

CATO INSTITUTE ECONOMIC DEVELOPMENT BULLETIN

CENTER FOR GLOBAL LIBERTY & PROSPERITY

No. 13 • May 6, 2010

Mexico's Failed Drug War

by Jorge Castañeda

What is going on with Mexico's drug war? Why are we in our current mess, and what are the possibilities of getting out of it in any reasonable time frame?

We are in this mess today, as opposed to over the last 40 or 50 years, because when the current president, Felipe Calderón, took office over three years ago, he felt that he had no choice but to declare a full-fledged, no-holds-barred war on drugs. He declared this war after a three-month transition period, which was very rocky because of the controversy surrounding the elections. And he declared this war because he had the impression that it was as if a patient had come to him and said, "I have a stomachache." Thinking it was a problem of appendicitis, he opened the patient up and found that the entire abdominal cavity was invaded by cancer. He had no option other than to go in with everything he had to fix it. This was the country Calderón said he found. He had to declare a war on drugs because the drug cartels had reached a level of power, wealth, violence, and penetration of the state that made the situation untenable.

Why the War on Drugs?

Why did president Calderón declare the war on drugs? The first reason was violence. In the last year of President Vicente Fox's administration there had probably been more incidents of violence related to drugs in some states of Mexico than in previous years. This is a hard judgment to make

*Jorge Castañeda was foreign minister of Mexico during the administration of President Vicente Fox and is coauthor of *El Narco: La Guerra Fallida (Punto de Lectura, 2009)*. This article is based in part on his lecture at the Cato Institute Benefactor Summit on March 7, 2009, on the Mayan Riviera, Mexico.*

because only in the last 15 years has Mexico been a country where there is a real congress, where there is a free press, and where there is some sort of accountability and transparency.

We don't really know how many people were killed in drug wars in the 1970s and the 1980s because there was nobody to count them. We know how many were killed in 2003, 2004, 2007, or 2008, because we now have a free press, we have an opposition in congress, we have international monitors, we have Human Rights Watch, we have the Drug Enforcement Administration, and we have all sorts of people doing those jobs. Since we didn't have that in the 1960s, 1970s, and 1980s, we really don't know if there is that much more violence now than there was then. However, President Calderón had the impression that there was more violence when he assumed office and so he had to take on the drug cartels for that reason.

The second reason is that Calderón also thought there was more corruption now—or three years ago—than before. However, the notion that drug-related corruption is worse today than 30 or 40 years ago is not really that clear since, again, we do not know how much corruption there was before. Still, it's probably true that there is less corruption stemming from drugs today because there is less corruption, in general, in Mexico today for many reasons, including politics, globalization, and NAFTA. Therefore, that reason was a difficult one to accept at face value.

A third explanation given by the president was that the drug cartels had penetrated the political arena at the local, state, and federal levels to such an extent that Mexico was losing control of parts of its territory. Again, this is a tough call to make in a country where we have had that type of penetration for many years.

Finally, President Calderón has argued that Mexico has ceased being simply a transit country and has become a country of drug consumption. That notion struck a chord in Mexican public opinion: “We are not doing this for the Americans anymore; we are doing it for ourselves because drugs are reaching our children.”

The problem with this argument is that the government has not been able to come up with any statistics over the last three years to substantiate the claim. In fact, most of the figures the government does provide, like the number of users, occasional users, addicts, and so on, show that, at best, there has been a very small increase in the number of users, whether they are occasional users or addicts. One shortcoming of the numbers that the government generally uses is that they only quantify “users,” without breaking down the data between occasional, recreational, or addicted users. “Users” of drugs have gone up from 307,000 to 465,000 over the last seven years (2002–2008), which in a country of 110 million people, is not a huge drug problem. Mexico is, by and large, today a middle-class country, with approximately 60 percent of the country ranked as such. In a typical middle-class country you have much more than 0.4 percent of the population that has used drugs.

Fighting the War

Who is waging this war? This is a complicated question. We have an army in Mexico, the purpose of which is not to be a fighting army, but to participate in rescue efforts when some natural disaster strikes the country. Mexico’s political system has, since the 1920s, deliberately ensured that the army is useless. There is a tremendous consensus in the country on this matter. We want an army that is corrupt, poorly trained, poorly equipped, and totally useless. Why? Because those armies don’t overthrow their governments. We have not even had an attempted military coup in Mexico since 1938.

An old, distinguished Mexican politician, Jesús Reyes Heróles, who in the 1960s was head of Pemex, the state-owned oil company, once told me that one day there was a riot somewhere in the country, and the minister of defense came to him and said, “I need more gas for my trucks.” Mr. Reyes Heróles refused, so the minister of defense went to complain to the president about why he couldn’t have any more gas for his trucks. The president then called the head of Pemex and asked him about the situation. Mr. Reyes Heróles said, “Look, Mr. President, I’ll do whatever you want, but standing orders here in Pemex are never to give the army more than two days’ of gasoline. If you want me to give them more, I’ll do it. But this is the way things operate.”

It’s not as stupid as it sounds; it was actually very wise. The caveat is that you can’t ask such an army to go to war because that’s not its business. Therefore, you have an army that is totally unprepared to fight a war against drug cartels.

The second question is who else could be fighting this war if we don’t have an effective army? What about the police? The problem is that Mexico doesn’t have a national police force like Chile or Colombia. We have county and state police. Each of the 2,500 counties and 32 states in

Mexico has its own police force, and they are the ones fighting the war on drugs. The problem is that local policemen go through an identity crisis every day regarding who they work for. Do they work for the drug cartels or the citizens of the country? They work for the drug cartels—and everybody in Mexico knows that. Clearly, you can’t ask them to fight the drug cartels because they are *part* of the drug cartels.

Therefore, Mexico has an army which is not ready to fight a war on drugs, and a police force that is not willing to do so. The remaining alternative is the United States, but that option is quite complicated. Historically, Mexico has always wanted U.S. support for law-enforcement efforts, and the United States has been willing to give us such support, but we want it on our terms, not on U.S. terms. And, since approximately the end of the Vietnam War, the United States has placed a series of restrictions on military aid that involve human rights provisions, military supervision, and instruction, among others. That means that we can’t get American aid on our terms, and thus it has been very limited. Who then is fighting the war on drugs? We don’t really know.

Another problem the president and the government faced has to do with the Powell Doctrine. During the Gulf War, General Colin Powell, then head of the U.S. Joint Chiefs of Staff, outlined what came to be known as the Powell Doctrine for U.S. involvement in conflicts abroad, and it establishes several conditions: you need to have a definition of victory, you need to have overwhelming force, you need to have an exit strategy, and you need to have the support and understanding of the people.

If you apply the Powell doctrine to Mexico’s war on drugs, you will quickly notice that first, there is no overwhelming force—as a matter of fact, there is no force. Second, there is no exit strategy, because there is no way to know whether you have won the war on drugs or not. Third, there is no foreseeable way out of this war. And fourth, you have public support for this endeavor only as long as you are not affecting the daily lives of the people, and even though the war on drugs continues to have the support of most Mexicans, that support is quickly fading locally. If you ask someone what he or she thinks about the army taking over Ciudad Juárez or Cancún, that person would probably say that it is a good idea. But if you ask the people of Ciudad Juárez or Cancún whether they liked the massacre last week in the penitentiary or whether they liked seeing the severed head of the newly appointed chief of security displayed by the side of the road three weeks ago, they will say they are not so happy about it.

Unrealistic Expectations of U.S. Change

Everyone in Mexico knows that we can’t win this war. The government, acknowledging this, has begun to say that drug trafficking and violence can’t be solved until the United States does two things, knowing full well that those are impossible. One is reducing the demand for drugs. It is well known that U.S. demand for drugs over the past 40 years has remained pretty much stable, although the types of drugs consumed have changed: marijuana was the drug of the 1960s and 1970s, cocaine and crack were the drugs of the

1990s, and methamphetamine is the drug of the first decade of the 21st century. However, the overall number of users has remained pretty much the same. If the United States hasn't been able to reduce drug consumption in 40 years, it's very unlikely that it will be able to do it now.

The first Mexican president to realize this was Gustavo Díaz Ordaz, in 1969, when Richard Nixon told him "Yes, you're right, absolutely, we have to do something on the demand side." Since then, every American president has recognized the need to do something about drug demand, but nothing has happened because it's not feasible.

The second request to the U.S. government is to stop the traffic of weapons from the United States to Mexico because—the Mexican authorities claim—all of the violence and all of the killing is done with American guns. In fact, we only know with certainty that about 18 percent of guns come from the United States, according to Mexican and U.S. sources.¹ The rest is surely coming from Central America, countries of the former Soviet Union, and beyond. And as countries as diverse as Brazil, Paraguay, Somalia, and Sudan attest—all countries with a higher arms per capita than Mexico—you don't need a border with the United States to gain easy access to guns. Nevertheless, the possibilities of really limiting the sales of weapons in the United States is not imminent, to put it mildly. Moreover, asking the United States to stop arms trafficking from north to south is like asking Mexico to control its border from south to north, whether it is for drugs, people, or anything else. It's not going to happen.

What Can Mexico Do?

President Calderón, in response to a recent report by former presidents Ernesto Zedillo of Mexico, Fernando Henrique Cardoso of Brazil, and César Gaviria of Colombia calling for the decriminalization of marijuana, said that such a move would condemn entire generations of Mexicans to destitution and despair.² It seems that he didn't understand that what these former presidents were calling for was decriminalization of drugs everywhere, not just in their own countries, but in particular, in large drug-consuming nations such as the United States.

There is no possible way that Mexico could get away with unilaterally decriminalizing possession, commerce, and consumption of drugs in Mexico if the United States didn't do the same thing, and in that sense, president Calderón is right. Not only would Mexico become a meeting point for

junkies from all over the world—and particularly from the United States—but the real issue would be the pressure from the U.S. government not to do that, which would be unbearable for Mexico.

Does that mean that Mexico cannot do anything until the United States does something, and that, in the meantime, we have to continue with this fratricidal war on drugs? I don't think so. There are things Mexico can do, although they are controversial even in Mexico.

First, we need to go back to the *modus vivendi* that the government, society, and the cartels had over the past 50 years. There was no explicit deal or negotiation, but there was an understanding, and those tacit rules were followed by all sides. They were not ideal rules, and every now and then there were screw-ups: we would have to hand somebody over to the United States as a scapegoat, or we would have a problem with the United States that we had to fix. This could be shocking to many who might wonder how a democratic government could reach an understanding with criminals. Well, Mexico would not be the first country in which this happened.

We also have to push for drug decriminalization in Mexico *and* in the United States. Even though we can't do it unilaterally in Mexico, we can't be silent about it either. This is not just a U.S. decision, since it affects everybody—especially Mexico—and if there is one country in the world that feels the effects of what the United States does in any field or endeavor, it is Mexico.

We need to move in those directions, even though they are controversial and complicated. Last year, some 7,600 people died in drug-related episodes in Mexico—more than a thousand deaths more than in 2008. And the death rate in 2008 was, in turn, double that of the previous year. Mexico is paying an enormous price to fight a war which is going nowhere, which we are not winning, which we cannot win, and which the United States does not want to fight in its own territory, but wants others to fight elsewhere. We should find other solutions with the United States, not against the United States.

Notes

1. Rubén Aguilar V. and Jorge G. Castañeda, *El Narco: La Guerra Fallida* (Mexico City: Punto de Lectura, 2009), p. 68.
2. Latin American Commission on Drugs and Democracy, "Drugs and Democracy: Toward a Paradigm Shift," February 2009.

Other Studies from the Cato Institute

- “Drug Decriminalization in Portugal: Lessons for Creating Fair and Successful Drug Policies” by Glenn Greenwald, White Paper (April 2, 2009)
- “Troubled Neighbor: Mexico’s Drug Violence Poses a Threat to the United States” by Ted Galen Carpenter, Policy Analysis no. 631 (February 2, 2009)
- “The State of Liberal Democracy in Africa: Resurgence or Retreat?” by Tony Leon, Development Policy Analysis no. 12 (April 26, 2010)
- “Reflections on Communism: Twenty Years after the Fall of the Berlin Wall” by Paul Hollander, Development Policy Analysis no. 11 (November 2, 2009)
- “Socialism Kills: The Human Cost of Delayed Economic Reform in India” by Swaminathan S. Anklesaria Aiyar, Development Briefing Paper no. 4 (October 4, 2009)
- “An International Monetary Fund Currency to Rival the Dollar? Why Special Drawing Rights Can’t Play That Role” by Swaminathan S. Anklesaria Aiyar, Development Policy Analysis no. 10 (July 7, 2009)
- “The Cost of Zimbabwe’s Continuing Farm Invasions” by Eddie Cross, Economic Development Bulletin no. 12 (May 18, 2009)
- “The False Promise of Gleneagles: Misguided Priorities at the Heart of the New Push for African Development” by Marian L. Tupy, Development Policy Analysis no. 9 (April 24, 2009)
- “El Salvador: A Central American Tiger?” by Juan Carlos Hidalgo, Development Policy Analysis no. 8 (March 9, 2009)
- “The Benefits of Port Liberalization: A Case Study from India” by Swaminathan S. Anklesaria Aiyar, Development Policy Analysis no. 7 (December 3, 2008)
- “Zimbabwe: From Hyperinflation to Growth” by Steve H. Hanke, Development Policy Analysis no. 6 (June 25, 2008)
- “A Decade of Suffering in Zimbabwe: Economic Collapse and Political Repression under Robert Mugabe” by David Coltart, Development Policy Analysis no. 5 (March 24, 2008)
- “Fifteen Years of Transformation in the Post-Communist World” by Oleh Havrylyshyn, Development Policy Analysis no. 4 (November 7, 2007)
- “Securing Land Rights for Chinese Farmers: A Leap Forward for Stability and Growth” by Zhu Keliang and Roy Prosterman, Development Policy Analysis no. 3 (October 15, 2007)
- “The ‘Cotton Problem’ in West and Central Africa: The Case for Domestic Reforms” by John Baffes, Economic Development Bulletin no. 11 (July 10, 2007)
- “Troubling Signs for South African Democracy under the ANC” by Marian L. Tupy, Development Briefing Paper no. 3 (April 25, 2007)
- “Environmentalism and Other Challenges of the Current Era” by Václav Klaus, Economic Development Bulletin no. 10 (April 20, 2007)
- “Kenya’s Fight against Corruption: An Uneven Path to Political Accountability” by John Githongo, Development Briefing Paper no. 2 (March 15, 2007)
- “A Second Look at Microfinance: The Sequence of Growth and Credit in Economic History” by Thomas Dichter, Development Briefing Paper no. 1 (February 15, 2007)
- “Economic Freedom and the Advantages of Backwardness” by Erich Weede, Economic Development Bulletin no. 9 (January 31, 2007)