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Between War and Crime? Analysing Drug Violence in Mexico

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Near the end of the first season of HBO's "The Wire," a police detective is shot and seriously wounded while conducting an undercover sting operation on a powerful Baltimore drug gang. In response, the detective's colleagues press for more time to build their case against the gang's leadership, but the commissioner ignores them and orders a citywide series of raids on any address known to be connected to the drug trade, in order to "send a message" to the local traffickers. One of the officers, infuriated by the fact that their hard work and their friend's sacrifice will be expended on an operation unlikely to disrupt the city's drug traffic, bitterly describes the commissioner's action as "Putting dope on the damn table."

That series of events is highly reminiscent of scenes from Mexico's ongoing, bitter conflict against drug traffickers. One of the most common images in press accounts of the violence has been a variation on the "dope on the table" theme: captured traffickers, posed in front of the camera by a squad of masked, armoured, heavily armed Federal Police, usually accompanied by a table groaning under the weight of hundreds of pounds of cocaine, heroin or methamphetamine and dozens of military-style assault weapons, sometimes tastefully bedecked in diamonds or gold plating. The purpose of such scenes is to reassure the public that the forces of the state are winning the war and to instil the idea that the inevitable consequence of a career with a drug trafficking group is to end up humbled by the state – at the very best. But besides the propaganda value, what do these pictures really tell us about the violence which has claimed more than 45,000 Mexican lives since 2006?

One of the things it tells us is how little is actually known about what is happening in Mexico. The men in the photos are usually described as criminals, drug traffickers, or (occasionally) narco-terrorists, but whose strategy are they following? Whose interests do they serve? And what type of conflict are they participants in – are they criminals in an unusually vicious gang fight, insurgents, terrorists, or harbingers of a new military or social order?

A few things need to be said about drug violence in Mexico to set the ground for any discussion. First of all, while the murder rate at the moment is high, it is not as apocalyptic as individual news stories might make it sound. Various Latin and South American countries still have higher overall murder rates than Mexico. Moreover, while the homicide rate in Mexico is high relative to the rate in the late 1990s and early 2000s, those rates themselves represented a significant decrease from the norm of the 1970s and 80s. But there are several distinctive features of types of violence seen in the current conflict. First, the rates of drug-related slayings has increased exponentially – from about 3000 in 2007 to over 15,000 in 2010. Second, the violence is extremely localised: the core of the country, around Mexico City, the tourist regions, and many of the states located away from the nation's borders have seen only small upticks in violence and have garnered few headlines, while states along the country's borders and main drug trafficking routes have seen exponential increases in crime.

Finally, and perhaps most importantly, contemporary violence in Mexico bears a fundamentally different character than previous instances of drug violence. Obviously, drug violence is not a new phenomenon, and certainly the country has seen high-profile instances before, particularly the 1985 abduction and murder of American DEA agent Enrique Camerana. But the regularity, brutality and (to borrow a phrase from Anton Blok) expressive qualities of the current violence stand out. Barely a week has gone by in the last few years without a news report of mass killings of migrant workers, or multiple decapitations, or the slayings of journalists or peace activists, or one of a hundred other types of atrocities. As frightening and terrible as these acts are on their own, when they occur in Mexico's richest city, or within a stone's throw of the American border, the symbolic value is increased considerably.

When talking about the conflict in Mexico, newspaper headline writers and politicians tend to use one of two metaphors. There is the conception that the violence represents some variation on the idea of organised crime or of irregular warfare. These are, of course, somewhat too broad as categories, but they are instructive nonetheless.

The assessment of the Mexican conflict as a war relies on a sort of "walks like a duck, quacks like a duck" analysis. In other words, because the scope, scale and character of violence resembles insurgencies and other irregular conflicts worldwide which are commonly referred to as wars, what's happening in Mexico must be a war as well. A large part of this assessment relies on the fact that the drug trafficking organisations are particularly well-equipped, regularly using military-style assault weapons and anti-matériel rifles (both of which can be purchased with relative ease just across the U.S. border), encrypted communications networks, and in a few cases, improvised armoured vehicles. The other aspect of this assessment is the fact that, as opposed to traditional organised crime networks, the Mexican traffickers seem entirely willing to challenge the state directly, even directly attacking police and military forces. Such actions have led to the situation in Mexico being dubbed "a criminal insurgency" in some quarters and "narcoterrorism" in others.

At the other end of the spectrum, we have the description of Mexico as a case of anomalous levels of organised crime violence. The Mexican government generally comes down on this side, with officials referring to its strategy as a “battle against organised crime” and arguing that the vast majority of the victims in the drug conflict are involved in trafficking (though what it means to be “involved” and the extent to which such figures can be proven are, at best, debatable). Others, such as Phil Williams, have argued that the dynamics of violence in Mexico are predictable given the fracturing of an existing organised crime network.

On the whole, I believe the crime metaphor is closer to the mark, but neither exactly encompasses the whole of what's happening in Mexico. There are theoretical and practical problems with both conceptions, which I'll lay out briefly here before arguing for a different way of understanding the conflict.

When talking about violence linked to the trade in drugs, the idea of the “War on Drugs” inevitably comes up. This particular construction has its origins with Richard Nixon's presidency in 1971, and although Nixon meant it mostly as a means to rally public support for his proposals to increase spending on drug rehabilitation and prevention programs, subsequent administrations have taken an altogether more militarised view on the topic. The problem is that drugs are not an enemy which can really be defeated by military means; it is possible to catch suppliers and traffickers, to destroy drug production facilities, to imprison users and tighten border controls... but all of these measures seem only to affect drug use on the margins; on the whole, rates of usage seem relatively consistent across time regardless of enforcement efforts. The economic incentives of drug trafficking are so powerful that no matter how aggressively governments seek to deter participation, traffickers will continue to find workers at every level. Within the confines of a democratic society, militarisation can only hope to manage the problem of drug use, not end it.

More practically, in Mexico, the language of war implies a military response, and the Mexican military is not an ideally suited tool for the job. The army and navy (in Mexico, the two are separate entities reporting up to the executive branch through separate chains of command; there is no Mexican equivalent of the Pentagon or the MoD) are both professional, relatively competent and still supported by majorities of the Mexican people, but they have a number of critical weaknesses nevertheless. The Mexican military's doctrine is to defend Mexican territory; it has little in the way of counter-insurgency training or doctrine, and its human rights record in the course of the last five years has left something to be desired. Furthermore, soldiers and police have fundamentally different jobs; the purpose of the military is to win fights – which it is and will almost certainly remain capable of – whereas the police are responsible for a functioning justice system, which takes a fundamentally different mindset (not to mention different training and equipment). The military can serve as a stopgap tool of order in areas where the drug traffickers outgun the police, but simply sending in the army will not change the underlying conditions which promote drug trafficking; nor does it change the nature of the conflict.

The metaphor of crime is, in my view, a better approximation of what's happening in Mexico, but still flawed in some respects. Inherent to the nature of criminality is the idea of operating around rather than against the state – that is to say, a criminal's potential profit is maximised by co-opting or avoiding the state, rather than by confronting it. Generally, when criminals attack the state directly – as with the Mafia's assassination of crusading Italian judges like Giovanni Falcone in 1992 – it is normally seen as a sign of weakness; but in Mexico, this level of confrontation has continued for half a decade without any apparent sign of slowing down. Criminals can, of course, use the weakness of a state as a shield; they can hide their activities more easily – or, if the state is weak enough, simply pursue their occupations in areas where the government simply does not have the coercive capability to stop them. Mexico has high levels of inequality and a geographical situation which leaves many of its people with few better options than participation in the drug trade, but it is also a rich, cohesive country which is in no danger of becoming a failed state.

That said, the Mexican justice system is not in particularly good shape to manage the problems of drug trafficking. The local, state, and federal police have issues with low pay, poor-quality equipment, and, as a result, high levels of corruption. Generally speaking, the problems are worse with smaller, local forces, but the Policia Federal – Mexico's FBI equivalent – has been repeatedly reorganised and has suffered a number of major purges in the last few years thanks to allegations of corruption. The justice system is not in much better shape; the conviction rate for drug homicides is extremely low, and even those convicted are likely to end up in prisons which seem to be run for the benefit of the prisoners, with contraband including drugs, electronics and prostitutes often available. So while the justice system may ultimately be the tool with which drug violence must be managed, it will take a substantial amount of time and investment before it is in any position to do so.

Having written at length about the issues in Mexico, it behooves me to mention the other major player in the conflict: the United States. Mexico has a somewhat contentious relationship with the superpower on its northern frontier; Porfirio Diaz may never have actually spoken the words often attributed to him (“Poor Mexico; so far from God, so close to the United States”), but the quote persists for good reason. Without American demand for drugs, there would be little drug trafficking through Mexico and consequently little violence to accompany it; without the availability of American guns, the Mexican cartels would not be so spectacularly well-armed. The first part of this equation, at least, has been acknowledged for the first time by the Obama Administration; the second remains a sore point thanks to the Bureau of Alcohol, Tobacco and Firearms' ill-conceived “gun-walking” stings, such as Operation Fast and Furious, and thanks to the American domestic politics of gun control. But the U.S. is not simply a passive source of income for the traffickers; the American government is also taking an increasing role in the conflict. From the \$1.4 billion Merida Initiative aid program to (apparently unarmed) American drones in Mexican skies to a quiet but increasing presence of American intelligence and law enforcement personnel on Mexican soil, the United States is increasingly an actor in its own right in the conflict.

But, again, what is it exactly that the United States is getting involved in, if not a “battle against organised crime” or a war? The term I've chosen to describe it is a “market of violence.” This concept is defined by a set of constraints in two groups: external and internal. The most important external constraint in this case is the internationalisation of drug prohibition, which has moved the entire market for narcotics, from production to distribution, outside the legal sphere, meaning that the only regulatory mechanism within the market anymore is the threat or use of force. But globalisation itself is also responsible for some of the

dynamics at work in Mexico: by creating an economic system in which rapid, affordable transportation of goods is possible whether those goods are legal or not, a dynamic has emerged in the drug market in which production can be sited where labor is the least expensive, and the drugs can be sold on to where the consumers are willing to pay the highest price. Mexico's geographic location between the Andean nations (where the vast majority of the world's cocaine is produced) and the world's largest individual narcotics market, the United States, puts it in a perfect location for this dynamic to find expression.

Internal constraints also matter. In the case of Mexico, the most important is the North American Free Trade Agreement, which bonded its economy together with those of the United States and Canada, and locked open the borders. American politicians talk a great deal about "sealing the border" against illegal immigration and drugs, but aside from the impracticality of trying to seal a 1969-mile frontier, it would be essentially meaningless to drug trafficking unless NAFTA were also revoked, as so much traffic passes between Mexico and the U.S. that the vast majority of it cannot be thoroughly inspected. And revocation of NAFTA is a non-starter, especially in a recession, as it would devastate the economies of all three member states. NAFTA also had an important historical effect: it prompted the movement north of hundreds of thousands of Mexicans to work in border factories (maquiladoras), many of which subsequently closed, leaving a large, indigent workforce open to exploitation by cartels. The weaknesses of the army, law enforcement agencies and justice system, as discussed above, is also an internal constraint, as they are not capable of exhibiting the necessary combination of coercive and enforcement powers necessary to comprehensively defeat trafficking organisations.

These constraints have led to the creation of a system in which large-scale violence is perpetuated, both between trafficking groups and between those groups and the state. Although the different cartels do not have any interests in common aside from the basic profit motive, the relevant market forces reward the use of violence rather than punishing it, and continue to supply willing recruits, even though the risks of becoming involved are apparent. These dynamics also allow for an extraordinarily broad range of groups to take part, from "corporatist" cartels with fairly traditional hierarchies, such as the Sinaloa Federation, to groups which have taken a more aggressive, franchised approach, such as Los Zetas, and even some which more closely resemble insurgencies, such as La Familia Michoacana. The differences between these groups are stark; yet they have all managed to adapt to a system wherein violence is a product, a service, and a market regulator.

So what is the endgame in Mexico? Barring an extremely unlikely sea change in the constraints, such as the legalisation of narcotics or the repeal of NAFTA and closure of the border, there are a few possibilities. One is the resumption of the "truce" which prevailed under the former ruling party of Mexico, the PRI, which saw a small number of major traffickers left more or less alone to sell drugs so long as they kept violence down. This is unlikely for a number of reasons, however: the Mexican government would be essentially admitting defeat, the current cartel network is too fractured for a brokered peace to be stable, and the American government would reject such a compromise. A widespread cultural rejection of violence in Mexico could also cut into the number of people willing to work for cartels, but such a change would have to arise from the grassroots to be truly effective, and such an occurrence is very difficult to predict. The most likely outcomes are either a massive, multi-year program to build up the Mexican law enforcement and justice systems, coupled with an economic program which creates solid jobs for those who otherwise end up in cartel employ; or a simple acceptance that this level of violence represents the new normal. While I hope that Mexico and the United States work together towards the former, the dynamics of the market of violence and the stubbornness of the constraints indicate that the elevated levels of violence in Mexico are likely to persist at least for the immediate future.

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