111/57608.pdf> on November 16, 2011.

other regions, largely along the northern border. But as these deployments were occurring, the rate of violence in those areas began to increase, in some cases dramatically. If the objective was an immediate pacification of the areas in question – a “shock and awe” campaign directed at drug trafficking groups – it cannot be described as successful.

Pre-2006, the Mexican DTOs were large and well-established, given that they did not have to deal with a government that viewed them as an existential threat. As a result, they could expand across new territories and into new markets while using significantly lower levels of violence. When this dynamic shifted, the motivation for violence shifted as well. While there is not a clear, single turning point, the increased level of government pressure on traffickers under Calderón's government led to a rapid fracturing of the drug trafficking culture. One of the most important splits occurred in the early stages of the Mexican government's crackdown, when the Zetas, the Gulf Cartel's semi-independent enforcement arm, split off from their erstwhile benefactors and went into business for themselves.²⁸⁸ In order to bolster their numbers, the Zetas recruited openly, even hanging banners from bridges in Nuevo Laredo offering good salaries, healthcare, life insurance, a “company car” and other benefits to recruits.²⁸⁹

These changes in the Mexican political and law enforcement situation fractured the established drug trafficking networks and created a diffuse, violently competitive market in its place. Whereas before 2000, the bulk of drug trafficking from Mexico was undertaken by three major cartels operating in entirely separate regions, by 2011 there were at least 10 major groups, along with countless dozens of smaller regional or local operations.²⁹⁰ Moreover, the trafficking organisations that existed under the PRI had essentially divided up the country's territory between them, which limited the potential for open conflict. The subsequent split of these geographically disparate groups, combined with increased law enforcement on both

288

Garzón, 2010, p. 96.

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Ibid.

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STRATFOR, “Polarization and Sustained Violence in Mexico's Cartel War,” 24 January 2012, accessed from www.stratfor.com/analysis/polarization-and-sustained-violence-mexicos-cartel-war on 21 May 2013.

sides of the border, placed a much larger number of trafficking groups in direct competition, thus increasing the potential for competitive violence. That dynamic is exacerbated by the rapidly shifting allegiances between groups and sub-groups of traffickers, as seen with the Gulf/Zetas split. Moreover, the Mexican government pursued a broad-based decapitation strategy: instead of aiming to systematically break down a particular group, as Colombia did (with substantial U.S. assistance) in the early 1990s, it has sought to capture or kill whatever high-level traffickers it can find.²⁹¹ Instead of weakening the existing organisations and depriving them of leadership, direction and capacity to perpetrate violence, that strategy had the effect of further fracturing existing cartels, creating increased competition for terrain and resources and increasing the value of the currency of violence.²⁹² The Mexican government has repeatedly argued that the vast majority of victims in the drug war are themselves participants and that the surge in violence is a sign of its success,²⁹³ but the ongoing drumbeat of casualties, especially amongst vulnerable populations such as migrant workers, has undercut this message.

Together, these issues – the continuing institutional weaknesses of the Mexican government's security services, the economic trends that prompted massive migration of Mexican citizens from the south to the north of the country and then left many of them without a legitimate way to make a living and a security strategy that exacerbated the fragmentation of major, geographically divided DTOs into smaller, more competitive and more violent groups – represent the internal constraints of the Market of Narcotic Violence in Mexico. To understand how both sets of constraints work in practice, it is necessary to examine both a microcosm of the Mexican case, and the separate (but related) conflict in Guatemala.

IV. The Border Nexus of Crime and Commerce: Ciudad Juarez and El

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Felbab-Brown, 2011, pp. 37-8.

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Garzón, 2010, p. 102.

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Ellingwood, Ken, "Mexico vs. drug gangs: A deadly clash for control," in *The Los Angeles Times*, 3 June 2008, accessed from http://www.latimes.com/news/nationworld/world/la-me-haven2_0,1246611.story on May 21, 2013.

A Market of Narcotic Violence does not have what Clausewitz might recognise as a centre of gravity, but if it did, it would likely be Ciudad Juarez, which is located in northern Chihuahua state, directly across from El Paso, Texas. Juarez is useful in this context because it represents a critical terrain for DTOs in a tactical sense. It is also a microcosm of the dynamics of the border, which is the most critical piece of terrain to the participants in the conflict. In order to better understand the El Paso/Juarez dynamic and its place in the conflict, an October 2011 fieldwork visit to El Paso is part of this analysis. Unfortunately, the ongoing security concerns,²⁹⁴ made travel into Juarez itself impractical.

Juarez and El Paso form the “world's largest border metropolis,” joined by culture and history and divided by a border fence and the shallow, narrow and sluggish Rio Grande. In many respects, the two are functionally indistinguishable. Driving through El Paso, there are dozens of cars with Chihuahua state license plates, and although El Paso's downtown resembles that of many other medium-sized American cities, its nearby 'golden horseshoe' neighbourhood, which abuts the border, might as well be in Mexico: nearly every sign is in Spanish, every radio seems to be set to Spanish-language stations, and the vast majority of residents are of Mexican ancestry. The lives of the two cities are run through with deep interlinkages: in addition to the many families with members living on both sides of the line, conversations with El Paso residents indicated that up until 2008 it was extremely common for them to simply walk across the international border into Juarez for a meal, shopping or a night out. The grim realities of the violence in Juarez seem to have put a stop to that practice. Now, El Paso and Juarez are deeply divided by a simple risk calculus: where Juarez had over 3,000 murders in 2010,²⁹⁵ El Paso had 5.²⁹⁶ The combination of post-9/11 security measures, political pressures around border control and the surge in drug violence have made crossing the border a time-consuming, frustrating experience. Heeding the fairly unambiguous travel

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These security concerns were expressed in a variety of forms, including the inevitable diplomatic travel warnings, along with more specific warnings, such as the notes on my local map and near the border crossing points warning travellers not to bring firearms into Mexico.

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Felbab-Brown, 2011, p. 10.

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Texas Department of Public Safety, “Texas Crime Report for 2010,” Ch. 10, accessed from <http://www.txdps.state.tx.us/crimereports/10/citCh10.pdf> on 21 May 2013, p. 130.

advice of the State Department,²⁹⁷ Americans have largely stopped traveling into Juarez, which has devastated the city's once-thriving tourism industry – and, in doing so, reinforced the economic rationale for involvement in drug trafficking.

The recent level of violence in Juarez is unparalleled in the city's history, at least going back to the early 20th century, when the city was a critical battleground in the Mexican Civil War. Under the PRI's rule, tensions were generally high between the Mexican and American governments, but the mid-20th century period saw the development of increasingly strong informal cross-border relationships. Twinned border cities, including San Diego and Tijuana and a plethora of smaller cities, towns and settlements developed increasing trade across the frontier, paired with the development of families spreading both north and south of the line. These organic, apolitical linkages predated any kind of formal border control by the national governments, giving smugglers a number of advantages over their law-enforcement counterparts.²⁹⁸ Up until roughly the 1970s, the illicit trans-border trade largely consisted of small consumer items, cigarettes, alcohol, marijuana, heroin destined for customers in the immediate border region.

As an example, Howard Campbell relates the story of *La Nacha* (“The dope queen,” whose real name was Ignacia Jasso González), one of the most famous and influential drug traffickers in Juarez from this period. While reliable information on the drugs trade from this period is difficult to come by, it appears that *La Nacha* came to control the heroin trade in Juarez from the 1930s until the 1960s, accumulating a fortune of at least \$4.4 million in the process. The interesting contrast between *La Nacha* and her successors is that her business was locally-oriented; she bought heroin on the Mexican side of the border and sold it there as well, either to American tourists (including a large number of American soldiers on leave from nearby Fort Bliss) or in bulk to individual smugglers, who were specialists in crossing the border with illicit cargo and had their own contacts on the northern side of the border. There

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United States Department of State, “Travel Warning, Mexico, November 20, 2012,” accessed from http://travel.state.gov/travel/cis_pa_tw/tw/tw_5440.html on 21 May 2013.

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Campbell, Howard, *Drug War Zone: Frontline Dispatches from the Streets of El Paso and Juarez*, (Austin, University of Texas Press, 2009), Kindle Edition, Part 1, “The Roots of Contraband Smuggling in El Paso.”

was violence associated with the trade in *La Nacha's* day, of course, but it was localised and limited in scale – evidenced by the fact that she died of old age, peacefully and free, in 1977.²⁹⁹

The next important development for Juarez was the passage of NAFTA. With the significant easing of tariffs and trade bureaucracy between Mexico and the U.S. came a significant incentive for companies to locate operations in Mexico, where labour was cheaper, but as close to the U.S. border as possible in order to minimise the costs and complexity of shipping. The foreign-owned factories that sprang up along the border in the wake of NAFTA's passage were known as *maquiladoras*, and their promise of better wages led to a massive wave of migrants moving from southern Mexico to Juarez and its surrounding area. The *maquiladoras* were far from a blessing for the city. Between the overabundance of migrant workers and the general laxity of Mexican labour laws, wages are generally very low, forcing workers to live in overcrowded slums. In addition to the poor conditions, another danger emerged prior to the onset of widespread drug violence: hundreds young women, mostly poor *maquiladora* labourers, were murdered in the early 2000s. Most of these cases remain unsolved.³⁰⁰ But if the coming of the *maquiladoras* brought social problems, the slow death spiral of the region's economy (thanks in part to competition from even cheaper production elsewhere in the developing world and in part to the recession of 2007) have not undone those effects; rather, they have left the city with even more underemployed residents, putting a strain on social services and offering a fertile recruiting ground for drug gangs.

As the other economic options dwindled, drug trafficking became an increasingly attractive alternative means of financial support, regardless of the risks. But not only does Juarez represent a desirable route into the United States, it has also increasingly become a contested drug market in its own right. As a result, two parallel “tracks” of violence are unfolding – more organised violence for control of the border approaches, and more free-form violence for control of the local *plazas* and *tienditas*. In some respects, the two are deeply connected: the availability of *ad hoc* violent specialists who have cut their teeth in local battles for *plazas*

299

Ibid., Part 1, “La Nacha: The Heroin Queen of Juárez.”

300

Bowden, Charles, Murder City: Ciudad Juárez and the Global Economy's New Killing Fields, (New York, Nation Books, 2010), p. 13.

and *tienditas* has made it much easier for the larger trafficking organisations to contract out their operations in Juarez to locals – and their numbers (along with the ready availability of arms in nearby American gun shops) have driven down the price of violent services dramatically. This lack of accountability and professionalism, along with the fear amongst contract assassins that they will become victims themselves if they fail their missions,³⁰¹ which accounts for some of the worst, most indiscriminate crimes in Juarez, as when 15 teenagers were machine-gunned as they attended a party in 2008. Although a number of people were subsequently arrested and convicted for the attack, the trial was marred by accusations that the accused had been tortured by police.³⁰²

In response to such wanton attacks, and the overall lack of security in Juarez, the Calderón Administration undertook a multifaceted strategy to try to rein in the level of violence in the city. In addition to permanently stationing federal police and Army units, and installing as police chief Julian Leyzaola,³⁰³ a former Army colonel who had previously taken over and reformed the police department in Tijuana (although not without substantial complaints that his forces serially violated human rights and due process)³⁰⁴, the Mexican government began a series of public restoration programmes, such as *Todos Somos Juarez* (“We are all Juarez,”) to rebuild the city and its civic institutions as a bulwark against drug trafficking. The government presented these measures as part of a two-track strategy, along with increased armed campaigns against local traffickers. While these efforts had (at best) a mixed record,³⁰⁵ the level of violence in Juarez did decline a small but significant amount in 2011 and 2012 – though the lower rates were still significantly higher than both the overall rate of violent crime

301

Felbab-Brown, 2011, p. 11.

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Martinez-Cabrera, Alejandro, "4 found guilty in Juarez massacre," *The El Paso Times*, July 8, 2011, accessed from http://www.elpasotimes.com/news/ci_18436719 on 22 May, 2013.

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Felbab-Brown, 2011, p. 12.

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Finnegan, William, “In the Name of the Law,” *The New Yorker*, 18 October, 2010, accessed from http://www.newyorker.com/reporting/2010/10/18/101018fa_fact_finnegan on 21 May 2013.

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Meyer, Maureen, “Tackling Urban Violence in Latin America: Reversing Exclusion Through Smart Policing and Social Investment,” Washington Office on Latin America, June 2011, pp. 9-11.

in Mexico and Juarez itself before 2006. Given the importance of Juarez as a smuggling waypoint strategically located in the centre of the Mexican-U.S. borderlands, it remains to be seen whether such gains can be made permanent in the absence of a broader resolution to the conflict.

V. The significance of geography and history: The case of Guatemala

As established, one of the principal aspects of the contemporary trade in narcotics, and the violence that accompanies it, is *transnationality*. The Mexican drug conflict can accurately said to be a *largely* Mexican issue, but at a fundamental level, it is not *solely* a Mexican one. As demonstrated, the mechanism of the modern drug trafficking system works best when it can take advantage of the same efficiencies as legitimate business: locating production in countries with the lowest labour costs and selling goods where prices are the highest. In the case of the specific mechanism that includes Mexico, the area in question could be said to include everything from the southernmost coca production operations in Peru and Colombia to the end users across the United States, and even further afield if money laundering operations are included.³⁰⁶ The Market of Narcotic Violence requires a globalised economic environment to exist; it follows that its connections can be traced out very far and very broadly. But the specific type of violence discussed here is clearly subject to some limitations. Violence in producer countries – which, discussed, frequently correlates with an ideological insurgency of some kind – is beyond its scope; as is the local market violence associated with the retail drugs trade. Money laundering linkages can also be excluded, largely on the basis that the process of money laundering by its nature is not associated with high levels of violence, which are contrary to its purposes.

Mexico stands apart from Guatemala and its Central American neighbours in a number of respects. It is vastly larger (in both physical and population terms) than any Central American

306

One particularly noteworthy case illustrating the massively global reach of DTO money laundering involved the British-based international banking giant HSBC. In 2012 the bank agreed to pay a \$1.9 billion dollar fine to American regulators for a wide variety of criminal activities, including laundering money on behalf of Mexican DTOs. Levin, Carl and Coburn, Tom, “U.S. Vulnerabilities to Money Laundering, Drugs and Terrorist Financing: HSBC Case History,” Washington DC, Majority and Minority Staff Report to the Permanent Subcommittee on Investigations, United States Senate, 17 July 2012.

nation, and its proximity to the United States gives it closer cultural and political ties with the Northern Hemisphere's superpower than any of them. But its contemporary history is also significantly different: during the Cold War, Mexico's government steadfastly refused to align with either global superpower, choosing instead a path of vaguely left-wing non-alignment.³⁰⁷ But where Mexico had the advantage of considerable size, population density and resource wealth to protect its non-aligned stance, the smaller, poorer nations to its south did not. As a result, they were less able to resist economic, political and military interference from the superpowers, with the Soviets interested in bolstering their position in the Western Hemisphere in order to counter the American containment strategy, and the Americans seeking to limit Soviet influence in what they had, since the Monroe Doctrine of the early 19th century, considered their “back yard.”

Guatemala has a significant history of instability and political violence dating back to the 1960s. But the country's civil war between leftist insurgents and a right-wing government reached a brutal peak during the 1980s. That history is directly relevant to the current drug violence, as the conflict left the country bereft of functional institutions but with a surfeit of weapons and men with no skills or job prospects aside from the ability to use force. Guatemala also suffers from its geography: its position occupying most of Mexico's southern border makes it both an important waypoint for northbound drug shipments and a relatively safe base of operations for Mexican drug traffickers.

Guatemala's recent history tracks with that of much of the rest of Central America: with the emergence of the Cold War, it hosted a proxy conflict between established capitalist elites backed by the United States and left-wing guerrillas supported through various means by the Soviet Union. As with similar conflicts in Nicaragua, El Salvador and elsewhere in Central and South America, this war was largely fought through irregular means. The Soviet Union was not willing to send its own forces or create local armies equipped with heavy military equipment, so it provided aid largely in the form of small arms and training in guerrilla

307

The PRI was generally considered a left-wing party, though not in the Soviet sense, but as it grew increasingly integral to the practice of Mexican politics in the latter half of the 20th century, it developed internal blocs with a diversity of political and economic viewpoints. Casteñeda (2011), Chapter 4.

warfare. In Guatemala, the rebels never succeeded in building the necessary support for an assault on the capital á la Mao or Castro; as a result, the war mostly played out in the countryside, with sympathetic villagers supporting and hiding the rebel forces, enabling them to conduct hit-and-run raids on military facilities and forces. In response, and with the support of the United States, the Guatemalan military created special forces units known as *kabiles* trained in the arts of jungle warfare, whose remit was to track the guerrillas through the jungle and destroy them. However, this strategy resulted in rapidly escalating violence, as the *kabiles* would frequently attempt to “drain the swamp” by massacring entire villages judged to be supporting the rebels. The ultimate human toll was enormous: some 200,000 people are estimated to have been killed,³⁰⁸ although the exact total is heavily disputed.³⁰⁹

With the dissolution of the Soviet Union in 1991, the major source of external funding and support for the rebels disappeared. In contrast to Colombia or Peru, where rebels could replace their financial support whilst simultaneously binding themselves to their rural constituents by becoming involved in drug production, Guatemala lacked both an established drug production tradition and the climactic conditions to support large-scale coca leaf growth.³¹⁰ With no realistic potential for victory and few remaining alternatives, the rebels agreed to a negotiated settlement, which brought the political phase of the conflict to an end in the mid-1990s.

Nevertheless, the rate of normal violence remained high in Guatemala. The conflict left thousands of men, skilled only at fighting, out of work in struggling post-conflict economy. Additionally, thanks to the absence of any serious, coordinated attempts at demilitarisation, the small arms that had flooded the country during the civil war remained in circulation. As a

308

Isaacs, 2010, p. 110.

309

The Historical Clarification Commission – Guatemala's Truth and Reconciliation Commission, as mandated by the UN – reported that the vast majority of the human rights violations over the course of the civil war (93%) were attributable to the Army, while only 3% were attributable to the guerrillas. See United States Institute of Peace, “Truth Commission: Guatemala,” Washington, DC, undated, accessed from <http://www.usip.org/publications/truth-commission-guatemala> on 5 June 2013.

310

In contrast to Mexico, Guatemala does not seem to produce any significant amount of heroin, marijuana, amphetamine or cocaine – neither UNODC's World Drug Reports nor its database of crop monitoring reports mention Guatemala at all.

result, the murder rate in the immediate wake of the conflict remained high by international standards, though somewhat lower than other Central American with similar histories. But starting in 1999, the rate of violence began to climb again rapidly, exceeding the comparable rates in Colombia and Mexico, and leading then-president Álvaro Colom to declare that the violence was worse than during the civil war.³¹¹ With under-equipped, under-funded and often corrupt police forces, the Guatemalan government subsequently struggled to control its territory, even though it was no longer facing an insurgency – instead, what seems to have driven the violence initially was a surge in gang membership and violent competition for control of local criminal markets.³¹²

The fact that Guatemalan politics were not particularly well-settled in this period prevented a consolidation of power or the development of more effective law enforcement, intelligence, judiciary or penal systems. Power shifted rapidly between parties, and personal animus between powerful party leadership figures has played a major role in the country's recent political history.³¹³ Furthermore, party elites are not immune from violence; the 2007 election cycle saw the murder of some seven sitting Congressional deputies, and a host of other attacks on political figures.³¹⁴

The transit of illegal narcotics is not a completely new phenomenon in Guatemala, but it has increased considerably in the last few years. Hal Brands explains:

“The amount of cocaine transiting the country has grown exponentially over the last two decades [since 2011], and U.S. officials estimate that between 180 and 400 metric tons—with a street value of up to \$10 billion—now transit Guatemala per year. In its annual narcotics report, issued in early 2010, the State Department identified Guatemala as 'the epicenter of the drug threat' in Central America.”

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Brands, Hal, “Crime, Irregular Warfare and Institutional Failure in Latin America: Guatemala as a Case Study,” in *Studies in Conflict and Terrorism*, vol. 34, 2011, p. 231

³¹²

Ibid., pp. 238-239.

³¹³

Deibert, Michael, “Guatemala's Death Rattle: Drugs vs. Democracy,” *World Policy Journal*, Winter 2008/9.

³¹⁴

Brands, 2011, p. 228

With the rapid increase in the amount of narcotics entering Guatemala have come external criminal organisations, most notably Mexican cartels. Guatemala's border with Mexico remains fairly unsecured, despite a considerable joint effort on the part of the two governments, supported by the U.S. Operating across it enables such groups to frustrate official efforts to deprive them of sanctuary. The Zetas are commonly reckoned to be the first Mexican DTO to establish a major presence in Guatemala, although the Sinaloa Federation has followed suit.³¹⁵ The result has been a sharp uptick in the country's already high murder rate, along with military deployments and the use of "state of siege" legislation in the northern border regions, which permits the government to suspend certain civil rights and temporarily assume greater powers for security forces. Naturally, such laws also carry significant potential for abuse.³¹⁶

Despite the rapid increase in the amount of narcotics transiting Guatemalan territory, drug use remains relatively rare, due in no small part to the inability of average Guatemalans to afford expensive imported drugs.³¹⁷ Given that, Guatemala can be said to be facing what is almost entirely a security, rather than a public health, problem with drugs. It is in that context that current president Otto Pérez Molina called for an international legal structure that would permit Guatemala to decriminalise the passage of narcotics into, through and out of its territory without falling afoul of the international narcotics control consensus.³¹⁸ But the

315

Radden Keefe, Patrick, "Cocaine Incorporated," *The New York Times*, June 15, 2012.

316

Human Rights Watch, "Country Summary: Guatemala," January 2012, accessed from http://www.hrw.org/sites/default/files/related_material/guatemala_2012.pdf on 22 May 2013.

317

Guatemala produces a small quantity of marijuana and opium poppy, but neither quantity is reported by the UNODC or the Guatemalan government. Local consumption of cocaine remains limited, thanks to low per-capita income, the much greater potential profits from selling cocaine in Mexico or the U.S., and a general lack of popularity of the drug in Guatemala – Julie López relates the story of 90s-era Colombian drug traffickers attempting to buy favour with Guatemalan farmers in possession of valuable rural landing strips by liberally bombarding their properties with bricks of cocaine from low-flying aircraft, only to discover upon their arrival on land that the Guatemalans, not knowing the origin or value of the product, simply thrown them away. (López, Julie, "Guatemala's Crossroads: The Democratization of Violence and Second Chances," in Arnson, Cynthia L. and Olson, Eric L., "Organized Crime in Central America: The Northern Triangle," Washington, Woodrow Wilson International Center Reports on the Americas #29, 2011).

³¹⁸ Molina, Otto Pérez, "We have to find new solutions to Latin America's drugs nightmare," *The Guardian*, 7 April 2012, accessed from <http://www.guardian.co.uk/commentisfree/2012/apr/07/latin-america-drugs-nightmare?INTCMP=SRCH> on 24 June 2013.

violence may be entirely beyond the control of the state at this stage, and in any case, changing the legal status of the drugs as they pass through Guatemalan territory might not affect the violence there.

As with Mexico, the violence in Guatemala represents a multifaceted conflict, rather than a bilateral struggle between criminals and the state. Guatemala is home to a number of different violent groups, including local street gangs, larger gangs with international reach, paramilitary organisations, corrupt police and military formations and, to an increasing degree, the two largest Mexican DTOs, the Sinaloa Federation and the Zetas.³¹⁹ Facing these groups are the relatively small and underpaid Guatemalan security services, whose compensation and reputation are so dismal that private security guards for the wealthy have become one of the country's biggest industries, with estimates of their numbers ranging up to three times the size of the national police force.³²⁰ In contrast to the Mexican example, Guatemalan forces are not the only ones engaged: American forces belonging both to the military and the DEA (in the form of paramilitary Foreign Advisory Support Teams) also take part in direct action, carrying out armed raids against suspected drug traffickers with the permission and cooperation of the Guatemalan government – although as accounts of such raids by American State Department officials indicate, the need for secrecy is paramount, as leaks within Guatemalan security agencies are rampant and corrupt police officers are frequently amongst those found at targeted locations.³²¹

The smaller size of Guatemala, the legacies of other forms of civil conflict and the particular dynamic of the country's national politics have blurred the line between economic and political violence. Nevertheless, there is an identifiable strand of drug-related violence in Guatemala, especially thanks to the presence of Mexican drug trafficking groups. The presence of these groups serves both to amplify existing micro-scale conflicts and to create

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Brands, 2011, p. 233.

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Isaacs, Anita, "Guatemala on the Brink," *Journal of Democracy*, Vol. 21, no. 2, April 2010, p. 113.

³²¹

United States Department of State, "While Stealing Cocaine, Police Confronted by AG's Office and Army," 7 August 2009, published by Wikileaks, accessed from www.wikileaks.org/cable/2009/08/09GUATEMALA756.html on 22 May 2013.

new ones; to both increase the vulnerability of already-violent regions and to turn formerly peaceful areas into conflict zones by virtue of their usefulness to the logistics of large-scale smuggling.

These groups, with their particular modes of violence, also have significant effects on the medium of conflict in Guatemala. While the nation is used to an extraordinarily high level of violence, the particular expressive tactics used by Mexican DTOs – the writing of messages on bodies which are then dumped in public places, for instance – are unfamiliar in a country where the most common methods of murder during the civil war tended to either involve the “disappearance” of targeted individuals, or take place as massacres carried out in rural areas far from the public eye. The narrative of bloodshed in Guatemala, which is often rendered in terms of “hidden forces” (*poderes ocultos* or *grupos clandestinos*), reinforces this idea of hidden violence.³²² The uncertainties in the conflict are exacerbated by lingering issues from the civil war: in the rush to rebuild the security forces, background checks were often overlooked, resulting in security agencies with a large representation of former military personnel with chequered pasts. And the use of state of siege legislation has drawn complaints from some quarters that the government is capitalising on the “opportunity” presented by the violence to settle land disputes with the largely indigenous, rural farming population.³²³

Whereas in Mexico the violence attributable to drug trafficking is distinct in style and exists in the context of a country which is otherwise relatively peaceful, in Guatemala, the drug trafficking conflicts coexist with violence related to ordinary criminality, power struggles

322

Deibert, 2009.

323

Both of these trends were on full display in the 2013 trial of former dictator Efraín Ríos Montt, who became the first head of state ever convicted of genocide by a court within their own country. Montt stood accused of ordering the extermination of the Ixil indigenous people during the civil war. His conviction marked a departure from a post-conflict arrangement which had previously tended toward the restorative rather than the retributive. See Malkin, Elizabeth, “Former Leader of Guatemala is Guilty of Genocide Against Mayan Group,” in *The New York Times*, 10 May 2013, accessed from http://www.nytimes.com/2013/05/11/world/americas/gen-efrain-rios-montt-of-guatemala-guilty-of-genocide.html?pagewanted=all&_r=0 on 19 May 2013.

amongst the country's political elites³²⁴ and ongoing land and property disputes that originate from the civil war. This makes Guatemala not only a prime example of hybrid warfare – combining different types of actors who carry out different varieties of violence – but also a mixture of the Market of Narcotic Violence in Mexico and the type of narcotics-fuelled leadership struggles seen in failed states such as Guinea-Bissau.³²⁵

To the extent that Guatemala represents a Market of Narcotic Violence in its own right, depends on the continued presence of Mexican DTOs in the country. Since Guatemalan groups (even sophisticated third-generation gangs) do not have the same access to the United States as their Mexican equivalents, for whom access is simply a matter of digging a tunnel under the border or bribing an American customs agent, the value of Guatemala as a transit market hinges on the continued value of Mexico as a conduit to U.S. consumers. Should American consumption habits shift toward, say, synthetic drugs whose ingredients are sourced domestically or from different foreign sources, it is unlikely that Mexican organised crime groups would find intrinsic value in remaining in Guatemala. The northern edge of the country might maintain some use as a safe area for Mexican traffickers, but Guatemala is less an irreplaceable (and therefore resilient) part of the drug supply chain and more an area into which drug traffickers moved for temporary convenience, albeit in spectacularly violent fashion. Such a shift, of course, would not by itself end organised violence in Guatemala, or even substantially lower the country's extremely high murder rate. But it would reduce the complexity of the conflict and take away a major income stream for the country's organised criminal groups and corrupted security officials.

VI. Conclusion

324

In one famous and bizarre case, a prominent attorney named Rodrigo Rosenberg was shot to death while riding his bike in Guatemala City, leaving behind evidence that implicated then-President Colom. The UN team investigating the murder, however, determined that Rosenberg had in fact commissioned his own murder as an act of vengeance against Colom for another murder he was convinced Colom had a hand in. See Grann, David, "A Murder Foretold: Unravelling the ultimate political conspiracy," *The New Yorker*, 4 April 2011, accessed from http://www.newyorker.com/reporting/2011/04/04/110404fa_fact_grann?currentPage=all on 22 May 2013.

325

Ellis, Stephen, "West Africa's International Drug Trade," in *African Affairs*, vol. 108, no. 431, 2009, p. 192.

The examples of Guatemala demonstrate that transit market violence is by no means a uniquely Mexican phenomenon. While Guatemala's presence in the same narcotics chain and the overlapping presence of certain trafficking groups in both countries means that it is difficult to examine the two cases separately, it is possible to use these examples to draw out some broad characteristics that define markets of narcotic violence:

- | | | | |
|---|---|--|---|
| 1) Location between supplier and destination marketplace is critical | 2) Government weakness is essential | 3) The presence or absence of a local market for drugs is largely irrelevant | 4) Given (2), transnational criminal groups are capable of creating opportunities for transit markets quickly and without substantial prior contact |
| 1b) For resilience, the geographic advantages have to be non-replicable | 2b) A recent history of internal conflict is helpful in that it leads to (2), but not necessary | | 4b) Human capital in the form of a pre-existing smuggling culture and black market is important |

First, geography. This is an obvious point, but bears some examination, as the specific geography of a potential transit market is critical. A transit market ideally shares a direct border with the end-use market, but the absence of a direct border can be compensated by the pre-existence of smuggling links between the transit and user states (which itself places a rough limit on the possible distance between the two). Specific geography is also important: all of the transit markets studied here offer substantial protection to traffickers in the form of large rural spaces, such as the Sierra Madres in Mexico or the jungles of Guatemala. Urban areas offer another form of protection, thanks to the large population available for traffickers to blend in with and limits the freedom of action of government forces, although by the same token the concentration of people increases the potential for violent competition. Urban areas,

with large populations of potential drug users, also create the possibility of a complex mixed transit/end-use market, the clearest example of which is Ciudad Juarez.

However, this is a fairly broad set of conditions. Mexico stands out in that its geographic advantages relative to the United States are non-replicable in the region. Given the success of the American military and law enforcement agencies in interdiction of maritime smuggling through the Caribbean or the Pacific, Mexico is the only remaining option for drugs moving to the U.S. from the south. Guatemala's location on Mexico's southern border is less unique: it shares that border with Belize, and as a "landing pad" for narcotics moved by sea from South America, El Salvador and Honduras are also competitors (indeed, both have seen similar upticks in drug-related violence lately³²⁶).

Second, the weakness of the government is absolutely critical. Both Guatemala and Mexico underwent significant political transition recently, but only Mexico's was peaceful. Government weakness can manifest itself in a variety of ways, but the most important to the question of hosting transit market violence is a failure to maintain a monopoly of force. Neither Mexico nor Guatemala succeeded on that front: again, Mexico has been more successful, if only because of the ability of its professional and well-funded military's ability to backstop or, where necessary, replace poorly-paid and easily-corruptible local and state police forces. The shape of the violence, and the extent to which it is directed at the highest-ranking elites in the government, appears to be heavily dependent upon the size of the country (both in physical and population terms). In a large state, the central government can be effectively ignored; in smaller ones, co-option or assassination of central government officials may be necessary to create the degree of weakness required to protect large-scale drug transit activities.

The weakness of a particular government can have many fundamental sources, but a recent history of conflict is perhaps the most obvious. It is here that the divergence between Mexico and Guatemala is at its greatest: Guatemala's government is a product of recent conflict, and personal and ideological differences amongst the ruling class are much stronger than they are

326

Guillermoprieto, Alma "In the New Gangland of El Salvador," *New York Review of Books*, November 10, 2011.

in Mexico. Mexico, on the other hand, has not seen civil war on that scale in more than a century.³²⁷ Instead, its weakness and susceptibility to transit violence appear to be from a form of “rot:” decades of corruption and neglect thanks to one-party rule and a poorly managed decentralisation of economic resources that created a very wealthy elite without substantially improving living conditions for the majority of citizens.³²⁸ Illegitimacy sets the stage for transit market violence; a civil war is simply the most obvious and common source for it. In a related vein, economic inequality and the absence of legitimate job opportunities – particularly for demobilised combatants with no other marketable skills and continued access to weaponry – both prevent the government from increasing its legitimacy and provide the necessary workforce and conditions under which resilient criminal organisations can grow.

Third, the presence or absence of a local user base for narcotics is essentially irrelevant. Neither Mexico nor Guatemala has a large enough drug user base to be determinative of the wider conflict. But while a local drug market may create micro-variations in violence (as in the battles for control over the *plazas* in Ciudad Juarez or Guatemala City), such states are of less value to drug traffickers than user market states, as the potential user base is smaller and poorer. The exponential differential in price between wholesale cocaine in Guatemala and major American cities demonstrates the virtue of moving as much product as possible to the more lucrative markets.

Fourth, modern transnational criminal networks are able to set up shop in a state which meets the above requirements quickly and easily. Again, the value of a potential transit market state is more in the existence of what Michael Kenney calls smuggling *metis*³²⁹ – eg. the established practises and knowledge of smuggling goods regardless of their type – than in the pre-existence of links between drug producing groups and local criminal elements.

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Excepting the relatively short-lived and small-scale student riots of the 1960s and the extremely localised Zapatista rebellion of the 1990s.

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Casteñada, Jorge, *Mañana Forever? Mexico and the Mexicans*, (New York, Alfred A. Knopf, 2011), Ch. 2.

³²⁹

Kenney, Michael, *From Pablo to Osama: Trafficking and Terrorist Networks, Government Bureaucracies and Competitive Adaptation*, (University Park, PA, University of Pennsylvania Press, 2007), p. 4.

These, however, are all commonalities of violence occurring in drug transit markets. As the previous chapters have demonstrated, amongst the distinguishing characteristics of Markets of Narcotic Violence it that they are *apolitical* and *resilient* – that is to say, the violence serves as a service, means of communication and market regulatory system rather than a complement to an ideological goal. Additionally, the constraints on the system allow for the continuation of both violence and trafficking regardless of the fates of any individual or group taking part. While these traits are difficult to quantify, they are less central to the conflict in Guatemala, certainly high-level corruption amongst the security services and political elites and the persistence of the *grupos clandestinos* mean that the struggle for power is by no means disconnected from the drug violence.

Resilience is difficult to judge in recent conflicts, where (for example) a decline in violence could either be a temporary lull or the beginning of a sustained drop, but with several years' worth of evidence, it is possible to draw some conclusions in this case. Guatemala has some, but not all, of the makings of a resilient conflict that could become a Market of Narcotic Violence. Unlike Mexico, Guatemala is not a necessary link in the supply chain leading to the United States, which means that the violence there cannot be entirely ascribed to the country's position in the stream of international narcotics trafficking. Instead, the conflict there might be termed “complex transit market violence:” it is a transit market, and has some characteristics of a full Market of Narcotic Violence, but it is impossible to entirely separate out either drug from non-drug related violence or to separate violence linked to Mexican actors operating in Guatemala from organic Guatemalan actors. On the whole, Mexico is a much stronger exemplar of the Market of Narcotic Violence hypothesis.

Meanwhile, the strategies and hierarchies of individual DTOs are evolving rapidly to keep pace with their competitors and with the state. This instability makes the specific dynamics of violence – where attacks will spike, when there will be periods of calm – more difficult to predict. Likewise, predicting the broader course of the conflict becomes more difficult as well. In the course of interviews for this research, a variety of knowledgeable observers were asked what they thought the endgame of the current spate of violence in Mexico would be: whether it would persist and become the new normal; whether the efforts of the Mexican and

American governments would bring it under control, or whether it would mutate into some distinct, new form. As with many issues around contemporary drug violence, there was little agreement. The most optimistic response source pointed out that the the rate by which 2011's murder rate had increased over 2010 was less than the rate by which 2010's murder rate had increased over 2009 – in other words, the situation was not getting better per se, but it was *getting worse less quickly than before*.

Of course, an analysis based simply upon body counts is likely to be faulty. There are any number of reasons why the rate of violence will fluctuate over time – shifts in alliances amongst trafficking groups, changes in government tactics or deployments or simply logistical concerns that impact operational tempos. In other words, violence may be the regulatory mechanism of the the market, but it is not an immediately measurable correlative to the dynamics of the conflict. The quantitative metrics of violence overall and in particular regions are key indicators, especially from a tactical or policymaking perspective, and can indicate the strengths and weaknesses of individual trafficking organisations or a particular deployment or strategy. And, certainly, the breaking of such a market could be accompanied by a reduction of singularly violent events – assassinations, mass-casualty attacks, the murder of civilians, journalists and peace activists, etc. But from a theoretical perspective, the end of a Market of Narcotic Violence would only come with a fundamental change in the constraints of the conflict – either a change that substantially reduces the incentive for such decentralised brutality, or its mutation into a more recognisable form (an open political insurgency, say).

This chapter outlined and explored a number of those internal and external constraints: the history of mistrust and poor cooperation between Mexico and the United States; the human and physical geography of the border regions that make closure to illicit trade nearly impossible; demand from wealthy American consumers that supports violent traffickers in Mexico and provides for attrition replacements; a history of tacit cooperation between drug traffickers and the 20th century Mexican state that set the stage for the extreme violence that followed when the government changed radically; and the poor ability of the Mexican law enforcement agencies to manage the violence and compel the drug traffickers to respect the state's monopoly on violence. These constraints corroborate, but do not in and of themselves

confirm, the existence of a Market of Narcotic Violence in Mexico from 2006 to 2012. It is now necessary to examine in greater detail the ways in which Mexican DTOs have adapted themselves to these circumstances as a means of understanding whether the MNV is in fact an accurate description of the ongoing conflict there.

Chapter 5: Examining Mexican Drug Trafficking Organisations

I. Introduction

In an exploration of the ties between insurgent groups and drug traffickers, Phil Williams describes criminal organisations generally as Clauswitzian “in the sense that their criminal activities are simply a continuation of business by other means.”³³⁰ This description is a useful way of conceptualising violent non-state actors who exhibit rent-seeking rather than ideological behaviour, and also serves as a useful measurement against which to test the Market of Narcotic Violence theory: *Is the violence in Mexico simply a result of the illegality of a specific type of significant economic behaviour, or is there a greater organising principle?*

Thus far this thesis has not examined the behaviour or organisational strategy of specific Mexican drug trafficking groups in any particular detail. This is intentional – as was established in Ch. 3, the Market of Narcotic Violence hypothesis is not dependant upon the strategy or organisational form of the violent groups involved. Rather, it is the diversity of organisational strategies and the capacity of those organisations to rapidly shift form and adapt that define an MNV. Decentralisation in the context of this hypothesis does not simply mean that there is no central hierarchy; it also means that groups that compose the broader structure are not beholden to one strategy or organising principle. Under this hypothesis, the participants will display a range of characteristics, which evolve rapidly in response to stimuli. From a macro perspective, such an arrangement will demonstrate a continual form of emergent behaviour; in other words, it will demonstrate behaviour that could be described as intelligent despite the lack of a central organising force or principle. Having established the geographic, political and economic constraints for such a market, it is now necessary to examine the participants themselves.

One of the main questions in this study concerns the optics of violence – its expressive qualities and how the metaphor and rhetoric of war and crime encompass the ongoing reality of the conflict in Mexico. The qualities that have defined the conflict to the public – the

330

Williams, Phil and Felbab-Brown, Vanda, “Drug Trafficking, Violence and Instability,” US Army War College Strategic Studies Institute, April 2012, p. 37

expressive brutality, the rapid surge of violence in previously peaceful areas, the use of new forms of social media to broadcast brutal, bloody imagery – are not simply inevitable conditions in Mexico due to some cultural proclivity to extreme violence or the absence of human rights norms. Rather, such extremes represent discrete choices made by individuals and groups operating in an environment where such actions are perceived to be advantageous. In order to understand why those choices have been made, and those strategies and tactics adopted, this chapter examines a range of competitive trafficking organisations.

While media reports and even government and NGO documents often reduce the conflict to a battle between the state on the one hand and an amorphous group of “drug traffickers” or “criminals” on the other, in reality, the violence is not simply two-sided. It is more accurate to conceptualise the conflict as having a finite but indeterminate number of dimensions, with the primary being violence between: 1) the Mexican security services and drug trafficking groups, 2) between drug trafficking groups and civilians, and 3) between the various trafficking groups themselves. This proliferation of actors has a variety of effects, including increasing resilience by limiting the value of disrupting any individual group, and creating massively higher possibilities for violence, as a greater number of actors results in a greater number of potential conflicts.

But this system of classification nonetheless begs further clarification, particularly since the high levels of casualties incurred by DTOs³³¹ have not limited their capacity for further violence. Instead, murder rates in Mexico increased every year from 2006 to 2011, which was accompanied by a spread in the geographic area affected.³³² The violence is largely directed at men, with 91% of victims identified as male by a Trans-Border Institute study in 2013. The average age of those victims was 32. Citing data from the Mexican newspaper *Reforma*, the

331

The Mexican government has claimed that the vast majority of casualties in the conflict are persons involved in drug trafficking in some capacity, but this claim is extremely difficult to verify independently. See Molzhan, Cory, et. al., “Drug Violence in Mexico: Data and Analysis Through 2012,” University of San Diego, Trans-Border Institute, February 2013, accessed from <http://justiceinmexico.files.wordpress.com/2013/02/130206-dvm-2013-final.pdf> on 30 May 2013. I

332

Data for 2012 is incomplete, but according to an analysis carried out by the University of San Diego's Trans-Border Institute, saw either a plateau or slight decrease in overall violence – though not enough to conclude that the conflict is ending. See Molzahn et. al. (2013).

Trans-Border Institute also claims that 2,539 police officers and 204 military personnel were killed between January 2008 and November 2012 – a fraction of the total number of organised crime homicides during that period but a not-inconsiderable number nevertheless.³³³

Of the remaining casualties, it is not possible to determine conclusively how many were actively involved in drug trafficking, how many were peripherally involved and how many were completely uninvolved. It is worth noting that the methodology of violence in Mexico, with its strong emphasis on the use of small arms rather than explosive or indirect-fire weapons, means that there are proportionately far fewer civilian or collateral casualties than in a civil war such as the one in Syria.³³⁴ Along similar lines, it is worth again noting that taking into account the many states largely unaffected by drug trafficking and violence, Mexico's *national* murder rate is below that of many of its Central and South American neighbours, and in particular does not approach the rate in Colombia during the peak of that country's struggle with DTOs and insurgencies in the late 1980s and early 1990s.³³⁵

But the number of actors involved is not the only factor that distinguishes the conflict in Mexico as a Market of Narcotic Violence. Another critical aspect of this model is that the individual actors are not linked by any common ideology or cause beyond profit motive. The lack of common ideology – or, in most cases, any discernible ideology whatsoever – means

³³³ Ibid., pp. 28-32. The much greater number of police killed relative to their military colleagues reflects a number of issues, including the much larger number of police officers than soldiers, the fact that they are “forward-deployed” amongst the population rather than staging in well-protected bases and their lower level of training and equipment to protect themselves against sophisticated threats.

³³⁴ Dodd, Henry and Perkins, Robert, “An Explosive Situation: Monitoring explosive violence in 2012,” Action on Armed Violence, March 2013, accessed from <http://aoav.org.uk/wp-content/uploads/2013/06/An-Explosive-Situation-Explosive-Violence-in-2012.pdf> on 9 January 2014.

³³⁵ The exact casualty figures are, unsurprisingly, disputed. Between the partial media blackout imposed by the killings of journalists, the government's inconsistent reportage of casualties and the general difficulties in differentiating between general homicides and those related to drug trafficking, estimates of the total death toll vary widely. Molzhan et. al. (2013) give a range of estimates for total organised crime-related homicides between 2005-2011, with the government estimating 63,433, the newspaper *Reforma* estimating 49,784 and the newspaper *Milenio* estimating 54,047. Researcher Diego Valle-Jones, using a slightly different timeline, estimated that there were 63,000 “excess” or organised-crime related homicides, during the Calderón administration (see Valle-Jones, Diego, “Mexico's Drug War: 63,000 extra deaths in 6 years,” accessed from <http://blog.diegovalle.net/2012/12/mexicos-drug-war-63000-extra-deaths-in.html> on 10 January 2014). Despite the methodological differences and slightly different total figures, the overall trends are highly similar across different estimates, with a substantial rise in 2006-8, a huge jump from 2009-10 and a slight rise or plateau in the numbers afterwards.

that the relationships between the different trafficking groups are defined by immediate interest.³³⁶ That many of the relationships between trafficking groups are extremely violent, which has not impacted the flow of drugs to the United States, demonstrates that violence does not necessarily inhibit market operations; though particular operators in the market can be completely destroyed and replaced in the process.

A full accounting of all the significant, violent drug trafficking groups operating in Mexico would be extraordinarily difficult to compile, and – crucially – is not necessary to a thorough understanding of the market dynamics at work. Instead, an examination of three of the most prominent groups active in Mexico in the period from 2006 to 2012 will serve to demonstrate the operational and organisational diversity of Mexican drug trafficking groups. These groups are the Sinaloa Federation, *Los Zetas*, and *La Familia Michoacána* (LFM), which represent the two most powerful trafficking groups in the country, along with a strategically significant outlier. The Sinaloa Federation, which historically has been considered to be the single largest and most powerful such entity in Mexico,³³⁷ is noted for its corporatist structure, and is perhaps the group in Mexico with the best claim to the misleading (but extraordinarily common) descriptor *cartel*. *Los Zetas* fulfil the second archetype, styled here as the “anarchic franchise” model. This model has two components: an emphasis on extreme violence and expressive brutality versus subtler means of coercion, and the combination of a “core” group of violent specialists and loosely affiliated “franchises” who can carry out the mundane work of drug trafficking, extortion and so on in lower-threat environments. Finally, LFM provide an interesting tertiary example: with their set of religious and political guidelines, strong territorial claim and extensive network of social and state-replacement services, they are the closest equivalent to an insurgent group present in the conflict – although following a string of major setbacks, their future prospects are extremely unclear.³³⁸

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Kan, Paul Rexton, “What we're getting wrong about Mexico,” *Parameters*, Summer 2011, pp. 37-48.

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STRATFOR, “Polarization and Sustained Violence in Mexico's Cartel War,” 24 January 2012, accessed from www.stratfor.com/analysis/polarization-and-sustained-violence-mexicos-cartel-war on 21 May 2013.

³³⁸ *Ibid.*

These three organisations represent an important cross-section of the dozens of major and minor drug trafficking groups operating in contemporary Mexico. Rather than being simply generic criminal actors, they have specific and unique characteristics that define them in contrast to each other. These differences, and the violent competition between the groups, have the effect of driving innovation and adaptation while perpetuating the profitable exchange of narcotics, firearms and money.

II. The Corporatist Model: The Sinaloa Federation³³⁹

The first archetype to examine is the traditional “cartel” structure. To reiterate, the term “cartel” is not an accurate description of DTOs in competitive context. A cartel is not simply “a criminal group making profit from the sale of drugs;” instead, the term refers to a group that conspires to illegally control the price of a product. Cartels are not *necessarily* drug-trafficking organisations, though in the Latin American context, the term is extremely evocative of the narcotics trade.³⁴⁰ Given the extraordinary breadth of the contemporary, transnational market for drugs, there are few groups that can be accurately referred to as cartels. The Colombian Cali and Medellín cartels of the late 1980s and early 1990s could fairly lay claim to this title, given their involvement in the trade at every stage from production to end-user distribution, but few organisations before or since have had such control over an international drug market. The existence of such a powerful, criminal organisation tends to attract government attention and result in its relatively quick disruption or destruction – which is exactly what happened to the Cali and Medellín cartels.³⁴¹ Within a small, limited market, the term “cartel” might be analytically useful, but as the Mexican drug economy is

³³⁹ Like many other DTOs operating in Mexico, this organisation is known by a variety of monikers, though most contain the geographic reference to Sinaloa state. Beittel (2011) argues that the Federation terminology is outdated post-2008 thanks to splits between El Chapo Guzman's element, the Beltrán Leyva organisation and the Juarez Cartel, but given the group's continuing alliances and extremely large geographic coverage, it remains an appropriate descriptor of the group.

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Astorga, Luis and Shirk, David A., "Drug Trafficking Organizations and Counter-Drug Strategies in the U.S.-Mexican Context," Center for US-Mexican Studies Working Paper, USMEX 10-01, 2010, p. 9.

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Felbab-Brown, Vanda, “Calderón's Caldron: Lessons from Mexico's Battle Against Organized Crime and Drug Trafficking in Tijuana, Ciudad Juarez and Michoacán,” Brookings Institute Latin America Initiative, September 2011. p. 40.

inseparable from non-Mexican sources (primarily Colombian cocaine)³⁴² and markets in the United States, its use is of limited value to this case study.

Nevertheless, even if none of the actors in the Mexican drug conflict can really be said to exhibit a cartel-like level of control over the market, the idea of a cartel as a “criminal business” seeking maximum power by means of price manipulation, with violence as an ancillary rather than primary tool, is at least somewhat relevant. Organisationally speaking, a cartel is not simply an illegal mirror image of a white-collar business – licit and illicit markets are simply too fundamentally different for identical structures to function in both³⁴³ – but there are notable similarities. Astorga and Shirk, though avoiding the term “cartel” itself, argue that Mexican smugglers in the 1970s and 1980s adapted to the Mexican government's tolerance of their activities by operating according to a more or less transactional rather than oppositional set of rules, at least until the mid-1980s.³⁴⁴ On the other hand, Michael Kenney argues that even the paradigmatic cartels, Colombia's Cali and Medellín groups, were not the unified, monolithic criminal forces they were made out to be: “In recent years the cartel myth has been debunked by several scholars who argue that the Colombian drugs trade was never dominated by a single organization or association that controlled enough cocaine to limit production and fix prices in overseas markets.”³⁴⁵ The lack of control by any group over the market is exemplified by the trend in cocaine street prices, which have steadily fallen since the early 1990s, even as the amount produced in the Andean nations and successfully exported to the United States has held roughly steady.³⁴⁶

342

Astorga, Luis, “Los corridos de traficantes de drogas en México y Colombia,” in Revista Mexicana de Sociología, Vol. 59, no. 4, 1997, pp. 245-261 (in Spanish).

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Snyder, Richard and Duran-Martinez, Angelica, “Does illegality breed violence? Drug trafficking and state-sponsored protection rackets,” in Crime, Law and Social Change, vol. 52, 5 March 2009, pp. 253-273.

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Astorga and Shirk, 2010, p. 10.

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Kenney, Michael, From Pablo to Osama: Trafficking and Terrorist Networks, Government Bureaucracies and Competitive Adaptation, (University Park, PA, University of Pennsylvania Press, 2007), p. 26.

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Hinkes-Jones, Llewellyn, “How the Plummeting Price of Cocaine Fueled the Nationwide Drop in Violent Crime,” *The Atlantic Monthly*, November 11, 2011.

So while the term “cartel” is not analytically helpful with regard to contemporary Mexican drug-trafficking organisations, the idea of an organisation which is run more or less along business lines – a “corporatist” DTO – is certainly relevant.³⁴⁷ As with businesses that contract out aspects of their operations, DTOs can enter into relationships with providers of specialist services that might pertain to smuggling, extortion, the use of violence or virtually any other aspect of the cartel's overall business. One particularly notable example here is the contract that existed between the Colombian and Mexican trafficking groups in the 1980s, through which Colombian groups were able to dictate prices and terms to the effectively subordinate Mexican groups.³⁴⁸ Under this arrangement, the Mexican groups served as contractors, whose assigned task was to arrange for Colombian-sourced cocaine to make it across the American borders, while distribution in the United States was handled by Colombians.³⁴⁹ As discussed in previous chapters, the disruption of the Colombian groups by the Colombian and American governments in the early 1990s created a massive opportunity for the Mexican groups, who quite suddenly found themselves in a position to become the senior partner in the relationship.

It was this sudden shift in power that laid the groundwork for the emergence of the contemporary Mexican drug smuggling structure. Until then, drug trafficking in Mexico had worked on a localised basis: a corrupt government official (a mayor, governor, high-ranking police official or the local military commander) would sell exclusive rights to traffic in their territory (usually referred to as a *plaza*) in exchange for a cut of the profits, and would protect their “business partner” from the justice system.³⁵⁰ This served both to control violence, since excessive bloodshed would shatter the illusion of honest governance, and to keep dealers

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During an interview for this thesis, an American government official referred to the Sinaloa Federation, somewhat sarcastically, as the “gentlemen's cartel” in reference to its supposed code of “traditional” honour and emphasis on the business aspect of drug trafficking. (Author interview, September 30, 2011).

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Friman, H. Richard, “Drug markets and the selective use of violence,” in Crime, Law and Social Change, vol. 52, 2009, pp. 286-7.

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Ibid, p. 286.

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Lupsha, Peter, “Drug Lords and Narco-Corruption: The Players Change but the Game Continues,” in Crime, Law and Social Change, vol. 16, 1991.

localised, since the cost of keeping local leadership paid off prevented drug traffickers from amassing the capital they would need to take over rival *plazas*.³⁵¹ It was therefore a stable, businesslike dynamic, but only while the particular external dynamics held. By the 1990s, the PRI's hold on power had begun to slip as political reforms challenged the abilities of local officials to sell the rights their *plazas*. Simultaneously, the Colombian cartels were falling, creating expansion opportunities for Mexican groups. No group took greater advantage of this than the Sinaloa Federation.

The Sinaloa Federation was arguably the largest and most powerful cartel operating in Mexico throughout the Calderón administration. Some sources indicate that by the end of 2011, its reach and power had been surpassed by the Zetas, although a spate of leadership losses and internecine fighting in the latter group almost certainly restored the Federation to its leading position by the end of 2012.³⁵² Patrick Radden Keefe, writing in the *New York Times Magazine*, described the Federation as “In its longevity, profitability and scope... [possibly] the most successful criminal enterprise in history.”³⁵³ But more than just a phenomenally successful criminal enterprise, the Sinaloa cartel is in many respects the ultimate expression of the traditional corporatist DTO model in Mexico. It accumulated influence and power using the traditional tools of the trade: bribery and corruption in the first instance, but maintaining the capacity to deploy extreme violence if and when those tactics failed. Its organisation blends elements of a traditional hierarchy, a franchise model, and feudal/familial structure, though given its size and the relative constancy of its top leadership, the best analogy might be to a conglomerate or a holding firm rather than a standard corporation.

The question facing the Sinaloa Federation must be: can a traditional, corporatist DTO stay relevant in a rapidly evolving Market of Narcotic Violence such as Mexico?

351

Ibid.

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The American strategic intelligence firm STRATFOR indicated that as of the end of 2011, Los Zetas had exceeded the Federation in reach and power (STRATFOR 2012), but subsequent infighting amongst Zetas leadership figures, as discussed below, seems to have curbed their rise.

353

Radden Keefe, Patrick, “How a Mexican Drug Cartel Makes its Millions,” *The New York Times Magazine*, June 15, 2012.

The group seems determined to test this hypothesis. It originated as part of the Guadalajara Cartel, which rose to prominence around the middle of the 20th century. Originally a group of contraband traffickers, the group grew to control the drug production in the “Golden Triangle,”³⁵⁴ which includes the Mexican states of Chihuahua, Sinaloa and Durango. Under the leadership of Miguel Ángel Félix Gallardo, the Guadalajara Cartel grew to unprecedented size for a Mexican organised criminal group, and eventually attracted the attention of American law-enforcement authorities.³⁵⁵ An American DEA agent, Enrique “Kiki” Camarena, infiltrated the cartel, but his cover was blown and he was kidnapped, tortured and executed by his captors. In response, the American government demanded that their Mexican counterparts track down, arrest and extradite the Cartel’s leadership. This operation culminated in 1989 with the arrest of Félix Gallardo, who had remained free until then partly due to the assistance of corrupt government officials, including (according to some sources) a stay at the house of the governor of Sinaloa.³⁵⁶ In his absence, the Guadalajara Cartel broke apart into three sections: one centred around Ciudad Juárez, one around Tijuana and one around the Pacific coastal region, including Sinaloa. The former lieutenants who took over the Sinaloa area of operations were Joaquim “El Chapo” Guzman and Hector “El Guero” Palma Salazar.³⁵⁷ The Tijuana and Sinaloa branches, having become independent, soon turned into rivals and then enemies, owing in part to geography:³⁵⁸ while Sinaloa is suitable for drug cultivation, it does not border the United States, and its position to the east of the Baja California peninsula limits its value as a maritime transshipment point. The rivalry between the organisations led to a major shootout at the Guadalajara International Airport in 1993, which led to the (apparently accidental) death of Juan Jesús Posadas Ocampo, the

354

As distinct from the other drug-trafficking Golden Triangle in Southeast Asia.

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Garzón, Juan Carlos, Mafia and Co: The Criminal Networks in Mexico, Brazil and Colombia (Washington, Woodrow Wilson International Center for Scholars, English Edition, 2008), pp. 99-100.

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Ibid., p. 98.

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El Chapo meaning, roughly, “Shorty;” Guzman stands roughly five foot six inches tall. Palma Salazar, whose nickname means “the blond,” was arrested in 1995 and has not played a known role in the Federation’s operations since.

358

Ibid., p. 98.

Archbishop of Guadalajara. In the aftermath, Guzman was arrested, convicted, and given a lengthy jail sentence.³⁵⁹

While Guzman was serving his jail term, his rival, Amado Carrillo Fuentes, of the Juárez Cartel, was revolutionising the practice of cocaine transportation. Whereas previously, the bulk of cocaine coming from the Andean nations was transported north either overland (which was slow, expensive and involved a number of risky border crossings) or nautically by either the Pacific or Caribbean (which was increasingly difficult in the face of increased American interdiction efforts, heavily supported by the U.S. Navy), Fuentes decided to simply fly the shipments north in bulk. In order to do so, he purchased a fleet of planes, ranging from light aircraft to business jets to Boeing commercial airliners.³⁶⁰ In doing so, he earned his nickname, “*El Señor de los Cielos*,” or Lord of the Skies. To protect his operations, Fuentes successfully bribed the head of the National Institute for Combating Drugs, General Jesús Gutiérrez Rebollo, and consolidated a large portion of the Mexican drug trafficking world into one federated, if not unified, structure. However, in doing so, he became too high-profile a target to ignore, and the United States issued a reward for his capture. Fuentes ultimately fled to Argentina, and died in 1997 while undergoing plastic surgery to make himself unrecognisable.³⁶¹

Again, the fall of a major drug lord, rather than disrupting the flow of drugs, threatened the fragile peace between trafficking organisations. Again, the centres of gravity were Tijuana, Sinaloa and Juárez. This time, the Gulf Cartel, which had never been part of the original Guadalajara Cartel’s orbit, was also drawn in. It was during this period of increased fragmentation that El Chapo Guzman escaped from the *Puente Grande* maximum-security prison in which he was being held. The Mexican government claimed that he hid in a laundry

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Guillermoprieto, Alma, “The Murderers of Mexico,” in *The New York Review of Books*, October 28, 2010.

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Wallace-Wells, Ben, “How America Lost the War on Drugs,” *Rolling Stone*, December 2007.

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Garzón, 2008, p. 99.

truck and snuck past the guards,³⁶²³⁶³ but the later arrest and imprisonment of the chief warden of the prison for corruption supports the popular theory that El Chapo bought his way out of the prison. Radden Keefe, citing the testimony of a former Guzman lieutenant, quotes a figure of \$3 million to secure his release.³⁶⁴

Once free, Guzman began to rebuild his empire. One of his first actions was to call a meeting with the heads of other drug trafficking groups to maximise his reach. Juan Carlos Garzón describes the meeting:

“[Guzman] set about using his organization, the Sinaloa Cartel, to ship hundreds of tons of drugs, and he reactivated his relationships with the Juárez and Guadalajara cartels in order to reconstruct and lead what had in former years been the empire of Amado Carrillo. His primary ally was El Mayo Zambada, who supported Guzmán’s return to the world of drug trafficking. Nine months after his escape from Puente Grande, El Chapo Guzmán and four other heads of cartels held a summit in Cuernavaca (Morelos) in order to reach agreements on how to manage the illegal market. Those who attended the meeting included El Mayo Zambada, his son Vicente Zambada Niebla, Vicente Carrillo Fuentes (Amado Carrillo’s son) and the Beltrán Leyva brothers. A total of 25 people attended. The strategy was not only to build ties between the organizations present, but also to work together more closely on an offensive strategy to expand their presence in the country and maintain hegemony over their criminal enterprise.”³⁶⁵

This approach – the broad outlines of which would be recognisable to a corporate executive – exemplifies the strategy of the Sinaloa Federation during the last years of PRI rule and into the term of the PAN's Vicente Fox (2000-2006). That said, while Guzman and his lieutenants emphasised cooperation amongst former members of the Guadalajara Cartel, they were

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Alma Guillermoprieto relates a translated stanza from the lyrics of a narcocorrido (drug ballad) commemorating Guzman's escape from prison: “*It was January 19 / That Chapo shouted “Presente!” / When they took the roll call, / But the plot was already laid / For when they called him next day / He didn’t answer at all.*” (Guillermoprieto, 2011). More recent reports indicate that the escape did in fact take place in a laundry cart – though it was aided by collaborators amongst the prison staff who turned off the video surveillance system and opened Guzman's cell door. See Grayson, George W. and Logan, Sam, *The Executioner's Men*, Transaction Publishers, London, 2012, Kindle Edition, location 632.

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Guillermoprieto, 2010.

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Radden Keefe, 2011, p. 9.

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Garzón, 2008, p. 101.

certainly not reluctant to use violence to grab territory from others. With a variety of armed groups operating under the control of Edgar “La Barbie” Valdez Villareal,³⁶⁶ the Federation pushed aggressively against the Tijuana and Gulf Cartels to expand its territory by force in areas where it could not simply dictate terms to weaker groups. This approach allowed them to become the dominant force in western Mexico over the first decade of the 21st century, with a zone of influence extending from the Guatemalan border to the edges of Texas, New Mexico, Arizona and California in the north.³⁶⁷

While it seems as though the Federation prefers to pursue profit-making activities by collusion, corruption and co-optation rather than by brute force, its recent history has hardly been peaceable. A 2005 conflict between the Sinaloa Federation and the Gulf Cartel around Nuevo Laredo saw violence which presaged the open conflict to come, including the assassination of Nuevo Laredo's just-inaugurated police chief and the murder in hospital of an injured federal policeman.³⁶⁸ But the circumstances at the time were not ripe for an extended conflict, and both the Federation and the Gulf Cartel eventually agreed to a cease-fire.

But the conflict with the Gulf Cartel – and its resumption in 2010 after the Gulf/Zetas split – was a question of competition between unaffiliated groups. The Federation has also engaged in factional fights, most notably with the Beltrán Leyva Organisation (BLO). Formerly one of the major enforcement arms of the Federation, the BLO – originally run by four brothers, Arturo (the original leader), Hector, Carlos and Alfredo. In January 2008, Alfredo Beltrán Leyva was arrested, for which Arturo blamed Guzman. The BLO severed ties with the Sinaloa Federation and launched a violent campaign against them, forming a strategic alliance with the Gulf Cartel in the process. As the blood feud went on, both Arturo Beltrán Leyva's and El Chapo's sons were killed, making it a particularly personalised conflict. However, the BLO's significance was short-lived; Arturo Beltrán Leyva was killed by Mexican marines in 2009,

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Villareal, whose slightly mocking nickname refers to his blonde eyes and blue hair, is American-born, and was captured by the Mexican government in 2010, and is currently awaiting extradition to the United States.

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Killebrew, Bob and Bernal, Jennifer, “Crime Wars: Gangs, Cartels and U.S. National Security,” Center for a New American Security, September 2010, p. 20.

³⁶⁸ Logan and Grayson, 2012, location 680.

and Carlos was arrested in 2010. Edgar “La Barbie” Villareal also made an attempt to take over the leadership of the group, but his 2010 arrest ended that bid. The remaining Beltrán Leyva brother, Hector, remains at large and likely in command of the group's remnants, but by the end of 2010 the Sinaloa Federation had largely eliminated the threat posed by the BLO.³⁶⁹

But as of the end of 2011, the Sinaloa Federation was struggling to maintain its position as the most powerful drug trafficking group in the country. Its dominant position at the beginning of the Calderón government's campaign afforded it enormous financial resources, but also made it a unique target for both its rivals and the government. While El Chapo has remained at large, the group has suffered other major losses amongst its leadership, with 10 leading figures arrested or killed in 2011 alone.³⁷⁰ Given the group's hierarchical structure, those losses represent substantial setbacks, testing its ability to restore itself without fracturing. Despite its apparent losses of territory to Los Zetas, its deep reserves of manpower and resources allow it to continue to expand its operations. Along with its continued outwards expansion into new *plazas* within Mexico, the Federation has been taking an increasingly active role in Guatemala and El Salvador,³⁷¹ and exploring the sale of new drugs. In February 2012, Mexican authorities raided a ranch apparently belonging to the Federation outside Guadalajara, seizing a large quantity of methamphetamine and precursor chemicals – a new drug for the group, which had previously focused on marijuana and cocaine – with a value originally estimated at \$4 billion (though subsequent investigations indicated that the true figure was much lower).³⁷²³⁷³

³⁶⁹ Beittel, June S., “Mexico’s Drug Trafficking Organizations: Source and Scope of the Rising Violence,” Congressional Research Service report 7-5700, January 7, 2011, pp. 10-11.

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STRATFOR, 2012.

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Dudley, Steven S., “Drug Trafficking Organizations in Central America: *Transportistas*, Mexican Cartels, and Maras,” Woodrow Wilson International Center for Scholars, Working Paper Series on U.S.-Mexico Security Collaboration, September 2010.

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William Finnegan, writing for the *New Yorker* several months later, reported that the actual value of the bust, as far as could be determined, was an order of magnitude lower – worth several million, rather than several billion dollars. See Finnegan, William, “The Kingpins: The fight for Guadalajara,” *The New Yorker*, 2 July 2012.

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Cave, Damien, “Mexico Seizes Record Amount of Methamphetamine,” *The New York Times*, 9 February 2012, accessed from <http://www.nytimes.com/2012/02/10/world/americas/mexico->

The expansion of the Federation is at least part due to its structure, which is both centralised around a singular strategic focus on drug trafficking (rather than other forms of criminal enterprise) and networked, with a strong emphasis on creating alliances amongst potential rival factions in Mexico as well as with local criminal organisations in the United States³⁷⁴ in order to handle the retail aspect of the drugs trade.³⁷⁵ Often, using a process that would be familiar to scholars of Renaissance Europe, these alliances amongst factions within Mexico are cemented through strategic marriages – including that of El Chapo himself, who is married to a niece of the late Ignacio “Nacho” Coronel, who was another major player in the Federation hierarchy until his death at the hands of the Mexican Army in 2010.³⁷⁶ Throughout its history, the Federation, true to its name, has forged alliances with a variety of groups by marriage,³⁷⁷ personal allegiance or simply by shared interest.³⁷⁸ Furthermore, the experience of the Guadalajara cartel, with its emphasis on bribery and co-optation over violent coercion, gives the Federation an edge when it comes to paying off government officials.³⁷⁹ Bribery may not be the primary medium by which different trafficking groups communicate with each other, but in their dealings with the government, it remains an important tool, particularly at municipal and state levels where salaries are lower and the attention and protection of the federal government is more attenuated.³⁸⁰

[seizes-15-tons-of-methamphetamine.html](#) on 28 May 2013.

374

United States Department of Justice, “National Drug Threat Assessment 2011,” National Drug Intelligence Center, August 2011, p. 7.

375

Dumke, Mick, “Anatomy of a heroin ring,” *The Chicago Reader*, 14 February 2013, accessed from <http://www.chicagoreader.com/chicago/gang-violence-heroin-new-breeds-vice-lords/Content?oid=8761736> on 30 May 2013.

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Emma Coronel, El Chapo's wife, gave birth to twin daughters in 2011 in a hospital on the outskirts of Los Angeles. Both their mother's U.S. citizenship and their birth on American soil guarantees their American citizenship. (Radden Keefe, 2012).

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Radden Keefe, 2012.

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Krauze, Enrique, “Mexico at War,” *New York Review of Books*, 27 September 2012, accessed from www.nybooks.com/articles/archives/2012/sep/27/mexico-war/?pagination=false&printpage=true on 30 May 2013.

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Andreas, Peter, “The Political Economy of Narco-Corruption in Mexico,” *Current History*, Vol. 97, no. 618, April 1998, p. 168.

380

Williams, Phil, “Illicit Markets, Weak States and Violence: Iraq and Mexico,” *Crime Law and*

The Federation was subject to persistent rumours that it was the favoured “partner” of the Calderón administration;³⁸¹ its less brazenly violent methodology led to speculation that in order to limit the violence, the government might seek to resurrect the PRI-era truce. The Calderón administration made unambiguous statements that they were not giving favourable treatment to any particular DTO, and indeed several major Sinaloa figures were captured or killed between 2006 and 2012.³⁸² Moreover, the Calderón government's failure to apprehend the Federation's top leadership – El Chapo in particular – is not proof positive that there was any organised conspiracy. Certainly, given the extent of American intelligence support provided to the Mexican government during that era, it is within the bounds of possibility that a more concerted effort to kill or capture El Chapo might have been successful before the end of 2012.³⁸³ But a strategic decision to focus on a broader spectrum of targets, while certainly a fair topic of criticism, does not constitute a conspiracy or a dereliction of duty.

Should the violence regress to a pre-2006 level, particularly if the new PRI administration attempts to stake out a less confrontational approach to drug trafficking than its PAN predecessors, this facility with bribery is likely to help the Federation enormously in its attempts to regain lost territory. Fundamentally, the corporatist structure is not ideally suited to the levels of violence seen from 2006-2012. Violence is a necessary component of any illegal marketplace, since it provides a means of contract enforcement where no others are feasible, and certainly the Sinaloa Federation has not shied away from confrontation. Indeed, due to its size, it is responsible for an enormous share of the total violence in Mexico.³⁸⁴ But has not made an institutional practice of innovative brutality in the same fashion as the Zetas

Social Change, vol. 52, 2009, pp. 323-336.

³⁸¹ Other sources claim that the Sinaloa Federation was the favoured partner of not only the Mexican government, but also the DEA. See Gómora, Doris, “La guerra secreta de la DEA en México,” *El Universal*, 6 January 2014, accessed from <http://www.eluniversal.com.mx/nacion-mexico/2014/impreso/la-guerra-secreta-de-la-dea-en-mexico-212050.html> on 14 January 2014.

³⁸² The Economist, “Outsmarted by Sinaloa: Why the biggest drug gang has been the least hit,” 7 January 2010, accessed from <http://www.economist.com/node/15213785> on 10 January 2014.

³⁸³ El Chapo was eventually captured in a joint U.S.-Mexican effort spearheaded by the Mexican Marine Corps on 22 February 2014. His ultimate fate remains to be decided – the United States has indicated that it would like to see him extradited, but the Mexican government also indicated that it wanted to try him in its own courts. See Archibold, Randal C. and Thompson, Ginger, “El Chapo, Most-Wanted Drug Lord, Is Captured in Mexico,” *The New York Times*, 22 February 2014, accessed on 23 February 2014 from http://www.nytimes.com/2014/02/23/world/americas/joaquin-guzman-loera-sinaloa-drug-cartel-leader-is-captured-in-mexico.html?hp&_r=0.

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Author interview with Tony Payan, University of Texas – El Paso, October 6, 2011.

or La Familia, thus limiting its structural advantage in a market of brutal competitiveness. True to its corporate nature, the Federation operates best where competition and threats can be managed by bribery, coercion and strategic partnerships, rather than ultra-violence.

III. “The Anarchic Franchise” - Los Zetas

As we have seen, the corporatist model, which was ascendent during the autumnal years of PRI rule, remains relevant in the Mexican context thanks largely to the ongoing strength and influence of the Sinaloa Federation. Yet this model, with its emphasis on traditional hierarchy and the orderly running of *plazas* is now having to contend with a more informal competitive system, described here as an “anarchic franchise.” This model bears some resemblance to the hierarchical corporatist model; it employs specialists for particular tasks (notably the provision of violence), and contracts out some of its functions to other organisations. But in its final expression this model is quite different from the corporatist one, and is even less deserving of the title “cartel.”

Fundamentally, the idea of an anarchic franchise is one of maximised decentralisation based around a simple organising principle, with some weak ties binding the component nodes together. There are variations on this phenomenon: the best-known violent franchise is almost certainly al Qaeda in its post-9/11 form, after it lost Afghanistan as a safe haven and could no longer risk maintaining its vulnerable operational control links from the central authorities to its far-flung branches. Instead, a variety of cells in agreement with its Wahhabist, pro-Caliphate, anti-American views are now using the name “al Qaeda,” with extremely limited operational coordination. This variety of al Qaeda prefixed-groups (al Qaeda in Iraq, al Qaeda in the Maghreb, etc) gave the group's central leadership a useful degree of strategic flexibility: prefixed groups that carried out successful attacks could be presented as part of a broader struggle, while those who strayed from the cause or were unsuccessful in their operations could be effectively minimised or sidelined.³⁸⁵

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Eilstrup-Sangiovanni, Mette and Jones, Calvert, “Assessing the Dangers of Illicit Networks Why al-Qaida May Be Less Threatening Than Many Think,” *International Security*, Vol. 33, no. 2, Fall 2008, pp. 7-44.

But al Qaeda's specific ideological bent makes such a franchised arrangement workable – its immediate political goals (causing harm to American interests and allies) do not necessarily require a great deal of coordination, even if its longer-term ones (completely removing American influence from the Arab world, destroying Israel and restoring the Caliphate) would. Furthermore, al Qaeda is an ideological organisation with a specific, strict religious outlook, rather than profit-making goals. As a result, its strategic choices, from tactics to alliances, are dictated by a completely different set of norms than any drug-dealing organisation under examination here.

A more useful comparative study is the “Chechen” brand in the post-Soviet Russian world of organised crime. As Misha Glenny points out, the Chechens were enormously successful violent entrepreneurs in the immediate aftermath of the fall of the Soviet Union, thanks to a reputation for extreme brutality. This reputation proved so fearsome that other groups of criminals who were not Chechen in origin started to refer to themselves as Chechens in order to intimidate their opponents. The authentic Chechens saw an opportunity and started to charge other groups for the use of the Chechen name, acting as a “licensing agency” in addition to pursuing their existing criminal endeavours. In doing so, they only allowed themselves a limited amount of control over franchisees, extending largely to rent collection, rather than operational control or collaboration.³⁸⁶ This model could be described as a “loose” franchise arrangement.

Los Zetas exist somewhere between the two models. The group consists of a powerful central core with significant violent coercive capability that licenses the use of the group's name in exchange for a measure of operational control and a share of the profits from the activities of its franchisees. More importantly, the Zetas have become strongly associated with the worst brutality in the Mexican conflict due to both their actual tactics and the image they have cultivated around themselves. This brutality has to be understood in the context of the group's founding and history.

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Glenny, Misha, McMafia, (London, Vintage Books, 2009), p. 62.

Despite their outsize influence on drug violence in Mexico and, particularly, on the public perception of the conflict, the Zetas are a relatively new arrival on the scene. Their history is inextricably entwined the Gulf Cartel (*Cartel del Golfo*, or CdG). The CdG were never part of the Guadalajara confederation: their home base of Tamaulipas, on Mexico's north-eastern coast, was beyond its reach.³⁸⁷ As with the Sinaloa Federation, the CdG started as a small smuggling group, specialising in cross-border transit rather than provision of a specific commodity or service. During the 1980s, the group's smuggling expertise brought it into contact with the Cali cartel, whose resources allowed it to grow and mature substantially until 1996, when its leader, Juan García Abrego, was captured by the Mexican authorities and eventually extradited to the United States. In the wake of his arrest, the organisation suffered from internal clashes over leadership succession. The eventual victor was a man named Osiel Cárdenas Guillén. Seeking to both consolidate his hold on power and enhance the CdG's ability to take territory from rival groups, Cárdenas came up with what appeared at the time to be a simple, elegant solution: instead of training a corps of professional violent specialists from within his organisation, he outsourced the job. Using the prospect of high wages and freedom of action, he convinced a group of commandos from Mexico's Airmobile Special Forces Group (*Grupo Airmovíl Fuerzas Especial*, or GAFES) to defect.³⁸⁸ Somewhat ironically, GAFES were amongst the beneficiaries of the slowly improving security cooperation between the United States and Mexico, and had received operational training at Fort Benning, Georgia, with the U.S. Army Special Forces.³⁸⁹

Cárdenas, known as “El Mata Amigos,” or “Friend Killer,” had very little compunction about betraying putative allies or using brutality to attain his goals. His friend and confidant, Arturo “Z-1” Guzmán Decena, had been a lieutenant in GAFES before deserting from the army, and it was he who suggested the idea of building up an enforcement group composed of ex-special

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Astorga and Shirk, 14.

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Krauze, 2012.

³⁸⁹ It should be mentioned that while units of the GAFE were trained by the United States, it is not clear whether any of the men who would become the originators of the Zetas were ever enrolled in the American training programmes.

forces deserters to Cárdenas.³⁹⁰ While the core group were ex-GAFES, the group also took on deserters from other Mexican military and police units and the Guatemalan army as well.

Instead of simply integrating his new “hires” into his organisation, however, Cárdenas allowed them to maintain a degree of autonomy. The original Zetas, as they came to be called,³⁹¹ had a military sense of comradeship and cohesion, which, coupled with their formal training in the art of violence, quickly earned them a fearsome reputation. In addition to assassinating enemies and perceived enemies of Cárdenas and the CdG, they also killed friends and associates of those enemies and even broke into prisons to rescue imprisoned confederates.³⁹² It may be that Cárdenas feared of the consequences of an attempt to suborn them completely to the CdG, or that he thought the benefits of a named group whose reputation as military-trained killers outweighed the risks of potentially split loyalties. But his ability to keep the Zetas in check was never really tested: in 2003, he was arrested after a shootout with the Mexican army in Matamoros,³⁹³ and eventually extradited to the United States, where he was convicted of multiple charges including drug trafficking and attempted murder, and sentenced to 25 years' jail time.³⁹⁴ Guzmán Decena, the founder of the Zetas, had been killed in a shootout with the Mexican military in 2002; he was briefly succeeded by El Kelín González Pizaña, but he too was arrested in 2004.³⁹⁵

With Cardenas out of the picture, the Zetas moved towards independence, now under the joint command of Heriberto Lazcano Lazcano, an ex-GAFES soldier who was known as “The Executioner,” and Miguel Ángel Treviño Morales, a former Reynosa police officer with the

³⁹⁰ Grayson and Logan, 2012, location 420.

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“Zeta” is Spanish for the letter Z; while the exact origin of the usage of Zetas for this particular trafficking group is somewhat disputed, the most common story seems to be that it was the radio callsign for one of the group's founders, Arturo Guzmán Decena (Turbiville, in Bunker, 130).

³⁹² Grayson and Logan, 2012, location 495.

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³⁹⁴ BBC News, "'Drug boss' captured in Mexico," 15 March 2003, accessed from <http://news.bbc.co.uk/1/hi/world/americas/2852197.stm> on 28 May 2013.

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³⁹⁶ McKinley, James C., "Mexican Drug Kingpin Sentenced to 25 Years in Secret Hearing," *The New York Times*, 25 February 2010, accessed from http://www.nytimes.com/2010/02/26/us/26houston.html?_r=0 on 28 May 2013.

³⁹⁵ Grayson and Logan, 2012, location 603.

nickname “El 40.” By 2008, they were offering their services to other DTOs,³⁹⁶ and in January 2010 the CdG and the Zetas began to openly clash.³⁹⁷ By 2011 the two groups were not only separate, but savagely opposed.³⁹⁸ Indeed, with their violent specialities and intimate knowledge of the Gulf Cartel's operations, the Zetas rapidly ascended from subordinates to the CdG to one of Mexico's most powerful violent groups.

At the outset of their independence from the Gulf Cartel, the Zetas faced the exact opposite of the problem that Cárdenas had faced a few years earlier. The CdG had established trafficking routes and a smuggling system in place, but not the violent specialists and coercive capability to hold it. The Zetas, on the other hand, had perhaps the greatest coercive capability of any non-governmental entity in the country, given their military training and background, but they were new to the trafficking aspect of their chosen profession and lacked the connections, technical expertise and the local knowledge necessary for successful large-scale smuggling operations.³⁹⁹

Fortunately for the Zetas, they were operating in what might be termed a permissive environment for an organisation with significant violent capability. The declaration of war by the government on drug trafficking and the fracturing of the large trafficking groups meant that the old agreements that had kept the peace were no longer valid. Whatever the nature of those bonds – convenience, mutual self-interest, family or friendship ties or some combination thereof – few survived the newly belligerent government counter-narcotics policy. In this environment, a bellicose organisation willing to aggressively challenge its rivals and the state could prosper, whereas under more controlled circumstances it would be quickly deemed a threat to the status quo, attacked from all sides and eliminated.

³⁹⁶ Beittel, 2011, p. 10.

³⁹⁷ Williams, 2012, p. 270.

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Beckhusen, Robert, “‘El Taliban’ is Gone, But His Rival Mexican Drug Lord Is Worse,” *Wired*, 27 September 2012, accessed from www.wired.com/dangerroom/2012/09/el-taliban/#more-92539 on 30 May 2013.

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Logan, Samuel, “A Profile of Los Zetas: Mexico's Second Most Powerful Drug Cartel,” *CTC Sentinel*, Combating Terrorism Center at West Point, Vol. 5, Issue 2, February 2012. Accessed from <http://www.ctc.usma.edu/posts/a-profile-of-los-zetas-mexicos-second-most-powerful-drug-cartel> on 30 May 2013.

In order to have any chance of success, the Zetas had to rapidly reinforce themselves in two critical capacities: they needed recruits, and they needed weapons. For the former issue, the Zetas have demonstrated remarkable forthrightness: in some instances, they displayed large banners directed at enlisted members of the police and military, offering high salaries, benefits and life insurance to defectors.⁴⁰⁰ Their recruitment was aided by substantial turnover amongst Mexican security services, both by desertion and by normal attrition (police officers quitting, soldiers finishing their terms of service, etc.).⁴⁰¹ Given the poor economic conditions of recession-era Mexico, and the difficulties that military veterans face reintegrating into society, even in peaceful nations, it is not particularly surprising that the Zetas have managed to persuade so many to join. Veterans are also a useful commodity for a few other reasons: they often maintain contact with former comrades, who can provide useful intelligence on the government's operations, tactics and plans, and they are already familiar with firearms and combat tactics. Given that Mexican drug traffickers have not struggled to arm themselves, individuals with these skills an even more valuable commodity than weapons themselves.⁴⁰² Individual cells within the Zetas organisation are only connected via their leadership – as Grayson and Logan note, at least part of the motivation for this disconnection is to prevent particularly talented or valuable individuals from being recruited away to join other cells within the organisation.⁴⁰³

But military and police veterans are not the Zetas' only source of manpower. These recruits form the core of the Zetas' organisation, and give them a powerful striking force which enables them to intimidate smaller, weaker groups, but skilled violent specialists are expensive to hire

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The most famous instance of this style of recruitment, in the border town of Nuevo Laredo in 2008, played directly on the low salaries and poor morale of police officers and soldiers by asking if they were sick of eating instant noodles. (Garzón, p. 95)

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Again, exact estimates of desertion are difficult to come by, but Turbiville cites figures indicating that 150,000 soldiers (including elite GAFES troops) defected from 2003-2009. Williams indicates that 20,000 defections occurred in 2008 alone, adding that Los Zetas have expanded their recruitment efforts to include not only Mexican veterans but former members of the Guatemalan *Kabiles* special forces unit. (Turbiville, in Bunker et. al., 2011).

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Williams, 2009, p. 328.

403 Grayson and Logan, 2012, location 993.

and maintain and more difficult to replace than other recruits.⁴⁰⁴ In order to support their rapid expansion, the Zetas have in some places made arrangements with local street gangs, who are much less expensive. They are also less combat effective, but for relatively simple tasks such as killing suspected informants or intimidating journalists and civilians, military training is an unnecessary asset. Through this strategy, the Zetas have created a two-tiered system: a core of trained, professional fighters with the skills to overwhelm rival gangs or, if necessary, intimidate or fight local security forces, and a more numerous, cheaper force of loosely-affiliated street gangs capable of spreading the Zetas “brand” at minimal cost.⁴⁰⁵ This strategy has unintended consequences, however; competition between street gangs and individuals without military or police training can lead not only to a downward spiral in price but also in service quality. Instead of a relatively professional *sicario* (hitman), who might charge several thousand dollars for an operation but who will have the equipment and skills to eliminate a target with minimal collateral damage, local gangs and inexperienced individuals are of inconsistent quality, and are more likely to attack the wrong target and/or cause significant collateral damage in the process. While this may, from the contractor's perspective, have a beneficial secondary effect of increasing local compliance through fear, it is also likely to result in significant backlash from authorities. But by the same token, the inevitable casualties suffered by such foot soldiers may also serve as a winnowing process – identifying those individuals who are particularly talented at violence and who serve as valuable recruitment prospects for DTOs.⁴⁰⁶

With respect to weaponry, the Zetas put a number of complementary strategies into place. Acquiring weapons legitimately is difficult in Mexico, which has strict gun-control laws. Insofar as they permit civilian ownership of firearms, the laws impose significant licensure requirements and limit the types of weapons to those more suitable for hunting or target

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Campbell, Lisa, “Los Zetas: Operational Assessment,” in Bunker et al., Narcos Over the Border: Gangs, Cartels and Mercenaries (New York, Routledge, 2011). See also Grayson and Logan, 2012, location 1077.

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Ibid.

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For example, see Molloy, Molly and Bowden, Charles, El Sicario: The Autobiography of a Mexican Assassin, (Nation Books, New York, 2011).

shooting than for combat.⁴⁰⁷ However, these laws have not prevented groups like the Zetas from acquiring a formidable arsenal. These weapons come from three sources, in roughly ascending order: the government itself, the black market and the United States.

Stealing weapons from the government is a time-honoured tradition amongst insurgents and violent non-state actors, particularly in regions where government forces are underpaid and easily corruptible.⁴⁰⁸ This can take the form of basic corruption (eg. officers selling their personal weapons or accepting a bribe in exchange for opening the doors to an armoury), raids on government stockpiles and warehouses or the theft of weapons and equipment from the bodies of soldiers and police officers killed in ambushes. As a source of weapons, this probably accounts for a relatively small fraction, but it is a valuable source of police uniforms, radio equipment, body armour and official vehicles – which in some respects are more valuable than weapons, as they permit deception, intelligence-gathering, false-flag operations and surprise attacks.

Other weapons are trafficked in illegally from South and Central American nations. UNODC estimates that there are an estimated 2.8 million unregistered firearms circulating in Central America alone,⁴⁰⁹ many of which are military-grade weapons left over from the various civil wars of the 1970s and 1980s.⁴¹⁰ The availability of these weapons is in one sense an unintended consequence of success: as those civil wars ended, the militaries of the various

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Mexico. 2004. 'Possession and Carrying.' Federal Law of Firearms and Explosives, 2004; Article 11. Mexico City: Ministry of Parliamentary Services. 23 January.

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Nagle, Luz E., "Corruption of politicians, law enforcement, and the judiciary in Mexico and complicity across the border," in Bunker et. al., 2011, pp. 107-109.

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United Nations office on Drugs and Crime, "Firearms within Central America," accessed from http://www.unodc.org/documents/toc/Reports/TOCTASouthAmerica/English/TOCTA_CACaribb_fi_rearmssmuggling_within_CAmerica.pdf on 28 May 2013.

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Unfortunately, the half-life of modern weapons is considerable; indeed, with proper maintenance, they can outlive their human operators by decades. In *The Gun*, CJ Chivers relates various tales of weapons still serving in active war zones decades after their introduction, including the discovery by US troops in Afghanistan of British Lee-Enfield rifles of First World War vintage. The AK-47 and its many variants – beloved by insurgents and criminals the world over, and the by far the single most numerous line of firearms ever built – are particularly notable (and troublesome) in this regard, as they are renowned for both their longevity and their ability to continue operating with extremely minimal maintenance and cleaning. See Chivers, CJ, *The Gun*, (New York, Simon and Schuster, 2010).

Central American states downsized their forces without also downsizing their equipment holdings. With weapons sitting idle, and downsized soldiers suddenly in need of new sources of income, the opportunities for illicit siphoning are numerous. Furthermore, these sources present the opportunity to acquire more powerful weapons, including grenades, mortars, heavy machine guns and rocket launchers. And, as the Zetas and other groups push further into Central America, their ability to draw upon this rich source of weaponry deepens.

Nevertheless, the most important source of weaponry for the Zetas – and, to a lesser extent, other DTOs – is the United States.⁴¹¹ American gun control laws notably less restrictive than those in Mexico, but the United States is the world's largest civilian gun market, with roughly 300 million weapons in circulation – roughly one for every American citizen.⁴¹² Thanks to the expiration, in 2004, of the Clinton-era Assault Weapons Ban, military-style assault weapons⁴¹³ are also easy to obtain. Like other DTOs, the Zetas have become adept at navigating the various loopholes in American gun laws by using straw buyers (civilians with no criminal records who are paid to buy guns and ship them to the cartels) or by buying weapons at gun shows, which are not subject to the same background check requirements as

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Feinstein, Dianne, Schumer, Charles and Whitehouse, Sheldon, “Halting U.S. Firearms Trafficking to Mexico,” United States Senate Caucus on International Narcotics Control, June 2011, p.6.

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Krouse, William J. 2012. ‘How Many Guns Are in the United States? - Number.’ Gun Control Legislation, pp. 8-9. Washington DC: United States Congressional Research Service. 14 November.

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The terms “assault rifle” and “assault weapon” are the source of significant controversy within the United States, particularly thanks to the use of such weapons in a variety of high profile mass killings, including the DC sniper attacks of 2002 and the Aurora theatre and Sandy Hook Elementary School shootings in 2012 (all of which were perpetrated with the same weapon, the AR-15). Assault rifles became the standard infantry weapon for most militaries following the end of the Second World War – were based on roughly simultaneous Russian and German research which showed that most firefights happened at ranges of less than 300 yards, where the full-sized rifles used previously were slow, unwieldy and overpowered. A weapon firing a smaller cartridge, between rifle- and pistol-sized, would allow a soldier to carry less total weight and more ammunition while being more useful in tight quarters, such as trenches, city streets, and inside buildings. Assault rifles, strictly speaking, are selective-fire (eg. the user can select single-shot, burst or fully automatic fire modes) and are generally only used by police and military units. The somewhat more nebulous term “assault weapon” refers to a weapon cosmetically and functionally similar to an assault rifle without the capacity for burst or fully automatic fire – so the (civilian) AR-15 is properly an assault weapon, whereas the (military) M4 which only differs from it in the provision of automatic fire, is an assault rifle. However, these terms are frequently used synonymously in political discourse on the topic.

gun shops.⁴¹⁴ In addition to assault weapons, cartels shopping on the civilian market in the United States can purchase tactical handguns, semi-automatic shotguns with high-capacity magazines and sniper rifles, including the Barrett M82, a military anti-matériel weapon capable of piercing armoured vehicles and striking targets over a mile away (and whose roughly \$12,000 per-unit cost is unlikely to deter deep-pocketed DTOs).⁴¹⁵

Although less significant than their sourcing of traditional military hardware, it is also worth mentioning that the Zetas have also demonstrated a high degree of innovative production capability. For example, the Mexican military has captured a number of improvised armoured vehicles, which media reports (inaccurately) described as ‘tanks,’ manufactured by adding steel armour to commercial heavy-duty trucks.⁴¹⁶⁴¹⁷ Their facility with improvised weapons and tactical equipment stands in contrast to the Sinaloa Federation's emphasis on improving the mechanics of smuggling.⁴¹⁸

But it is not only military-grade weaponry that sets the Zetas apart. Military training also allows them to use these weapons in the most efficient fashion, and to challenge the authority and tactical supremacy of Mexican security forces. Additionally, they developed sophisticated communications tools and networks: at the end of 2011, the Mexican military announced that they had been disassembling a Zetas radio network that stretched from Guatemala all the way to northern Mexico.⁴¹⁹ The network – apparently composed of a number of local ‘cells’ of

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Goodman, Colby, and Marizco, Michael, “U.S. Firearms Trafficking to Mexico: New Data and Insights Illuminate Key Trends and Challenges,” Woodrow Wilson Center Working Paper on U.S.-Mexico Security Cooperation, September 2010.

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Barrett Firearms, "Model 82A1," accessed from <http://barrett.net/firearms/model82a1> on 28 May 2013.

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Wylar, Grace, “El Monstruo 2011: The Mexican Drug Cartel's Purpose-Built Tank,” *Business Insider*, 11 May 2011, accessed from <http://www.businessinsider.com/el-monstruo-2011-the-latest-weapon-cartels-are-using-to-fight-mexicos-drug-wars-2011-5> on 29 May 2013.

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In reality, the lack of mounted weapons on these vehicles, supposedly named “El Monstruo” (monster), makes them more akin to military Armoured Personnel Carriers (APCs).

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Radden Keefe, 2012.

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Weissenstein, Michael, “Mexico's cartels build own national radio system,” Associated Press, 27 Dec. 2011, accessed from <http://news.yahoo.com/mexicos-cartels-build-own-national-radio->

transmitters and repeaters, rather than a continuous single unit – is perhaps an even more important signifier of operational capacity than the Zetas' armaments, as it demonstrates a high level of organisation and coordination and a reflects of a degree of emphasis on combat support and logistics out of step with the group's image as an anarchic force of nature.

There is another significant difference between the Zetas and the Sinaloa Federation: where the Sinaloas are primarily concerned with the trafficking of drugs, engaging in relatively few other criminal activities (except where other activities are necessary to carry out the business of drug trafficking), the Zetas are more opportunistic. They are much more willing to engage in a broad range of non-narcotics-related criminal activities, including extortion, human trafficking and cybercrime.⁴²⁰ This has led other writers to propose new terminologies for the group, calling it a “transnational criminal organisation” (TCO) for example, in order to emphasise its reach as well as the variety of its criminal endeavours.⁴²¹ This approach has some appeal, but despite the group's proliferation of criminal activities, drug trafficking remains a central driver of its profits and activities and provided the original rationale for their existence, so should not be minimised.

In and of itself, the fact that the Zetas are a non-state actor with sophisticated and diverse tactics, a multinational reach and a high level of operational capability is not unique in the age of hybrid wars and sophisticated non-state violent actors. Somali pirates created their own stock exchange and use digital radios and military-grade GPS units to locate their targets,⁴²² while Hezbollah managed to hold their ground against the most powerful military in the Middle East using a combination of traditional fortification and ambush tactics⁴²³ and high

[system-200251816.html](#) on 29 May 2013.

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· Logan, 2012.

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· Manwaring, Max, Insurgency, Terrorism and Crime: Shadows from the Past and Portents for the Future, (Norman, University of Oklahoma Press, 2008), pp. 106-8.

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· Jorish, Avi, "Today's Pirates Have Their Own Stock Exchange," The Wall Street Journal, 16 June 2011, accessed from <http://online.wsj.com/article/SB10001424052702304520804576341223910765818.html> on 29 May 2013.

423

· Exum, Andrew, “Hizballah at War: A Military Assessment,” Washington Institute for Near East Policy, Policy Focus #63, December 2006.

technology including communications jammers and anti-ship cruise missiles.⁴²⁴ The Zetas stand out in this category because of the sheer speed with which they developed, with no outside help, from a group of mercenaries into one of the largest, most powerful and most influential drug trafficking groups in an extremely competitive field. The speed and totality of this transformation indicates a sense of higher purpose belied by the group's reputation for extreme and unrelenting violence.

And that reputation is fearsome indeed. More than any other group in Mexico, Los Zetas are renowned for the brutality and expressiveness of their violence. Videos on the popular “Blog Del Narco” site, whose anonymous proprietor posts unedited material sent in from any trafficking group as a “public service,” show apparent members of the group interrogating, torturing, and executing captive members of other cartels or police officers.⁴²⁵ The Zetas have been linked to murders of competitors, the dumping of decapitated corpses in public places, mass killings of migrant workers, revenge killings of police, soldiers, and government officials,⁴²⁶ among other similarly heinous crimes. Some of these reports are doubtlessly exaggerated or misattributed, but the group has made no effort to disabuse the public and the government of the notion that there are no lengths to which it will not go in pursuit of its goals – or its enemies.

To be sure, those tactics are not unique to the Zetas. Other trafficking groups also post videos of their members torturing and executing suspected Zetas,⁴²⁷ and not every mutilated corpse found in Mexico was dumped by a Zeta. But the Zetas have set, and continue to increase, the standard for ultraviolence, and in doing so, they have demonstrated the effectiveness of a ruthlessly capitalist approach in a violent narcotics marketplace. With no apparent ideological

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Hoffman, Frank, “Conflict in the 21st Century: The Rise of Hybrid Wars,” Potomac Institute for Policy Studies, December 2007.

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“El Blog Del Narco: Información sobre el narcotráfico en Mexico,” accessed from <http://www.blogdelnarco.com/> on 29 May 2013.

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Turbiville, Graham H., “Firefights, raids and assassinations: tactical forms of cartel violence and their underpinnings,” in Bunker et. al. (2011).

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^{*} The Blog del Narco website maintains a regularly-updated list of such videos; indeed, its content is largely composed of images of such extreme violence perpetrated by virtually every major DTO operating in Mexico.

goal (and therefore no ideological allies), no supporters outside the country and no constituency, their strategy of maximal violence means that what cooperation they receive is out of fear or sheer necessity, rather than allegiance or ideological affinity. The Zetas demonstrate that a group can be both omni-directionally, brutally violent as well as ordered after a fashion – and that the latter can be a product of the former.

The future direction of the Zetas is unclear. In September 2012, the Mexican Navy captured one of the Zetas' top commanders, Ivan Velazquez Caballero (aka *El Taliban*).⁴²⁸ Shortly thereafter, Navy troops also killed the group's putative leader, Heriberto Lazcano Lazcano, in a shootout.⁴²⁹ Lazcano had been a critical figure for the Zetas, and his brutality was in large part responsible for the development of the Zetas' most brutal tactics. Somewhat embarrassingly for the government, his body was subsequently stolen from the morgue by gunmen, but despite the obvious potential for conspiracy theories arising from the theft, the truth of his death has not been substantively called into question.

When these events occurred, the Zetas had been engaged in open conflict on several fronts: against the Sinaloa Federation on one side and against the remnants of the CdG on the other. The death of Lazcano deprived the Zetas of one of their central, unifying figures. Caballero had been fighting against Miguel Angel “El 40” Treviño, but the former's arrest is unlikely to completely end the inter-Zetas clashes. Nor will decapitation strikes against the leadership of the Zetas cause its complete collapse, or lead to a reduction in violence over the short term. As Treviño consolidates his newfound, authority within the organisation, conflict with other contenders for leadership could increase intra-Zetas bloodletting; alternately, other organisations, seeing a sudden weakness in the previously terrifying Zetas, might be inspired to go on the offensive. What remains to be seen is, however, is whether the group can maintain its shared, if distributed, identity during the upheaval.

IV. “The Insurgents” - La Familia Michoacána

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Pachico, Elyssa, "'El Taliban' Capture Will Not Heal Zetas Divide," *Insight Crime*, 27 September 2012, accessed from <http://www.insightcrime.org/news-analysis/el-taliban-capture-zetas-split> on 29 May 2013.

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Beckhusen, Robert, “Cartel King's Body Stolen After Mexico Shootout,” *Wired*, 9 October 2012, accessed from <http://www.wired.com/dangerroom/2012/10/zetas-2/> on 29 May 2013.

So far, this chapter has steered clear of one of the traditional provinces of conflict studies: a political analysis of the participants. There is a specific reason for this: neither the Sinaloa Federation and Los Zetas are insurgencies in the traditional sense, instead, they are both driven by economic rather than political motivations, although the Sinaloa Federation's history of collaboration with the PRI gives it a slightly stronger claim to being considered a political actor. That said, there is no evidence that the PRI's collaboration with traffickers was based on ideology; instead, as explained in Chapter 4, it was driven by the fact that the PRI were the undisputed political masters of Mexico for much of the 20th century, and the corporatist model of drug trafficking necessitated dealing with them in order to maximise profits.

As established previously, there are ample historical and contemporary precedents for insurgencies becoming involved in the drugs trade. These cases are diverse, but they have a very important commonality: in all of them, the insurgent movements were established before they turned to drug production, which they used *instrumentally*, as a source of funds and public support in their anti-government campaigns.⁴³⁰ By contrast, Mexico's only significant political insurgent movement, the left-wing Zapatistas of Yucatan state, have not been involved in any way with the current drug violence. In fact, since their initial rebellion against the government in 1994, they have only engaged in nonviolent forms of resistance, and have not been linked to any drug trafficking activities.⁴³¹ These factors make their entry into the hyper-violent drug trafficking business at this late stage an extremely unlikely scenario. Mexico does have some history of political violence outside the Zapatistas, particularly during the 1968 student demonstrations (suppressed by the PRI government with significant loss of life), but there is little evidence of any significant ideologically or religiously motivated groups mobilising violently in Mexico. In sum, there is no pre-existing insurgent group that could enter into a cooperative relationship with drug traffickers in Mexico.⁴³²

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Cornell, Svante E., "Narcotics and Armed Conflict: Interaction and Implications," Studies in Conflict and Terrorism, vol. 30, 2007, pp. 207 – 227.

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^{*} Ibid, p. 217.

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^{*} This is not to say that Mexico's politics are settled. The 2006 election, after all, saw significant disputes over the vote count, and the country remains politically divided between the left-wing PRD coalition, the centre-left PRI and the centre-right PAN. Nor is the emergence of insurgency a

That leaves the possibility of an existing DTO taking on insurgent-like characteristics. But no explicitly political insurgent movement has yet evolved out of a drug-trafficking organisation, even though the reverse has occurred. Of course, precedent is not proscription, so it is within the bounds of possibility that a drug-trafficking enterprise could, under the right circumstances, take on insurgent characteristics, or even evolve into a full-blown political, ethnic or religious insurgency. While there is no clear-cut case of trafficker to insurgent evolution, Mexico does provide a smaller-scale case study of traffickers with a religious bent in the form of La Familia Michoacána (LFM).

La Familia Michoacána is something of an outlier amongst Mexican trafficking groups, and although as of the beginning of 2012 their power had almost entirely disappeared, their specific characteristics make them worthy examination in this study.⁴³³ The group's founder, Nazario Moreno González, aka *El Mas Loco* (“The Craziest One”), was killed in a shootout with the Mexican security services in December 2010. La Familia's other top leader, Jose de Jesus Mendez Vargas, aka *El Chango* (“The Monkey”), was subsequently captured by Mexican police in Aguascalientes in June 2011.⁴³⁴ In the wake of those losses, the group split apart and lost ground to rivals based outside of Michoacán.⁴³⁵ Nevertheless, the history of LFM from its inception in 2006 to its breakup five years later gives insight into the range of organisational forms within a Market of Narcotic Violence, and also supports the claim that the form of the conflict in Mexico is not amenable to traditional insurgent norms.

Mostly unheard of until 2006, La Familia chose a morbidly dramatic way of introducing themselves to the world: they stapled a “statement of principles” to five human heads and rolled them onto the floor of a crowded nightclub in Uruapan, Michoacán State. The

predictable quantity; the point is more that there are no active groups in Mexico as of this writing which are or resemble incipient insurgencies.

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Molzahn et. al., 2013, p. 38.

434 BBC News, “La Familia cartel boss Mendez Vargas held in Mexico,” 22 June 2011, accessed from <http://www.bbc.co.uk/news/world-latin-america-13869573> on 11 January 2014.

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The major successor organisation appears to be a group whose name alludes to religious violence: the Knights Templar. The Knights Templar made something of a show of piety by placing banners around Guanajuato state pledging to refrain from violence during the 2012 visit of Pope Benedict. See Pachico, Elyssa, “Did Knights Templar Keep 'Truce' During Pope's Mexico Visit?” *InSight Crime*, 26 March 2012, accessed from www.insightcrime.org/insight - latest - news/item/2398 - did - the - knights - templar - keep - truce - during - popes - visit on 30 May 2013.

statement was stark and, importantly, ideological: it read, “La Familia doesn't kill for money, it doesn't kill women, it doesn't kill innocent people – only those who deserve to die. Everyone should know: *this is divine justice*”⁴³⁶ (emphasis added.) According to George Grayson, this represented the first use of decapitated heads as a propaganda statement in Mexican drug violence.⁴³⁷

La Familia arose from a particular set of circumstances in its home state. An agricultural state with a significant deepwater port at Lázaro Cardenas, the coming of NAFTA hit Michoacán particularly hard. With its traditional farming economy disrupted by cheap American and Canadian food imports, the state's levels of poverty climbed rapidly. Simultaneously, the port brought precursor chemicals for synthetic drugs into Michoacán, which created a major local addiction problem.⁴³⁸

In this environment, various DTOs began to take advantage of the easy availability of both cheap labour and methamphetamine precursors. The Colima cartel were the early pioneers in this regard; based in Michoacán, they served largely as methamphetamine middlemen: converting chemicals into saleable drugs and then selling them in bulk to other DTOs.⁴³⁹ However, a combination of law enforcement actions and an intervention by the Gulf Cartel's deployment of Zetas hitmen cleared the way for a new organisation to take a leading role in Michoacán.⁴⁴⁰ La Familia quickly rose to the occasion, consolidating its power throughout the first half of the 00's and announcing its presence publicly in 2006 with the aforementioned use of decapitated heads.

Nazario Moreno González was reportedly inspired by the writings of American Christian theologian John Eldredge, and compelled LFM operatives to carry Bibles.⁴⁴¹ This ideological bent carried over into LFM's conduct in its home territory, where it constructed a network of

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Finnegan, William, “Silver or Lead,” in *The New Yorker*, May 31, 2010, p. 40.

437 Grayson, George W., “La Familia Drug Cartel: Implications for U.S.- Mexican Security,” US Army Strategic Studies Institute, December 2010.

438 Grayson, 2010, pp. 9-13.

439 Library of Congress, “Organized Crime and Terrorist Activity in Mexico, 1999-2002,” Federal Research Division, Library of Congress, February 2003, accessed from http://www.loc.gov/rr/frd/pdf-files/OrgCrime_Mexico.pdf on 11 January 2014.

440 Grayson, 2010, p. 17.

441

Ibid., p. 40.

drug rehabilitation centres and banned the use of narcotics – though this apparently religious opposition to narcotics did not prevent them from enthusiastically producing and distributing them northwards. In doing so, LFM moved away from traditional criminal approaches to circumventing state power into more developed, insurgent approaches - what William Finnegan describes as “state capture.”⁴⁴² By this, he means that the local authorities in much of Michoacán were unwilling or unable to take action unless essentially permitted to do so by La Familia. In this sense, state capture is an appropriate term; but LFM's creation of an alternate set of social services suggests that its ultimate goal may have been to replace the state, at least in Michoacán.

The extent to which Gonzalez and the rest of the LFM leadership actually believed in their rhetoric and religious orthodoxy is debatable, but its existence – in contrast to the absence of any explicitly ideological rhetoric from comparable groups – is interesting in and of itself.⁴⁴³ That religious rhetoric, along with the provision of social services, locates LFM as the closest thing to an insurgency as exists within the network of violent drug gangs in post-2006 Mexico.⁴⁴⁴ Notably, this does not make the group a *true* insurgency: it is not nationalist, ethnic-separatist or revolutionary, nor, per Stathis Kalyvas's work on civil wars and irregular violence, has their rise come courtesy of the implosion of the Mexican state.⁴⁴⁵ Insofar as the group had political or ideological goals, they were quite limited: attaining effective control of Michoacán state and securing its potential drug-related resources, including not only the rural areas suitable for drug cultivation and methamphetamine lab sites, but also an extensive

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Ibid., p. 50.

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By this I mean that LFM is the only cartel in Mexico for whom religion or any traditional political orthodoxy appears to play a central role. But Mexico is an enormously religious society, and the iconography of religion permeates the drug trafficking world. The most popular instance is probably the character of Jesús Malverde, the patron saint of criminals and smugglers (though not officially beatified by the Catholic Church). Santa Muerte (Saint Death) also commands a substantial number of followers, who hold to a belief system which combines elements of Catholicism, mysticism and the religious practices of Mexico's pre-European indigenous people. (Guillermoprieto, 2011.)

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Bunker, Pamela, et. al., “Torture, beheading and narcoculos” in Bunker, et. al. (2011).

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Kalyvas, Stathis, “Civil Wars,” in Boix, Carles, and Stokes, Susan C., The Oxford Handbook of Comparative Politics, (Oxford, Oxford University Press, 2007), pp. 427-9.

Pacific coastline ideal for receiving maritime shipments of cocaine from Colombia, Bolivia and Peru.

Commercially, LFM was innovative in its emphasis on the production and sale of synthetic drugs. The traditional “triad” of natural drugs (opium, cocaine and marijuana) entail a variety of logistical problems, largely related to the difficulty of smuggling large quantities from locations where they can be cultivated cheaply and safely to the consumers who will pay the largest amount of money for them. Synthetic drugs⁴⁴⁶ are a potentially game-changing alternative to this triad for a number of reasons. First, meth labs are highly scalable, which allows them to be sited anywhere, independent of climatic or geographic concerns. This also increases flexibility – in areas with active, aggressive law enforcement, a larger number of smaller labs form a more resilient production base; in places where law enforcement is weak or corrupted, as in rural Michoacán, larger labs can maximise efficiencies of scale. Second, they can be synthesised from a variety of normal, easily obtainable industrial and commercial chemicals, which allows their production to be hidden within legitimate businesses with relative ease.⁴⁴⁷ Third, methamphetamines and other synthetic drugs can be tweaked precisely by amateur chemists to produce specific results, which allows distributors to increase the addictiveness of their products while vastly complicating the task of maintaining a legal framework encompassing all narcotics in circulation.⁴⁴⁸ As with the Zetas and their use of brutal tactics, the emphasis on synthetic drugs is not *unique* to LFM; indeed, as of early 2012, the Sinaloa Federation was regarded as the leading Mexican producer and distributor of

446

There are a variety of permutations of synthetic drugs suitable for human consumption, including methamphetamine (meth), MDMA (ecstasy) and various prescription painkillers such as OxyContin. Given this diversity, the UN does not classify them individually, but in a broad grouping based on shared chemical traits and effects, called “amphetamine-type stimulants” (ATS). (UN World Drug Report 2012.)

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The cultural depiction of Mexican cartels most familiar to contemporary Americans is probably the TV series *Breaking Bad*, in which a high school chemistry teacher is diagnosed with cancer and takes up methamphetamine production to support his family. In the later seasons of the series, he largely works in a meth “superlab” built under an industrial laundromat, which, as Patrick Radden Keefe points out, is only unrealistic in that the lab is located in suburban New Mexico rather than Mexico. See Radden Keefe, Patrick, “The Uncannily Accurate Depiction of the Meth Trade in *Breaking Bad*,” *The New Yorker*, 13 July 2012, accessed from <http://www.newyorker.com/online/blogs/culture/2012/07/the-uncannily-accurate-depiction-of-the-meth-trade-in-breaking-bad.html> on 29 May 2013.

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Keim, Brandon, “Chemists Outrun Laws in War on Synthetic Drugs,” *Wired*, 30 May 2012, accessed from www.wired.com/wiredscience/2012/05/synthetic-drug-war/ on 29 May 2013.

synthetics.⁴⁴⁹ But LFM was an early innovator in this field, and relied particularly heavily on synthetic drugs, which seems a logical adaptation given its small size and lack of international connections.⁴⁵⁰

The major disadvantage faced by La Familia was that it occupied terrain that was politically significant to the government. Specifically, Michoacán is the home state of Felipe Calderón, and allowing the state to remain in their sphere of influence would have undercut his administration's strategy. For that reason, Calderón's first deployment of the Army and Federal Police against drug traffickers was in Michoacán, and the military has focused relentlessly on the state ever since. Perhaps inevitably, this resulted in violent confrontations: in July 2009, the organisation responded to the capture of one of its high ranking officials by ambushing and killing dozens of soldiers and federal policemen in a variety of planned attacks. But instead of backing away from the state, the federal government increased its deployments to the state with the intent of destroying the group.⁴⁵¹ This attention resulted in high attrition amongst LFM's leadership, culminating in the shootout with federal police which killed El Mas Loco in 2010. As LFM had centralised a great deal of power within its leadership, these strikes proved too much for it to absorb, and the group had largely disappeared as of the end of 2011, with the remnants either replaced by or absorbed into the Knights Templar, who have aligned themselves with the Zetas.⁴⁵² It remains to be seen where the balance of power in Michoacán will reside, but if the transition from trafficker to insurgent is to be made successfully in Mexico, it will be done elsewhere by other groups.

V. Strategic geography

One further area of importance to understanding the dynamics of violent actors in Mexico is the strategic geography of the conflict. While the belligerents in Mexico have varying degrees of resemblance to warring parties in a more traditional conflict, as we have just seen, strategic behaviours are dictated by geography just as in an insurgency or conventional war.

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Cave, 2012.

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Krauze, 2012.

⁴⁵¹ Grayson, 2010, pp. 33-4.

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STRATFOR, 2011.

The defining aspect of the drug conflict in Mexico is, as the last chapter demonstrated, the border with the United States. So it is possible, at least to a degree, to understand the dynamics of drug violence in Mexico as a function of proximity to the border. And indeed, some of the most crucial battlegrounds – Juarez, Tijuana and Nuevo Laredo for example – are border cities, where control of territory directly abutting the crossing points can be directly linked to profit.

But it is also an oversimplification to describe the border as the only relevant or contested territory in Mexico. Michoacán, which is nowhere near the border, has seen extensive violence as LFM first coalesced and then began to lose its grasp over the population and terrain. Like Sinaloa state, Michoacán is both fairly remote and borders the sea, allowing for discreet transportation of illicit cargoes. Of the two, Michoacán has a better infrastructure for nautical commerce, given its more favourable position south of the Baja California peninsula and its major deepwater port at Lázaro Cárdenas.⁴⁵³ Remoteness is also a major factor in shaping violence in both states: in both states, it is difficult for the government to exercise soft or hard power – though as we have seen, the ways in which the Sinaloa Federation and La Familia have capitalised on that relative freedom are significantly different for historical and strategic reasons.

On the whole, Sinaloa saw lower levels of violence over the 2007-2012 period than Michoacán,⁴⁵⁴ which reflects the greater level of control the Sinaloa Federation has maintained over its heartland (not to mention its overall greater power).

Monterrey is perhaps a surprising locus of violence in Mexico. Although not distant from the border – Highway 85 allows direct travel between it and Nuevo Laredo and its crossings into the U.S. – it is not a border city by any means. Not long ago, it was one of the safest cities in Latin America, known for being Mexico's financial capital and consequently one of its richest cities, home to Ferrari dealerships and gleaming modernist architecture. Yet from 2010 onwards violence there skyrocketed, not only in numerical terms but also in sheer visibility, with decapitated and mutilated corpses publicly displayed in public spaces. Rather than being

⁴⁵³ Grayson, George W., “La Familia Drug Cartel: Implications for U.S.-Mexican Security,” U.S. Army Strategic Studies Institute, December 2010, accessed from <http://www.strategicstudiesinstitute.army.mil/pdf/FILES/PUB1033.pdf> on 4 January 2014.

⁴⁵⁴ Molzahn et. al., 2013, p. 22.

a function of its intrinsic value as a distribution or logistical hub, this violence reflected Monterrey's position directly on the faultline between the Zetas and the Gulf Cartel.⁴⁵⁵ This is not to say that Monterrey did not have inherent value for criminal activity. Rather, it is to emphasise that even in a highly unconventional conflict, there are territorially-driven front lines. This territorial battle between the Zetas and their former patrons was not limited to Monterrey; the rate of organised-crime related homicides in nearby Torreón and Nuevo Laredo also spiked over the same period.⁴⁵⁶

As examined in Chapter 4, Ciudad Juárez has been the most significant battleground of the entire conflict. Molzahn et. al. point out that the city accounted for nearly one third of organised-crime style homicides using the Mexican government's statistics from 2008 to 2011.⁴⁵⁷ Fundamentally, the battle for Juárez has been a battle between the Sinaloa Federation, whose core territory abuts Chihuahua state, and the Vicente Carrillo Fuentes organisation, aka the Juárez Cartel. The Juárez Cartel, the much-diminished descendent of the organisation run by the late Amado Carrillo Fuentes in the 1990s, is seeking to maintain control of both the crossing points into the United States and the city's own local drug markets. Rather than committing its own core forces to the fight, the Sinaloa Federation has used local proxies to engage the Juárez Cartel and its affiliates locally.⁴⁵⁸ These local street gangs represent a cheaper alternative, but the price is a loss of precision and control, which leads to both a higher level of background and indiscriminate violence, and to events such as the mass killings of innocents either in the course of assassinations or because of mistaken identity.⁴⁵⁹ The astronomic levels of violence in Juárez have declined somewhat since 2011, especially in the wake of the arrest of Jose Antonio Acosta Hernandez, the leader of La Linea, the Juárez Cartel's proxy, who was supposedly responsible for ordering roughly 1,500 murders. Nevertheless, both DTOs remain viable, which means that the decline of violence there represents either a temporary lull or a recognition by both sides that the indiscriminate, high-casualty approach is ultimately unsustainable.

⁴⁵⁵ Steinberg, Nik, "The Monster and Monterrey," Human Rights Watch, 26 May 2011, accessed 4 January 2014 from <http://www.hrw.org/news/2011/05/26/monster-and-monterrey>

⁴⁵⁶ Molzahn et. al., 2013, p. 27

⁴⁵⁷ Molzahn et. al., 2013, p. 26

⁴⁵⁸ Beittel, June S., "Mexico's Drug Trafficking Organizations: Source and Scope of the Rising Violence," Congressional Research Service, 7 January 2011, p. 9.

⁴⁵⁹ Williams, Phil, "The Terrorism Debate Over Mexican Drug Trafficking Violence," *Terrorism and Political Violence*, Vol. 24, 2012, p. 269.

VI. Overall Assessment

The three DTOs examined demonstrate three very different organisational and operational strategies within the context of Mexico's Market of Narcotic Violence. The Sinaloa Federation exemplifies the pre-2006 corporatist strategy; Los Zetas compensated for their late start by combining an extreme predilection for violence with a willingness to operate as a branded organisation rather than a hierarchical one; and La Familia Michoacána tried to consolidate their hold on a geographical base and replace the functions of the state in that area. So how do these approaches compare, and what does their simultaneous presence within the same conflict tell us?

The situation remains in flux, though this could be said of any point during the conflict. At the end of 2011, Los Zetas appeared to be ascendent, capturing territory and trafficking routes largely at the expense of the Sinaloa Federation, and spreading southward into Central America. The end of 2012 saw the Sinaloa Federation in a relatively stronger position, following the capture or killing of Zetas leadership figures. But the overall trend of the 2010-12 period is one of polarisation: given the preponderance of territory and force available to the two largest cartels, smaller actors are exhibiting bandwagoning behaviour and aligning themselves with either the Zetas or Sinaloas, or are being reduced to local significance, as with LFM. This state of flux is characteristic of the Market of Narcotic Violence theory: given the qualities of such a market, it would be extremely unusual for the relative positioning of different actors within the market to remain static for extended periods. Nevertheless, an analysis of the fortunes of the three basic models from 2006 to 2012 helps bring the specific market dynamics at work in Mexico into sharper focus.

The corporatist model favoured by the Sinaloa Federation offers the group a number of advantages. With strong leadership, it provides for business efficiencies as part of a focus on profit-making. It also permits the formation of strong alliances, given that there is a central authority that can offer guarantees and negotiate on behalf of the entire organisation, on the premise that internal dissent or rule-breaking will be severely and swiftly punished. The same dynamic makes such organisations well-suited to illicit collaboration with the state, regardless of whether the primary driver of such a relationship is the criminal enterprise or state officials

(as in the state-sponsored protection rackets prevalent under the PRI).⁴⁶⁰ The Sinaloa Federation represents the purest model here of Olson's stationary bandit – by seeking established control over strategically important territories, particularly border crossings and holding them primarily by means of corruption, patronage networks and strategic alliances, Sinaloa approaches the maximal resource extraction model.

However, as with their legitimate corporate counterparts, groups of this type find their greatest expression in a minimally violent, semi-regulated marketplace. Violence forces such hierarchical organisations to expend a substantial amount of resources on protection, which slows and occludes internal communications channels. Should those protective efforts fail, leading to the arrest or killing of the leadership of such an organisation, the trust relationships that permitted it to maintain its shape fail quickly and create a competitive vacuum. Such a vacuum elicits immediate, deadly competition amongst former lieutenants and other aspirants to the highest level of authority, and can strain or break the alliances the previous leadership guaranteed. In a more consistently anarchic environment, the trust networks are strained by more mundane levels of violence, and the high level of attrition caused by rivals and security forces makes it difficult to maintain the efficiencies and advantages enabled by the corporate structure. The largest, most powerful corporatist structures – such as the Cali and Medellín cartels in the early 1990s – suffer from another problem: once they amass enough power, they can no longer operate around the edges of the state's power. Instead, they become a direct threat to its monopoly on violence, and only a truly weak state will not eventually succeed in breaking them down. Mexico is not a weak state, and its authority is further underwritten by the United States. The U.S. would not tolerate the collapse of its southern neighbour and has the financial and military wherewithal to buffer Mexican government forces or, in an extreme (and highly improbable) scenario, become directly involved itself.

The decentralised, branded model favoured by the Zetas bears some similarities to the corporatist model. As discussed, the Zetas are not simply a decentralised brand: they also maintain a “core” that is organised along hierarchical lines, and which represents a similar

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Lupsha, 1991.

point of vulnerability to that of the corporatist model (a weakness successfully exploited by the Mexican government in 2012 with the arrest and killings of top Zetas figures). However, the Zetas far more optimised for the unregulated, violent environment of contemporary Mexico. The provision of extremely expressive, hugely brutal violence serves as a force multiplier for the large majority of their members and affiliates who are not military-trained and equipped with the most powerful weapons. Those Zetas affiliates – loosely organised and connected by weak ties – account for the group's ability to become one of the most powerful criminal forces in the country within a short space of time. The relationship is premised on the Zetas' continued preponderance of force and the threat (implicit or explicit) that the options available to a group approached by them are to accept a subordinate position or to fight for their independence with a low chance of success.

In that sense, the Zetas represent something different to a stationary bandit. Rather, they would seem to demonstrate Keen's notion that armed conflict can represent an alternative form of profit, power and protection. For an established corporatist organisation like the Sinaloa Federation, violent disruption is undesirable – it incurs additional costs in blood and treasure and threatens the established profit-making infrastructure. This is not to say that the Sinaloa Federation is motivated by profit and the Zetas are not; quite the opposite. Rather it demonstrates that for the Zetas, with their violence-focused skill set and initially subordinate position in the marketplace, violent aggression *is* the most profitable strategic orientation.

The insurgent model of La Familia Michoacána, on the other hand, represents a notable departure from the two main models, but one that has so far failed to gain traction. Some of the blame for LFM's failures can be attributed to its particular situation and the symbolic value of its geographic base, which presented a challenge to the authority and credibility of the Mexican government that it could not ignore. Despite the group's current irrelevance to the overall shape of the conflict, both its existence and its failure are telling in terms of the unique nature of Mexico's conflict as compared to drug-linked insurgencies.

As discussed in previous chapters, the insurgent model is fundamentally different than the criminal model: criminals are concerned with profits above all else, while insurgents seek to undermine and replace the functions of the state in order to win over the population's loyalty

and create physical spaces in which they can operate. Criminal syndicates only need the population to sufficiently tolerate their presence enough to stay neutral between the syndicate and the state, and for a small percentage of the people to join their ranks, thus replacing losses and allowing for expansion. That tolerance can be obtained through aggressive coercion, which is cheaper than replacing the state's welfare and security provisions. But there are limits on violent coercion as well: the grassroots movement against violence that has already spawned a number of major demonstrations across Mexico⁴⁶¹ could create hard limitations on the effectiveness of violent DTOs by making it more difficult for them to recruit and operate, but such limits have clearly not yet materialised. The example of the organisational failure of LFM, and the relatively minor role played so far by its clearest successor, the Knights Templar, demonstrates that organisations which follow insurgent-style strategies from the outset are not particularly successful in this context. That said, the possibility that apolitical DTOs could evolve into more ideological groups with insurgent characteristics in order to develop closer ties with populations alienated from the government is an interesting, if as yet untested, possibility.

V. Conclusion

One of the central features of the Market of Narcotic Violence concept is the coexistence of varied, highly competitive models of violent organisation whose only common feature is profit motive. Given a set of stable constraints that allow for profit-making activity to continue in the midst of high levels of violence, profitable violence does not depend on the continued existence of a particular individual or group. Instead, those that successfully adapt to market conditions are rewarded with profit, territory and increased authority or power, while those whose strategies are sub-optimal are rapidly superseded or replaced. More traditional models of criminal or unconventional military action would suggest that such pervasive, dramatic violence is a sign of desperation: in other words, individuals and organisations are driven to competition by a diminishing number of opportunities. But the operations of the trafficking groups examined here suggest that the opposite is true: the violence represents the *normal*

461

Wilkinson, Tracey, "Mexico nun is crusader for rights amid drug violence," *The Los Angeles Times*, 15 November 2011, accessed from <http://articles.latimes.com/2011/nov/15/world/la-fg-mexico-nun-20111116> on 29 May 2013.

functioning of this particular market, in which “business” models are tested in the most direct, aggressive ways possible, with immediate rewards for success.

Despite the fluctuations in the overall power structure, a trend toward bipolarity has emerged over the last few years, pitting the corporatist Sinaloa Federation against the Zetas' anarchic franchise, with the insurgent model failing to achieve widespread success. But the conflict's shift from intense multipolarity toward imperfect bipolarity has not limited the death toll, decreased the brutality or lessened the geographic area in which it is taking place. It should therefore be seen as a phase – a reflection of tactical successes by two specific organisations – rather than a fundamental shift in the underlying dynamic of the conflict. The continuation of violence despite the constant state of flux in the overall power structure of different DTOs is evidence of the existence of a Market of Narcotic Violence in Mexico.

The continued existence of such a marketplace is dependent upon an external constraint preventing participants from assuming significantly more power. In this case, it is the coercive authority of the Mexican and American governments that prevents any of the trafficking organisations from evolving into forms that on their own are capable of seriously challenging the structures of power in either nation. But, as discussed, they have failed to demonstrate the ability to stem the level of violence or the flow of drugs. The next chapter will explore the reasons why the two governments have had such a limited effect on the overall functionality of this market.

Chapter 6: Mexican and American Counter-Narcotics Policy

I. Introduction

Moving forward from the examination of different drug trafficking groups, the focus now shifts to the other major participants in the conflicts: the Mexican and American governments. In a limited, tactical sense, the governments can be analogised to the DTOs: as armed participants in the conflict, they have overall strategic objectives that they attempt to achieve by means of violent and nonviolent actions. There are certainly conflicts in which there is little to differentiate government and irregular forces in terms of either legitimacy or ability to use violence – the West African civil wars of the 1990s and early 2000s being perhaps the most obvious contemporary example. But those cases involve exceptionally weak governments, which is not a universal condition of irregular conflict. Most governments have at least some measure of legitimacy and a preponderance of force giving them an advantage relative to irregular combatants, which inculcates their decisions and policies with the potential to set, maintain or alter the constraints of violent markets. This is certainly the case with respect to the governments of Mexico and the United States, both of which are sufficiently stable and powerful to have a fundamentally different character than the DTOs. The purpose of this chapter, therefore, is twofold: to examine what role Mexican and American official policies have played in setting the constraints for the conflict, and to analyse how the two governments have responded to the upsurge of violence.

The chapter is divided into three sections. The first and second sections focus on the policies of the Mexican and American governments, respectively, from the late 20th century to the end of 2012. As established, while the violence has taken place entirely on Mexican soil, the United States is intimately connected with the rationale for the violence and has been increasingly involved in supporting its southern counterpart militarily and financially. Similarly, the character of violence in Mexico is shaped by American domestic factors, such as the availability of small arms and the high value of retail drug sales in the United States. This admixture of domestic and international causes and constraints situates the conflict outside the framework of traditionally-constructed domestic and foreign policy spheres for both governments. This complication, along with the fact that even within each government there is no single policy – makes the assessment of any particular policy as representative of a

“whole of government approach” meaningless. Instead, the concept of intermestic policymaking – as introduced in Chapter 2 – will be used as a yardstick against which the scope and effectiveness of the actions of both governments can be measured.

II. Mexican Government counter-narcotics Policy

The history of the Mexican government and its complicated past relationship with drug traffickers has been discussed in preceding chapters in some detail, as well as the specific limitations related to its geographic, economic and political positions. As a result, the following analysis focus on its policy from the election of Felipe Calderón in 2006 to the beginning of 2012, with a brief analysis of the policies announced by Calderón's successor, Enrique Peña Nieto, to follow in Chapter 8. First, it will examine the means by which the Mexican government seeks to institute its policy, both in terms of “hard power” (eg. police and military forces) and “soft power” (eg. its non-violent cultural and social state-building programmes and its relationship with civil society). Second, it will explore the changes and overall direction of Mexican policy from 2006-2012 and assess whether those policies have demonstrated effectiveness, particularly focusing on the extent to which Mexico's policies have taken the intermestic nature of the conflict into account.

III. Mexican government hard and soft power

Viewed through the lens of history, conflicts tend to generate iconic imagery. Whether or not they represent the totality of the conflict accurately, such individual iconic images – American Marines raising the flag over Iwo Jima, the execution of a prisoner on the streets of Saigon – come to represent historical conflicts in the public eye. In contrast to these famous photographs, the iconic imagery that has emerged from the Mexican conflict so far follows two familiar themes: images of dead bodies bearing the scars of torture at the hands of drug traffickers, and images of captured *narcotraficantes* paraded by masked members of the Mexican security forces in front of confiscated drugs and weaponry.⁴⁶² The latter images, while clearly intended to show the government's resolve and its supremacy over drug

462

This slideshow, hosted by *The Atlantic*, contains a number of examples of both forms:
<http://www.theatlantic.com/infocus/2012/05/mexicos-drug-war-50-000-dead-in-6-years/100299/>

traffickers, also reveals a basic truth about the Mexican government's strategy: it is highly reliant upon the country's military and paramilitary forces.

As discussed, President Calderón's term commenced with a deployment of military and federal police forces against drug traffickers in Michoacán. This was not, in and of itself, a departure from earlier policies, as the Mexican military had taken on an increasing counter-narcotics role since the mid 1980s.⁴⁶³ But the scale of the operation was unprecedented – especially after the scope of the operation was broadened from Michoacán to other states.⁴⁶⁴ Calderón and his national security staff seem not to have planned for an extended conflict: while the widespread military deployment saw early successes,⁴⁶⁵ including a temporary drop in the overall national murder rate during the first few months of 2007,⁴⁶⁶ the subsequent surge in violence caught the Mexican government off guard, and without a strategic plan or sufficient resources to maintain the initial improvement in security.⁴⁶⁷ More importantly, drug trafficking groups began to attack the military and federal police directly, ambushing patrols, assassinating officers and generally responding with a previously uncharacteristic degree of aggressiveness.⁴⁶⁸ The Mexican army, despite its history of participation in counter-narcotics operations, suddenly found itself fighting an entrenched enemy for the first time.

463

Camp, Roderic Ai, "Armed Forces and Drugs: Public Perceptions and Institutional Challenges," Woodrow Wilson International Center for Scholars, Working Paper Series on U.S.-Mexico Security Collaboration, May 2010, p. 9.

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Krauze, Enrique, "Mexico at War," *New York Review of Books*, 27 September 2012, accessed from www.nybooks.com/articles/archives/2012/sep/27/mexico-war/?pagination=false&printpage=true on 30 May 2013.

465

U.S. Department of State, "The Battle Joined: Narco Violence Trends in 2008," Cable 09MEXICO193, 22 January 2009, accessed from <http://wikileaks.org/cable/2009/01/09MEXICO193.html> on 1 June 2013.

466

Molzhan, Cory, et. al., "Drug Violence in Mexico: Data and Analysis Through 2012," University of San Diego, Trans-Border Institute, February 2013, accessed from <http://justiceinmexico.files.wordpress.com/2013/02/130206-dvm-2013-final.pdf> on 30 May 2013, p. 5.

467

Brands, Hal, "Mexico's Narco-Insurgency and U.S. Counterdrug Policy," U.S. Army Strategic Studies Institute, May 2009, pp. 14-15.

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Bunker, Robert J., and Sullivan, John P., "Cartel evolution revisited: third phase cartel potentials and alternative futures in Mexico," in Bunker et al., *Narcos Over the Border: Gangs, Cartels and Mercenaries* (New York, Routledge, 2011).

This was an unwelcome development for the Mexican Army. American Secretary of Defense Donald Rumsfeld famously said of the American military in Iraq, “You go to war with the army you have, not the army you might want or wish to have at a later time.”⁴⁶⁹ This quite accurately captures the problems the Mexican military faced in carrying out Calderón's strategy; it was not prepared for the scope of the violence it was encountered, nor for well-equipped, well-trained and determined opponents. The Mexican military was designed for territorial defence and sovereignty-protection roles, explicitly avoiding power projection and counter-insurgency capabilities and missions.⁴⁷⁰ Undertaking lengthy deployments against a heavily armed, entrenched and nebulous enemy – a task akin in a tactical sense to counter-insurgency⁴⁷¹ – required some re-tooling. In effect, the military had to re-train, re-arm and realign itself for the urban counter-insurgency operations it now faced.

Furthermore, the force was relatively small for the mission at hand. At the end of 2006, the Mexican federal police had a total of 6,000 officers to cover a country with more than 100 million inhabitants.⁴⁷² The Army and Air Force together had roughly 194,000 officers and enlisted personnel, with some 50,000 total in the Navy (including a few thousand Marines).⁴⁷³ Prior to 2006, the Mexican military had extremely limited combat experience. The government's foreign policy historically precluded foreign military deployments, so the military has no expeditionary experience,⁴⁷⁴ and the government also avoided deploying large numbers of soldiers for either UN peacekeeping operations or commitments through its membership in the Organization of American States. This inward focus is apparent in the

469

Suarez, Ray, “Troops Question Secretary of Defense Donald Rumsfeld about Armor,” PBS, 9 December 2004, accessed from http://www.pbs.org/newshour/bb/military/july-dec04/armor_12-9.html on 31 May 2013.

470

International Institute for Strategic Studies, “The Military Balance 2013, Chapter Eight: Latin America and the Caribbean,” vol. 113, no. 1, p. 460.

471

Specifically, the lack of a determined “front” and “rear” in the combat zone, the use of ambush and guerrilla tactics and improvised weapons (bombs, arson) are similar, even if the political or expressive content of the violence is not.

472

Medina Mora, Eduardo, author interview, London, 18 April 2012.

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Camp, (2010), p. 9.

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Starr, Pamela K., “Mexican Foreign Policy,” in Randall, Laura, Changing Structure of Mexico: Political, Social and Economic Prospects, (Armonk, M.E. Sharpe, 2006), pp. 56-7.

structure and equipment of the military. The Mexican Air Force has only ten combat jets, all 60s-era Northrop F-5 Freedom Fighters, and otherwise flies only cargo, transport and surveillance aircraft and helicopters. The Mexican Navy maintains no surface combatants larger than a frigate and has no force projection capabilities in the form of landing ships, replenishment vessels or aircraft carriers. The Mexican Army, which is by far the largest and most prestigious of the services, is well-equipped for territorial defence and sovereignty missions, but has no heavy armoured vehicles (tanks or infantry fighting vehicles) and little artillery, which limits its ability to overpower sophisticated, well-equipped foes.⁴⁷⁵ These forces have also historically had significant problems with desertion, as discussed in the previous chapter, which not only squanders expensive training, but can also reinforce criminal organisations by providing them with pre-trained recruits, and in some cases, equipment.

The Mexican government's investments in the improvement and maintenance of its armed forces have been disruptively inconsistent. The country's military expenditure underwent rapid and significant changes, tripling from 400 million pesos a year in 2000 to 1.4 billion in 2002, then falling to about a billion in 2005, before increasing again to 1.7 billion by 2008.⁴⁷⁶ Such oscillations in funding have made long-term planning, maintenance of a professional officer corps or fostering institutional memory difficult, which subsequently contributed to its worsening human rights record.⁴⁷⁷ There is a correlation with intermestic policy here as well: in its choice not to build a military capable of expeditionary or counter-insurgency operations, one made to enforce a specific, civilian-led foreign policy, the Mexican government denied itself a tool that it would later view as a necessity for domestic security.

Nevertheless, the military is a sound force compared to the Mexican police, especially at the state and local levels. Partly, this has to do with the fact that state and local forces are organic

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International Institute for Strategic Studies (2013), pp. 460-462.

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Again, Mexico does not centralise its defence administration or expenditures the way the United States or United Kingdom do; as a result, these figures account for the country's Army and Air Force but not its Navy, whose funding has actually decreased somewhat, from 250 million pesos a year in 2000 to 229 million in 2008. See Camp, (2010).

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Meyer, Maureen, "Abused and Afraid in Ciudad Juarez: An Analysis of Human Rights Violations by the Military in Mexico," Washington Office on Latin America, September 2010.

to their operational areas; in other words, a municipal or state police officer has family, friends and other connections in the area in which they work, all of whom function as exploitable vulnerabilities for a criminal organisation. National forces, on the other hand, can deploy their personnel across the country, allowing them to minimise such vulnerabilities. At the same time, local and state police – who comprise the majority of Mexican security personnel – are far less well-paid and well-equipped than their federal counterparts.⁴⁷⁸ This combination of factors renders them especially vulnerable to coercion and corruption. These forces have been weak and unreliable for decades, and determined efforts to improve their capabilities only began well after the beginning of Calderón's term.⁴⁷⁹ DTOs, on the other hand, have been improving their capacities since at least the late 1990s. As a result of this disparity in readiness and reliability, the government viewed the military, despite its flaws, as the only tool available to combat traffickers in the short term.⁴⁸⁰

The Mexican government appears committed to building up its local forces and has at least some mechanisms in place for reporting and investigating human rights abuses.⁴⁸¹ But both remain significant challenges as of this writing. Notoriously, the government dismissed the entire police force of Veracruz in early 2012 following allegations of significant corruption, and replaced on a temporary, but indefinite basis, by the Marines.⁴⁸² And ex-military officers continue to be placed in police and non-military public security roles across the country, which, as the case of Julian Leyzoala illustrates, carries the danger of exchanging corruption for human rights abuses.⁴⁸³ In other words, none of the Mexican military or law enforcement

478

Nagle, Luz E., "Corruption of politicians, law enforcement, and the judiciary in Mexico and complicity across the border," in Bunker et. al., 2011, pp. 100-103.

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Bailey, John "Combating Organized Crime and Drug Trafficking in Mexico: What are Mexican and U.S. Strategies? Are They Working?" Woodrow Wilson International Center for Scholars, Working Paper Series on U.S.-Mexico Security Cooperation, May 2010.

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United States Department of State, "Scenesetter for the Visit of Secretary of Defense," Cable 08MEXICO1082, April 10, 2008, accessed via <http://www.cablegatesearch.net/cable.php?id=08MEXICO1082> on 31 May 2013.

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Meyer (2010), pp. 10-11.

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Associated Press, "Mexico: City Police Force Disbanded," 21 December 2011, accessed from <http://www.nytimes.com/2011/12/22/world/americas/mexico-veracruz-police-force-disbanded.html> on 31 May 2013.

483

agencies has the correct combination of coercive power and legitimacy to bring an end to the violence.

The other means the government has at its disposal to limit the violence is grouped together under the vague heading of “soft power.” However, this part of the effort remains less developed than the hard power tools. The clearest examples in this category are the civil-society building efforts that the Mexican government has undertaken explicitly to combat the influence of drug trafficking groups. Programmes such as *Todos Somos Juarez* (We are all Juarez) fit easily into the counterinsurgency framework, focusing as they do on restoring the loyalty of the population to the government.⁴⁸⁴ These programmes tend to focus on building up the institutions and services of government in areas considered particularly at risk: schools, drug rehabilitation centres, community centres and so forth. Indeed, such programmes are explicitly central to the Mexican government's strategic plan to reduce the level of violence. Unfortunately, the existing programmes have so far had little impact. With limited resources and scope, their effectiveness – outside of demonstrating the government's commitment to non-military action – is arguable at best.⁴⁸⁵

Of course, these types of programmes are not the only aspect of soft power. Criminal organisations operate most effectively where governments lack the authority, legitimacy or power; as a result, the growth of a government's competence in those fields can significantly limit the spread and effectiveness of organised crime. In this sense, the Mexican government faces a significant constraint, largely inherited from the lengthy one-party rule of the PRI: the corruption and dysfunction of many of Mexico's governing institutions. The system of patronage that empowers state governors (and permits large-scale corruption), for example, is in many ways unchanged from the days of PRI rule, even if relatively new competition between Mexico's three major parties has introduced an element of discontinuity into the

Ellingwood, Ken, “Tijuana's former top cop to tackle crime in Ciudad Juarez,” *The Los Angeles Times*, 11 March 2011, accessed from <http://articles.latimes.com/2011/mar/11/world/la-fg-mexico-juarez-20110311> on 31 May 2013.

484

Meyer, Maureen, “Tackling Urban Violence in Latin America: Reversing Exclusion Through Smart Policing and Social Investment,” Washington Office on Latin America, June 2011.

485

Ibid.

system.⁴⁸⁶ Indeed, Melissa Dell illustrates through network analysis that upticks in local violence correlate with close elections resulting in PAN victories, which are followed by crackdowns on the local trade, a spread of violence and negative economic trends to neighbouring communities.⁴⁸⁷

Meanwhile, the judicial system remains highly dysfunctional throughout, with a low conviction rate for drug-related offences and a high proportion of prisoners who spend years awaiting trial.⁴⁸⁸ Moreover, even in the event of a successful prosecution, Mexico's prisons are hardly immune to corruption, as the escape of El Chapo Guzman and more recent stories of prisons being effectively run by high-ranking prisoners⁴⁸⁹ demonstrate. Extradition to the United States mitigates some of these problems, but – as in Colombia in the 1980s and 90s – this is a low volume solution, with fewer than 200 Mexican nationals extradited to the United States since 2005.⁴⁹⁰

These problems are compounded by the limitations of the Mexican media. As Jorge Casteñeda points out, the Mexican press is still relatively limited in its political coverage, contributing to a the process of governance that is still elite-dominated.⁴⁹¹ More importantly, the violence has itself prevented the media from a more active role in enabling informed debate: as drug traffickers have stepped up their targeting of journalists, Mexico became one of the most

486

Casteñeda, Jorge, *Mañana Forever: Mexico and the Mexicans*, (New York, Alfred A. Knopf, Kindle Edition, 2011), Ch. 4.

487

Dell, Melissa, “Trafficking Networks and the Mexican Drug War,” 2011. Accessed from <http://scholar.harvard.edu/dell/publications/trafficking-networks-and-mexican-drug-war> on 13 May 2013.

488

Shirk, David, “Justice Reform in Mexico: Change & Challenges in the Judicial Sector,” *Mexican Law Review*, Vol. 3, no. 2, January-June 2011, pp. 208-10, accessed from <http://www.wilsoncenter.org/sites/default/files/Chapter%207-%20Justice%20Reform%20in%20Mexico.%20Change%20and%20Challenges%20in%20the%20Judicial%20Sector.pdf> on 2 June 2013.

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Guerrero-Gutiérrez, Eduardo, “Security, Drugs and Violence in Mexico: A Survey,” *North American Forum*, 2011, p. 20.

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U.S. Department of State, “U.S.-Mexico at a Glance: Extraditions,” Embassy of the United States, Mexico, accessed from http://mexico.usembassy.gov/eng/eatag glance_law.html on 1 June 2013.

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Casteñada, (2011), Chapter 4, location 2325.

dangerous places in the world for them.⁴⁹² The result is an inevitable chilling effect: at one particularly low point, *El Diario de Juarez* published an open letter to drug traffickers referring to them as “the de facto authorities of the city” and asking for them to make it clear the topics on which it was and was not permissible to report.⁴⁹³ Elsewhere in the country, reporting on drug violence tends to be tragically limited; newspapers frequently publish the basic details of an attack, but refuse to investigate in detail or identify the perpetrators in any but the most general terms (eg. “gunmen” or “assassins”).⁴⁹⁴ Social media has filled in to some degree, with Twitter and Facebook users disseminating some information or serving as a rough analogue of an early-warning system for individual citizens, but such information is by nature unverifiable, and even that reporting is fraught with risks.⁴⁹⁵

Finally, civil society in Mexico is woefully anemic. As Casteñada points out, the number of civil society institutions in Mexico is low across all categories – religious, public service, and trade unions – and the total number of civil society institutions, at roughly 10,000, is starkly lower than the equivalent figure for Mexico's neighbours.⁴⁹⁶ Casteñada pairs this with the observation that participation in Mexican elections is substantially lower than other Latin American nations, and below rates in other countries that have recently transitioned from one-party or non-democratic rule.⁴⁹⁷ If such institutions were more widespread or well-

492

Committee to Protect Journalists, “Getting Away with Murder,” Committee to Protect Journalists, accessed from <http://www.cpj.org/reports/2013/05/impunity-index-getting-away-with-murder.php> on May 15, 2013.

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Hernandez, Daniel, “The Diario de Juarez editorial, in translation,” *The Los Angeles Times*, 24 September 2010, accessed from <http://latimesblogs.latimes.com/laplaza/2010/09/diario-juarez-editorial-translated.html> on 31 May 2013.

494

Freedom House, “Mexico, 2012,” Freedom of the Press reports, undated, accessed from <http://www.freedomhouse.org/report/freedom-press/2012/mexico> on 2 June 2013.

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In one particularly notable case, the Internet hacker collective Anonymous threatened the Zetas with publication of 25,000 emails from individuals linked to drug trafficking. In response, the Zetas threatened violence against Anonymous members and took one hostage. Ultimately, a truce of sorts was reached: the Zetas released their hostage, and Anonymous did not release the emails. See Clark Estes, Adam, “Anonymous and Zetas Cartel Declare a Truce,” *The Atlantic Wire*, 4 November 2011, accessed from <http://www.theatlanticwire.com/technology/2011/11/anonymous-barrett-brown-armed-mexican-drug-cartels/44578/> on 5 June 2013.

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Casteñada, (2011), Location 422.

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Ibid.

established, they might be capable of promulgating an effective counter-narrative to the ubiquitous *narcocultura*, with its glorification of the drug trafficker lifestyle. But despite some well-attended rallies and peace demonstrations, including a 2011 rally that drew over 200,000 people to Mexico City,⁴⁹⁸ no peace movement or civil society group has yet demonstrated a measurable impact on the dynamics of the conflict. It should be said that this is not directly a failure of Mexican government – civil society, after all, is not a product of the state; it is rather the opposite. Yet the lack of an effective cultural force to counter the influence and agency of the trafficking groups serves as a constraint on the government.⁴⁹⁹

In summary, Mexican policymakers are faced with a suite of tools ill-suited for the task of confronting drug violence. Their ability to use both hard and soft power is severely constrained, and the operational environment is better for DTOs than it is for Mexican security forces or the types of public sector NGOs that might aid national counter-narcotics efforts. Moreover, the Mexican government's foreign and domestic policies have often been at cross purposes, particularly with regard to the development of its security forces. With those limitations in mind, let us now examine how well the government has addressed the linked problems of drug trafficking and violence.

IV. Mexican government strategy and its effects

As discussed, the Calderón administration's strategy was focused heavily on the centralisation of political authority to mitigate corruption and the use of hard power to confront criminal groups. This is commonly seen as distinguishing it from the approach of previous administrations, but in important ways, it was less a break from the policies of his predecessors than the logical culmination of a decades-long securitising trend. While serious steps to root out endemic corruption and collusion with traffickers would not come until

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Olivares, Sara, "Marcha por la Paz en México: Cientos de Miles piden a Calderón cambiar estrategia contra narco," *International Business Times*, 9 May 2011 (in Spanish), accessed from <http://mx.ibtimes.com/articles/12843/20110509/javier-sicilia-discurso-marcha-paz-mexico-narcotrafico.htm> on 1 June 2013.

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In the absence of a national civil society movement to counter the violence, some local communities in Mexico have begun to organise against criminal groups, forming civil protection groups and directly challenging illegal activity in their immediate areas. See Zabludovsky, Karla, "Reclaiming the Forests and the Right to Feel Safe," *The New York Times*, 2 August 2012.

Calderón's term, the stage was set long before his election. Following President Carlos Salinas's 1988 addition of counter-narcotics operations to the military's responsibilities⁵⁰⁰ marked a shift in the country's security policy towards narcotics-related issues to the exclusion of other priorities, particularly the suppression of domestic political violence and unrest, which had been key facets of the nation's security posture beforehand. The American government rewarded these efforts, demonstrating its willingness to underwrite significant programmes of military aid to Latin America in the interest of its international anti-drugs policy.⁵⁰¹ Coupled judicial system reforms that the PRI undertook from the early 1990s, the renaming and replacement of the entire federal police system in the later part of that decade and purging of PRI-era government officials that accompanied the Vicente Fox's PAN victory in 2000, and the trend was clear: the structures that enabled an equilibrium between corrupted officials and cooperative drug traffickers were crumbling. The final push from Calderón ushered in a purely adversarial relationship between the state and the *narcos* that led both sides to adopt a newly antagonistic, aggressive and bloody relationship.

That is not to say, that Calderón's strategy was a result of pure path-dependence. His tactics unquestionably escalated tensions, a fact telegraphed when, in an early speech, Calderón, a lifelong civilian, donned a military uniform with the logo of Mexico's Commander in Chief to address an audience of soldiers.⁵⁰² Such overt militarism and aggression made clear to observers, perhaps chiefly to the *narcotraficantes* themselves, that the government was no longer willing to collaborate with, or even tolerate, their existence. But the late 1980s to the early 2000s saw a convergence between an increasing demand for narcotics in the United States, the closure of the Caribbean maritime drug-smuggling route, the evolution of DTOs and the economic and political upheaval in Mexico. So it is entirely possible that a conflict was inevitable, and the result of Calderón's aggressive attacks on DTOs just accelerated, rather than precipitated, widespread violence.

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Camp, (2010), p. 9.

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Brands, (2009).

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Shirk, David, "Drug Violence and State Responses in Mexico," accessed from http://iis-db.stanford.edu/evnts/6716/Shirk-Drug_Violence_and_State_Responses_in_Mexico.pdf on 1 June 2013, p. 1

The paramount aspect of Calderón's strategy was the rapid escalation of the military's role. As Roderic Ai Camp notes, the Mexican military has a history of counter-narcotics operations dating back to anti-hemp and opium production operations in the 1930s, but the period from the late 1980s up until the end of the Fox Administration marked a slow but steady growth in the military's domestic security and counter-narcotics operations.⁵⁰³ However, President Calderón's plan called for a "surge" of military forces, to either supplement the federal, state and municipal police, or in some regions, replace local forces viewed as untrustworthy or corrupted. The deployment of the Army and Marines was also accompanied by the major increase in the number of ex-military personnel assigned to local and state police and security jobs discussed previously, which constituted a more subtle but nonetheless potent form of militarisation.⁵⁰⁴

Under most circumstances, such a major, open-ended domestic deployment of military forces to fight a shadowy, ill-defined enemy would produce significant and immediate public backlash, particularly in the immediate aftermath of a contentious presidential election. But the military enjoyed a uniquely trusted position in Mexican society. A 2009 survey showed that of Western Hemisphere nations, only Canadians and Americans trusted their militaries more than Mexicans.⁵⁰⁵ Moreover, the Mexican military's trusted position was also remarkable in relative terms; another survey cited by Camp showed the public trust in the Army was only exceeded by that of the Catholic Church and the school system, with the presidency, Supreme Court and media roughly 20 points behind.⁵⁰⁶ Perhaps most importantly, only 29 percent of the population in that survey trusted the police. Camp cites a third survey, taken in the early days of the Calderón administration, which puts the nature of the public mood into perspective: while 89% agreed with the Army fighting against drug

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Camp, (2010), pp. 7-11.

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Grayson, George W., "Mexican Governors and Mayors Place Ex-Military in Public Safety Posts," *CSIS Hemisphere Focus*, Vol. XVII, No. 2, May 11, 2009.

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The survey, cited in Camp (2010), sampled 20 Western Hemisphere nations across North, Central and South America, and asked respondents to list their level of trust of their military on a 1-7 scale. Canadians were first, at 79.3%, followed by Americans, with 74.8%. Mexicans were a relatively close third, at 70.8%. Argentina, probably thanks to its recent history with military rule, was last, with 36.3% trusting the military.

506

Camp, (2010), p. 17.

traffickers, respondents were roughly evenly divided on the question of whether the Army or the police should “protect the streets.” This could be understood logically as an endorsement of the Army's role as either an enforcer in areas where traffickers outgunned or had thoroughly co-opted police forces, or it could mark support for it to replace the police on a temporary basis.⁵⁰⁷

In an interview conducted for this thesis, Eduardo Medina Mora, the Mexican Attorney General from 2006 to 2009, described the government's policy as institution-building and security provision which brought the government into conflict with drug traffickers, rather than a discrete attempt to target and defeat criminal organisations. Given the weakness of the municipal and state police forces, he indicated that the decision to increase military deployments was less an intentional strategy and more a recognition that the federal police were not up to the task of securing the parts of the country where state and local forces were underpaid and under-equipped.⁵⁰⁸ This is supported by accounts of the Mexican government's for U.S. support during the initial negotiations over what eventually became the Mérida Initiative: President Calderón, recognising the challenges presented by the gaps in his security forces, emphasised the need for security assistance rather than other forms of aid, and appealed for such assistance to be delivered as quickly as possible.⁵⁰⁹

Tactically speaking, the Mexican government's approach has been to opportunistically target drug trafficking groups as resources allow,⁵¹⁰ instead of targeting specific groups and attempting to dismantle them from the top down (the so-called “decapitation” strategy).⁵¹¹ This approach allows it to put pressure on all groups simultaneously and avoid the appearance of favouring one group or another; however, spreading out limited state resources more evenly means that individual groups (even those responsible for a higher proportion of

507

· Ibid., p. 18.

508

· Medina Mora, Eduardo, author interview London, 18 April 2012.

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· Casteñada, (2011), Ch. 4.

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· Bailey, 2010.

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Jordan, Jenna, “When Heads Roll: Assessing the Effectiveness of Leadership Decapitation,” *Security Studies*, Vol. 18, 2009, pp. 719-755.

the total violence) receive less attention and consequently have more space to replenish their manpower and recover from their losses, rather than being pushed to the point of extinction. Various commentators, particularly in the United States, argue that a sequential strategy, in which groups are targeted until they are no longer capable of effective resistance, would be a superior choice. Such arguments usually cite the example of Colombia, in which such a strategy successfully broke the Cali and Medellín cartels.⁵¹² However, this ignores the greater proliferation of DTOs in Mexico, even accounting for the recent polarisation toward a Zetas/Sinaloa Federation conflict; furthermore, it is unlikely that a government that has placed so much emphasis on differentiating itself from its predecessors' policies of accommodating drug traffickers would be willing to effectively ignore certain groups, even if only temporarily.

The strategy chosen by the Calderón administration has been criticised on a number of levels. First, there is the question of whether the government has selectively ignored specific groups. Given its longevity, its history of pursuing its ends through political corruption ahead of outright violence, and the *relatively* good survival rate of its top leadership, suspicion here – as previously outlined – has tended to fall upon the Sinaloa Federation. But the fact that the Federation weathered the Calderón years more or less intact, and with its top leadership still alive and free, does not in and of itself mean that the government was selectively ignoring it. The Federation's links with state and local law enforcement and political figures, cultivated over decades, help shield it from a more aggressive federal policy with more thoroughly than newer and less established DTOs. The Federation is also (relatively speaking) protected by its sheer size and by its image as an organisation whose primary purpose is transactional rather than violent. Finally, it has – wisely – elected to avoid antagonising the government, either by killing high-ranking officials or by killing soldiers or federal police officers *en masse*. The speed with which La Familia was disassembled after it launched a frontal attack on federal agents and soldiers demonstrates the government's capacity to respond in kind to what it perceives as direct, rather than indirect, threats to its interests.

512

Bonner, Robert C., "The New Cocaine Cowboys: How to Defeat Mexico's Drug Cartels," Foreign Affairs, July-August 2010, pp. 35-47.

Rather than illustrating a conspiracy on the part of the government to favour the Sinaloa Federation, this illustrates a strategic choice on the part of the Mexican government to pursue what H. Richard Friman calls the *elimination* strategy.⁵¹³ Such a strategy seeks to exterminate the entirety of a trafficking network from top to bottom, rather than targeting the top leadership or the more vulnerable and exposed lower-level personnel. This strategy has been applied reactively across Mexico, with deployments following upsurges of violence rather than sequentially destroying successive DTOs before moving on to the next.

This strategy results in what Friman terms a “vacancy chain:” the group of available positions in a criminal enterprise or network created by arrests or deaths. In the case of organisations subjected to an elimination strategy, the vacancy chain extends beyond the group in question and creates opportunities for entire new groups.⁵¹⁴ Under favourable circumstances, an elimination strategy will eventually result in the complete disintegration of a criminal network and an end to the harms that its activities cause – but in reality, such a strategy is only really feasible when external conditions allow. In Mexico, the conditions which created the MNV have not been favourable – the balance of Mexican state power and popular outrage at the violence is not sufficient to overcome the massive structural advantages that work in favour of drug traffickers. The Calderón government's use of hard power to maintain full sovereignty over its territory were perhaps understandable given the extent and brutality of the violence, but in the final accounting they were simply not well adapted to the threat it faced.

In terms of soft power, the Calderón administration's approach certainly paid more than lip service to the idea of institution-building, but its execution strongly emphasised hard power at the expense of a coordinated national plan for deploying soft power to counter drug traffickers. In theory, it used the military as a temporary stop-gap to pressure DTOs while the police and civil society, which are ultimately the forces capable of undermining the rationale for violence, were built up to a point where they could effectively challenge drug trafficking. In practice, the hard power aspects were executed to a relatively successful, coordinated standard – evidenced by the capture and killing of a number of high-ranking traffickers, particularly toward the end of Calderón's term – whereas soft power was never fully

⁵¹³ Friman, H. Richard, “Forging the vacancy chain: Law enforcement efforts and mobility in criminal economies,” in *Crime, Law and Social Change*, vol. 41, p. 59 (2004).

⁵¹⁴ *Ibid.*, p. 61.

mobilised. The PAN implicitly admitted the need for a more synchronised approach to soft power after its loss in the 2012 presidential election: along with the victorious PRI and the leftist opposition PRD, the party signed on to a wide-ranging society-building plan called the *Pacto por Mexico* (the Pact for Mexico), which laid out a broad, ambitious agenda while also de-prioritising the hard power elements central to Calderón's strategy. Ultimately, however, in order to successfully manage a transnational problem, the government of Mexico needs more than cooperation amongst its constituent parties – it needs the cooperation of its neighbour to the north, whose policy now comes to the fore.

V. American Government Counter-narcotics Policy

This section examines the complementary role the United States plays in setting policy related to drug violence plaguing its southern neighbour. It first probes the ways in which American foreign policy interfaces with domestic counter-narcotics priorities before moving on to the domestic determinants of American foreign policy in Mexico. Finally, it briefly explores the growing direct involvement of the United States on the ground in Mexico, which sets the stage for the closing discussion of intermestic policy.

VI. America's War on Drugs as a Foreign Policy and the Mérida Initiative

In many ways, American domestic drug policy dictates the mechanisms of drug trafficking and drug violence in Latin America. Of course, American policymakers are not directly responsible for the high level of demand that drives the drug trafficking mechanism stretching from the Andes to the United States. But prohibitionist policies – despite some transient successes – have failed to eliminate that demand, while producing violent effects on the security and foreign policies of the other nations in the supply chain. While American domestic drug policy is not exported on a like-for-like basis to foreign countries, the United States has exerted significant influence on the international drug control consensus – almost always in a prohibitionist direction.

Over the past four decades, the United States has increasingly institutionalised prohibition as a cornerstone of its foreign policy vis-a-vis its southern neighbours. Since 1986, the president of the United States has had to certify that major drug-producing countries are cooperating

with American counter-narcotics efforts before they can receive foreign aid.⁵¹⁵ American aid packages to Latin American countries between the Andes and the American border have historically prioritised military and law enforcement aid, with a particular emphasis on developing drug interdiction and eradication capabilities.⁵¹⁶

The prohibitionist bent of American policy in the Western Hemisphere is emphasised by its language and underlying assumptions. This is evinced by the addition of the prefix “narco-” to nouns describing violent groups and actors, creating “narco-guerrillas,” “narco-terrorists,” and so on. Such rhetorical devices inextricably link the commercial and violent aspects of the narcotics trade. In doing so, it legitimates – and even necessitates – a policy centred around the use of force as a countermeasure to a form of commerce. The resulting aid covered everything from fairly limited programmes of military support (such as training for elite troops, or donations of used military hardware) to more extensive and aggressive programmes, such as Plan Colombia, which included a semi-permanent presence of American contractors, law enforcement liaison officers and military trainers.⁵¹⁷ The extreme end is represented by the American invasion of Panama in 1989, which was, at least in part, a reaction to General Manuel Noriega's open flouting of the drug control consensus and collaboration with Colombian DTOs.⁵¹⁸

The militarised approach to drug commerce has sharply mixed effects. On the one hand, the United States has developed a powerful coercive capability that allows it to reinforce allied governments and enable them to capture or kill many of the most powerful and violent traffickers. For example, the U.S. was integral to the ultimately successful hunt for Pablo

515

Congressional Research Service, "Latin America and the Caribbean: Illicit Drug Trafficking and U.S. Counterdrug Programs," 7-5700, April 30, 2010, accessed from <http://fpc.state.gov/documents/organization/142364.pdf> on 31 May 2013, pp. 20-21

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Haugaard, Lisa, et. al., “Waiting for Change: Trends in U.S. Security Assistance to Latin America and the Caribbean,” Center for International Policy, Latin America Working Group Education Fund, and the Washington Office on Latin America, May 2010.

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Bonner, (2010).

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Dudley, Steven S., “Drug Trafficking Organizations in Central America: *Transportistas*, Mexican Cartels, and Maras,” Woodrow Wilson International Center for Scholars, Working Paper Series on U.S.-Mexico Security Collaboration, September 2010, p. 9

Escobar in Colombia,⁵¹⁹ and to the Peruvian government's arrest of the Shining Path's Abimael Guzman.⁵²⁰ On the other hand, these heavily securitised counter-narcotic policies can undermine other foreign policy goals, especially in fields such as democracy promotion, the rule of law and human rights.⁵²¹ There is also some evidence that American military aid can exacerbate, rather than diminish, violence.⁵²²

This process through which American foreign counter-narcotics and security policies have become synonymous is certainly self-reinforcing, particularly in the post-9/11 era, when the military and national security budgets rapidly ballooned to the highest inflation-adjusted levels since World War II.⁵²³ But the mechanisms for centralising and coordinating these policies have not necessarily kept pace with the increases in funding, size, and effective jurisdiction. There is no single coordinating “shop” for American foreign counter-narcotics policies: the Office of National Drug Control Policy does produce an annual National Drug Control Strategy, which contains general guidance for the foreign aspects of American counter-narcotics policy, but as a coordinating office, it has no formal authority over the agencies that carry out those policies.⁵²⁴ Administratively, the separate agencies involved are only answerable to Congress and the president. And there are dozens of agencies involved, split across four federal departments (State, Defense, Justice and Homeland Security) that do not cooperate readily. A list of all the relevant agencies within those departments would have

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· Bowden, Mark, *Killing Pablo: The Hunt for the World's Richest, Most Powerful Criminal in History*, (London, Atlantic Books, 2001).

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· Cornell, Svante E., “Narcotics and Armed Conflict: Interaction and Implications,” *Studies in Conflict and Terrorism*, vol. 30, 2007, p. 220

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· Haugaard et. al., (2010).

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· Dube, Oeindrila, and Naidu, Suresh, “Bases, Bullets and Ballots: The Effect of U.S. Military Aid on Political Conflict in Colombia,” Center for Global Development, Working Paper 197, January 2010, accessed from http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1542699 on 2 June 2013.

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· Plumer, Brad, “America's staggering defense budget, in charts,” *The Washington Post*, 7 January 2013, accessed from <http://www.washingtonpost.com/blogs/wonkblog/wp/2013/01/07/everything-chuck-hagel-needs-to-know-about-the-defense-budget-in-charts/> on 1 June 2013.

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· White House, "Office of National Drug Control Policy Office Descriptions," accessed from <http://www.whitehouse.gov/ondcp/office-descriptions> on 31 May 2013.

to include the Federal Bureau of Investigation (FBI), the DEA, the Bureau of Alcohol, Tobacco and Firearms (ATF), U.S. Immigration and Customs Enforcement (ICE), Customs and Border Protection, the Coast Guard, the Navy, the Air Force, the National Guard, the CIA, and USAID – just to name the most prominent. Even at the higher level of federal departments, inter-agency cooperation has historically been extraordinarily difficult and fraught with rivalries and turf battles.⁵²⁵ Absent a clear and compelling directive from the executive and legislative branches (a rare commodity when different political parties control the two, as has been the case throughout most of the last four decades), this complexity serves to limit the ability of the federal government to outline and execute a coherent single policy. The effect is a few broad policy imperatives (eg. drugs are a security concern; apply the tools of forcible coercion against those responsible for their trafficking) carried out in notably different ways by different actors⁵²⁶ – a dynamic clearly at work with regards to policy in Mexico.

This broad policy imperative, differently interpreted via a profusion of departments and agencies, is useful for understanding the progression and implementation of U.S. policy in Mexico. As discussed, the bulk of the United States' efforts in Mexico are conducted through the Mérida Initiative, which is coordinated out of the State Department, with contributions from various law enforcement and military agencies relevant to their particular specialities. Though the U.S. government is careful to highlight the non-security aspects of the Mérida Initiative, it is first and foremost a security assistance programme. In written testimony to the U.S. House Subcommittee on Western Hemisphere Affairs dated October 4, 2011, Assistant Secretary of State for International Narcotics and Law Enforcement Affairs William R. Brownfield indicated that the strategy embodied by the Mérida Initiative was based on four pillars: “1) Disrupt the capacity of organized crime to operate; 2) institutionalize reforms to sustain the rule of law and respect for human rights; 3) create a 21st-century border; and 4)

525

One anecdotal example I heard while working as a contractor at Immigration and Customs Enforcement: when the new immigration agency was formed out of sections of the pre-DHS Immigration and Naturalization Service and Customs agencies, it was originally supposed to be called the “Bureau of Immigration and Customs Enforcement.” The FBI objected on the grounds that it would be confusing to have multiple federal law enforcement agencies with “Bureau” in their name. This argument worked, and BICE became simply ICE.

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Deare, Craig, “U.S.-Mexico Defense Relations: An Incompatible Interface,” *Strategic Forum*, No. 243, July 2009.

build strong and resilient communities.”⁵²⁷ Two of those pillars (the first and third) are entirely law-enforcement/security goals, while another (the second) mixes security and rule of law. Only the fourth is unambiguously a long-term, soft power goal. Furthermore, while Assistant Secretary Brownfield indicated that the Mérida Initiative is moving away from “big-ticket items” and toward a more cooperative and multilayered engagement with Mexican agencies and society, so far American money continues to tilt in favour of military and law enforcement aid. In the same testimony, Brownfield listed some of the achievements of Mérida, including the training of 50,000 Mexican state and federal law enforcement agents, the delivery of 14 helicopters, the arrest of 33 “high level priority targets,” the killing of LFM founder Nazario “El Mas Loco” Gonzalez and the seizure of thousands of tons of opium, heroin, marijuana and cocaine.⁵²⁸

In the context of irregular violence, defining useful metrics of success is a complex and difficult task. Soft power successes are even more difficult to quantify or link to the expenditure of American taxpayer dollars. That said, given that the purpose of Brownfield's testimony was to establish the effectiveness of the Mérida Initiative in creating security across a broad spectrum, enumerating such metrics is somewhat self-defeating, as it emphasises the U.S. government's preoccupation with hard power elements at the expense of soft power ones, and the securitised view of foreign counter-narcotics policy which remains dominant in American policy. That focus is not simply a product of inter-agency Washington rivalries and tensions; it is also determined by a number of domestic constraints particular to the United States.

VII. Guns, Drugs and Immigrants: Domestic determinants of American policy in Mexico

In making policy with respect to violence across the border in Mexico faces a particular set of domestic policy constraints. These largely concern American attitudes toward guns and drugs,

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Brownfield, William, “Written testimony before the House Foreign Affairs Subcommittee on the Western Hemisphere and House Homeland Security Subcommittee on Oversight, Investigations and Management Joint Hearing: Mérida Part II: Insurgency and Terrorism in Mexico,” Serial No. 112-108, 4 October 2011, p. 10.

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Ibid., pp. 10-11.

the two most important non-monetary currencies of the conflict, but the zeitgeist surrounding illegal immigration is also increasingly intertwined with debates over border security and policy toward Mexico.

The United States, as established, is home to the world's largest number of privately owned firearms. The federal judiciary, up to the Supreme Court, has repeatedly upheld a right to individual arms ownership based on the Second Amendment to the U.S. Constitution. At the legislative and executive levels, the last two decades have seen remarkably little effort to change existing gun control statutes. The most recent major federal gun control law, the Assault Weapons Ban,⁵²⁹ was passed for a 10-year term in 1994, and was not renewed by the Congress in 2004. At the state and local level, the picture is somewhat more complicated, with significant variations in the regulation and oversight in the various states, counties and municipalities. In any case, this patchwork of federal, state and local regulations contains numerous loopholes, ranging from the so-called “gun show” exemptions, which allow firearms purchases without background checks or waiting periods from temporary exhibitions, to the simple expedient of driving across state lines to purchase weaponry and ammunition in more *laissez-faire* areas. Furthermore, the federal judiciary has demonstrated a willingness to overturn state bans it views as overly restrictive: in 2008's *District of Columbia vs. Heller*, the Supreme Court overturned the District of Columbia's ban on handguns purchased after 1975 – one of the country's most aggressive pieces of gun control legislation – finding that it imposed undue burdens on the Second Amendment's guarantee of a right to individual gun possession unconnected to service in a militia.⁵³⁰

Gun buyers in the United States therefore face fewer restriction in terms of the scope and power of the armaments available to them than buyers in Mexico, or indeed those in nearly any other country. While the U.S. National Firearms Act of 1934 severely restricts availability

529

This law restricted the availability of specific features on newly-built weapons, such as high-capacity magazines, flash suppressors, pistol-style grips, and so forth. The ban created a market for “pre-ban” weapons and magazines, which were not affected by the legislation, and saw the creation of a class of “ban compliant” weapons which were largely identical to their pre-ban counterparts but for the removal or modification of those few components. (United States Congress, “Violent Crime Control and Law Enforcement Act of 1994,” H.R.3355, accessed from <http://thomas.loc.gov/cgi-bin/query/F?c103:1./temp/~c103EKibeZ:e579>: on 1 June 2013.

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District of Columbia vs. Heller, 544 U.S. 570.

of fully-automatic weapons, silencers, “destructive devices” (eg. rocket or grenade launchers, military-grade explosives, extremely large-caliber firearms, and so forth), and other particularly powerful weaponry,⁵³¹ rifles, shotguns and handguns are relatively easy to acquire⁵³² – and, indeed, quite cheap. An AR-15 (the civilian version of the US military's standard-issue M16 rifle) is available new for less than \$1500,⁵³³ while shotguns and semi-automatic handguns cost even less.

This system is backed by a powerful firearms lobby, personified by the National Rifle Association (NRA). With roughly 5 million members, a massive lobbying budget and a record of opposing virtually every new regulation on firearms ownership from the 1980s onward, the NRA (which is heavily supported by firearms manufacturers) has succeeded in sidelining most efforts to enact more restrictive firearms laws at either state or federal levels.⁵³⁴ The effectiveness of their strategy can be seen in the general retreat of the Democratic Party from gun control advocacy. Democrats, who have been associated with contemporary gun control efforts to a greater extent than Republicans, won presidential and Congressional elections since 2006 due in part to victories in states such as North Carolina, Virginia and Montana, whose populations are generally opposed to gun control measures, making it difficult for their elected representatives to back new restrictions. This incomplete polarisation of gun control politics in the United States is actually a relatively new phenomenon; into the 1970s, gun control was championed by members of both parties.⁵³⁵ While mass shooting events –

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United States Bureau of Alcohol, Tobacco and Firearms, “ATF National Firearms Handbook,” U.S. Department of Justice Publication, April 2009, accessed from <http://www.atf.gov/files/publications/download/p/atf-p-5320-8/atf-p-5320-8.pdf> on 31 May 2013.

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The federal government estimates that, as of 2011, there were 123,587 licensed federal firearms dealers in the United States. USA. 2012. “Federal Firearms Licensees Total (1975-2011),” Firearms Commerce in the United States Annual Statistical Update 2012; Exhibit 10, p. 17. Washington DC: US Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF).

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See for example Bushmaster Firearms Inc., “XM-15 Cerakote,” accessed from http://www.bushmaster.com/firearms/Cerakote_XM15.asp on 31 May 2013.

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Lepore, Jill, “Battleground America,” *The New Yorker*, April 23, 2012, accessed from http://www.newyorker.com/reporting/2012/04/23/120423fa_fact_lepore on 1 June 2013.

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Winkler, Adam, “The Secret History of Guns,” *The Atlantic*, 24 July 2011, accessed from <http://www.theatlantic.com/magazine/archive/2011/09/the-secret-history-of-guns/308608/> on 2 June 2013.

especially those which take place at schools, whether Columbine High School in 1999, Virginia Tech in 2007 or Sandy Hook Elementary in 2012 – often create a short-lived surge of support for new gun legislation, but not always in favour of additional restrictions on access to guns: the Virginia Tech massacre, for example, was followed by calls for laws to permit individual students to carry weapons onto campus, on the grounds that armed students would serve as a more significant deterrent to attackers than the presence of armed police.⁵³⁶ And after the Sandy Hook massacre, the head of the NRA demanded that armed guards be stationed in every school in the country on the grounds that “the only thing that stops a bad guy with a gun is a good guy with a gun.”⁵³⁷

The inevitable outcome of this combined socio/cultural/political resistance to gun control is that the United States government's ability to control the crucial flow of armaments south into Mexico is extremely limited. Its challenges in this sector are underlined by a scandal that unfolded in 2010 involving the ATF's “gun-walking” operations, which allowed known DTO associates to purchase thousands of weapons, on the grounds that doing so would allow the agency to track the weapons to DTOs and arrest their leadership.⁵³⁸ But no arrests from these operations materialised, and many of the weapons were subsequently used in crimes, with one turning up at the scene where an American border patrol agent was fatally wounded in a cross-border gunfight (though it is not clear that the weapon in question killed the agent).⁵³⁹ This represents a significant obstacle to cooperation between the two governments; as former Attorney General Medina Mora indicated, he would trade all the American aid provided under

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Bocella, Kathy, “Student group pushes for right to carry concealed weapons on campus,” *Philadelphia Inquirer*, 1 March 2008, accessed from http://articles.philly.com/2008-03-01/news/24997614_1_gun-incidents-law-student-graduate-student on 1 June 2013.

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Overby, Peter, “NRA: ‘Only Thing That Stops A Bad Guy With A Gun Is A Good Guy With A Gun,’” National Public Radio, 21 December 2012, accessed from <http://www.npr.org/2012/12/21/167824766/nra-only-thing-that-stops-a-bad-guy-with-a-gun-is-a-good-guy-with-a-gun> on 1 June 2013.

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U.S. Department of Justice, Office of the Inspector General, “Review of Project Gunrunner,” November 2010.

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Reyes, Gerardo and Wills, Santiago, “57 Previously Undiscovered Fast and Furious Guns Used in Mexican Crimes,” ABC News/Univision, 30 September 2012, accessed from http://abcnews.go.com/ABC_Univision/News/57-previously-undiscovered-fast-furious-guns-mexican-crimes/story?id=17361775 on 1 June 2013.

the aegis of the Mérida Initiative for a resumption of the Assault Weapons Ban.⁵⁴⁰ But the obstacles to doing so are high enough that the American government cannot or will not do so.⁵⁴¹

The obstacles to changing American drug policy are starkly different. Rather than a socio-cultural/political nexus restraint on government action, as with firearms, the federal government has actively sought to maintain the status quo and has suppressed efforts to liberalise or significantly alter drug laws. Pressure from the outside has increased in both scope and intensity in recent years: first, 19 states have decriminalised or legalised marijuana for medical use, and more significantly, in 2012, Colorado and Washington states both passed ballot initiatives legalising the production, sale and use of recreational marijuana. The significance of the Colorado and Washington initiatives is that they represent *true* regularisation, providing a legal framework for the entire product life-cycle of marijuana. In doing so, they leapfrogged the famously marijuana-tolerant Netherlands, whose laws permit sale and use but stop short of creating a completely legal market for marijuana.⁵⁴²

It should be noted that despite the relaxation of marijuana controls in some states, it remains classified as a Schedule 1 narcotic (along with heroin, cocaine and methamphetamine) by the DEA, which means that even in those states, growers, sellers and users are in violation of federal law. In short, where growers, sellers and users operating legally in the eyes of local and state laws are still vulnerable to arrest and prosecution by the DEA and federal courts. The state of limbo is likely to be temporary; as public opinion and individual states increasingly support marijuana decriminalisation, the federal government's ability to enforce contradictory drug laws will be increasingly strained. This leads to one of two possibilities: the federal government could seek to overturn more permissive state marijuana laws in federal

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Medina Mora, Eduardo, author interview, London, 18 April 2012.

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At the end of 2012, in the wake of the Sandy Hook shootings, the Obama Administration began a push for new gun control laws and took a series of executive actions designed to enhance the power of federal law enforcement agencies to enforce existing laws. As of this writing, no new gun control measures had actually passed either house of Congress.

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Reinarman, Craig, Cohen, Peter, and Kaal, Hendrien, "The Limited Relevance of Drug Policy: Cannabis in Amsterdam and San Francisco," in *The American Journal of Public Health*, Vol. 94, No. 5, May 2004.

court, or it could accede to the growing consensus and tacitly leave marijuana governance to the states or roll back its own prohibitions to coincide with them. Thus far, the federal government remains adamantly opposed to marijuana legalisation; a 2009 release by the head of the Office of National Drug Control Policy bluntly referred to it the possibility of legalisation as “a non-starter.”⁵⁴³ And while other assessments of the social harms of marijuana place it at or below the level of legally available tobacco and alcohol (making it a “soft” rather than “hard” drug),⁵⁴⁴ the DEA continues to classify it as a Schedule I Controlled Substance, with “...no currently accepted medical use in the United States, a lack of accepted safety for use under medical supervision, and a high potential for abuse.”⁵⁴⁵

Of course, while marijuana is an important revenue stream for Mexican DTOs,⁵⁴⁶ it is only one of many, and efforts to decriminalise their other major income sources (cocaine, methamphetamine and heroin) are far less feasible. Legalisation would also not necessarily undercut the rationale for transit or local market drug violence, at least for drugs that cannot feasibly be produced in the United States, such as cocaine and heroin. Additionally, other criminal enterprises such as extortion, human smuggling, arms trafficking and other forms of illicit economic activity are already contributors to the bottom lines of specific DTOs, and market competition for marijuana would likely drive them further into those activities.⁵⁴⁷ Nevertheless, American decriminalisation of marijuana holds out at least the possibility of a market-based disincentive to Mexican traffickers.

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Kerlikowske, Gil, “Marijuana Legalization; A Non-Starter,” Office of National Drug Control Policy, October 23, 2009.

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Bertram, Eva et. al., Drug War Politics: The Price of Denial, (Berkeley, University of California Press, 1996), pp. 93-97.

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U.S. Drug Enforcement Administration, “Controlled Substance Schedules,” U.S. Department of Justice, accessed from <http://www.deadiversion.usdoj.gov/schedules/index.html> on 1 June 2013.

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Estimates of marijuana's proportion of Mexican DTO profits range as high as 60%; however, as Kilmer et. al. point out, that estimate relies on an assumption of American marijuana consumption three to four times higher than either those of the UN or the U.S. Government. Their analysis suggests instead that the share is between 15 and 26%, accounting for \$1.5-\$2 billion gross revenue per year. (Kilmer, Beau, et. al., “Reducing Drug Trafficking Revenues and Violence in Mexico: Would Legalizing Marijuana in California Help?” Santa Monica: RAND Corporation International Programs and Drug Policy Research Center, 2010, pp. 2-3.

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Manwaring, Max, “A “New” Dynamic In The Western Hemisphere Security Environment: The Mexican Zetas And Other Private Armies,” U.S. Army Strategic Studies Institute, September 2009, p. 22.

Finally, the American debate on immigration, particularly illegal immigration, is also germane here. Mexico has long been the primary pathway by which immigrants from Central and South America make their way into the United States; as a result, illegal immigrants are heavily concentrated in states on or near the southern border.⁵⁴⁸ The U.S. Department of Homeland Security's Office of Immigration Statistics estimated that the number of illegal immigrants in the United States at the beginning of 2010 was 10.8 million,⁵⁴⁹ or roughly 3.5% percent of the entire U.S. population. While there are a substantial number of illegal immigrants from southern and eastern Asia, the vast majority are of Central or South American origin – and, of those, the bulk (an estimated 6.6 million) are Mexican.⁵⁵⁰ The presence of so many illegal immigrants has led to a sizeable anti-immigrant political movement in the United States, whose rhetoric blends border security concerns and economic nationalism. The border would be nearly impossible to secure entirely, given its length, the hostility of much of the terrain it occupies and the geographic and cultural linkages between many of the Mexican and American communities straddling it. Despite the apparent slowing of the immigrant flow to the United States (thanks to the recession and its impact on the economic sectors most likely to employ unskilled immigrants, such as construction and manufacturing),⁵⁵¹ the security/economic narrative of “border security” continues to exert a major influence on American politics at both the state and national levels.

Nowhere is this clearer than in the so-called “Minutemen” movement, in which American civilians take up “volunteer” patrol positions on or near the border to report illegal crossings to the authorities. These groups, whose members are frequently (but not always) armed, have made frequent references to the drug violence in Mexico, and their language is infused with the terminology of “narco-violence,” allowing them to present themselves as private security,

548

Hoeffler, Michael et. al., "Estimates of the Unauthorized Immigrant Population Residing in the United States: January 2010,"

http://www.dhs.gov/xlibrary/assets/statistics/publications/ois_ill_pe_2010.pdf

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Ibid.

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Ibid.

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Wilson, Christopher and Lee, Erik, “The State of the Border Report: A Comprehensive Analysis of the U.S.-Mexico Border,” The Woodrow Wilson International Center for Scholars, May 2013, accessed from http://www.wilsoncenter.org/sites/default/files/mexico_state_of_border.pdf on 1 June 2013, p. 112.

protecting against an invasion by Mexican drug gangs.⁵⁵² This contention is supported by some well-established individuals, such as former U.S. Army general (and former drug czar) Barry McCaffrey, who, along with fellow former U.S. Army General Robert A. Scales, produced a report for the Texas Department of Agriculture arguing that Mexican DTOs were seeking to create an American “sanitary zone” one county deep in order to facilitate their operations.⁵⁵³ This seems unlikely, based on available data: McCaffrey and Scales cite their belief that many Texans living on the border do not report crimes out of fear, but the vast disparity between crime rates north and south of the border⁵⁵⁴ indicates that, as far as measurable data are concerned, the bulk of violent drug trafficking crime in the region remains almost entirely confined to Mexican territory.

That is not to say that there is no linkage between drug violence and illegal immigration. It is possible that there is some expertise-sharing between smugglers of drugs and human beings, since many of the techniques and tactics are held in common between both trades.⁵⁵⁵ Given the dangers and difficulties of crossing the U.S.-Mexican border illegally and the potential economic advantages of living in the United States, a market exists for specialists in border crossing. Commonly known as “coyotes,” these guides usually charge several thousand dollars for the service of assisting aspiring migrants across the border. Given that they are providing a highly lucrative, but illegal, service in an economy rife with powerful, multifaceted criminal organisations, it is not surprising that DTOs have become involved in this trade – with sometimes horrific consequences for the migrants.⁵⁵⁶ But thus far, there is little evidence that

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Gilchrist, Jim, “Jim Gilchrist's Essay on Immigration,” The Minuteman Project, 18 September 2008, accessed from <http://minutemanproject.com/jim-gilchrists-essay-on-immigration> on 1 June 2013.

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McCaffrey, Barry and Scales, Robert, “Texas Border Security: A Strategic Military Assessment,” Texas Department of Agriculture, September 2011, p. 17.

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This is particularly notable in the case of Juarez and El Paso, where in the first ten months of 2010 Juarez had some 2500 murders for a population of roughly 1.3 million, while El Paso had 3, for a population of 600,000. See Borunda, Daniel, “El Paso crime rate down; Homicides notably drop,” *The El Paso Times*, 7 November 2011, accessed from http://www.elpasotimes.com/news/ci_16545591 on 1 June 2013.

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Williams, Phil, “Transnational Criminal Networks,” in Arquilla, John and Ronfeldt, David, *Networks and Netwar* (Arlington, RAND Corporation, 2001), pp. 69-72.

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Molzhan et. al., (2013), p. 18.

the illegal movement of labour into the United States has contributed to a direct extension of drug violence north of the border.

Nevertheless, immigration is a politically charged emotionally resonant issue for many Americans, especially in the border regions. The increasing conflation of immigration and drug trafficking, exacerbated by diversified transnational criminal organisations that profit from the smuggling of both drugs and human beings, has created a border security/immigration nexus, with substantial political implications. At the state level, officials seeking to pass restrictive immigration laws, or defending those laws after they have gone into effect, have argued that they are enforcing immigration laws where the federal government has failed to do so in order to protect their communities.⁵⁵⁷ This creates an upward channel of popular pressure to “do something on immigration” on the federal government, which in turn incentivises it to exert overt influence on Mexico. To an increasing degree, that has included direct intervention in Mexico.

VIII. American direct involvement in Mexico

In a televised debate amongst Republican presidential candidates in October 2011, Texas Governor Rick Perry said, “[The drug conflict] may require our military in Mexico working in concert with them to kill these drug cartels and to keep them off of our border and to destroy their networks.”⁵⁵⁸ Though the Mexican government immediately rejected this possibility,⁵⁵⁹ Governor Perry's comments did not form in a vacuum. Since 2006, the United States has been rapidly increasing its direct involvement in Mexico. While the prospect of American “boots on the ground” in Mexico *a la* Iraq or Afghanistan remains a distant one, the fact that it a serious (if ultimately unsuccessful) candidate for the highest office in the land discussed it at a

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Jonsson, Patrik, “Is Sheriff Joe Arpaio using racial profiling to find illegal immigrants?” *The Christian Science Monitor*, 22 December 2011, accessed from <http://www.csmonitor.com/USA/2011/1222/Is-Sheriff-Joe-Arpaio-using-racial-profiling-to-find-illegal-immigrants> on 2 June 2013.

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BBC News, “Rick Perry suggests US military role in Mexico drug war,” BBC News, 2 October 2011, accessed from <http://www.bbc.co.uk/news/world-latin-america-15140560> on 1 June 2013.

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Shoichet, Catherine and Rodriguez, Rey, “Perry's suggestion to send U.S. troops south riles Mexican officials,” CNN.com, 4 October 2011, accessed from <http://edition.cnn.com/2011/10/03/politics/mexico-us-troops/index.html> on 1 June 2013.

nationally televised debate indicates that U.S.-Mexican relations have entered a very unusual phase.

There are a number of inherent limitations with respect to direct military involvement in Mexico. One relates to the American public: the United States has been at war in a variety of theatres (primarily Iraq, Afghanistan and Libya) since September 11, 2001. These increasing unpopularity of foreign wars amongst the American public, along with the polarised and divided government, considerably decreases the probability of a major new foreign combat operation of uncertain length and severity.⁵⁶⁰ The attitudes of policymakers presents another obstacle: aside from Governor Perry's comments, there is little willingness, even amongst the most hawkish mainstream American observers,⁵⁶¹ to put American soldiers into combat in Mexico. Finally, and most importantly, the Mexican government is unlikely to accept such a prospect, except in the extremely unlikely scenario of total breakdown.⁵⁶²

Nevertheless, American presence and involvement in Mexico is steadily, if quietly, increasing. The years from 2006 to 2012 seen Mexican and American military and law enforcement agencies develop arguably the closest, most cooperative working relationship they have had in history.⁵⁶³ This extends from increased military cooperation at a number of levels⁵⁶⁴ to the increased number of embedded American law enforcement agents, intelligence officials and

560

A caveat here: these obstacles largely apply to major military operations. As we will see in the next chapter, smaller anti-drug operations involving American military personnel in a “support” role (which nonetheless involves live combat) have been taking place in other Central American nations with little in the way of domestic notice or opposition.

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Willingness to to utilise special forces and drones aside, there are no apparent indications of willingness amongst American elites to deploy significant conventional forces into Mexico, even in the unlikely event that the Mexican government would allow such action.

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Interestingly, however, in mid-2012 a poll of Mexicans found that a majority of 52% favoured increased American aid against the drug cartels, and, surprisingly, 28% actually favoured direct American intervention. See Corchado, Alfredo, “Most Mexicans want U.S. to take a bigger role in fighting violence, poll finds,” *The Dallas Morning News*, 13 May 2012, accessed from <http://www.dallasnews.com/news/nationworld/mexico/20120513-most-mexicans-want-u.s.-to-take-a-bigger-role-in-fighting-violence-poll-finds.ece> on 1 June 2013.

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Thompson, Ginger, “U.S. Agencies Infiltrating Drug Cartels Across Mexico,” *The New York Times*, 24 October 2011, accessed from <http://www.nytimes.com/2011/10/25/world/americas/united-states-infiltrating-criminal-groups-across-mexico.html?emc=eta1> on 1 June 2013.

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Camp (2010).

contractors in Mexican agencies⁵⁶⁵ to a proliferation of information-sharing between security agencies on both sides of the border.⁵⁶⁶ These intelligence-sharing operations are somewhat fraught on both sides, though, as the American agencies withhold information on the suspicion of corruption within their Mexican counterparts, drawing the ire of the Mexican agencies.⁵⁶⁷

That collaboration is at its most intense directly along the border. There, the situation is complicated by the overlapping jurisdiction of not only federal law enforcement and military agencies of both nations, but also by state and local law enforcement bodies. With so many armed agents from separate command structures working in an environment of heightened danger, violent incidents unrelated to drug trafficking are inevitable.⁵⁶⁸ Meanwhile, American state law enforcement agencies concerned about the conflict spilling over the border have become increasingly militarised in response.⁵⁶⁹

Perhaps most tellingly, the skies over Mexico are now patrolled by American drones, providing persistent surveillance of areas believed to be used by drug traffickers.⁵⁷⁰ Importantly, the drones operating over Mexico are unarmed, unlike those used in Pakistan, Afghanistan and Yemen under the rubric of the War on Terror (or, to use its current and more anodyne name, Overseas Contingency Operations). The drone use both links and differentiates the unconventional American campaigns against terror and drugs. From the

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Thompson (2011).

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Deare (2009).

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Ibid, p. 7.

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Frey, John Carlos, "Over the Line: Why are U.S. Border Patrol agents shooting into Mexico and killing innocent civilians?" *Washington Monthly*, May/June 2013, accessed from http://www.washingtonmonthly.com/magazine/may_june_2013/features/over_the_line044512.php on 1 June 2013.

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In early 2012, for example, the Texas Highway Patrol acquired six armoured patrol boats armed with machine guns to patrol the waterways along the border. Reed, John, "Texas Preparing Its Own Riverine Navy," *Defense Tech*, 1 March 2012, accessed from <http://defensetech.org/2012/03/01/texas-preparing-its-own-riverine-navy/> on 1 June 2013.

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Ackerman, Spencer, "U.S. Drones Are Now Sniffing Mexican Drugs," *Wired*, 16 March 2011, accessed from <http://www.wired.com/dangerroom/2011/03/u-s-drones-are-now-sniffing-mexican-drugs/> on 1 June 2013.

perspective of the American political and military establishment, both rely upon unconventional military capabilities, with a particular emphasis on surveillance and reconnaissance. But the fact that the United States has exhibited relative restraint in its pursuit of Mexican drug trafficking figures, compared to the borderless powers it has claimed to track and kill terrorists in the Middle East demonstrates that it views the threat posed by drug trafficking gangs in a fundamentally different way than it views the threat from international terrorists of the al Qaeda variety. The Mexican and American governments do not – and historically have not – seen eye to eye on every issue, and this could be a constraint on the ability of the United States to employ lethal force in Mexico. Yet the relationship between the United States and many of its putative counter-terrorism allies (Pakistan, Afghanistan and Yemen, for example) is considerably more fraught, and this has not prevented U.S. drone strikes on their territories. Clearly there is some other dynamic at work here.

Part of the difference is geography, which matters even in a globalised age. Yemenis or Pakistanis radicalised by American attacks on their soil might be inspired to retaliate, but they face substantial dangers and difficulties in doing so, including the distance to the United States, the relatively small community of potential allies they would find once they arrived, and the language and cultural barriers to successfully carrying out an operation. In contrast, lethal force employed directly by Americans against Mexicans carries the danger of radicalising a community with easy access to the continental United States, fluency in the second most commonly spoken language in the country and a large, geographically diverse base of potential sympathisers. The appropriate metaphor here is risk management: drone strikes against suspected members of al Qaeda and their supporters are viewed as a means of limiting the group's capability to arrange another mass-casualty attack on American targets, with a tolerable risk of blowback. The low danger posed to American citizens by Mexican DTOs and the high risk of blowback from the use of lethal American force (whether delivered directly by soldiers or remotely by drones) effectively reverses those calculations.

Realistically, a larger reason why American direct involvement remains a distant prospect relates to the Mexican government, and specifically the perceived threat to it as viewed by the

Mexican and American governments. The Mexican state, at least under the Calderón Administration, viewed drug trafficking as a profound national security threat – but not an existential threat, as the Pakistani, Yemeni and Afghan governments view radical Islamic extremism. Neither the U.S. nor Mexican governments, even in confidential communications, have given credence to the idea that DTOs could threaten the existence or central functioning of the Mexican state.⁵⁷¹ The DTOs have not exercised particular restraint in their targeting decisions, their choice of targets has evinced some limits: officials of the federal government have so far not materialised, nor have intentional attacks on American soil or American citizens.⁵⁷² This was not the case in Colombia in the late 1980s, when drug traffickers assassinated judges, federal officials, high-ranking military officers and even a presidential candidate. This state of affairs is highly informal, and therefore potentially fragile, but it has remained constant for the duration of the conflict so far. The as-yet unrealised potential for escalation against American targets adds a final constraint to possibility of American direct involvement, and complicates the formulation of policy yet further.

IX. “Intermestic” policy?

The complexity of responding to drug violence is inextricably linked to the fact that in both nations, the relevant policies involve departments and agencies with responsibility for both foreign and domestic affairs. This creates an extraordinarily complex environment for both policymakers and also impedes a straightforward study of policy. Given that the conflict is as yet unresolved, and that an extremely complex matrix of harms to public safety and health are involved, it would be exceedingly difficult, if not impossible, to make a substantiated case regarding the effectiveness of specific policies thus far. Instead, the two governments' strategies will be examined using a more carefully delimited, nuanced standard.

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U.S. Department of State, MEXICO193, 2009.

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There have been a very small number of attacks on American interests in Mexico: a grenade attack on an American consular official in Juarez in 2010 and the 2011 ambush of two American Immigration and Customs Enforcement agents near Monterrey, which killed one and injured the other. But there is little evidence to indicate that Mexican drug traffickers have intentionally targeted Americans – indeed, in the few cases of attacks on Americans, there have been no indications that the attackers selected their victims for their nationality. See Associated Press, “FBI: No evidence U.S. victims targeted,” 16 March, 2010, accessed from http://www.msnbc.msn.com/id/35861483/ns/world_news-americas/t/fbi-no-evidence-us-victims-targeted/ on 1 June 2013.

Following Bayliss Manning, the appropriate frame of reference here is policy that actively takes account of both domestic and international ramifications. Manning combined the words “domestic” and “international” to create a portmanteau: “Intermestic affairs.”⁵⁷³ Writing in 1977 (an era of increasing global trade), he was mostly referring to economic rather than security issues, but this broadly applicable concept has become more relevant in the following decades. Essentially, he argued that the factors that influenced the making of domestic and foreign policy were increasingly interrelated, but that the political structures responsible for those respective fields of endeavour had not evolved to compensate, and were hamstrung in their efforts to create effective intermestic solutions by internal rivalries, bureaucratic inefficiencies and outdated institutional designs. Despite the various changes in the bureaucratic structure of the Mexican and American governments since 1977, this remains broadly accurate. While many of the domestic agencies of the U.S. federal government have offices dedicated to international affairs, these are subordinate to the primary mission and largely serve to advise the agency's leadership and liaise with foreign governments where necessary.⁵⁷⁴ Similarly, Mexico's government agencies are divided along fairly conventional domestic and foreign affairs lines (albeit with the consideration that Mexico's military is constitutionally permitted to use force on its own territory, whereas the American military is legally limited to providing support for lawfully constituted domestic agencies on American soil).⁵⁷⁵ Bayliss lays out the fundamental problem, relating to the Constitutional construction of the American government:

“The inherited constitutional structure of the United States certainly does little to help the nation arrive at and conduct a consecutive foreign policy. Having ordained a government of separate branches, the Constitution says virtually nothing about how foreign policy is to be formulated or conducted by them. Treaties are to be made by the President with the consent of two-thirds of the Senate; war is to be declared by majority vote of both houses of the Congress; the President is Commander in Chief of the armed forces; tariffs, as revenue measures, are legislated by the Congress; the President appoints ambassadors by and with the

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Manning, Bayliss, “The Congress, The Executive and Intermestic Affairs: Three Proposals,” *Foreign Affairs*, Vol. 55, No. 2, January 1977, pp. 306-324.

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A good example here is the Office of International Affairs at Immigration and Customs Enforcement, whose mission entails a substantially larger measure of international cooperation than many other law enforcement agencies.

⁵⁷⁵ 18 USC § 1385, Use of Army and Air Force as posse comitatus.

consent of the Senate; further, the Constitution saith not. One can clearly see in these provisions a mirror reflection of the simple classical agenda of international affairs dealing with treaties (for the most part about boundaries) representatives abroad (ambassadors) and national security.”⁵⁷⁶

Indeed, the Constitution has not been substantially amended with respect to foreign policy since its inception.⁵⁷⁷ However, in that time, foreign policy has become massively more complex. Most importantly, it has spread from war, diplomacy and treaties (as provided for explicitly in the Constitution) to a wide variety of aspects of governance, from basic economic functions in a globalised economy to the ability of domestic security agencies to adequately respond to transnational nongovernmental networks. As a result, many foreign policy mechanisms are ad hoc – set up by organisational fiat and enforced by tradition or dictate, rather than law. In theory, the lack of Constitutional binding enables flexibility to create new structures or alter existing ones to keep pace with evolving threats; in practice, as Manning points out, the lack of structure allows individuals to amass power contrary to the greater interest. Describing how this dynamic plays out in Congress, he writes, “Each congressional committee is a barony, protective of its independence, jurisdiction and prerogatives. Subjects that are complex and interrelated – such as the appropriate U.S. political posture toward, trade with and military and economic assistance to a particular foreign nation – are chopped up among several independent committees and are never reassembled to make up an integrated whole for consideration or action by the Congress.”⁵⁷⁸ This problem in Congress is

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Manning, (1977), p. 310.

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There have been various efforts to more specifically define the relationship between the legislative and executive branches of the American government in recent history, especially with respect to the employment of military force. Most notable amongst these efforts is probably the War Powers Act, drafted in the post-Vietnam era as an attempt to limit the President's authority to make war without a formal declaration. However, the WPA, passed as a law rather than a Constitutional amendment, has never been tested in the courts, and the last decade has seen a substantial increase in the apparent willingness of American presidents to employ force abroad without seeking explicit Congressional authorisation. This was particularly notable in the case of the American aspect of the international intervention in Libya, which the administration argued was not covered by the WPA, as it was not a war. See Savage, Charlie and Landler, Mark, “White House Defends Continuing U.S. Role in Libya Operation,” *The New York Times*, 15 June 2011, accessed from <http://www.nytimes.com/2011/06/16/us/politics/16powers.html?pagewanted=all> on 2 June 2013.

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Manning, (1977), p. 311.

only magnified in the case of a government divided on party lines, as has been the case frequently since 2000.⁵⁷⁹

As previously described, this dynamic also applies to the executive agencies. Agents of the ATF, viewed it as their agency's prerogative to use gun-walking to trace firearms smuggling into Mexico, regardless of the impact that it would have on broader U.S.-Mexican relations. Meanwhile, the State Department indicated in a leaked memo from 2010 that they were “no longer fixated on capturing high-value targets, even though that remains necessary. Now we are moving to assess and penetrate the drug trafficking organizations (DTOs) as corporations, and to build the civilian institutions to enforce the rule of law.”⁵⁸⁰ Meanwhile, the Department of Defense continued to focus on providing military training and logistical support, while the DEA and FBI centre their efforts on interdiction and counter-supply approaches. While in theory, these varying elements could form a coherent overall counter-narcotics strategy, the existing implementation has not lived up to that potential.

Mexico, with its stronger tradition of centralised government, should be in a better structural position to have a unified strategy. Arguably, the incentives for Mexico to do so are also higher, given that the violence that defines the problem is taking place on its soil and against its citizens. The Mexican government's policy endeavours have come closer to that comprehensive ideal than the disjointed American efforts. And as discussed, Mexican citizens remain broadly supportive of their military, which, along with more permissive Mexican laws, grants the government relatively broad latitude in its deployments. While the police are not generally trusted – particularly not the municipal and state forces – the public is behind their mission, which helps support a unified strategy. And though members of the PRI and PRD

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Following the 2000 Presidential election, the Republicans held the White House and both Houses of Congress briefly, until Senator Jim Jeffords of Vermont left the GOP and turned that chamber over to the Democrats; the Republicans regained majorities in both houses in the 2002 midterm elections and held them, and the presidency, until 2006, when the Democrats took both houses, adding the Presidency in 2008. In 2010, the Republicans regained the House of Representatives, while the Democrats maintained control of the Senate.

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U.S. Department of State, “U.S.-Mexico Relations: Progress in 2009, Challenges in 2010,” Cable 10MEXICO202, 21 January 2010, Section 6, accessed from https://github.com/alx/cablegate/blob/master/rel_date/2011/03/02/10MEXICO202.txt on 1 June 2013.

criticised the Calderón Administration's strategies and priorities, the post-election period showed that the three major parties are willing to at least speak the language of cooperation and agree on a detailed set of guiding principles, even if that plan has yet to be executed. Despite this, and despite the notable successes of the Mexican security services in tracking down, arresting and killing leading drug trafficking figures, the logic of market-driven drug violence remains strong enough to overpower the Mexican government's strategy.

The Mexican government's heavy focus on domestic factors, has not rendered the foreign policy aspect irrelevant. While the reasons differ, Mexico's ties to the United States are at least as important to it as ties to Mexico are for the U.S. government. For Mexico, this is largely due to economics: it is economically dependant upon the United States, which is far and away its largest trading partner.⁵⁸¹ Moreover, remittances from Mexicans living inside the U.S. have historically provided a substantial boost to the Mexican economy, and although the number of migrants has declined the wake of the 2007-8 recession, this is likely to remain the case for the foreseeable future.

Fundamentally, Mexico is combatting a domestic security issue that has transnational roots, while the United States faces a foreign policy issue complicated by domestic economic drivers and political constraints. Both countries, in other words, are tackling an intermestic challenge. While their policies have in some ways acknowledged this crucial truth, Mexico's are still fundamentally designed to address a domestic security problem while those of the United States are set up for international relations and foreign aid.

Despite the substantial complications, there are some signs that policy might evolve in a more intermestic direction. One of the few universally agreed-upon views in interviews conducted for this research and in the relevant literature is that the official relationship between the two countries has improved markedly over the last decade, particularly with respect to security matters. The first half of the 1990s saw an improved relationship between the two countries, spearheaded by U.S. Secretary of Defense William Perry and Mexican Defence Secretary Gen.

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U.S. Central Intelligence Agency, "The World Factbook: Mexico," Central Intelligence Agency, 7 May 2013, accessed from <https://www.cia.gov/library/publications/the-world-factbook/geos/mx.html> on 1 June 2013.

Enrique Cervantes Aguirre, characterised by the creation of a multi-faceted U.S.-Mexico Bilateral Working Group, increased training and officer-exchange programmes and the transfer of 73 surplus American UH-1H Huey helicopters to the Mexican military. However, with the retirement of Secretary Perry in 1997, the relationship began to cool again: the number of high-level meetings decreased, the Mexican government determined that the donated Hueys were in excessively poor condition and returned them to the United States and the Bilateral Working Group was gradually abandoned.⁵⁸²

The following decade, however, saw a series of turnarounds. First, the elections of Vicente Fox and George W. Bush in 2000 put two men in office with greater-than-average connections to each other's country.⁵⁸³ Second, the 9/11 attacks prompted a massive re-thinking of security in the United States, and eventually forced American security officials to take their relationships with bordering nations more seriously.

But the most important turning point was the increase in drug violence that marked President Calderón's term. To a certain extent, this was driven by necessity: the Mexican security services, faced with a threat they did not believe they could handle on their own, turned to the United States, which as the world's leading exporter of arms, military training and support services, was in a unique position to help rapidly build capacities that could otherwise take decades to grow. The United States could also share information gathered by its well-funded intelligence community. In meetings with their American counterparts, Mexican diplomats admitted the various weaknesses in their intelligence-gathering capabilities, and proffered insight into the internal rivalries between the services. For example, in a cable relaying the news that the Mexican Navy's special forces had killed Arturo Beltran-Leyva in a gunfight along with several of his bodyguards, American diplomats noted that the Navy's success would be seen as a further blow to the prestige of the Army, which had been comparatively slow to act on tips and less aggressive in its pursuit of high-ranking drug

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Deare, (2010), pp. 3-4.

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Fox attended Harvard Business School and had worked for Coca Cola, eventually rising to become the company's head for all Latin American operations, while George W. Bush had been governor of Texas and supervised that state's significant border interactions with Mexico.

traffickers.⁵⁸⁴ Despite these internal rivalries, Mexican agencies at all levels are taking advantage of this closer relationship, and security forces are not the only benefactors. For example, Mexican and American prosecutors at the state and local levels have also taken to sharing best practices, leading to the adoption in some Mexican municipalities of the drug court model⁵⁸⁵ used successfully in various American jurisdictions.⁵⁸⁶

This is not to say that the official relationship is perfect. Intelligence-sharing is still somewhat spotty, due to American worries about infiltration or corruption amongst their Mexican counterparts. And while Mexican security services accepted American aid to support their efforts against the traffickers, residual institutional and historical rivalries between the two countries have been resilient. Furthermore, the PRI's return to power in late 2012 could limit the cooperation: one of President Peña Nieto's first announcements was that all contacts between American and Mexican agencies would be routed through the Ministry of the Interior, a bottlenecking likely to limit the breadth of operational cooperation.⁵⁸⁷

In any case, effective intermestic policy in this instance requires more than an amicable working relationship between two governments. Indeed, given the lack of a formal Mexican-American bilateral security body – a NATO equivalent, or a NAFTA for security – the direct relationship between the two is less important than the question of whether the separate policies adopted by each government are responsive to the intermestic nature of the challenge. At this level, the signs are less promising. Despite its acknowledgement that demand from American users drives the drugs trade, the U.S. federal government has not been willing to challenge that or any other domestic constraints; the American government's inability or unwillingness to address the ubiquity of high-powered weapons is one of the

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U.S. Department of State, “Mexican Navy Operation Nets Drug Kingpin Arturo,” Cable 09MEXICO3573, accessed from <http://www.cablegatesearch.net/cable.php?id=09MEXICO3573> on 2 June 2013.

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This refers to a specific prosecutorial method by which nonviolent drug offenders can be sanctioned by the courts and referred to counselling services and so on without jail terms.

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Medina Mora, Eduardo, author interview, London, 18 April 2012.

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Priest, Dana, “U.S. role at a crossroads in Mexico's intelligence war on the cartels,” *The Washington Post*, 28 April 2013, accessed from http://www.washingtonpost.com/investigations/us-role-at-a-crossroads-in-mexicos-intelligence-war-on-the-cartels/2013/04/27/b578b3ba-a3b3-11e2-be47-b44febada3a8_story.html on 2 June 2013.

major points of disagreement between the two countries. Meanwhile, the lack of coordination between American agencies and the absence of a singular strategy diminishes the overall direction and effectiveness of the strategy. Despite the public health/security risks posed by drugs, the fact that the violence does not immediately impact American citizens hinders the development of a political exigency sufficient to overcome those domestic constraints.

The Mexican government, on the other hand, faces an inverted type of intermestic challenge. The constraints that set up the conflict, as outlined, are beyond its immediate control. Both ends of the profit engine that drives the DTOs are outside its territory, and it has limited coercive power to influence the relevant foreign entities. Having dismantled the symbiotic relationship between its government and drug traffickers, Mexico now finds itself effectively at war with them. And, by fracturing the networks of drug traffickers, it also eliminated any central authority with whom it could negotiate or bargain. Whether or not the confrontation was inevitable, it is effectively irreversible, pushing Mexico and the United States together as the former tries to manage it. But it would be unrealistic to expect Mexico to influence U.S. domestic policy in any significant manner. Given the peculiarities of American politics, for example, it would be virtually impossible for a foreign government to outmatch the NRA's opposition to the Assault Weapons Ban, given that gun control opponents in the U.S. often evince a significant resistance to multilateralism or domestic policies based on foreign concerns.⁵⁸⁸

In summary, there is little evidence that the American policy toward Mexico is either formulated or carried out in a way that reflects a unified, intermestic approach. The Mexican government's strategy, which from the outset was more constrained by its circumstances, comes closer to that mark, and there is at least some evidence that its various agencies and parties are moving toward a more unitary strategy, in stark contrast to the American government. But the difficulties faced by both governments in coming to terms with a direct threat to stability, peace and legitimate commerce along their shared border demonstrates that while the constraints that bound the theorised Market of Narcotic Violence are in some

588

Savage, Charlie, "N.R.A. Sues Over Bulk Gun Sales Rule," *The New York Times*, 3 August 2011, accessed from <http://www.nytimes.com/2011/08/04/us/04guns.html> on 1 June 2013.

respects the *result* of government policies, they do not necessarily generate the conditions under which those policies can be changed.

Chapter 7: Analysis and Conclusions

I. Introduction: The Mexican Drug Conflict in Perspective

In The Better Angels of Our Nature, Steven Pinker presents an argument that violence at all levels from the individual to the international has been declining throughout history for a combination of evolutionary, environmental and societal reasons.⁵⁸⁹ While Pinker attributes this decline not to a “grand unified theory,” but to a convergence of causes ranging from philosophy to economic self-interest,⁵⁹⁰ the idea that human civilisation is becoming steadily less violent dovetails with various other contemporary theories of politics and international relations. The decline in overt conflicts worldwide since the end of the Second World War has also been attributed to factors ranging from the spread of liberal democratic government⁵⁹¹ to the so-called “CNN effect”⁵⁹² to the proliferation of nuclear weapons and their associated security umbrellas.⁵⁹³ While the precise causation is disputed, there appears to be a broad cross-disciplinary consensus that the world has passed through the age of widespread inter-state wars and into an age of more diffuse types of conflict and organised violence – if not Francis Fukuyama’s “end of history” than at least an *end of an age of warfare*.

Yet while the prospects of major inter-state warfare appear to be diminishing, a glance at the headlines demonstrates that in many ways the world remains a fundamentally violent place. From street crime to political demonstrations to ethnic violence and insurgent campaigns, there are practically no regions on Earth that have completely immunised themselves against violence, even if the apocalyptic vision of an atomised world ruled by street gangs and irregular combatants predicted by Robert D. Kaplan, Herfried Münkler and others, as described in the first chapter, not materialised. Contrary to the over-enthusiastic predictions

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* Pinker, Steven, The Better Angels of Our Nature: The Decline of Violence In History And Its Causes, (London, Allen Lane, 2011).

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* Pinker, (2011), Ch. 10.

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Owen, John M., “How Liberalism Produces Democratic Peace,” International Security, Vol. 19, No. 2, Fall 1994, pp. 87-125.

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Robinson, Piers, “The CNN Effect: can the news media drive foreign policy?” Review of International Studies, Vol. 25, 1999, pp. 301-309.

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Mearsheimer, John T., “Nuclear Weapons and Deterrence in Europe,” International Security, Vol. 9, No. 3, Winter 1984-5, pp. 19-46.

by military futurists of “fourth-” and “fifth-generation” warfare, few if any of these types of violence is truly *new*. But what such theorists get right is that the wide availability of devastatingly powerful small arms, combined with a globalised world economy and the diffusion of communication over mobile networks and the Internet, democratises the ability of non-state actors to challenge the power of the state in ways previously unimaginable.

That potent mix of technology and economic trends was crucial in the formation of this thesis, which began as an examination of the evolution of warfare from the modern era into the future. While it sharpened into an analysis of violence in Mexico, it is important to view this topic in the broader context of organised violence. This is incontrovertibly an era of unconventional war. The “conventional” wars of the last two decades – the Gulf War, the Kargil War of 1999, the invasion of Iraq in 2003, the Russia-Georgia war of 2008 – have been of historically small scale, and are dwarfed in terms of length and casualties by the irregular conflicts of the same period: the civil wars in Somalia, Rwanda, Sudan and the Democratic Republic of the Congo, the Afghan and Iraqi insurgencies, the Syrian and Libyan uprisings of the 2010s and the Colombian insurgency/narco-violence of the 1990s and early 2000s. As a result, there is a clear need for a more accurate typology and system of classification for irregular conflicts; simply labelling each of these disparate outbreaks of violence an “insurgency,” with or without a modifier such as “narco-,” is not particularly helpful. In Mexico, the constraints on the conflict, the motivations of the participants and the rationale for violence are all fundamentally different from those of a politicised insurgency; it therefore stands to reason that the appropriate counter-strategy would be different than in a traditional political, ethnic or religious insurgency.

This concluding chapter will summarise the findings of this thesis, with particular reference to the Mexican case, and will further illustrate where that case fits in a broader typology of contemporary organised violence. It will then discuss policy implications for the Mexican and American governments, along with implications for international narcotics prohibition mechanisms, before offering general conclusions.

This thesis set out to determine the nature of violence in Mexico; specifically whether or the ongoing conflict there fit the theorised model of a Market of Narcotic Violence. The conclusions are as follows:

- *From 2006 to 2012, certain regions in Mexico demonstrated the essential characteristics of a Market of Narcotic Violence.* Broadly speaking, these constraints fit into two categories: those specific to Mexico and those generalisable to other instances of drug transit market violence.

The general factors are: the illegality of narcotics that divorces their sale from any legitimate regulatory mechanism; the globalised bifurcation of the drug market into production in poor countries and consumption in rich ones; the ease of moving illicit goods across national borders; the increased ease of organised violence by means of ever-more powerful small arms along with sophisticated communications and surveillance equipment, all of which serve as force multipliers for irregular combatants; and the relatively constant level of demand for narcotics (with the caveat that demand for *specific* drugs rises and falls depending on a variety of non-controllable and often non-quantifiable factors, such as whether they are perceived as “fashionable”⁵⁹⁴).

Specific factors to Mexico include: its lengthy border with the United States, the world's largest consumer of drugs; the gaps in its security forces' abilities to deal with organised violence on the domestic front; economic conditions that brought millions of migrant workers to the northern border before leaving them with few economic options; the (mostly) contemporaneous movement of the majority of cocaine trafficking from the Gulf of Mexico to overland routes and the restructuring of the Mexican political establishment; and the difficulties both Mexican and American governments faced in crafting intermestic policy to deal with border issues.

Most of these constraints cannot be affected in any meaningful way by the Mexican or American governments, even if the two worked in perfect coordination with each other and internally – which they are not. Even under the best possible circumstances, there is no

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Glenny, Misha, *McMafia*, (London, Vintage Books, 2009), pp. 282-3.

reason to believe that government action by either state that does not address these constraints can do more than marginally manage the level and scope of the violence.

That said, there are significant caveats to this conclusion. The fact that the violence has been ongoing – indeed, increasing – for six years does not in and of itself demonstrate resilience. Furthermore, the conflict has become increasingly polarised, with the Zetas and the Sinaloa Federation gaining ground at the expense of smaller operations. While flexibility of participant identity is certainly part of the theory of Market of Narcotic Violence, were the conflict to evolve into a straightforward battle for territory and resources between the state and one or two all-encompassing criminal organisations, it would no longer be an accurate way to characterise the conflict. This potential for evolution brings us to the next conclusion.

- *Drug violence in Mexico is evolving rapidly.* At the outset of the Calderón Administration's campaign against drug traffickers, there were between seven and fourteen major independent trafficking organisations, some in alliances or truces with each other, but each pursuing a basically independent set of interests. In the subsequent six years, that number has steadily decreased due to attrition at the hands of competitors and the action of Mexican security forces, even as the total number of violent incidents has been climbing. The overall complexity of the marketplace remains high – DTOs, even at their most hierarchical, represent loose confederations of similarly interested individuals and groups rather than strict, formal units – but increasingly the conflict in Mexico is transforming from a multi-sided, multi-tiered one into a simpler battle between the government, the Zetas and the Sinaloa Federation and their respective affiliates. These two groups, as outlined, represent differing approaches to survival in a Market of Narcotic Violence (the corporatist, transactional model for the Sinaloas and the anarchic franchise for the Zetas); other archetypes, including the insurgent model of La Familia and the smuggling-centred model of the Gulf Cartel, were tested in the marketplace and failed.

The absence of overt political aspirations on the part of either organisation means that as of the end of the Calderón Administration, the violence is still market-based. But the evolution in the participants and the character of the violence demonstrates that this is not a stable form. Instead, the evolution of the Mexican conflict has exhibited a form of emergence theory,

whereby complex systems without a central directing agency can exhibit semi-intelligent or “strategic” characteristics. In this case, a market dominated by a variety of actors, and in which violence is a means of enforcement, a profit-making service and a means through which participants communicate has produced large organisations with transnational reach and the ability to absorb significant shocks without disruption to their commercial activity.

Emergence – or at least the spread of operational concepts and tactics consistent with the Market of Narcotic Violence theory – is also seen in the rapid spread of techniques and tactics across diffuse and oftentimes antagonistic organisations. The use of expressive violence – “corpse messaging,” video recordings of interrogations, torture and execution spread via the Internet, public dumping of bodies and body parts – may be primarily associated with the Zetas, but is by no means unique to them. Instead, what might in previous conflicts have been secretive brutality has become a mode of communication not only between the Zetas and the public but between DTOs of all sizes and descriptions. This rapid spread of information is also seen in what might be termed smuggling tradecraft – the means by which the commercial aspects of the DTOs operate. Instead of remaining the intellectual property of one specific group, innovative logistical techniques, ranging from the use of ultralight aircraft⁵⁹⁵ to improvised marijuana-firing catapults⁵⁹⁶ and even cannon⁵⁹⁷ are spread widely and join the repertoire of multiple trafficking groups. The overall effect, despite the competitive aspect of the market, is to preserve the high profit margins that make operating a trafficking enterprise in the face of brutal rivalries and aggressive opposition from the state possible and even appealing.

The current form of these organisations, and of their particular techniques and styles, is unlikely to be the last. Instead, the groups and their techniques are likely to continue to evolve

595

Marosi, Richard, “Ultralight aircraft now ferrying drugs across U.S.-Mexico border,” *The Los Angeles Times*, 19 May 2011, accessed from <http://articles.latimes.com/2011/may/19/local/la-me-border-ultralight-20110520> on 2 June 2013.

596

Higginbotham, Adam, “The Narco Tunnels of Nogales,” *Bloomberg Businessweek*, 2 August 2012, accessed from <http://www.businessweek.com/articles/2012-08-02/the-narco-tunnels-of-nogales> on 2 June 2013.

597

Johnson, Tim, “Latest narco tactic; 'Pot Cannons,’” McClatchy DC Mexico Unmasked Blog, 28 February 2013, accessed from <http://blogs.mcclatchydc.com/mexico/2013/02/latest-narco-tactic-pot-cannons.html> on 2 June 2013.

into new forms and adopt fresh commercial and violent strategies; in doing so, they could come to challenge the authority of the state in a more direct, aggressive fashion. It is also possible that the conflict will continue to evolve toward a bilateral battle rather than the multilateral fracas seen so far. But absent a change in the underlying constraints of the conflict, the level of violence is unlikely to change significantly – even if its character does.

- The particulars of the spread of violence are driven heavily by trends in drug consumption.

Mexico's value as a transit state – indeed, the entire logic behind the conflict – relates to its geographic monopoly as the last link in the smuggling chain to the uniquely valuable American narcotics market. Per the theory of global anomie, drug production largely occurs in poor countries with relatively weak coercive power, and the maximal value is extracted from those resources by selling them to consumers in the richest countries. In the case of Mexico, this is a particularly important dynamic with regard to cocaine, given it sits between the biggest global producers in the Andean region and the world's largest user base, the United States. To a lesser extent, the dynamic holds true for marijuana, methamphetamine and heroin, all of which Mexico produces in significant (but not world-class) quantities. But Mexico is only an irreplaceable link in the chain for cocaine. Marijuana is also produced in significant quantities in Canada and domestically in the United States⁵⁹⁸ – and, as American states increasingly loosen their marijuana laws, domestic production will likely become increasingly competitive on price. Heroin is a niche product in the United States, representing only a small fraction of DTO profits.⁵⁹⁹ And methamphetamine and other synthetic drugs can be produced virtually anywhere that has access to precursor chemicals (though states with substantial coercive capability do have the ability to restrict access to these chemicals).

DTOs, especially in a competitive market context such as Mexico, are enormously flexible and adaptive. As demand for cocaine in the United States has remained relatively static, they have sought out new markets in Europe, and in the process, transformed West Africa into a transit

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United Nations Office on Drugs and Crime, World Drug Report 2012, (Vienna, United Nations, 2012), pp. 49 + 51.

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United States Department of Justice, “National Drug Threat Assessment, 2011,” National Drug Intelligence Center, 2011, p. 50. In 2011, total U.S. seizures for heroin stood at 2,562 kg, slightly more than MDMA/ecstasy (2124 kg) but considerably less than total seizures for methamphetamine (8699 kg), cocaine (44,063 kg), or marijuana (1,809,496 kg).

hub along the same lines.⁶⁰⁰ Meanwhile, as Americans consume a greater quantity of amphetamine-type drugs, Mexican DTOs have aggressively moved into this area. However, trafficking groups are under significant pressure to monopolise this market before competitors do, thanks to the fact that synthetic drugs can be produced locally and conceivably tailored to local market demands at the smallest possible scale. Therefore, DTOs must either provide services (such as industrial-scale production, particularly potent formulas or a highly efficient trafficking and delivery system) that potential American competitors cannot. Otherwise, they must be willing to escalate the violence on American territory – a step they have thus far consciously, scrupulously avoided. The question of which borders are relevant to transnational violence brings up the final conclusion:

- *The borders of the market in question are sharply defined by the U.S.-Mexico border, but spread a considerable depth into other countries south of Mexico.* To be clear, Mexico has unique characteristics with regard to the Market of Narcotic Violence – not only its exclusive, lengthy and smuggler-friendly border with the United States, but also the extensive cultural ties with Americans (particularly in the border region itself). These are of irreplaceable value to organisations seeking to transit drugs into the United States. While nautical smuggling remains a factor – and the rapid evolution from normal commercial ships to go-fasts to semi-submersibles to true submarines demonstrates that there is significant investment and innovation in this area – its nature makes interdiction easier and necessitates a smaller number of larger shipments, increasing the potential losses from individual interdictions considerably. As a result, the land border remains a uniquely valuable asset for traffickers. The United States, despite the overall inconsistency of its Mexico strategy, maintains a world-leading coercive capacity and has demonstrated a willingness to use unilateral and lethal force against irregular enemies regardless of their nationality or location. This incentivises

600

Guinea-Bissau could be described as the poster child for this trend, with a spate of violence extending from roughly 2009 to 2011 accompanying a rapid increase in detected cocaine shipments from Latin America. In one particularly violent stretch in 2009, both the country's President and chief of its military staff were killed within a 24-hour period. Although there is a great deal of confusion around the deaths and the situation in Guinea-Bissau generally, and it is not clear what precise role the drug trade played in those particular acts of violence, the fact that the estimated value of the drug trade passing through the country surpasses its entire GDP indicates that there is a significant and deleterious connection. See International Crisis Group, "Guinea-Bissau: Beyond Rule of the Gun," Africa Briefing No. 61, Dakar/Brussels, 25 June 2009.

traffickers to keep violence north of the border (or against Americans generally) to an absolute minimum.

No such restrictions apply to Mexico's other neighbours, who all lack the magnitude of coercive power exhibited by the United States. Although the strategic value to DTOs of Guatemalan, El Salvadorean and Belizean territory is less than that of Mexican territory abutting the American border, the ability to construct support facilities and stage operations outside the reach of Mexico's military is of not insignificant value. Furthermore, these countries have their own strategic assets, including their large reserves of underemployed violent specialists and their caches of military-grade weaponry left over from the civil wars of previous decades. The United States has made a concerted effort to shore up the defences of these governments, and in doing so it faces far fewer institutional limitations than in Mexico, enabling it to send small law enforcement and military units to engage in direct combat with DTOs (an unthinkable option in Mexico). Nevertheless, its existing commitment of resources is not sufficient to have more than a moderate, tactical effect. While Central American governments, led by the current Guatemalan administration, have responded to rising violence by proposing to lift legal restrictions on drug trafficking and use, such proposals are unlikely to affect the course of the violence absent a broader regional or international solution, given the limited value of their consumer markets and the nature of their territories as links in a longer chain supply rather than a unique, irreplaceable asset.

Specific policy recommendations are not the function of academic research. Nevertheless, this study, and the trends apparent in Mexican and American counter-narcotics policies, behoove an examination of the ways in which an evolution of those policies might could impact the Market of Narcotic Violence.

II. Implications for the Mexican government

Mexico stands at a critical junction with respect to the drug conflict raging in its territory. The conflict has largely crystallised around the two largest trafficking organisations – the Sinaloa Federation and Zetas – and metastasised to new locations within the country and across its southern border into Guatemala, Belize, Honduras and El Salvador. The rate of violent

incidents related to the participants in this conflict has increased every year since 2006, and the mass killings of migrant workers, the random slayings in cities including Ciudad Juarez and the murders of journalists, aid workers and law enforcement officers have undermined the government's claim that the vast majority of those killed were directly involved in the drugs trade. Meanwhile, the country's politics are transforming: the victory of Enrique Peña Nieto in the 2012 presidential elections brought the PRI back into power 12 years after its expulsion from the executive branch by the PAN. Peña Nieto has not pledged a radical shift from President Calderón's security strategy; his administration's two most important proposed changes are to replace the state and local police with gendarmes reporting to the central government (following the British model of policing rather than the American one), and to create a 10,000-strong paramilitary police force to take the place of the military in counter-narcotics operations nationwide.⁶⁰¹ His party, aware of its historical reputation, has been at pains to distance itself from either a formal or informal negotiated truce with the country's DTOs, although it has begun to re-negotiate some of the security agreements with the United States made under the PAN.⁶⁰²

If successfully implemented, these steps could limit the scope or scale of violence, but they are by themselves unlikely to bring the murder rate back to pre-2006 levels, break the power of the largest DTOs, undermine the rationale for violence or alter the fundamental constraints on the illegal marketplace in question. Mexico is in many ways at the centre of a perfect storm of conditions which account for the persistence and extremity of the violence and the limited ability of the government to manage the conflict. Furthermore, there is no ideal model that guarantees a quick and successful resolution – calls from Americans to “Colombianise” the situation by helping the Mexican government adopt the same strategies used against the Cali and Medellín cartels in the early 1990s fail to account for the vastly different nature of the geographic, economic, social, cultural and political factors at play here. Furthermore, while the DTOs have as of yet generally stayed away from politics on a national or regional level

601

Peña Nieto, Enrique, et. al., “Pacto por México,” Government of Mexico, 2013, accessed from <http://pactopormexico.org/> on 2 June 2013.

602

Priest, Dana, “U.S. role at a crossroads in Mexico's intelligence war on the cartels,” *The Washington Post*, 28 April 2013, accessed from http://www.washingtonpost.com/investigations/us-role-at-a-crossroads-in-mexicos-intelligence-war-on-the-cartels/2013/04/27/b578b3ba-a3b3-11e2-be47-b44febada3a8_story.html on 2 June 2013.

(excepting their bribery and coercion of local and state officials to guarantee safe harbour for themselves and safe passage for their products), additional pressures placed on them and the communities in which they are active could create unpredictable results, possibly resulting in a politicisation of the drug warfare (as distinct from the narcotised political insurgencies seen in the Andes or in Afghanistan).

The Mexican government's federal structure complicates the task of making unified, effect policy which counteracts the influence of drug traffickers extremely difficult. Even if the federal government agrees upon a policy and implements it single-mindedly, much of the reality of politics in Mexico is not within its direct control. The workings of local judicial and law enforcement systems, the honesty and transparency of local finances and the provision of social services and economic opportunities to people by local authorities can all reinforce or stymie the federal government's efforts. It is here where the Mexican national government faces a challenge most similar to its American counterpart: crafting a strategy which is potentially effective but could also be feasibly implemented by state and local governments.

But it is also at the local level where the DTOs do, in fact, engage in politics. They may not be *political* in the sense that have a strategic goal of creating a new political unit or taking control of the existing one – but they certainly engage in politics at the state and local level through co-optation, intimidation and in some cases murder of political figures. The cost of bribing, threatening or murdering a local or state politician is likely to be cheaper (potentially vastly cheaper) than the cost of bribing, threatening or murdering a national political figure, and local politicians in strategically useful districts can potentially offer more useful services than their national counterparts. The vast majority of Mexico's various police forces are answerable to their local and state authorities – a problem exacerbated by the fact that the military and federal police are not large enough to permanently deploy across every contested region. In short, the federal government faces not only the direct challenge of DTO violence but also the challenge of determining which state and local forces are loyal to its goals and which are actively undermining them.

There is little disagreement on the ultimate solution to drug violence in Mexico. The Mexican government, the American government and a broad group of academic and policy experts

agree that the eventual resolution will come with the development of legitimate economic opportunities for Mexican citizens. In the interim, the militarisation that marked Calderón's strategy must be rolled back, with the country's various police agencies taking the lead on counter-narcotics operations. Those forces must be sufficiently well-paid and equipped to defeat the most organised and sophisticated trafficking groups, and they must be backed by significantly more empowered, less corrupt judiciary and penal systems, to ensure successful prosecutions that truly remove captured drug dealers from their networks. Most important is the project of making vast improvements in economic opportunities for Mexican citizens, particularly those living in areas adjacent to the American border. Only viable economic alternatives can combat the calculation of interest which leads many to choose working in the drugs trade over a legitimate occupation. Granted, these are all long-term, remarkably complicated goals; even given absolutely optimal conditions, it would be reasonable to expect that they would take decades to achieve in any meaningful sense, and progress over time is not guaranteed. That all said, the fact that Mexico's three major political parties have all signed the *Pacto por Mexico*, which lays out a broad set of shared guidelines for long-term social development, demonstrates that at least the political obstacles to such a solution may be falling away.

Mexico's current strategy has been reactive rather than proactive: deploying the federal police and military to areas that have seen spikes of violence and attempting to suppress it largely through shows of force. Some degree of reactivity is necessary, but a strategy for suppressing a Market of Narcotic Violence would require substantially greater force than Mexico possesses. Instead of spreading its most valuable resources such as the Navy's special forces units and the intelligence generated by joint Mexican-American "fusion centres" nationwide, the Mexican government could develop and institute a coherent strategy to successively eliminate the most violent groups, even at the cost of temporarily ceding ground to others. This does not necessarily mean decapitation strikes against the leading figures of the Sinaloa Federation or Zetas at all costs; indeed, it might mean intentionally leaving leadership figures alone, at least temporarily. Callahan et al. have demonstrated a methodology for reducing the effectiveness of networks based not on decapitation, but on "shaping" through selective elimination of the

most central nodes, thus isolating leadership prior to their elimination.⁶⁰³ This research is theoretical and based on reducing the effectiveness of a single network, rather than a marketplace of competitive networks, but it demonstrates that there are credible alternatives to the current Mexican government strategy worthy of exploration.

Such a strategy – especially if it emerged that security forces intentionally passed up opportunities to capture a wanted DTO leadership figure – could be enormously controversial, and could open the PRI administration to charges that it had revived the narco-truce of its forebears. But many areas are under effective DTO control regardless, and selectively penalising extreme violence would at least give more transactional drug traffickers some incentive to minimise violence. This in turn could allow some breathing room for the development of better institutions and civil society groups.

III. Implications for the American government

While virtually all the violence occurs in Mexican territory, the United States bears significant responsibility for the conflict. This is partly owing to its failure to successfully address the demand for drugs from its own citizens, and in part due to its pressure on Mexico to adopt militarised counter-narcotics strategies. While the U.S. government is constrained in a variety of ways, it does have a preponderance of both hard and soft power at its disposal to exert influence over the violence.

For the reasons discussed in Chapter 5 that relate to the structure of the American federal government and domestic politics surrounding gun control, significant change to current laws is unlikely in the near term. Nevertheless, the American domestic gun market is an important – possibly *the* most important – source of weaponry for Mexican DTOs. The ATF's “Fast and Furious” scandal drew attention to the role of American guns in Mexican violence, but it did not lead to serious discussion of the legal environment in which gun purchasers operate. Even as Republicans and Obama administration officials fought during the investigation into the

603

Callahan, Devon and Nielsen, Jeffrey, “Shaping Operations to Attack Robust Terror Networks,” West Point, United States Military Academy, 6 November 2012, accessed from <http://www.usma.edu/nsc/SiteAssets/SitePages/Publications/Shaping%20Operations%20to%20Attack%20Robust%20Terror%20Networks.pdf> on 2 June 2013.

operations, neither paid any heed to the fact that American law enforcement agencies have little legal ability to regulate the purchase of weapons destined for the use of Mexican traffickers. Short of intercepting significantly more shipments transiting the border – a virtually impossible task – gun purchasers working on behalf of Mexican DTOs have wide latitude, and in many border states can purchase effectively unlimited numbers of military-style weapons with no legal barriers.

With respect to violence in Mexico, this is a policy failure on the part of the American government. The types of weapons used by cartels – primarily assault rifles, combat shotguns, sniper rifles and anti-materiel rifles – are notably different from those used for hunting, target-shooting, personal defence and other legitimate civilian purposes, and could easily be regulated separately (as the 1994 Assault Weapons Ban attempted to do).

There is clearly room for additional American aid to Mexico, but the kind of aid the United States has largely offered thus far – eg. “hard power” aid dedicated to improving the tactical abilities of Mexican security forces – needs to be rethought in order to achieve the desired policy outcomes. This is not to suggest that military and police aid should be terminated, but such aid is useful only in the short term, when the Mexican authorities appear able to maintain the status quo and to protect the state's ability to exist and, for the most part, function. Fundamentally, the United States faces a long-term strategic challenge in the Mexican drug conflict, and needs a coherent long-term strategy to address it. The Market of Narcotic Violence that has taken root in Mexico cannot be destroyed by better-armed, better-trained state forces; indeed, to some extent the emergence and rapid spread of the Zetas (and other groups emulating their hyper-violent methods) point to the dangers of approaching drug traffickers in such a market as a tactical problem with a tactical solution.

This is a problem with both external and internal dimensions. The United States does not have a unified policy on Mexico; as a result, the various departments with mandates extending to law enforcement, domestic security, military planning and foreign affairs are all pursuing parochial interests, which means they are at best duplicating efforts and at worst working at cross purposes to one another. This problem is exacerbated by the partisan split in the federal government, exemplified by the dispute over the Fast and the Furious scandal. While policy

cannot rectify partisanship, there is no fundamental obstacle to the United States centralising Mexico policy and creating a coherent programme of aid, possibly overseen by a special appointee of the executive branch with coordinating authority, and instituting cooperative agreements with the state governments and law enforcement agencies from the border states of Texas, New Mexico, Arizona and California.

To some extent the shift to a soft power emphasis is already happening; during the most recent Congressional hearings on Mérida Initiative funding, the Department of State emphasised the increase in funding for Mexican institution-building, especially in the law enforcement and penal sector. While these are laudable goals, and while functional courts and prisons are a necessary component of any counter-narcotics strategy, the need goes beyond government activities that directly support front-line law enforcement. Development of the Mexican economic, educational and civil society sectors will help overcome the financial calculation that otherwise law-abiding citizens make in choosing illicit over legitimate employment. If properly executed, it could have the tertiary benefit of helping to overcome the influence of the so-called *narcocultura* on Mexican youth.⁶⁰⁴ As well-intentioned as the current aid package is, it represents a mere drop in the bucket relative to the need. In order to have an impact, the American government would have to invest billions of dollars over the next decade, in cooperation with American industries willing to pay living wages to Mexican workers and make lasting investments in the country, rather than creating and then abandoning factories when lower-cost alternatives become available elsewhere, as happened with the *maquiladora* industry.

The Obama administration has taken small steps toward the goal of changing American drug policy, largely in terms of its rhetoric: dropping the “war on drugs” terminology in 2009, responding in a measured way to the proposals of the Guatemalan and Colombian governments to study prohibition alternatives in 2012, emphasising treatment and prevention in its National Drug Control Strategies and responding quietly to Washington and Colorado’s marijuana legalisation initiatives. But the primary differences between Obama and his predecessors have been relatively minor, and the federal government still exhibits interest in

⁶⁰⁴ Sullivan, John P., and Elkus, Adam, “Barbarization and Narcocultura,” *Small Wars Journal*, 31 August 2011.

aggressive enforcement, as with its campaigns against medical marijuana dispensaries in California.⁶⁰⁵

The United States is unlikely to decriminalise narcotic consumption by its own citizens at any point in the near future, even if other nations abandon the international prohibition consensus. In the United States, which has long been the world's leading promulgator of prohibitionist norms, the domestic constraints against any significant regularisation are massive, and unlikely to be overcome in the near future. The one exception here is marijuana, which numerous American states have begun to take action to decriminalise or regularise in the last decade. Further regularisation to some degree in the near future is highly probable. But given the proliferation of different narcotics trafficked by Mexican gangs, along with the fact that they have always competed with American and Canadian marijuana growers, means that even widespread legalisation of marijuana would not by itself fatally undercut DTO profits or rationales for violence – and cocaine, heroin or methamphetamine regularisation is extremely unlikely in the foreseeable future.

American demand for specific drugs is out of the control of policymakers, relying as it does upon local conditions on distant production zones as well as less quantifiable factors such as whether a certain drug is considered attractive by the drug-using population.⁶⁰⁶ To countenance experimentation with the norms of drug control abroad in order to gather data on how different legal conditions affect drug production and transit markets and violence would usher in the controversial question of drug legalisation, one of the few feasible options for challenging the norms upon changing the constraints that enable Markets of Narcotic Violence.

IV. The Question of Regularisation

One of the biggest changes in the political landscape of drug violence during the writing of this project was the potential for some form of narcotics regularisation.⁶⁰⁷ When this project began

⁶⁰⁵ Downing, Stephen, author interview, Long Beach, California, 13 October 2011.

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The operative examples here are probably the sudden rise in popularity of cocaine in the United States in the 1970s or the crack epidemic of the 1980s, although the current rise in the popularity of methamphetamine and other synthetic drugs is also germane.

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in 2009, drug legalisation seemed a distant possibility, at best. The international narcotics prohibition system – though a subject of persistent criticism, especially in left-wing and libertarian circles – appeared to be an essentially permanent fixture of the international system. But criticism of the war on drugs – regardless of its current appellation – has spread widely, to the point where the ranks of critics now include current and former Latin American heads of state and high-ranking former law enforcement personnel.⁶⁰⁸ These developments could be seen in stark detail at the 2012 Summit of the Americas in Cartagena, Colombia, where Latin American leaders confronted President Obama with requests to reconsider the American approach to the narcotics trade. For his part, the American president – while not giving ground on the broad direction of American policy – at least acknowledged the legitimacy of the requests. Of course, these developments are not incontrovertible evidence that a change is inevitable, but they represent a striking shift of elite opinion in a very short period of time, which will inevitably impact future anti-narcotics policy.

The structure upon which the drugs trade (with all its attendant consequences, such as the Market of Narcotic Violence in Mexico) is based is prohibition. There is no fundamental reason why narcotics could not be regulated and controlled in the same way as other potentially hazardous consumables such as alcohol, tobacco or caffeine. The prohibition system is a result of an international consensus that the harms of aggressive prohibition are preferable to the harms of an unregulated or regulated-access system. But given that the current prohibition system is effectively universal, and has been since 1961 – or throughout virtually the entire development of the modern globalised economy – gathering usable data on how an alternative would function is virtually impossible. Small-scale experiments with decriminalising possession and usage of certain drugs in small quantities suggest that regulation, education and treatment of problematic drug use – the “demand reduction”

An important semantic note here: “Regularisation” refers to the full spectrum of possible public policy approaches to narcotics less aggressive than the current system of enforcement-centred prohibition. Regularisation and prohibition are, however, not points on a binary scale – “decriminalisation” refers to the process by which law enforcement and judicial systems are given the authority to ignore individual drug use so long as it does not coincide with other criminal behaviours (eg. operating a vehicle or robbing a store while under the influence), whereas “legalisation” refers to the process by which drug use would be made no longer a crime at all, in much the same way that drinking alcohol or smoking cigarettes are not crimes.

⁶⁰⁸ Global Commission on Drug Policy, “War on Drugs: Report of the Global Commission on Drug Policy,” June 2011, accessed from <http://www.globalcommissionondrugs.org/reports/> on 26 June 2013

method – can be effectively limit public health hazards from narcotics. But these instances represent relatively small sample sizes, and more importantly, they have only been tested on an effectively ad hoc basis in individual nations, rather than as a coordinated, international effort. In short, they do not model the international nature of the contemporary drugs trade.

The repeal of Prohibition in the United States presents a better model of what could be expected. Alcohol is for all intents and purposes in the same category as any narcotic drug, and during the period in which it was illegal, organised crime groups moved into the marketplace and fought pitched, internecine battles over distribution territories, products and trafficking routes. With the repeal of Prohibition, many of those groups found themselves without a market, and diversified into other illicit activities, but the overall level of violence was diminished. Nevertheless, there are significant differences between the American experiment with Prohibition and the potential end of international narcotics prohibition. First, Prohibition was not an international phenomenon; while the United States was not the only nation to attempt the elimination of alcohol by legal controls during the first few decades of the 20th century, the Prohibitionist consensus was never anywhere as strong as the current international drug control consensus. Especially significant is the fact that neither Mexico nor Canada made alcohol illegal, which meant it could be produced and transported to the border legally, only becoming illegal while crossing into America. This prevented the emergence of violent production or transit markets outside the United States.

More importantly, Prohibition was a singular legal structure operating within the borders of one nation, and it was undone with a single Constitutional amendment. The international drug control consensus is not nearly as simple; it relies not on a single piece of legislation but on an interdependent system of national laws, binding international treaties, individual government policies and multilateral foreign aid agreements. Unlike Prohibition, there is no single legal step that could overturn it – and the complexity of the international system is an order of magnitude greater than the complexity of 1930s-era American government. So should this structure be overturned, it would likely be done by a succession of small steps rather than one all-encompassing legalisation framework.

Finally, it is of paramount importance to note that total prohibition and legalisation do not exist in binary fashion. Despite the international complexities at issue, there are a variety of scenarios for legalisation. These can helpfully be thought of on a spectrum, arranged roughly in the following order:

(1) Harsh penalties for all stages, including user targeting [the Prohibition model]	(2) Criminalisation of use, production and trafficking [the current system in the U.S.]	(3) Public health approaches to use; criminalisation of production and transit	(4) Public health approaches to use; mild penalties for production or transit	(5) Prescription model for use with commercialised production and transit	(6) Legalisation of use with restrictions along the model of alcohol or tobacco	(7) Complete, unrestricted legalisation
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Using such a spectrum, it is clear that the range of possible policy options for drug legalisation are largely unexplored. Since the passage of the Single Convention in 1961, national counter-narcotics policies have almost entirely clustered between (1) and (3). Moreover, nations such as Holland and Portugal, which roughly fit into group (3), have only decriminalised a relatively small fraction of substances (usually cannabis, sometimes certain synthetic compounds such as MDMA).⁶⁰⁹ There is therefore little to no data about what effects a widespread adoption of the norms expressed in groups 4-7 would entail. However, the rapidly shifting elite dialogue on prohibition suggests that there is significant and growing willingness to experiment with more regulatory-focused options.

The difficulty of continuing to enforce a prohibitionist norm is reinforced by the growing popularity of synthetic drugs, especially amphetamine-type stimulants (ATS). Such substances can be produced virtually anywhere from widely available precursor chemicals, and modified to a virtually infinite degree to confound government regulators and police. The

609

The marijuana legalisation initiatives passed in Washington State and Colorado in the 2012 election are actually considerably farther to the right on this spectrum, most closely aligned with (6). However, given that as of this writing they have only been in effect for a few months, and that there is an unresolved tension between these states and the federal government, it would be vastly premature to draw public policy conclusions from these examples.

growing popularity of such substances – the World Drug Report now lists ATS as the second most widely used category of drugs worldwide, behind only cannabis⁶¹⁰ – indicates the possibility that future drug markets could be completely atomised and essentially immune to even the limited forms of influence nations maintain over drug production and transportation within the prohibitionist system.

The question of whether the deleterious public health effects of legally available narcotics would be greater or less than the effects of prohibition is beyond the methodology and scope of this project. But a discussion of decriminalisation's prospects for changing the constraints that enable Markets of Narcotic Violence is not. Certainly decriminalisation, even if it occurred universally and simultaneously, would not eliminate the interactions between organised crime and drugs; criminals worldwide find profit and compete for market share in products that are at least partially legal (pirated software, smuggled cigarettes, bunkered oil, conflict diamonds, etc.). But if legitimate corporations moved into the production, marketing and supply of narcotics, criminals would find themselves competing for a smaller market share. In the short term, this could result in a significant increase in levels of drug-linked violence, as existing traffickers fought each other for the market share for unregulated or still-illegal drugs.⁶¹¹ The precise size of this leftover market would obviously depend upon the extent of the regularisation: if only the “least-harmful” drugs (say, MDMA and marijuana) were legalised in the United States, there would remain a thriving criminal market for cocaine and methamphetamine. Such markets exist for regulated products such as tobacco and alcohol. As governments levy taxes to discourage excessive or problematic use, a criminal black market emerges; one survey estimated that roughly a third of all cigarettes produced worldwide are smuggled across borders to avoid taxes.⁶¹² It is worthwhile to note that these are markets of considerable size and value, but in no case does the violence associated with

610

UNODC 2012, p. 2.

611

If regularisation followed the model of alcohol and tobacco, this could include providing narcotics to those deemed too young to purchase them, supplying cheaper “knock-off” drugs, and providing substances deemed too hazardous to public health to permit at all (methamphetamine, for example, in a country which had only legalised marijuana and cocaine).

612

Joossens, Luk, and Raw, Martin, “Smuggling and cross border shopping of tobacco in Europe,” *British Medical Journal*, No. 310, p. 1394.

them approach the scale or the singular brutality that characterises violent transit drug markets.

In public policy, there are no perfect solutions. No realistic option available to policymakers is without some drawbacks, and narcotics regularisation is no exception. Indeed, given how little is known about how an international narcotics market would function if drugs themselves were to be at least partially legitimised, proponents of prohibition can quite reasonably point to what Donald Rumsfeld might have termed the “unknown unknowns” of regularisation as an argument in favour of maintaining the current system. This thesis has not discussed the public health harms of drug use due to its focus on the violence of narcotics trafficking. Prohibition advocates argue that narcotic drugs have significant public health effects and that any efforts to disrupt or interdict supply save lives; opponents argue that the overall rates of usage would not be manifestly affected by regularisation and that the second- and third-order effects of prohibition are significantly worse than the potential effects of regularisation. Given that both sides are arguing over a one-sided set of data, there can be no satisfactory resolution to the question of which option would result in less overall harm unless some form of international regularisation comes to pass.

Nevertheless, in an international system in which, at the very least, narcotics could be legally transported from their country of origin to the border of their final destination, transnational DTOs and violent transit markets would both be irrelevant. Under such a system, it would be far cheaper and more efficient to ship drugs directly from origin to sale; or even for production to occur as close to the point of sale as possible (as would be possible for synthetic or “designer” drugs, which could be customised at the user's behest to produce a particular effect). Since a completely *laissez-faire* approach is almost certainly the least likely of all possible results for the evolution of international drug control, there will almost certainly remain prohibited classes of drugs, and as a result black markets will continue to exist. But the type of resilient violence seen in Mexico depends on a massive income stream from the sale of narcotics to withstand the response of the state; smaller black markets (such as those that currently exist for alcohol and tobacco) simply do not provide the kind of profit margin necessary.

Drug regularisation, therefore, would change one of the fundamental constraints upon which violent drug transit markets are built – though the extent of that change would depend on the type and scope of the regularisation regime. The public health effects of such a regime are a matter of dispute, but the existence of Markets of Narcotic Violence flows directly from the illegal nature of drugs. Changing that nature is likely the most effective feasible method of ending the existing MNVs and preventing the emergence of new ones. The eventual regularisation of the drugs trade is not a guarantee. The current trend toward experimentation with less severe drug laws may fail to take root amongst the largest consumer countries, rendering smaller nations' experiments with less severe laws irrelevant to international narcotics policy or trade. Alternatively, the world might divide into blocs, with some nations rejecting regularisation and others embracing it, which could lead to the development of a hybrid black-market/legitimate drugs trade, with truly unpredictable consequences for all nations. The emergence of Markets of Narcotic Violence is an unquestionably negative consequence of the current prohibition regime, but a transition to a different system will require deliberation, balance and a careful weighing of legal and public health harms in order to prevent new forms of violence or other societal ills from emerging.

V. Overall conclusion: Mexico and the Future of Drug Violence

But returning to the present, where does the violence in Mexico stand in relation to the existing set of international norms? With prohibition still in place, there are two fairly assumptions about the worldwide drug market and its potential for creating violence. The first is that globalisation is, broadly speaking, a durable phenomenon: in other words, barring worldwide cataclysm, most states will continue to keep their borders open to flows of goods and services, and that there is no technological or political “silver bullet” that could separate licit from illicit flows to an extent that the latter could be effectively controlled or eliminated. This assumption relies on the continuation of pre-2008 trends toward greater interlinkages between global economies, and the accordant difficulties in monitoring cross-border trades. Given this, smugglers' oldest tools – coercion and corruption – will remain amongst their most useful. Interdiction will continue to put a price premium on transnational narcotics smuggling, but – with the exception of specific cases, such as the U.S. government's Caribbean

efforts – it will not curtail the overall trade. The development of a “wonder weapon” capable of dramatically tilting the balance in favour of the interdictors is unlikely, partly for basic reasons relating to the relative ease of concealment, partly because the means to cross borders with illicit payloads are limited only by human imagination and partly because the additional costs of shipments lost by traffickers is easily passed on to the consumers, who have historically demonstrated no fungibility in demand relative to rising prices.

The second assumption is that demand for narcotic drugs, which has not shifted substantially in decades,⁶¹³ remains constant. As illustrated, the markets for *specific* drugs is in flux; individual drugs gain and lose popularity at different rates in different regions. But the demand for drugs generally – for the consumption of substances that alter brain chemistry and perception – appears to be basically constant under a prohibitionist system.

Neither insurgencies backed by drug money, nor local violence in end-user drug markets appear to be on the wane. Drugs remain an appealing source of income for rural insurgencies, thanks to their portability, ease of production and high profit margins. The details of specific drug markets may be altered by new production and distribution structures (synthetic drugs and anonymised Internet-based sales), and new markets may emerge as middle classes with the disposable income for illicit drugs arise in China, India and elsewhere, but illicit drug markets generally are likely to remain regulated by the combination of explicit and implicit regulatory violence. Fundamentally, the engine that drives the drug market – and the different types of violence engendered by it – is demand. The current and historical statuses of drug trafficking demonstrate clearly that DTOs are extremely capable of profiting despite extensive, well-funded state counter-narcotics efforts; this state of affairs is unlikely to change even as the specifics of drug markets shift with global economic fortunes. Narcotics traffickers have demonstrated an uncanny ability to adapt and penetrate new markets, piggybacking off discord and weakness to capitalise on conditions that characterise Markets of Narcotic Violence.

613

UNODC 2012, p. 5.

In this environment, Mexico serves as a cautionary example: a relatively strong state with mostly functional central institutions that has nevertheless lost its monopoly on violence and been unable to suppress a dynamic of violent entrepreneurialism that, in the span of just a few years, has come to dictate much of its security strategy and international image. While Mexican policymakers must bear some responsibility for this state of affairs, many of the factors that led to the development of this particular Market of Narcotic Violence were not unique to Mexico, and therefore could serve as a template for future MNVs. In a world where traditional inter-state conflicts and large-scale warfare are becoming rarer, the success of Mexican drug traffickers in generating and sustaining a resilient profit-making network fuelled by extreme brutality in an otherwise relatively peaceful and stable nation demonstrates the type of challenges to existing state and international structures the world is likely to see in the coming decades.

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