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**NAVAL  
POSTGRADUATE  
SCHOOL**

**MONTEREY, CALIFORNIA**

**THESIS**

**MERIDA INITIATIVE: INSIGHT INTO U.S.-MEXICO  
RELATIONS**

by

Andrew T. Bartholomeaux

September 2016

Thesis Advisor:

Erik J. Dahl

Second Reader:

Rodrigo Nieto-Gomez

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**MERIDA INITIATIVE: INSIGHT INTO U.S.-MEXICO RELATIONS**

Andrew T. Bartholomeaux  
Lieutenant, United States Navy  
B.A., University of Pittsburgh, 2009

Submitted in partial fulfillment of the  
requirements for the degree of

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September 2016**

Approved by: Erik J. Dahl  
Thesis Advisor

Rodrigo Nieto-Gomez  
Second Reader

Mohammed M. Hafez  
Chair, Department of National Security Affairs

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## **ABSTRACT**

In 2007, the United States and Mexico agreed to a bilateral anti-drug policy known as Mérida Initiative with the intent of disrupting organized crime and drug trafficking in Mexico. The initiative has persisted through multiple administrations on both sides of the border and received various scholarly criticisms for its oversimplification of the problem. Did funding and allocation of resources of the Mérida Initiative address the underlying issues that contributed to the drug trade in Mexico?

Analyzing the historical foundations that supported the rise of organized crime in Mexico, combined with the factors that drive the drug trade, reveals an anti-drug policy focused on military operations and not on addressing the factors set forth in the initiative. This thesis exposes the underlying issues and analyzes allocation of resources to pinpoint where the focus is, and where it should be placed.

This thesis concludes that allocation of resources is placed on security operations when they would be better suited on training the judicial branch in Mexico, improving the border, and improving the community to provide opportunities outside organized crime. Furthermore, the United States has steps to take to fulfil its shared responsibility.



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## LIST OF ACRONYMS AND ABBREVIATIONS

ATF	Bureau of Alcohol, Tobacco, and Firearms
CRS	Congressional Research Service
DA	Development Assistance
DEA	Drug Enforcement Agency
DFS	<i>Dirección Federal de Seguridad</i> (Federal Directorate of Security)
DTO	Drug Trafficking Organization
ESF	Economic Support Fund
FMF	Foreign Military Financing
GAO	Government Accountability Office
GHCS	Global Health and Child Survival
IMET	International Military Education and Training
INCLE	International Narcotics Control and Law Enforcement
MI	Mérida Initiative
NADR	Nonproliferation, Anti-terrorism and Related Programs
NAFTA	North American Free Trade Agreement
OAS	Organization of American States
PGR	<i>Procuraduría General de la República</i> (Office of the Attorney General)
PRI	<i>Partido Revolucionario Institucional</i> (Institutional Revolutionary Party)
SOUTHCOM	United States Southern Command
TCO	transnational criminal organization
UNODC	United Nations Office on Drugs and Crime
USAID	United States Agency for International Development



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# I. INTRODUCTION TO MÉRIDA INITIATIVE

## A. MAJOR RESEARCH QUESTION

This thesis answers the following question: Did funding and allocation of resources of the Mérida Initiative (MI) address the underlying issues that contributed to the drug trade in Mexico?

Since the early 1970s, when the Nixon administration declared “war on drugs,” the United States has played a crucial role in the Western Hemisphere through the implementation of various anti-drug policies aimed at reducing the flow of illicit drugs into the United States.<sup>1</sup> Accordingly, in October 2007, the United States and Mexico established the Mérida Initiative (MI), a bilateral agreement with the objective of disrupting organized crime and drug trafficking in Mexico.<sup>2</sup> While the initiative was intended for both Mexico and Central America, 84 percent of the \$1.6 billion, or approximately \$1.3 billion, was allocated to Mexico between FY2008 and FY2010.<sup>3</sup> The Mérida Initiative primarily provided support through training and equipment and received various critical evaluations after government agencies failed to obligate or spend the funds that were allocated for this program; according to a 2010 Government Accountability Office (GAO) report, “46 percent of Mérida funds for fiscal years 2008 to 2010 had been obligated, and approximately 9 percent had been expended.”<sup>4</sup> Furthermore, in FY2009, Foreign Military Financing (FMF) made up 38 percent of the overall Mérida Initiative funds, and International Narcotics Control and Law Enforcement (INCLE) made up another 57 percent reflecting the initial heavy focus on

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<sup>1</sup> Brian Bow, “Beyond Mérida? The Evolution of the U.S. Response to Mexico’s Security Crisis,” in *The State and Security in Mexico: Transformation and Crisis in Regional Perspective*, ed. by Brian Bow and Arturo Santa-Cruz (New York: Routledge, 2013), 82.

<sup>2</sup> Clare Ribando Seelke and Kristin Finklea, *U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond*, CRS Report R41349 (Washington, DC: Library of Congress, Congressional Research Service, April 8, 2014), 6.

<sup>3</sup> U.S. Government Accountability Office, *Mérida Initiative: The United States Has Provided Counternarcotics and Anticrime Support but Needs Better Performance Measures* by Jess T. Ford (GAO-10-837) (Washington, DC: GPO, 2010), 4.

<sup>4</sup> *Ibid.*, 11.

law enforcement and military involvement and the lack of focus on social programs.<sup>5</sup> Lastly, it underwent a pivotal policy shift in 2010 known as “Mérida 2.0,” or the official policy name, “Beyond Mérida,” which although similar to the initial plan, it added a specific focus on a 21<sup>st</sup> century border—one that would allow free flow of commerce and travel and restrict flow of illicit good, both North and South, and building strong and resilient communities by giving Mexican citizens social and economic opportunities outside of organized crime<sup>6</sup> According to Eric Olson and Christopher Wilson, “While the majority of the U.S. funding in the first phase of the Merida Initiative went to expensive equipment, particularly aircraft, the new approach shifts the focus toward institution building.”<sup>7</sup> By focusing on the fundamental issues that fuel the drug trade in Mexico, one can infer the most effective future anti-drug policies.

## **B. SIGNIFICANCE OF THE RESEARCH QUESTION**

The Mérida Initiative deserves continued analysis for various reasons. First, it provides a contemporary example of a U.S. approach to combating the global narcotics issue.

Second, Mexico and the United States have become increasingly interdependent, and the failure of one would have devastating effects on the other. The United States and Mexico trade \$500 billion annually as a result of the North American Free Trade Agreement (NAFTA) and share a nearly 2,000 mile border. Shannon O’Neil writes, “What Mexico will never be is far away. And the ties today between the United States and Mexico go far beyond sheer geography.” She goes on to say, “Bound by economic, environmental, cultural, familial, security, and diplomatic bonds, perhaps no other country is as intertwined with the United States as Mexico.”<sup>8</sup> Furthermore, it is U.S. drug

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<sup>5</sup> Seelke and Finklea, *U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond*, CRS Report R41349 (Washington, DC: Library of Congress, Congressional Research Service, April 8, 2014), 36.

<sup>6</sup> Bow, “Beyond Mérida? The Evolution of the U.S. Response to Mexico’s Security Crisis,” 77; Eric L. Olson and Christopher E. Wilson, “Beyond Merida: The Evolving Approach to Security Cooperation,” May 1, 2010, [http://www.wilsoncenter.org/sites/default/files/beyond\\_merida.pdf](http://www.wilsoncenter.org/sites/default/files/beyond_merida.pdf).

<sup>7</sup> Olson and Wilson, “Beyond Merida: The Evolving Approach to Security Cooperation,” 3.

<sup>8</sup> Shannon O’Neil, *Two Nations Indivisible: Mexico, the United States, and the Road Ahead* (New York: Oxford University Press, 2013), 6.

addiction that plays a major role in Mexico's issues. Sabrina Abu-Hamdeh writes, "According to recent studies, income inequality, political instability and crime have all contributed to the increases in violence, but the major factor is the drug trade."<sup>9</sup> This thought process extends beyond scholars. At the Mérida Conference in 2007, Felipe Calderon, the then President of Mexico, expressed the difficulty in reducing supply in Mexico while sustained demand exists in the United States.<sup>10</sup>

Third, anti-drug policies have the potential for spillover and balloon effects, which can be devastating on other countries and inhibit the ability to assess policy effectiveness. In the case of Mexico, the spillover effects from drug trafficking travelled both north and south. David Pedigo comments on this phenomenon by stating, "In 2005, the governors of Arizona and New Mexico declared their border regions with Mexico to be a 'disaster area' on grounds that they were devastated by human smuggling, drug smuggling, kidnapping, murder, and destruction of property."<sup>11</sup> This issue is not unique to the United States, and some would argue that drug trafficking has had even more devastating effects on the weaker governments of Central America. In a chapter titled, "Militarization in Mexico and Its Implications," Arturo C. Sotomayor notes that the movement of violent drug cartels from Mexico to Central America has resulted in increased homicides in this region.<sup>12</sup> Violence is not the only thing that travels. For some time, scholars have observed a phenomenon known as the balloon effect, which is the shift in growing, producing, and transiting of drugs as a result of enforcement by governments and agencies.<sup>13</sup> Once again, this practice by transnational criminal

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<sup>9</sup> Sabrina Abu-Hamdeh, "The Merida Initiative: An Effective Way of Reducing Violence in Mexico?" *Pepperdine Policy Review* 4, no. 1 (Spring 2011), 38.

<sup>10</sup> Ibid.

<sup>11</sup> David Pedigo, "The Drug War and State Failure in Mexico," *Midwest Journal of Undergraduate Studies* (2012), 112.

<sup>12</sup> Arturo C. Sotomayor, "Militarization in Mexico and Its Implications," in *The State and Security in Mexico: Transformation and Crisis in Regional Perspective*, edited by Brian Bow and Arturo Santa-Cruz (New York: Routledge, 2013), 54.

<sup>13</sup> For instance see, Pedigo, "The Drug War and State Failure in Mexico," 113; Castillo, Juan Camilo, Daniel Mejía, and Pascual Restrepo, "Illegal Drug Markets and Violence in Mexico: The Causes Beyond Calderón," Last modified February 2013. [http://cie.itam.mx/SEMINARIOS/Marzo-Mayo\\_2013/Mejia.pdf](http://cie.itam.mx/SEMINARIOS/Marzo-Mayo_2013/Mejia.pdf); O'Neil, *Two Nations Indivisible*, 126.

organizations (TCOs) makes assessing drug policies difficult, because displacement can portray the illusion of success.

Fourth, MI was intended to be a “shared responsibility” between Mexico and the United States, which involves commitments on both sides of the borders; in a 2014 Congressional Research Service (CRS) report, they write, “As part of the Mérida Initiative’s emphasis on *shared responsibility*, the Mexican government pledged to tackle crime and corruption and the U.S. government pledged to address drug demand and the illicit trafficking of firearms and bulk currency to Mexico.”<sup>14</sup> However, the United States appeared to not uphold its end of the bargain—Mexican DTOs continued to smuggle bulk cash estimated at \$15 to \$25 billion per year south through the border, laundered bulk cash through U.S. financial institutions, received 90–95 percent of their weapons from the United States, and U.S. policymakers continued to focus their policies on supply side intervention, not demand reduction programs.<sup>15</sup> The United States is largely responsible for the issues in Mexico, and must continue to evaluate their role, and the repercussions of their decisions in the war on drugs.

Lastly, despite this outward attempt at bilateral cooperation, drug related violence in Mexico has skyrocketed with more than 60,000 deaths between December 2006 and November 2012.<sup>16</sup> Although homicides decreased by 9 percent in 2013, kidnapping and extortion rose by approximately 20.5 percent and 10.6 percent, respectively.<sup>17</sup> This phenomenon has been attributed to the decentralization and fractionalization of the DTOs due to the direct conflict with Mexican forces, which has caused them to expand their

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<sup>14</sup> Seelke and Finklea, *U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond*, CRS Report R41349 (Washington, DC: Library of Congress, Congressional Research Service, April 8, 2014), 6.

<sup>15</sup> Shannon O’Neil, “The Real War in Mexico: How Democracy Can Defeat the Drug Cartels,” *Foreign Affairs* 88, no. 4 (2009), 70–71; O’Neil, *Two Nations Indivisible*, 127; Stephanie Erin Brewer, “Rethinking the Mérida Initiative: Why the U.S. Must Change Course in its Approach to Mexico’s Drug War,” *Human Rights Brief* 16, no. 3 (2009): 11, <http://www.wcl.american.edu/hrbrief/16/3brewer.pdf>.

<sup>16</sup> Seelke and Finklea, *U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond*, CRS Report R41349 (Washington, DC: Library of Congress, Congressional Research Service, April 8, 2014), 1.

<sup>17</sup> Bureau for International Narcotics and Law Enforcement Affairs, “International Narcotics Control Strategy Report: Volume I Drug and Chemical Control” (2014).

criminal activities.<sup>18</sup> Furthermore, according to George Grayson, “heroin, cocaine, methamphetamine and other illicit substances are more available than ever before.”<sup>19</sup> In fact, according to the 2013 United Nations Office on Drugs and Crime (UNODC) *World Drug Report*, illicit drug use in the United States remained stable, with a slight increase of cocaine consumption in Mexico.<sup>20</sup> Furthermore, additional sources approximate that 90–95 percent of cocaine sold in the United States transits through Mexico, which exhibits the critical importance of bilateral security cooperation between these two countries.<sup>21</sup> In addition to violent crime and drug consumption, the legal system in Mexico confronts similar issues—“less than 13 percent of all crimes are reported in Mexico.”<sup>22</sup> In closing, U.S. politicians, government officials, and scholars have repeatedly alluded to or discussed the potential of Mexico becoming a failed state.<sup>23</sup> While most scholars dismiss the notion that Mexico is in danger of becoming a failed state, the fact that it is a discussion is enough of a red flag, and this debate will be discussed in greater detail throughout this thesis.

### C. LITERATURE REVIEW

A wide array of literature exists concerning anti-drug policy, which includes debates over success or failure, historical origins, collateral damage, and policy

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<sup>18</sup> Luis Astorga and David A. Shirk, “Drug Trafficking Organizations and Counter-Drug Strategies in the U.S.- Mexican Context,” in *Shared Responsibility: U.S.-Mexico Policy Options for Confronting Organized Crime*, ed. by Eric L. Olson, David A. Shirk, and Andrew Selee (Washington, DC: Woodrow Wilson International Center for Scholars – Mexico Institute; San Diego: University of San Diego Transborder Institute, 2010), 43.

<sup>19</sup> George Grayson, *Mexico: Narco Violence and a Failed State?* (New Brunswick, NJ: Transaction Publishers, 2010), 264.

<sup>20</sup> United Nations Office on Drugs and Crime, *World Drug Report 2013* (Vienna, Austria: United Nations, 2013), 12–13.

<sup>21</sup> O’Neil, “The Real War in Mexico,” 66; Clare Seelke and Finklea, *U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond*, CRS Report R41349 (Washington, DC: Library of Congress, Congressional Research Service, April 8, 2014), 2.

<sup>22</sup> Seelke and Finklea, *U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond*, CRS Report R41349 (Washington, DC: Library of Congress, Congressional Research Service, April 8, 2014), 14.

<sup>23</sup> For instance see, Bow, “Beyond Mérida,” 80; Grayson, *Mexico: Narco Violence and a Failed State?* 267–278; Paul Kenny and Mónica Serrano, “Introduction: Security Failure Versus State Failure” in *Mexico’s Security Failure: Collapse into Criminal Violence*, eds. Paul Kenny and Mónica Serrano with Arturo Sotomayor (New York: Routledge, 2012), 9.



recommendations. Although this literature utilizes a variety of approaches for analysis with varied outcomes, the majority can be separated into two groups—advocacy and criticism. This paper will primarily focus on the Mérida Initiative, but it is necessary to review the literature of U.S. anti-drug policy advocates and critics to understand the various approaches and historical trends of U.S. policies abroad. This section will present various scholarly discussions concerning the drug trade and anti-drug policies. First, it will present the various arguments related to types of drug control, which will focus specifically on demand and supply focused anti-drug policies and the effectiveness of interdiction and eradication. Second, it will discuss similarities and differences between Mexico and Colombia. Third, it will discuss obstacles for Mexico’s success in the drug trade, which include corruption, weak law enforcement and judicial system, and legacies of the Institutional Revolutionary Party (PRI) regime. Fourth, it will discuss possible side-effects stemming from MI, which include spillover violence, both North and South; militarization; and human rights violations. Lastly, it will present various scholarly recommendations and critiques of MI. Upon understanding general discussion among scholars concerning anti-drug policies, this paper will shift focus to specific literature pertaining to MI, and its effects on the drug market, security, and U.S.-Mexico relations.

## **1. Various Types of Drug Control**

One of the many debates among scholars and politicians is assessing the effectiveness of supply and demand focused anti-drug policies. Historically, the United States has primarily been a proponent of supply side anti-drug policies, which includes interdiction, alternate development programs (ADPs), crop eradication, and other activities that focus on interrupting the supply of illicit drugs to the United States. Essentially, the goal of supply side intervention is reducing the supply of illicit substances through the various aforementioned means, which in turn will result in a rise in price, and ideally make the illicit good too expensive for consumers and discourage its use.<sup>24</sup> Concerning the funding of the supply side approach, Shannon O’Neil comments,

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<sup>24</sup> Coletta A. Youngers and Eileen Rosin, “The U.S. ‘War on Drugs’: Its Impact in Latin America and the Caribbean,” in *Drugs and Democracy in Latin America: The Impact of U.S. Policy*, eds. Coletta A. Youngers and Eileen Rosin (Boulder, CO: Lynne Rienner Publishers, 2005), 3.

“Roughly two-thirds of the money spent by the U.S. government in the war on drugs goes to the supply side.”<sup>25</sup> She goes on to observe that treatment programs for heavy users tends to be the most cost-effective solution that U.S. policymakers have in their repertoire—to be exact, three times as effective in comparison to prevention and punitive measures.<sup>26</sup> Thomas Babor discusses various other solutions; these include alternate development programs (ADPs); interdiction with the intent of incarcerating individuals involved; prescription regimes, which is typically in developed countries that allow narcotics for prescription use and attempt to control those drugs against improper use; decriminalization; increased penalties against drug users; prevention programs; and treatment of users.<sup>27</sup> However, he follows these proposals by discerning the lack of evidence supporting the effectiveness of supply control policies.<sup>28</sup> Lastly, he notes that adequate evidence exists that supports the use of treatment for drug dependence, or demand control.<sup>29</sup> Despite their optimism for treatment programs, Peter Reuter, a renowned drug policy author, has a bleak outlook towards treatment’s long-term success. In an article titled, “How Can Domestic U.S. Drug Policy Help Mexico,” he discusses the various challenges associated with anti-drug programs:

Few of even the most innovative programs have shown substantial and lasting effect, while almost none of the popular programs have any positive evaluation. Treatment can be shown to reduce both drug consumption and the associated harms of drug dependent clients. However, given the chronic relapsing nature of drug dependence, it is unlikely that treatment expansion will have large effects on aggregate consumption. Enforcement, aimed at dealers and traffickers, which has received the dominant share of funds for drug control, has failed to

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<sup>25</sup> O’Neil, *Two Nations Indivisible*, 149.

<sup>26</sup> *Ibid.*

<sup>27</sup> Thomas F. Babor, “The Public Health Impact of Drug Policies,” in *Rethinking the “War on Drugs” Through the US-Mexico Prism*, eds. Ernesto Zedillo and Haynie Wheeler (New Haven, CT: Yale Center for the Study of Globalization, 2012), 74–78.

<sup>28</sup> *Ibid.*, 75.

<sup>29</sup> *Ibid.*, 79.

prevent price declines; thus supply side efforts are unlikely to reduce the demand for Mexican source drugs.<sup>30</sup>

Beyond these points, he articulates that demand reduction programs in consumer countries, like the United States, tend to have political support, but prevention programs are ineffective and treatment programs would require a 25 percent expansion in funding to reduce cocaine consumption by about 6 percent.<sup>31</sup> He goes on to suggest that the most promising solution comes from studies conducted in Hawaii, where community supervision of parolees and probationers resulted in promising outcomes for reduced drug use.<sup>32</sup> Although scholars continuously evaluate the effectiveness of supply and demand side anti-drug policies, U.S. policymakers continue to favor supply side intervention—specifically, interdiction and eradication.<sup>33</sup>

Dating back to the 1990s, the GAO recognized the futile efforts of interdiction and eradication—specifically in Central America; they asserted that attempts to intercept traffickers “has had little impact on the flow of drugs to the United States.”<sup>34</sup> In an Organization of American States (OAS) report, they observe that interdiction efforts have further compounded the issue by diverting the location of production and trafficking, hence the increased role of Mexico in the drug trade.<sup>35</sup> This territorial displacement plays a significant role on the municipality level as well. According to their report, the movement of criminal networks within a nation, between cities and states, and as a result of government pressure, does not necessarily decrease violence in the previous area of

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<sup>30</sup> Peter Reuter, “How Can Domestic U.S. Drug Policy Help Mexico?” in *Shared Responsibility: U.S.-Mexico Policy Options for Confronting Organized Crime*, eds. Eric L. Olson, David A. Shirk, and Andrew Selee (Washington, DC: Woodrow Wilson International Center for Scholars – Mexico Institute; San Diego: University of San Diego Trans-border Institute, 2010), 121.

<sup>31</sup> *Ibid.*, 136.

<sup>32</sup> *Ibid.*, 121.

<sup>33</sup> For instance see, Reuter, “How Can Domestic U.S. Drug Policy Help Mexico?” 121; Kenny and Serrano, “Introduction: Security Failure Versus State Failure,” 15; Youngers and Rosin, “The U.S. ‘War on Drugs’: Its Impact in Latin America and the Caribbean,” 1–3; O’Neil, *Two Nations Indivisible*, 149.

<sup>34</sup> U.S. Government Accountability Office, *Drug Control: Interdiction Efforts in Central America have had Little Impact on the Flow of Drugs* (GAO/NSAID-94-233) (Washington, DC: GPO, 1994), 4.

<sup>35</sup> Organization of American States, “The Drug Problem in the Americas,” May 17, 2013, 43–50, [http://www.oas.org/documents/eng/press/Introduction\\_and\\_Analytical\\_Report.pdf](http://www.oas.org/documents/eng/press/Introduction_and_Analytical_Report.pdf).

criminal occupation.<sup>36</sup> This means that combating DTOs in one municipality would move their violence to another municipality while leaving a grasp for power and the corresponding instability in the previous one. Furthermore, interdiction efforts in the United States accounted for 15 percent of total federal drug spending in 2012, but according to Beau Kilmer, Jonathan Caulkins, Rosalie Pacula, and Peter Reuter of the RAND Corporation these efforts did little more than “shift methods and routes by which the drugs are shipped.”<sup>37</sup> However, in a previous and pivotal study, Peter Reuter, Gordon Crawford, and Jonathan Cave note that interdiction has functions beyond reducing drug use; it presents risks for traffickers, indicates that the United States takes this issue seriously to other countries, and these scholars recommend continuing interdiction efforts.<sup>38</sup> Despite this apparent support for continued interdiction, Paul Kenny and Monica Serrano cite previous work from Peter Reuter by stating, “if the United States had been able to successfully interdict 50 percent of all cocaine coming from Colombia, the cheapness of replacement would have meant that less than 3 percent would have been added to its retail price in America.”<sup>39</sup> Additionally, interdiction may deserve blame for the upsurge in drugs and violence in Mexico. Nigel Inkster and Virginia Comolli attribute the rise in prevalence of Mexican cartels to U.S. seizures of drugs in the Caribbean, essentially closing this route down and forcing Colombian cartels to seek alternate solutions.<sup>40</sup> As with all other topics concerning the drug trade, the opinions on interdiction operations vary and continue to be a topic of discussion among scholars and policy makers.

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<sup>36</sup> Organization of American States, “The Drug Problem in the Americas,” 50.

<sup>37</sup> Beau Kilmer et al., *The U.S. Drug Policy Landscape: Insights and Opportunities for Improving the View* (Santa Monica, CA: Rand Corporation, 2012), 12.

<sup>38</sup> Peter Reuter, Gordon Crawford, and Jonathan Cave. *Sealing the Borders: The Effects of Increased Military Participation in Drug Interdiction* (Santa Monica, CA: RAND Corporation, 1988), 130.

<sup>39</sup> Kenny and Serrano, “Introduction: Security Failure Versus State Failure,” 15.

<sup>40</sup> Nigel Inkster and Virginia Comolli, “Chapter Four: The Transit Regions,” *Adelphi Series* 52, no. 428 (2012): 88, <http://dx.doi.org/10.1080/19443371.2012.677278>.

## 2. Mexico and Colombia

Mexico was not the first country to receive aid and support from the United States, and the Mérida Initiative has often been compared to previously implemented policies, such as Plan Colombia. On this topic, Arturo Sotomayor writes, “No other U.S. initiative has had so much influence on Mexico’s strategies toward drug trafficking as Plan Colombia.”<sup>41</sup> Furthermore, he discusses the evolution of Plan Colombia from a drug oriented strategy to one focused on counter-insurgency and security.<sup>42</sup> John Bailey argues that utilizing the same fundamental concepts in Mexico as in Colombia was a misunderstanding of the issues at hand. He goes on to explain the various differences between the two countries, which includes size, population, economy, government systems, law enforcement and justice systems, and proximity to the United States.<sup>43</sup> Shannon O’Neil agrees with this fundamental misunderstanding of the challenges and states, “Most important, the focus of this aid is too narrow, reflecting a misunderstanding of Mexico’s fundamental challenge. Unlike Colombia, which had to retake swaths of territory from guerilla groups, paramilitary organizations, and drug cartels, the Mexican state has been able to quell the rising violence when it has deployed large and well-armed military units.”<sup>44</sup> Lastly, Brian Bow discusses both positive and negative outlooks within the United States concerning utilizing the Plan Colombia model in Mexico; on a positive note, it led to the capturing or killing of cartel leaders and an eventual decline in violence, but he also alludes to the “explosive increase in violence” and militarization of security forces in Mexico with little to no impact on the flow of drugs as a reference to its negative effects.<sup>45</sup> Scholars discuss more than the origins and influence of MI, they also analyze various obstacles inhibiting outright success or challenging the ability to properly assess its progress.

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<sup>41</sup> Sotomayor, “Militarization in Mexico and Its Implications,” 46.

<sup>42</sup> Ibid.

<sup>43</sup> John Bailey, “Plan Colombia and the Mérida Initiative: Policy Twins or Distant Cousins?” Georgetown University. Last modified February, 9 2009, 2–3, <http://pdba.georgetown.edu/Security/referencematerials/Bailey.doc>.

<sup>44</sup> O’Neil, “The Real War in Mexico,” 72.

<sup>45</sup> Bow, “Beyond Mérida?” 83.

### 3. Obstacles for Mexico's Success

Various obstacles exist that inhibit policy implementation in Mexico, which includes corruption, weakness of law enforcement and judicial systems, and legacies of the Institutional Revolutionary Party (PRI) regime. On the topic of corruption, Shannon O'Neil writes, "Mexico's Achilles' heel is corruption—which in an electoral democracy cannot be stabilizing the way it was in the days of Mexico's autocracy."<sup>46</sup> Additionally, Brian Bow points out the improper order of intervention that the Mexican and U.S. governments chose in battling the DTOs, and he suggests that corruption should have been dealt with prior to confronting DTOs, but it still could be addressed during confrontation.<sup>47</sup> On a related note, scholars and critics have commented on the weakness of Mexico's law enforcement agencies and judicial system. In a 2014 CRS report, the authors write, "While bilateral efforts have yielded some positive results, the apparent weakness of Mexico's criminal justice system seems to have limited the effectiveness of anti-crime efforts."<sup>48</sup> The justice system was so ineffective in its role that it inhibited the progress made by the other branches of the government. On this topic, Kenny and Serrano cite that between 2007 and 2010, of the 70,000 arrests related to organized crime, 98 percent were released due to lack of evidence to proceed to trial.<sup>49</sup> Needless to say, this made inhibiting organized crime difficult in Mexico, and exhibits the weakness of evidence collection performed by law enforcement agencies and a lack of capacity in the judicial system. The legacies of the PRI government and their relationship with organized criminal groups created considerable amounts of tension between DTOs and the new government regime. Shannon O'Neil traces this relationship back to the early twentieth century when Mexico played a major role in illegal trade of alcohol during U.S. alcohol prohibition; this was the beginning of a mutually beneficial relationship.<sup>50</sup> If that was the beginning then the 2000 election was the end; Brian Bow observes, "the Institutional

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<sup>46</sup> O'Neil, "The Real War in Mexico," 72.

<sup>47</sup> Bow, "Beyond Mérida?" 92.

<sup>48</sup> Seelke and Finklea, *U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond*, CRS Report R41349 (Washington, DC: Library of Congress, Congressional Research Service, April 8, 2014), 1.

<sup>49</sup> Kenny and Serrano, "Introduction: Security Failure Versus State Failure," 13.

<sup>50</sup> O'Neil, "The Real War in Mexico," 65.

Revolutionary Party's (PRI's) defeat in the 2000 elections shook patron-client relationships throughout the country, including those that connected national and local officials to drug-trafficking organizations.”<sup>51</sup> Kenny and Serrano comment on the danger of implementing policy that could reinforce authoritarian legacies, more specifically the use of armed forces.<sup>52</sup>

#### **4. Possible Side Effects from Mérida Initiative**

Besides discussing the obstacles, various scholars have devoted considerable attention to the side effects or outcomes of the MI, which will be examined below. Among these side effects are spillover, militarization of Mexico, and human rights violations. As discussed previously, increased focus on combatting DTOs has created a shift in operations—one of the new areas of operation is in Central America. In a 2009 CRS report, they observe, “Mexican DTOs are increasingly expanding their operations into Central America, a region in which officials have even less training and equipment to deal with DTOs and criminal gangs than their Mexican counterparts.”<sup>53</sup> Beyond a shift in operations and violence is the fear of corruption crossing the borders. On this topic, Shannon O’Neil comments, “The most worrisome is corruption, as the money seeping across the border does not distinguish between blue and green passports.”<sup>54</sup> She goes on to observe that out of the 10 percent of border patrol applicants required to take a lie-detector test, half of them have failed, which raises “serious concerns about the integrity of recent border patrol hires.”<sup>55</sup> Arturo Sotomayor writes extensively on the topic of militarization and related human rights issues. First, he states that the choice of Mexico’s military strategy can be attributed to international and domestic pressures.<sup>56</sup> On a related topic, Laurie Freeman and Jorge Sierra discuss U.S. influence and state, “With U.S.

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<sup>51</sup> Bow, “Beyond Mérida?” 82.

<sup>52</sup> Kenny and Serrano, “Introduction: Security Failure Versus State Failure,” 19.

<sup>53</sup> Clare Ribando Seelke, Congressional Research Service. *Mérida Initiative for Mexico and Central America: Funding and Policy Issues*, CRS Report R40135 (Washington, DC: Office of Congressional Information and Publishing, August 21, 2009), 1.

<sup>54</sup> O’Neil, *Two Nations Indivisible*, 130.

<sup>55</sup> *Ibid.*, 131

<sup>56</sup> Sotomayor, “Militarization in Mexico and Its Implications,” 42.

encouragement and material assistance, Mexico has increased the role of its military in the fight against drugs and relegated civilians to a lower level of participation.”<sup>57</sup> Second, Arturo Sotomayor argues that this influence and corresponding militarization has “increased human-rights abuses committed by troops, eroded civilian oversight, and undermined coordination efforts between security agencies.”<sup>58</sup> Stephanie Brewer emphasizes this point by stating, “In light of these criteria, the most severe flaw in MI is that it reinforces the war-like mentality that has led Mexico to deploy its military and police in a territorial battle against criminals as the answer to drug trafficking.”<sup>59</sup> Lastly, Arturo Sotomayor asserts that the militarization in Mexico has caused more damage than good by instigating “more violence and insecurity.”<sup>60</sup>

Beyond militarization and its role in human rights violations, considerable attention has been given to the use of military in combatting drugs. Roderic Ai Camp notes the predominant role that the military took in anti-drug operations in Mexico beginning in the mid-1990s and the steady increase throughout the Zedillo, Fox, and Calderón administrations, with historical legacies dating back to the 1930s.<sup>61</sup> Unfortunately, one side-effect of military involvement in domestic law enforcement matters is an increase in human rights complaints.<sup>62</sup> Cornelius Friesendorf argues that U.S. military aid can compound the issue of human rights abuses by increasing the overall capacity of foreign nations’ militaries and destabilizing civilian control.<sup>63</sup> Furthermore, Camp argues, “The intensive, uncompromising federal strategy to defeat

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<sup>57</sup> Laurie Freeman and Jorge Luis Sierra, “Mexico: The Militarization Trap,” in *Drugs and Democracy in Latin America: The Impact of U.S. Policy*, eds. Coletta A. Youngers and Eileen Rosin (Boulder, CO: Lynne Rienner Publishers, 2005), 294.

<sup>58</sup> Sotomayor, “Militarization in Mexico and Its Implications,” 43.

<sup>59</sup> Brewer, “Rethinking the Mérida Initiative,” 10.

<sup>60</sup> Sotomayor, “Militarization in Mexico and Its Implications,” 53.

<sup>61</sup> Roderic Ai Camp, “Armed Forces and Drugs: Public Perceptions and Institutional Challenges,” in *Shared Responsibility: U.S.-Mexico Policy Options for Confronting Organized Crime*, eds. Eric L. Olson, David A. Shirk, and Andrew Selee (Washington, DC: Woodrow Wilson International Center for Scholars – Mexico Institute; San Diego: University of San Diego Trans-border Institute, 2010), 292–297.

<sup>62</sup> *Ibid.*, 319.

<sup>63</sup> Cornelius Friesendorf, “Squeezing the Balloon: United States Air Interdiction and the Restructuring of the South American Drug Industry in the 1990s,” *Crime, Law & Social Change* 44, no. 1 (2005): 37, doi:10.1007/s10611-006-9005-9.



and destroy the drug cartels has contributed to increased levels of violence, and to the rise of homicides and other criminal activity.”<sup>64</sup> However, Juan Castillo, Daniel Mejía, and Pascual Restrepo differ in their opinion of Calderon’s aggressive use of the military, stating that the increase in violence can be attributed to large amounts of cocaine seizures in Colombia occurring simultaneously—almost a balloon effect of violence.<sup>65</sup> Lastly, Scott Decker and Margaret Chapman state that increased participation of the military and their resources will not necessarily decrease the availability of cocaine.<sup>66</sup> What does this mean? Scholars vary on their opinions of militaries’ role in anti-drug operations; some feel that it creates an increase in violence, encourages a break-down in civil-military relations, and provides the opportunity for human right violations, while others argue that it is a duty of the military, that violence is due to external issues not under their control, and that they maintain their prestige within society.<sup>67</sup> This thesis will continue to explore these issues and determine whether the use of uniformed services in anti-drug operations is essential or detrimental. Considering the military’s role is often eradication of crops or interdiction of drugs, it is also important to discuss scholarly opinions on the effectiveness of these operations and policies as a whole.

## 5. Mérida Initiative Critiques and Recommendations

The final topic to be discussed in this section is the wide range of policy recommendations and critiques of the Mérida Initiative. It is important to note that policy issues extend beyond U.S. borders and should be the product of collaboration among all nations involved. Nigel Inkster and Virginia Comolli observe the ability of traffickers to “exploit existing weaknesses” in regions, whether they are lack of state oversight, poor

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<sup>64</sup> Ai Camp, “Armed Forces and Drugs: Public Perceptions and Institutional Challenges,” 301–302.

<sup>65</sup> Castillo, Mejía, and Restrepo, “Illegal Drug Markets and Violence in Mexico,” 3–4.

<sup>66</sup> Scott H. Decker and Margaret Townsend Chapman, *Drug Smugglers on Drug Smuggling* (Philadelphia, PA: Temple University Press, 2008), 13. Decker and Chapman base this assertion off a previous study in Reuter, Crawford, and Cave, *Sealing the Borders*.

<sup>67</sup> For further discussion of this issue, see Castillo, Mejía, and Restrepo, “Illegal Drug Markets and Violence in Mexico: The Causes Beyond Calderón.”; Ai Camp, “Armed Forces and Drugs: Public Perceptions and Institutional Challenges.”; Friesendorf, “Squeezing the Balloon: United States Air Interdiction and the Restructuring of the South American Drug Industry in the 1990s.”; Decker and Chapman, *Drug Smugglers on Drug Smuggling*.

economic conditions, lack of education, etc., they allow DTOs to exploit the labor force and corrupt government officials necessary to thrive in their trade.<sup>68</sup> This view expresses the necessity to reallocate the funds spent on anti-drug operations to social programs—an indirect solution in the war on drugs. David A. Shirk suggests that justice reforms taking place in Mexico throughout the last few years provides hope for improving transparency, accountability, and due process in Mexico—an issue that has inhibited the democratic rule of law and bred corruption.<sup>69</sup> On a related note, Stephanie Brewer observes that policy should focus on the stimulus not the symptoms, or in other words, the demand of illicit drug emanating from the United States<sup>70</sup> Furthermore, some scholars argue that policies similar to MI are the worst solution to the drug problem. For instance, Kenny and Serrano argue that, “As strenuously as possible, this book contends that those policies are the worst road for a state with security problems like Mexico’s to go down. In the short term, they increase violence; in the mid-term, they compromise the integrity of its armed forces; and in the long term, they make the state more authoritarian.”<sup>71</sup> Lastly, the 2014 CRS report presents questions that must be explored in order to better understand the past and future implications of anti-drug policy in Mexico and abroad; they question, “What have been the results of the MI thus far? How is the State Department measuring the efficacy of Mérida programs? How have Mérida programs been affected by the Peña Nieto government’s new security strategy and how is coordination advancing? To what extent is the Mexican government moving judicial and police reform efforts forward, and how is U.S. assistance supporting those reforms?”<sup>72</sup> Wide varieties of policy recommendations exist, but which one is the most effective and cost efficient? This thesis will weigh the options based off of decades of scholarly policy evaluation.

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<sup>68</sup> Inkster and Comolli, “Chapter Four: The Transit Regions,” 110.

<sup>69</sup> David A. Shirk, “Justice Reform in Mexico: Change & Challenges in the Judicial Sector,” in *Shared Responsibility: U.S.-Mexico Policy Options for Confronting Organized Crime*, eds. Eric L. Olson, David A. Shirk, and Andrew Selee (Washington, DC: Woodrow Wilson International Center for Scholars – Mexico Institute; San Diego: University of San Diego Trans-border Institute, 2010), 205.

<sup>70</sup> Brewer, “Rethinking the Mérida Initiative,” 9.

<sup>71</sup> Kenny and Serrano, “Introduction: Security Failure Versus State Failure,” 19.

<sup>72</sup> Seelke and Finklea, *U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond*, CRS Report R41349 (Washington, DC: Library of Congress, Congressional Research Service, April 8, 2014), Summary.

## **D. POTENTIAL EXPLANATIONS AND HYPOTHESES**

This thesis provides a historical analysis of U.S.-Mexico relations and challenges relating to illicit substances. By relying on mostly secondary sources, this thesis will assess various hypotheses. The first hypothesis states that the Mérida Initiative was in fact heavily influenced by previous anti-drug policies in the Western Hemisphere. In so doing, the United States improperly assessed the situation in Mexico and implemented flawed policies, which made the situation worse, not better. Second, policy makers did little to alter or adjust policies in the face of policy failures. Finally, the implementation of a flawed policy increased violence and organized crime in Mexico. Hence, this thesis follows a sequential structure, in which the confirmation of one set of hypothesis leads to another set of cause and effect relationships.

One major challenge in evaluating the successes and failures of anti-drug policies is the way in which the illicit market operates—one must necessarily assume that it is based heavily on educated estimates or reports of individuals involved. Unfortunately, drug smugglers do not typically share trade secrets voluntarily, but some of the scholarly resources provide statements from incarcerated former drug dealers.<sup>73</sup> Furthermore, I will rely on various governmental sources with accurate estimations of statistics to ensure consistency and reliability of my figures.

Moreover, I expect to reveal incongruous allocation of resources, which resulted in fragmented DTOs and increased violence. I also anticipate a balloon effect stemming from Mexico's role in the drug trade, which in turn affects Central America, the Caribbean, and the Andean region. As the use of Mexican drug routes increases during this discussed time frame, economic inequality, failing legal system, and lack of government presence in all municipalities presented an ideal environment for the rise of TCOs and DTOs. I also expect to discern the failure extending beyond policy to various institutions that were and still are ill equipped to combat the dynamic market of illicit drug trade.

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<sup>73</sup> For instance see, Decker and Chapman, *Drug Smugglers on Drug Smuggling*.

## **E. RESEARCH DESIGN**

For this thesis utilizes a historical study of U.S. anti-drug policies, and their effectiveness in achieving their intended purpose. Specifically, this thesis will focus on historical trends and challenges of U.S.-Mexico relations related to the trafficking of illicit drugs, dating back to the 1970s up until the contemporary Peña Nieto and Obama administrations. Furthermore, it will analyze prior collaborative attempts of the United States and Mexico in combatting the illicit drug market, and other U.S. policies in Latin America—specifically, the Andean region and the Caribbean. The rise of violence, drug use, and corruption in Mexico is a troubling issue for U.S.-Mexico security relations and has endangered the recent and fragile opening of the political system in Mexico. It is crucial to evaluate the policies implemented in the past decades to reevaluate and refocus future policies on inhibiting these issues.

In order to support my historical analysis I will rely on statistical data to evaluate the effectiveness of policies. Specifically, I will focus on resources—personnel, financial, and equipment—allocated to fighting the war on drugs. Then examine how these resources evolved over time as violence escalated and drugs continued to flow across the border.

I utilized a wide array of sources, including but not limited to: government reports such as Congressional Research Service (CRS) and Government Accountability Office (GAO), international and regional institution reports such as United Nations Office on Drugs and Crime (UNODC) and Organization of American States (OAS), scholarly journals, various books and articles on the topic, and policy papers.

## **F. THESIS OVERVIEW**

This thesis will assess the effectiveness of U.S. anti-drug policy, specifically MI. It will do so by gathering data and relying on previous empirical studies. This chapter one has served as an introduction. Chapter two will analyze the conditions in Mexico that fostered the rise of DTOs in the drug trade and the corresponding violence. It will do so by addressing scholarly debate concerning the judicial system, law enforcement, and government corruption, as well as the significance in the shift of drug routes and the

historical relationship between Mexican DTOs and the PRI government. Furthermore, this chapter will address scholarly debate concerning the potential of Mexico becoming a failed state, and provide an assertion for the causes of violence in Mexico at the time the Mérida Initiative was implemented.

The third chapter will discuss the fundamental policy changes in 2010 under the Obama administration, known as “Beyond Mérida,” or “Mérida 2.0.”<sup>74</sup> Essentially, this section seeks to understand the origins of this shift, and the effects in Mexico. It will discuss the overall goals, examine the plan to get these goals accomplished, assess whether the resources fit within the framework, and analyze the implications on U.S.-Mexico relations in the war on drugs.

In the conclusive chapter, a list of comprehensive policy recommendations will be provided. More specifically, this chapter will rely on scholarly analysis of the Mérida Initiative. In this chapter, the thesis will finally attempt to answer the following question: did funding and allocation of resources address the underlying issues that contributed to the drug trade in Mexico?

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<sup>74</sup> Bow, “Beyond Mérida?” 77.

## **II. HISTORICAL FOUNDATIONS OF THE DRUG TRADE IN MEXICO**

### **A. INTRODUCTION**

The sudden outbreak of violence in Mexico at the turn of the 21st century surprised scholars and politicians, frightened individuals in southern U.S. states that fighting between drug trafficking organizations (DTOs) and Mexican officials might “spillover” the border, and created an impetus for reorganized U.S./Mexican relations in the war on drugs. The situation in Mexico was the result of a combination of various events and conditions that culminated in abrupt and unprecedented levels of violence throughout various states in Mexico. These events led many to question Mexico’s ability to challenge the rising power and influence of DTOs. The purpose of this chapter is to provide historical foundations of the drug-trade in Mexico to better understand the challenges addressed by the Mérida Initiative. Hence, this chapter will analyze the conditions that stimulated the increased role of DTOs in Mexico and address the notion that Mexico doesn’t have the capacity to combat DTOs and is institutionally fragile.

This chapter will be divided into four sections. Section one will explain how Mexican institutions have been historically weak to deal with organized crime. Section two will focus on drug routes and their relationship to Mexican DTOs. Section three will explain the negative repercussions of weak gun legislation in the United States. Finally, the last section will discuss the possibility of Mexico becoming a failed state and not having the capacity to overcome the DTOs prominence in Mexico. The reason for analyzing these four areas is to understand (1) What factors led to an increased role of Mexican DTOs in the illicit drug trade? (2) What generated the outbreak of violence in Mexico? and (3) Does Mexico have the capacity to win the war on drugs, with or without support from the United States? By understanding these factors and their contribution to the rise of violence and power of DTOs in Mexico, one can better understand the focus of funding of the Mérida Initiative.

## B. WEAKNESS OF MEXICAN INSTITUTIONS

One of the major areas of focus in the Mérida Initiative is addressing the weak rule of law and historically poor respect for human rights, which has plagued Mexico and inhibited its ability to combat DTOs.<sup>75</sup> Emphasizing the importance of this area, a 2015 CRS Report states, “Reforming Mexico’s corrupt and inefficient criminal justice system is widely regarded as crucial for combating criminality, strengthening the rule of law, and better protecting citizen security and human rights in the country.”<sup>76</sup> Furthermore, the long-time governing party of Mexico, the PRI, had a long-standing relationship with drug traffickers, which was disrupted in the 80s and 90s as they lost grip of their political power.<sup>77</sup> On this topic, Shannon O’Neil writes, “This arrangement limited violence against public officials, top traffickers, and civilians; made sure that court investigations never reached the upper ranks of cartels; and defined the rule of the game for traffickers.”<sup>78</sup> Many scholars associate the rise in violence to a transition of political power, which appears to be an oversimplification of the problem, which will be explored in the political corruption subsection. This section will focus specifically on these areas and how they contributed to the rise in violence in Mexico and the rise in prominence of Mexican DTOs at the turn of the century. More specifically, it will attempt to answer the following question: What makes Mexican institutions ill-suited to deal with organized crime? In order to answer this question, this section will be broken into three sections. The first will analyze Mexico’s criminal justice system and its shortfalls, the second will address human-rights abuses, and the third will discuss the client-patron relationship of the PRI and DTOs.

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<sup>75</sup> For instance see, Seelke and Finklea, *U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond*, CRS Report R41349 (Washington, DC: Library of Congress, Congressional Research Service, April 8, 2014), 10–14.

<sup>76</sup> Seelke and Finklea, *U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond*, CRS Report R41349 (Washington, DC: Library of Congress, Congressional Research Service, May 7, 2015), 10.

<sup>77</sup> O’Neil, “The Real War in Mexico,” 65.

<sup>78</sup> *Ibid.*

## 1. Mexico's Criminal Justice System

One of the major areas that anti-drug policies need to focus on is strengthening institutions and addressing corruption. In a 2014 CRS Report, authors observe, “While bilateral efforts have yielded some positive results, the apparent weakness of Mexico’s criminal justice seems to have limited the effectiveness of anti-crime efforts.”<sup>79</sup> One of the major issues surrounding local governments is the ability to successfully prosecute common crimes.<sup>80</sup> Most scholarly assessments concerning the prosecution of common crimes reveals that local governments punish 5 percent of these crimes, which includes homicide; that means that a person in Mexico can kill another and have a 95 percent probability of getting away with that crime.<sup>81</sup> Furthermore, the rise of violence in Mexico simply overwhelmed this system and despite record number of arrests, they seldom resulted in successful convictions.<sup>82</sup> Therefore, even if the police were arresting guilty parties, the system as a whole did not have the efficiency or capacity to prosecute and incarcerate, which results in criminals fearing little more than having their time wasted. Concerning this issue, authors of a report titled *Drug Violence in Mexico* state, “All this points to a need to raise the professional standards for police and prosecutors through **a more effective system of public defenders and greater adherence to due process** in the administration of justice in Mexico. Indeed, the best quality control of the judicial system is a good public defender system.”<sup>83</sup> David Shirk writes extensively on this issue; he writes, “In a 2007 Gallup poll, only 37% of Mexicans responded positively to the question, ‘do you have confidence in Mexico’s judicial system?,’ while 58% said ‘no’ and 4% ‘don’t know.’”<sup>84</sup> Even more disturbing than these numbers, only 10 percent of

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<sup>79</sup> Seelke and Finklea, *U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond*, CRS Report R41349 (Washington, DC: Library of Congress, Congressional Research Service, April 8, 2014), 6.

<sup>80</sup> Héctor Aguilar Camín, “On Mexican Violence,” in *Rethinking the “War on Drugs” Through the US-Mexico Prism*, eds. Ernesto Zedillo and Haynie Wheeler (New Haven, CT: Yale Center for the Study of Globalization, 2012), 47.

<sup>81</sup> *Ibid.*

<sup>82</sup> Seelke and Finklea, *U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond*, CRS Report R41349 (Washington, DC: Library of Congress, Congressional Research Service, May 7, 2015), 10.

<sup>83</sup> Cory Molzahn, Viridiana Ríos, and David A. Shirk, *Drug Violence in Mexico* (San Diego: University of San Diego Trans-Border Institute, 2012), 27. Emphasis in original.

<sup>84</sup> Shirk, “Justice Reform in Mexico: Change & Challenges in the Judicial Sector,” 206.



Mexicans had confidence in police agencies.<sup>85</sup> It is clear that reforming the judicial system in Mexico is critical and its historical inefficiency contributed to an environment that facilitated the expansion of DTOs.

That being said, corruption has and continues to plague all levels of Mexican government.<sup>86</sup> Luis Astorga discusses this issue and the volatile environment at the end of the PRI era; he states, “In the political changeover, the central power faced a complex problem: the federal security institutions were corrupt and weakened, with thousands of local police officers being dependent on politicians of different parties.”<sup>87</sup> This is not a contemporary issue, just one that has become more blatant since the opening of the political system. Furthermore, a 2015 CRS Report states, “While corruption has most often plagued municipal and state police forces, federal police officers have been involved in drug trafficking and kidnapping as well.”<sup>88</sup> By utilizing federal police to combat DTOs, this exposed them to corruption and provided opportunities to accept bribes from wealthy drug traffickers. Other authors write extensively on this issue as well. Shannon O’Neil observes, “Mexico’s Achilles’ heel is corruption—which in an electoral democracy cannot be stabilizing the way it was in the days of Mexico’s autocracy.”<sup>89</sup> Furthermore, Daniel Sabet writes, “Mexico’s chapter of Transparency International, *Transparencia Mexicana A.C.*, has conducted surveys measuring self-reported bribe payments that have consistently found that bribes to transit police officers and public security personnel top their list of the most common acts of corruption in Mexico.”<sup>90</sup> In order to have a successful anti-drug policy, these issues must be addressed,

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<sup>85</sup> Shirk, “Justice Reform in Mexico: Change & Challenges in the Judicial Sector,” 206.

<sup>86</sup> Seelke and Finklea, *U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond*, CRS Report R41349 (Washington, DC: Library of Congress, Congressional Research Service, May 7, 2015), 11–12.

<sup>87</sup> Luis Astorga, “Mexico: Organized Crime Politics and Insecurity,” in *Traditional Organized Crime in the Modern World*, ed. by Dina Siegel and Henk van de Bunt (New York: Springer, 2012), 156.

<sup>88</sup> Seelke and Finklea, *U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond*, CRS Report R41349 (Washington, DC: Library of Congress, Congressional Research Service, May 7, 2015), 11.

<sup>89</sup> O’Neil, “The Real War in Mexico,” 72.

<sup>90</sup> Daniel Sabet, “Police Reform in Mexico: Advances and Persistent Obstacles,” in *Shared Responsibility: U.S.-Mexico Policy Options for Confronting Organized Crime*, ed. by Eric L. Olson, David A. Shirk, and Andrew Selee (Washington, DC: Woodrow Wilson International Center for Scholars – Mexico Institute; San Diego: University of San Diego Trans-border Institute, 2010), 249–250.

and they have laid the foundations for DTOs to gain power in Mexico. One of the dangers when addressing a weak police force is the tendency to rely heavily on the military, which leads to another peril—human rights abuses.

## **2. Human Rights Abuses**

Human-rights abuse is not only a historical weak point for Mexican law enforcement but also a danger anytime a country begins to militarize. It has been a tendency for the United States to advocate militarization in the war on drugs dating back to the Nixon Administration.<sup>91</sup> That being said, this section will be broken into two subsections. The first will analyze the historical tendency of police forces in Mexico to commit human-rights abuses. The second will analyze the danger of militarization and the likelihood for this to deteriorate civilian-military relations and deteriorate the often positive reputation of the military.

Mexican police have a historical reputation for human-rights abuses. On this topic, Sabet writes, “Transit police were most often accused of soliciting bribes; preventive police were most often accused of threats to be charged on false grounds, insults and humiliations, and soliciting bribes; and ministerial police were most often accused of threats to obtain a confession, to cause harm, or to charge on false grounds.”<sup>92</sup> He goes on to state, “In addition, human rights commission reports have detailed specific cases of police excesses.”<sup>93</sup> In a 2014 CRS Report, the authors write, “Increasing human rights abuses by authorities at all levels, as well as Mexico’s inability to investigate and punish those accused of abuses, are also pressing concerns.”<sup>94</sup> This is a major issue that undermines the work being done by law enforcement personnel and is the reason why pillar two of the Mérida Initiative is specifically focused on this issue. This appears to stem back to the historical use of law enforcement during the PRI era. Shannon O’Neil

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<sup>91</sup> Sotomayor, “Militarization in Mexico and Its Implications,” 45.

<sup>92</sup> Sabet, “Police Reform in Mexico,” 250.

<sup>93</sup> Ibid.

<sup>94</sup> Seelke and Finklea, *U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond*, CRS Report R41349 (Washington, DC: Library of Congress, Congressional Research Service, April 8, 2014), 14.

states, “Law enforcement too, was used to control, rather than protect the population.”<sup>95</sup> Similarly, Sabet observes, “Some scholars contend that corruption, abuse, and ineffectiveness should not be surprising given that historically the police primarily existed to support the governing regime rather than to protect and serve the Mexican people.”<sup>96</sup> Lastly, this phenomenon originates from a lack of training and historical inclinations more than spiteful attitude of law enforcement personnel. O’Neil expresses, “Most of Mexico’s various police forces continue to be largely incapable of objective and thorough investigations, having never received adequate resources or training.”<sup>97</sup> That being said, proper training of law enforcement is and should be a crucial aspect of any anti-drug policy. Use of the military should only be used temporarily and in emergency situations when rule of law must be restored, because sustained use of the military results in militarization and the eventual demise of their reputation.

A major problem that often occurs together with the imposition of strict anti-drug policies is increased militarization of the effort, with accompanying increases in human rights abuses. Gian Carlo Delgado-Ramos and Silvina María Romano discuss possible lessons learned from United States involvement in combating narco-terrorism in Colombia by stating, “As the Colombian case has shown and as is becoming evident in the Mexican one, this leads to authoritarian systems with increasing military and paramilitary power, human rights violations, and increased United States interference under the guise of help, cooperation, or the defense of its interests and investments in the region.”<sup>98</sup> Furthermore, they go on to explain that United States involvement in Colombia only served to turn one country’s conflict into a regional problem, and that the United States “has sought to maintain bilateral economic and security relations in order to neutralize the possibility of a genuinely multilateral agenda.”<sup>99</sup> James Petras concurs

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<sup>95</sup> O’Neil, “The Real War in Mexico,” 72.

<sup>96</sup> Sabet, “Police Reform in Mexico,” 251.

<sup>97</sup> O’Neil, “The Real War in Mexico,” 72.

<sup>98</sup> Gian Carlo Delgado-Ramos and Silvina María Romano, “Political-Economic Factors in U.S. Foreign Policy: The Colombia Plan, the Mérida Initiative, and the Obama Administration,” *Latin American Perspectives* 38, no. 93 (2011): 94.

<sup>99</sup> *Ibid.*, 100.

with this point made by Delgado-Ramos and Romano; he states, “Rather than containing the civil conflict, Plan Colombia is extending and internationalising the war; exacerbating instability in the adjoining regions of neighbouring countries.”<sup>100</sup> The points being made are that these countries are typically coerced by the United States into implementing these militarized approaches to fulfill their own agenda. Second, that the policies implemented often create separate issues like human rights violations or transferring the issues to neighboring countries. Arturo Sotomayor touches on all these points and takes them a step further. First, he emphasizes the point that Mexico adopted its military centric approach due to internal and external pressures.<sup>101</sup> Second, he argues “that militarization increased human-rights abuses committed by troops, eroded civilian oversight, and undermined coordination efforts between security agencies.”<sup>102</sup> Furthermore, that this approach in Mexico had spillover effects into Central American countries that are less capable of confronting these violent organizations than a country like Mexico.<sup>103</sup> Lastly, both Sotomayor and Brian Bow argue that adopting a plan similar to Plan Colombia in Mexico is futile due to Plan Colombia’s inability to actually affect the drug market.<sup>104</sup> As a result of this data, one can assert that militarization in Mexico will only result in an environment rich in human-rights abuses and further deteriorate civil-military relations. Equally important, this issue is one of the major contributing factors to the rise of DTOs in Mexico. A distrust in the rule of law and the expectation that reporting a crime to law enforcement will result in a not-guilty verdict or human-rights abuse.

### **3. Political Corruption and DTOs**

This subsection will focus on the relationship between DTOs and the PRI government and how this contributed to the rise in prominence of the Mexican cartels and

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<sup>100</sup> James Petras, “Geopolitics of Plan Colombia,” *Economic and Political Weekly* 35, no. 52 (2000-2001): 4621.

<sup>101</sup> Sotomayor, “Militarization in Mexico and Its Implications,” 42.

<sup>102</sup> *Ibid.*, 43.

<sup>103</sup> *Ibid.*, 49–54.

<sup>104</sup> For instance see, Sotomayor, “Militarization in Mexico and Its Implications,” 46; Bow, “Beyond Mérida?” 83.

the coinciding increase of violence in Mexico in the early 21<sup>st</sup> century prior to the implementation of the Mérida Initiative. However, it will also challenge this oversimplification of the issue, which is that the PRI is solely responsible for the levels of violence in Mexico, and that the PAN and PRD are not equally corrupt. While I do agree that the patron-client relationship between the PRI and DTOs is partially responsible for the outbreak in violence, the argument ignores two major factors: (1) That corruption hasn't improved in Mexico following political plurality (2) That locations of increased violence are a result of historical drug routes and fractionalization and decentralization of cartels due to direct conflict with Mexican forces. This argument is important, because it puts holes in the argument that any political party is better suited for addressing the drug issue and that militarization is to blame for increased violence.

Although the outbreak in violence appeared to be sudden, leaving observers to assume that drug trafficking was a contemporary issue; in reality, Mexico was supplying U.S. demand for much of the 20<sup>th</sup> century. One major difference was the opening in the Mexican political system in 2000.<sup>105</sup> On this matter, Brian Bow observes “the Institutional Revolutionary Party’s (PRI’s) defeat in the 2000 elections shook the patron-client relationships throughout the country, including those that connected national and local officials to drug-trafficking organizations.”<sup>106</sup> Therefore, the relative peace that existed in Mexico for almost a century was merely the product of an unwritten understanding between the PRI government and the DTOs. Shannon O’Neil elaborates further by stating, “Through the Mexican Ministry of the Interior and the federal police, as well as governorships and other political offices, the government established patron-client relationships with drug traffickers (just as it did with other sectors of the economy and society). This arrangement limited violence against public officials, top traffickers, and civilians; made sure that court investigations never reached the upper ranks of cartels; and defined the rules of the game for traffickers.”<sup>107</sup> It was not only the relationship that DTOs and the Mexican government had that ended with the demise of

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105 O’Neil, “The Real War in Mexico,” 65.

106 Bow, “Beyond Mérida?” 82.

107 O’Neil, “The Real War in Mexico,” 65.

the PRI but also the strength of the presidency. O’Neil observes, “Democratic competition also hampered the state’s capacity to react forcefully. Mexico’s powerful presidency—the result of party cohesion rather than institutional design—ended. As Congress’ influence grew, legislative gridlock weakened President Fox’s hand, delaying judicial and police reforms.”<sup>108</sup> Therefore, the opening of the political system revealed two things (1) the federal government was no longer going to turn a blind eye to drug trafficking (2) it revealed the weakness of the government’s ability to react forcefully to DTOs. Lastly, even after the Mexican government took a stand against drug trafficking, the protective legacy of the PRI remains:

Today, a look at Mexico’s political map after the 2009 elections shows us that the trafficking corridors for cocaine and other drugs are concentrated in states still governed—in most cases without interruption—by the old ruling party [PRI]: the Pacific Coast (Oaxaca, Colima, Nayarit, and Sinaloa), the Yucatán peninsula (Campeche, Quintana Roo, and Yucatán), the Gulf states (Tabasco and Veracruz), and the better part of the northern border region (Tamaulipas, Chihuahua, Nuevo León, and Coahuila).<sup>109</sup>

Not only was the PRI a contributing factor for drug trafficking taking hold of Mexico, but they remain complicit with this activity as long as it suits their needs.

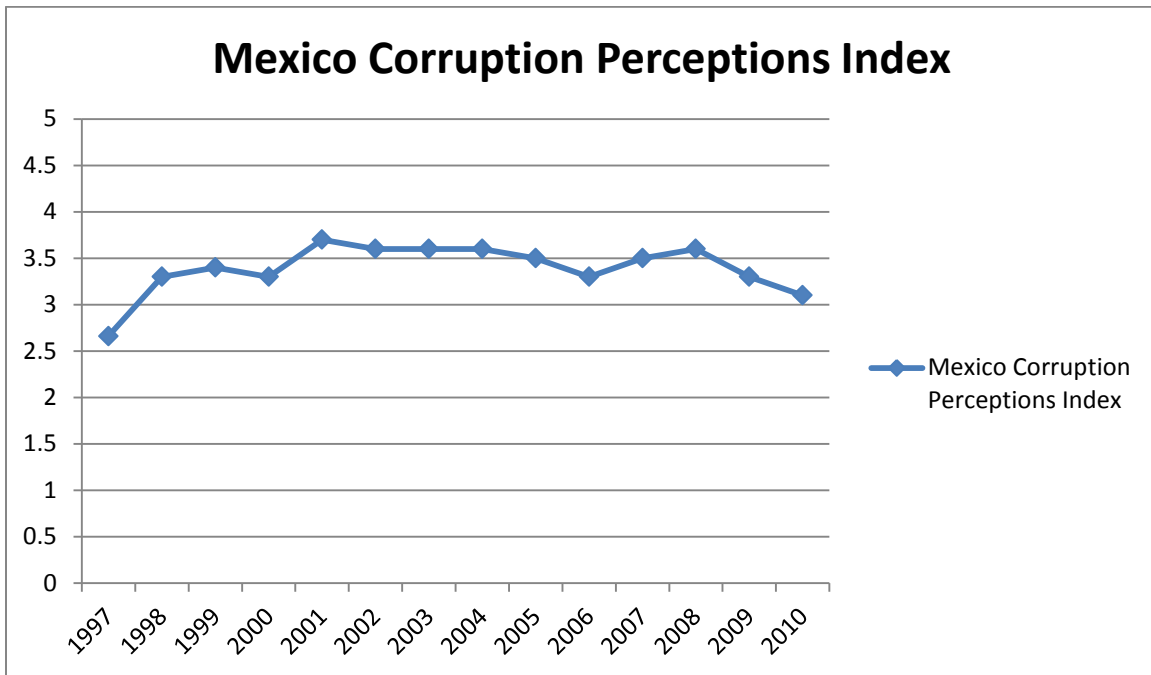
Despite convincing arguments from scholars, the 2000 opening of the political system did not end corruption in Mexico and violence is more a factor of historic drug routes and fractionalization and decentralization of DTOs than ruling political parties in the region. First, if the PRI is solely responsible for corruption and complicity of the drug trade, then one would expect to see a drastic drop in corruption after the election of PRD and PAN officials (see Table 1).

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<sup>108</sup> O’Neil, “The Real War in Mexico,” 66.

<sup>109</sup> Astorga and Shirk, “Drug Trafficking Organizations and Counter-Drug Strategies in the U.S.-Mexican Context,” 40–41.

Table 1. Mexico Corruption Index (1997–2010)



Data from Transparency International, “Corruption Perceptions Index 1997–2010,” Transparency International, accessed May 07, 2016, [http://www.transparency.org/research/cpi/cpi\\_2009/0/](http://www.transparency.org/research/cpi/cpi_2009/0/).

However, this did not prove to be the case in Mexico. In fact, utilizing the data presented in the table, one can assert that overall presence of corruption in Mexico remained relatively unchanged between 1997 and 2010.<sup>110</sup> Second, utilizing maps of cartel location and drug routes, one can assert that locations of violence are based off efficiency of narcotics transport—both ingress and egress—and the proximity to the United States and major U.S. cities where border crossings would be more likely (see Figure 1). If one were to rule out political parties and predict locations of high crime based off ingress of drugs and egress of drugs alone, one would expect high levels of violence on the Yucatán peninsula, the Gulf states, the Pacific Coast, and the northern border region, which matches Luis Astorga and David Shirk’s claims that it is due to non-PRI rule.<sup>111</sup> Third, the direct conflict approach that the Fox and Calderon administrations

<sup>110</sup> Transparency International, “Corruption Perceptions Index 1997–2010,” Transparency International, accessed May 07, 2016, [http://www.transparency.org/research/cpi/cpi\\_2009/0/](http://www.transparency.org/research/cpi/cpi_2009/0/).

<sup>111</sup> Astorga and Shirk, “Drug Trafficking Organizations and Counter-Drug Strategies in the U.S.-Mexican Context,” 40–41.

implemented is at least partially responsible for the increased violence. In a report titled *Drug Violence in Mexico*, the authors write, “the militarized strategy pursued by President Calderón has only contributed to greater infighting within and among organized crime groups.”<sup>112</sup> They go on to attribute the violence to the fractionalization of organized crime groups—not the concentration of political parties:

Indeed, the data and analysis in this report illustrate that there has been a shift from “organized” to “disorganized” crime in Mexico, as conflicts among factions and splinter groups have escalated. The primary result, as noted in this report, is that violence in Mexico is becoming less geographically concentrated, is affecting a greater number of municipalities, and there is growing number of casualties in small and medium sized towns throughout the country.<sup>113</sup>

This section emphasizes the point that drug trafficking and supplying U.S. demand was not unique to the turn of the 21<sup>st</sup> century. Furthermore, it establishes a client-patron relationship between the PRI government and the DTOs, which were protected as long as the government benefited. Lastly, it seeks to prove that the PAN and PRD have done little to improve political corruption and that ruling parties are not that only factor for the rise in violence. However, this section does not deny the need for the Mexican Government to address political corruption. It hinders the political system, the criminal justice system, and the continued relationship between the United States and Mexico.<sup>114</sup>

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<sup>112</sup> Molzahn, Ríos, and Shirk, *Drug Violence in Mexico*, 28.

<sup>113</sup> *Ibid.*, 29.

<sup>114</sup> For instance, see Seelke and Finklea, *U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond*, CRS Report R41349 (Washington, DC: Library of Congress, Congressional Research Service, April 8, 2014), 1; Bow, “Beyond Mérida?” 92; O’Neil, *Two Nations Indivisible*, 133.





Figure 1. Drug Routes and Cartel Areas of Influence in Mexico (2015)<sup>115</sup>

#### 4. Conclusion

This section analyzed the environment and historically weak Mexican institutions that aided in the rise of DTOs. More specifically, it analyzed the weak judicial system, which prohibits the ability to make arrests and prosecute in an efficient and corruption free manner. Next, it looked at the historical tendency of Mexican institutions to commit human rights abuses and the inherent danger of militarizing. Lastly, it looked at the long-standing client-patron relationship of the PRI government and drug traffickers, and that

<sup>115</sup> Source: Stratfor, *Mexico's Changing Criminal Landscape* (Areas of Cartel Influence in Mexico), accessed May 7, 2016, [https://www.stratfor.com/sites/default/files/styles/stratforfull/public/main/images/mexico\\_cartels\\_v7\\_1.jpg?itok=oPd1GY7E](https://www.stratfor.com/sites/default/files/styles/stratforfull/public/main/images/mexico_cartels_v7_1.jpg?itok=oPd1GY7E).

political corruption continues regardless of political party. Furthermore, it showed that scholars should focus less on political parties and more other factors that contribute to the rise in violence, which are historical drug routes and fractionalized DTOs. All of these factors contributed to the environment that favored DTOs to gain power, establish a stronghold within Mexico, and generate the high levels of violence that stimulated the Mérida Initiative. By understanding these factors, one can understand the importance of well-rounded anti-drug policy.

### **C. BALLOON EFFECT AND THE MOVEMENT OF DRUG ROUTES**

Other factors that contributed to Mexican cartels' rise in prominence are anti-drug efforts in South and Central America and the subsequent balloon effect. As focus intensified on Colombia, the Caribbean, and other source or transit points, Mexican cartels were able and willing to accept increased responsibility in the drug trade. Shannon O'Neil writes, "In the 1980s and 1990s, the United States cracked down on drug transit through the Caribbean and Miami. As a result, more products started going through Mexico and over the U.S.-Mexican border. In 1991, 50 percent of U.S.-bound cocaine came through Mexico; by 2004, 90 percent of U.S.-bound cocaine (and large percentages of other drugs) did."<sup>116</sup> Furthermore, Luis Astorga and David Shirk state, "As Colombian DTOs fractionalized and imploded in the late 1980s and early 1990s, Mexico emerged as the hub of drug trafficking into the U.S. market, with Mexican DTOs increasingly controlling both the forward and backward linkages."<sup>117</sup> Lastly, the Organization of American States recognize the cocaine production in Colombia was due to anti-drug efforts in Bolivia and Peru and the subsequent shift of drug routes from the Caribbean to Mexico was from interdiction efforts.<sup>118</sup> Therefore, based off these comments from scholars, one can assert that our anti-drug efforts stemming from Plan Colombia were at least partially responsible for the rising role of Mexican cartels in the trafficking of illicit

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<sup>116</sup> O'Neil, "The Real War in Mexico," 66.

<sup>117</sup> Astorga and Shirk, "Drug Trafficking Organizations and Counter-Drug Strategies in the U.S.-Mexican Context," 34.

<sup>118</sup> Organization of American States. "The Drug Problem in the Americas." May 17, 2013. [http://www.oas.org/documents/eng/press/Introduction\\_and\\_Analytical\\_Report.pdf](http://www.oas.org/documents/eng/press/Introduction_and_Analytical_Report.pdf), 43.

drugs into the United States. Furthermore, that the United States is at least partially responsible for bringing the war on drugs to its border. Beyond being a cause for this shift in operation, scholars have criticized policy makers for adopting similar military-centric policies that led to this balloon effect in the first place. One of the reasons for these criticisms is the lack of focus on the root causes of the illicit drug market, one of which will be discussed in the subsequent section (Results of Weak Gun Legislation in the United States).<sup>119</sup> For example, Sabrina Abu-Hamdeh comments, “A military-centered aid approach is not working. Plan Colombia showed that the United States could eradicate cartel influence in one country, but that the drug trade would merely shift to a new country.”<sup>120</sup> Additionally, Astorga and Shirk observe “at best, troop deployments appeared to merely displace the violence, perpetuating the so-called ‘balloon effect’ that has manifested throughout the history of drug control efforts.”<sup>121</sup> It is fairly safe to assume based off this research that troop deployments have resulted in more than eradication of illicit substances by merely displacing the operations. Beyond being a case for the shift in drug routes, scholars question the effectiveness of increasing interdiction efforts and the corresponding finances that go with it. In a RAND corporation report titled, *The U.S. Drug Policy Landscape: Insights and Opportunities for Improving the View*, the authors discuss the high cost and minimal results that come from interdiction:

Accounting for expenditures on interdiction is complicated, since many interdiction assets serve multiple functions, not just drug control, but interdiction is credited with 15 percent of federal drug control spending in 2012. While a large percentage of cocaine shipments are seized (the UN claims as much as 40 percent of the total quantity) and interdiction succeeds in maintaining a startlingly large price differential between wholesale prices in the United States and abroad, there is little evidence that the increased efforts have done more than shift the methods and routes by which the drugs are shipped.<sup>122</sup>

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119 Rocha, Manuel Pérez, “The Failed War on Drugs in Mexico,” *Drugs and Democracy*, Transnational Institute, April 1, 2009, <http://www.tni.org/print/article/failed-war-drugs-mexico>.

120 Abu-Hamdeh, “The Mérida Initiative,” 50.

121 Astorga and Shirk, “Drug Trafficking Organizations and Counter-Drug Strategies in the U.S.-Mexican Context,” 34.

122 Kilmer et al., *The U.S. Drug Policy Landscape: Insights and Opportunities for Improving the View*, 11–12.

That being said, one must question the results of anti-drug policies beyond whether it accomplished its immediate mission. If disrupting the drug routes in the Caribbean was the overall mission, then it was a success. However, if disrupting overall drug routes and lowering the amount of cocaine flowing in the United States was the mission, then closer examination must be given to the results of interdiction efforts.

This section continues to address one of the overall questions for this chapter, what factors led to an increased role of Mexican DTOs in the illicit drug trade? Based off the research and evidence presented by scholars, the shift in drug routes was a major contributing factor the rise in influence of DTOs in Mexico. The environment was right in Mexico to allow for the DTOs to thrive, but the shift in cocaine trafficking routes was necessary to give Mexican DTOs the impetus (primarily monetary) necessary to get involved in the cocaine drug trade. Weak institutions and corruption only paint part of the picture. However, in order to protect their new found business, DTOs would need the firepower necessary to fight back against the Mexican government—this would come from weak gun legislation in the United States.

#### **D. RESULTS OF WEAK GUN LEGISLATION IN THE UNITED STATES**

Among all the factors that we have discussed, most are a result of historical trends in Mexico and can be directly affected by decisions made by the Mexican government and people. The next factor that contributed to a conducive environment for DTOs and violence in Mexico is a result of U.S. legislation. More specifically, weak gun laws, which enable Mexican DTOs to arm themselves and challenge the Mexican government for security supremacy. One of the major controversies surrounding U.S. anti-drug policy is the unwillingness of the United States to address domestic issues contributing to the violence and continued drug operations in source and transit countries. This section of the paper will focus on gun legislation and how it can contribute to the “shared responsibility” approach of the Mérida Initiative. In order to conduct this assessment, this section will examine scholarly assessments as well as supporting statistics.

As far as gun control is concerned, Brewer writes, “The Bureau of Alcohol, Tobacco, and Firearms (ATF) estimates that 90–95% of Mexican cartels’ weapons enter

Mexico from the southern United States, where individual buyers, benefiting from gaping loopholes in U.S. gun laws, purchase multiple weapons from gun sellers and then pass the weapons to drug cartels.”<sup>123</sup> Beyond weak gun laws in the United States, the ATF has had issues of their own. An ATF operation known as “Fast and Furious,” in which guns were intentionally let across the border in order to track, the ATF lost track of over a thousand of these guns.<sup>124</sup> Lastly, issues exist between Mexican and U.S. cooperation in addressing this issue. Mexican authorities do not have access to U.S. gun registration databases, which adds additional restrictions when attempting to trace confiscated weapons.<sup>125</sup> This is an issue that both Mexico and the United States have attempted to address both in the past and present. The danger that goes along with this issue is that Mexican officials are becoming outgunned and are out trained on the use of firearms.<sup>126</sup> The top two most popular firearms for Mexican DTOs are the AK-47 type semi-automatic rifle (7.62x39mm caliber) and the AR-15 semi-automatic rifle clones (.223 caliber), while most local and state police (90 percent of country’s law enforcement personnel) are armed with a revolver and a few rounds of ammunition.<sup>127</sup> The danger of the heavily armed DTOs and the poorly armed and trained state and municipal police is the ability for the state to maintain a monopoly of security and power in all areas:

While DTOs still use firearms to establish control over drug trafficking routes leading to the United States, in the last few years they more regularly use firearms in open combat with rival DTOs, Mexican authorities, and the public. Such open confrontations with the Mexican state indicate a move “into a sphere that is typically inhabited by groups with a much more overt political stance, such as terrorists, guerillas or paramilitaries.” Mexican DTOs are also demanding more sophisticated firearms and larger quantities of arms and ammunition. The resulting

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<sup>123</sup> Brewer, “Rethinking the Mérida Initiative,” 11.

<sup>124</sup> O’Neil, *Two Nations Indivisible*, 147.

<sup>125</sup> Astorga and Shirk, “Drug Trafficking Organizations and Counter-Drug Strategies in the U.S.-Mexican Context,” 47.

<sup>126</sup> Colby Goodman and Michel Marizco, “U.S. Firearms Trafficking to Mexico,” in *Shared Responsibility: U.S.-Mexico Policy Options for Confronting Organized Crime*, ed. by Eric L. Olson, David A. Shirk, and Andrew Selee (Washington, DC: Woodrow Wilson International Center for Scholars – Mexico Institute; San Diego: University of San Diego Trans-border Institute, 2010), 188.

<sup>127</sup> *Ibid.*, 186–188.

murder rate is now seven times what it was at the beginning of the decade, and Mexico's democratic governance is at serious risk.<sup>128</sup>

This quotation from an article titled, "U.S. Firearms Trafficking to Mexico: New Data and Insights Illuminate Key Trends and Challenges," embodies the challenges being faced by the Mexican and U.S. governments in the war on drugs. The idea of a failed state will be discussed in greater detail in the subsequent sections, but the danger to the both countries (United States and Mexico) is expressed in a 2008 CRS report in which the author states, "These threats include providing safe havens for terrorists, organized crime, and other illicit groups; causing conflict, regional instability, and humanitarian emergencies; and undermining efforts to promote democracy, good governance, and economic sustainability."<sup>129</sup> The threat that illegal firearms trafficking poses to both countries is undeniable and must be addressed by the United States in order to maintain stability and security in Mexico. Weak gun legislation is one of the major contributing factors to the rise of power and influence of Mexican DTOs.

This section focused on another one of the factors that contributed to the growing threat of DTOs in Mexico. Weak gun legislation and control of firearms in the United States allowed firearms to flow in massive numbers south across the border and into the hands of DTOs. Due to the fact that they favored heavy firepower, it gave them the capability to gain power over the local and state law enforcement, and left Mexico no other choice but to utilize federal police and military to take back certain municipalities. With such high levels of violence and seemingly unassailable DTOs, it left many to question whether Mexico was a failing state.

#### **E. MEXICO AS A FAILED STATE?**

As alluded to in the introduction, the failed state debate has become prevalent in discussions concerning Mexico's struggle with DTOs. Considering Mexico a failed state is essentially placing it on the same playing field as countries like Pakistan, Afghanistan,

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<sup>128</sup> Ibid., 171–172.

<sup>129</sup> Liana Sun Wyler, *Weak and Failing States: Evolving Security Threats and U.S. Policy*, CRS Report RL34253 (Washington, DC: Library of Congress, Congressional Research Service, August 28, 2008), Summary.

and Iraq, which all fall under “high alert” on the Fragile States Index.<sup>130</sup> In fact, policy makers and high-ranking members of the military have compared Mexico to Pakistan in the past. According to Shannon O’Neil, “The U.S. Joint Forces Command’s *Joint Operating Environment*, 2008 paired Mexico with Pakistan in its discussion of ‘worst case scenarios’ –states susceptible to ‘a rapid and sudden collapse.’”<sup>131</sup> Furthermore, in 2008, former SOUTHCOM Commander and White House Drug Czar Gen. Barry McCaffrey used similar language to describe Mexico by saying, they were “on the road to becoming a failed state,” and were “on the edge of the abyss—it [Mexico] could become a narco-state in the upcoming decade.”<sup>132</sup> Lastly, in September 2010, “Secretary of State Hilary Clinton would tell reporters...that Mexico was looking ‘more and more like Colombia looked twenty years ago’ and that Mexican DTOs were ‘morphing into what we would consider an insurgency.’”<sup>133</sup> However, these claims seem to serve more as a political speech tool than a true understanding of the problem at hand or the definition of a failed state for that matter. Politicians use this language to gain support from voters and tax payers and pass legislation that often has a cost associated with it. In the same time frame that these statements were being made, the CRS published a report concerning weak and failing states—not one data point (2007 World Bank, 2007 U.S. Department of State Foreign Assistance Framework, 2007 George Mason University Researchers’ State Fragility Index, 2007 Fund for Peace Failed States Index, 2008 Brookings Institution Index of State Weakness in the Developing World) they utilized had Mexico in danger of failing.<sup>134</sup> In fact, the entire report does not even mention Mexico.

This section of the paper will address the following question—was Mexico in danger of becoming a failed state? In order to answer this question, one must look at

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<sup>130</sup> The Fund for Peace, “Fragile/Failed States Index 2014,” The Fund for Peace, accessed July 10, 2014, <http://ffp.statesindex.org/rankings-2014>.

<sup>131</sup> O’Neil, “The Real War in Mexico,” 63.

<sup>132</sup> Bow, “Beyond Mérida?” 80; Kenny and Serrano, “Introduction: Security Failure Versus State Failure,” 9.

<sup>133</sup> Bow, “Beyond Mérida?” 89.

<sup>134</sup> Sun Wyler, *Weak and Failing States: Evolving Security Threats and U.S. Policy*, 28–33.

arguments presented by scholars and the facts to support their claims. By understanding this debate, one can address whether U.S. policy makers were properly informed prior to implementing anti-drug policy in Mexico or if they utilized data to implement their policies. Furthermore, whether the policies they were implementing are appropriate for the challenges in Mexico.

One of the first data points to examine when discussing failed states is the Fragile States Index, which is published annually by The Fund for Peace. The Fragile States Index gives each country an overall score based off twelve assessment criteria; the higher the score (between 1 and 10), the more in danger the country is of being labeled a failed or fragile state.<sup>135</sup> However, the website does not actually label countries failed or fragile, but instead uses terms like sustainable or very sustainable to label thriving countries and terms like high alert or very high alert to label countries with the highest turmoil.<sup>136</sup> To put these terms and numbers into perspective, in 2008 when Mexico was being grouped with Pakistan for its potential to become a failing state, Pakistan was the 9<sup>th</sup> worst country with an overall score of 103.8, while Mexico was the 105<sup>th</sup> on the list of 177, had a score of 72.2, and was labeled a warning state.<sup>137</sup> Mexico stayed fairly consistent in its scoring on the failed/fragile states index (see Table 2) over the following years, and they tended to struggle with uneven development, which Laurie Freeman and Jorge Luis Sierra state “Mexico’s impressive economic growth since the mid-1980s has not benefited the majority of Mexicans,” and security apparatus, which attests to the outbreak of violence.<sup>138</sup> These statistics provide a partial understanding of the failed state debate, but one must also take into account the testimony of scholars.

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<sup>135</sup> The Fund for Peace, “The Methodology Behind the Index,” The Fund for Peace, accessed July 10, 2014, <http://ffp.statesindex.org/methodology>.

<sup>136</sup> The Fund for Peace, “Fragile/Failed States Index 2014,” The Fund for Peace, accessed July 10, 2014, <http://ffp.statesindex.org/rankings-2014>.

<sup>137</sup> The Fund for Peace, “Fragile/Failed States Index 2008,” The Fund for Peace, accessed July 10, 2014, <http://ffp.statesindex.org/rankings-2008-sortable>.

<sup>138</sup> Freeman and Luis Sierra, “Mexico: The Militarization Trap,” 296; The Fund for Peace, “Fragile/Failed States Index 2006–2014,” The Fund for Peace, accessed July 10, 2014, <http://ffp.statesindex.org/rankings-2014>.



Table 2. Failed/Fragile States Index for Mexico (2006–2014)

Year	Score	Demographic Pressures	Refugees and IDPs	Group Grievance	Human Flight	Uneven Development	Poverty and Economic Decline	Legitimacy of the State	Public Services	Human Rights	Security Apparatus	Factionalized Elites	External Intervention
2006	73.1	7.2	4.3	6.1	7.0	8.3	6.3	5.9	6.0	5.1	6.0	4.7	6.2
2007	72.6	6.9	4.0	6.1	7.0	8.4	6.2	6.1	5.7	5.1	6.1	4.8	6.2
2008	72.2	7.0	4.0	5.8	7.0	8.4	6.0	6.1	5.7	5.1	5.8	4.8	6.5
2009	75.4	7.0	4.3	5.9	7.0	8.2	6.1	6.8	6.0	5.5	7.0	5.0	6.6
2010	76.1	6.8	4.1	5.8	6.8	8.0	6.5	6.6	5.8	5.8	7.5	5.5	6.9
2011	75.1	6.5	4.2	6.1	6.5	7.7	6.0	6.6	5.8	5.9	7.9	5.2	6.7
2012	73.6	6.0	4.2	5.8	6.2	7.5	5.7	6.6	6.1	6.2	7.7	5.2	6.4
2013	73.1	6.5	4.0	6.1	5.9	7.2	5.2	6.1	6.6	6.3	7.9	5.2	6.1
2014	71.1	6.7	4.3	6.1	5.6	6.9	4.9	5.8	6.3	6.0	7.6	5.1	5.8

Data from The Fund for Peace, “Fragile/Failed States Index 2006–2014,” The Fund for Peace, accessed July 10, 2014, <http://ffp.statesindex.org/rankings-2014>.

Most scholars differ drastically from politicians when discussing the probability of Mexico becoming a failed state. For instance, O’Neil writes, “The question is not whether the Mexican state will fail. It will not. The Mexican state does, and will continue to, collect taxes, run schools, repair roads, pay salaries, and manage large social programs throughout the country. The civilian-controlled military has already extinguished any real guerilla threats. The government regularly holds free and fair elections, and its legitimacy, in the eyes of its citizens and of the world, is not questioned.”<sup>139</sup> Furthermore, Paul Kenny and Monica Serrano dismiss the notion of Mexico being a failed state, and view the issue as a “security failure.” Even to say that Mexico has an unprecedented homicide issue is far-fetched. Astorga and Shirk observe, “By comparison, a recent study by Fernando Escalante examined homicide rates in Mexico, Colombia, and the United States between 1990 and 2007, and found that ‘the problem of

<sup>139</sup> O’Neil, “The Real War in Mexico,” 64.

homicide in Mexico is much more similar to that of the United States than that of Colombia.”<sup>140</sup> Lastly, in a report titled *Drug Violence in Mexico*, the authors state, “Discussions about violence in Mexico often raise concerns about the limits of state capacity, but the characterization of Mexico as a failed state greatly exaggerates the extent to which organized crime groups have effectively supplanted the state. While there are a significant number of ‘captured spaces’ in Mexico, these are primarily found in relatively isolated, rural areas. Moreover, when proper force is applied, such spaces have been restored to full government control.”<sup>140</sup> Therefore, how policy makers and scholars view this issue in Mexico is drastically different and can explain the rhetoric of the Mérida Initiative and related anti-drug policies.

In conclusion, this section examined the possibility of Mexico becoming a failed state, and despite politician’s assumptions that Mexico would join the ranks of countries like Pakistan, scholarly assessments indicate that Mexico is far from having this happen. The reason this is important is that it shows Mexico has the ability to overcome DTOs if the previously discussed issues are addressed. Furthermore, it shows that Mexico is in fact far better off than countries like Colombia were, because it has better resources to address drug trafficking. If dealt with properly, the issues in Mexico can be overcome, and they can prove to be a major anti-drug ally with the United States in the war on drugs.

## **F. CONCLUSION**

The purpose of this chapter was to provide background information of the “war on drugs” to better understand the challenges of the Mérida Initiative. The questions presented at the beginning of this chapter were: what factors led to an increased role of Mexican DTOs in the illicit drug trade, what generated the outbreak of violence in Mexico, and does Mexico have the capacity to win the war on drugs, with or without support from the United States? Based on the research and the facts provided in this chapter, one can identify multiple sources of the violence in Mexico. First, weak

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<sup>140</sup> Molzahn, Ríos, and Shirk, *Drug Violence in Mexico*, 25.

government institutions contribute to the ability of DTOs to commit and get away with their crimes. Furthermore, widespread corruption allows DTOs to buy off law enforcement personnel responsible for prosecuting them. Second, historical human-rights abuses deteriorate relationships between civilians and government officials, making the likelihood of reporting drug trafficking less likely. Third, DTOs established a patron-client relationship with the PRI government, and their defeat in 2000 triggered the outbreak of violence, which has not improved under other political parties. Fourth, United States efforts in South and Central America and the Caribbean have created a movement of transit routes, which resulted in the majority of cocaine transiting across the U.S./Mexico border. Fifth, weak gun control legislation further weakens Mexico's fight against DTOs. Finally, Mexico is not a failed, failing, or weak state, and with proper resources has the ability to overcome DTOs and reclaim a security monopoly over its territories. The Mexican people have the capacity to combat DTOs and this is another reason why they should not be treated like Colombia, Afghanistan, or Iraq. The Mérida Initiative should be what it set out to be—a shared responsibility. The next chapter will focus exactly on that by analyzing the goals of the Mérida Initiative from its inception and the funding that coincided with those goals.

### III. MÉRIDA INITIATIVE CONCEPTION AND FUNDING

#### A. INTRODUCTION

When Mexican President Felipe Calderón took office in 2006, he made combating DTOs and organized crime a priority.<sup>141</sup> In October 2007, following President Calderón’s request for aid in Mérida, Mexico, the United States and Mexico announced the Mérida Initiative, a bilateral effort focused on *shared responsibility* to combat drug trafficking and organized crime.<sup>142</sup> This chapter will focus on the goals of the Mérida Initiative as well as analyze the allocation of resources, which includes funds, equipment, and training, and their role in accomplishing these goals over the last nine years. In order to accomplish this, this chapter will be structured into four sections. The first section will discuss the goals of the Mérida Initiative and how they have evolved over time and across administrations. The second section will provide a detailed comparison between Mexico and Colombia in order to understand the fundamental differences between the Mérida Initiative and Plan Colombia, and whether a policy similar to Plan Colombia would be effective in Mexico. The final section will analyze the allocation of resources, which includes funding, both appropriated and allocated, equipment, and training. The overall question this chapter will try to answer is, did the resources of the Mérida Initiative address the underlying issues?

#### B. GOALS OF THE MÉRIDA INITIATIVE

The original goals set forth in the Mérida Initiative were “(1) break the power and impunity of criminal organizations; (2) strengthen border, air, and maritime controls; (3) improve the capacity of justice systems in the region; and (4) curtail gang activity and diminish local drug demand.”<sup>143</sup> The Bush Administration set forth these goals, but eventually the focus shifted slightly under the Obama Administration. A 2014

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<sup>141</sup> Seelke and Finklea, *Mérida Initiative for Mexico and Central America: Funding and Policy Issues*, CRS Report R40135 (Washington, DC: Library of Congress, Congressional Research Service, August 21, 2009), 1.

<sup>142</sup> Seelke and Finklea, *U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond*, CRS Report R41349 (Washington, DC: Library of Congress, Congressional Research Service, April 8, 2014), 6.

<sup>143</sup> *Ibid.*

Congressional Research Service (CRS) Report stated, “Acknowledging that Mexico cannot effectively confront organized crime with tactical victories alone, in March 2010, the Obama Administration and the Mexican government agreed to a new strategic framework for security cooperation under the Mérida Initiative.”<sup>144</sup> These new goals were intended to address the weak government institutions and societal problems that sanctioned the drug trade rather than focusing on the security aspect as originally intended.<sup>145</sup> The new four pillar strategy is as follows: “(1) Disrupting the operational capacity of organized criminal groups (2) Institutionalizing reforms to sustain the rule of law and respect for human rights (3) Creating a 21<sup>st</sup> century border (4) Building strong and resilient communities.”<sup>146</sup> This section will focus on these four contemporary goals of the policy, and how they intended to address the drug trade in Mexico. By understanding the goals, one can better understand the importance of applicable resource allocation.

### **1. Disrupting the Operational Capacity of Organized Criminal Groups**

The first pillar of the strategy is disrupting the operational capacity of organized criminal groups. A report from the United States Government Accountability Office (GAO) describes this pillar as “increasing coordination and information sharing to fight drug trafficking organizations (DTO) by focusing on intelligence collection and analysis, training and equipping special units, enhancing police and prosecutors’ investigative capacity, conducting targeted investigations against money laundering, improving interdiction capability, and by supporting effective command and control centers across Mexico.”<sup>147</sup> The major shift in this area compared to the Bush administration is less focus

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<sup>144</sup> Seelke and Finklea, *U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond*, CRS Report R41349 (Washington, DC: Library of Congress, Congressional Research Service, April 8, 2014), 6.

<sup>145</sup> *Ibid.*

<sup>146</sup> *Ibid.*

<sup>147</sup> U.S. Government Accountability Office, *Mérida Initiative: The United States Has Provided Counternarcotics and Anticrime Support but Needs Better Performance Measures* by Jess T. Ford, 6.

on equipping and more on training and intelligence collection.<sup>148</sup> According to a CRS report, “During the Calderón Administration, Mexico focused much of its efforts on dismantling the leadership of the DTOs. U.S. assistance appropriated during the first phase of the Mérida Initiative (FY2008-FY2010) enabled the purchase of equipment to support the efforts of federal security forces engaged in anti-DTO efforts.”<sup>149</sup> This focus shifted in part due to the ability of DTOs to adapt to tactics used by United States and Mexican officials; brute force was no longer the best way to address DTOs, and security forces would have to rely on better training and intelligence.<sup>150</sup> Furthermore, the Mexican government began to focus attention on hitting DTOs where it really mattered—their profits. However, one of the side effects of this strategy was transforming DTOs that were focused primarily on trafficking operations into poly-criminal organizations involved in other crimes, such as kidnapping and alien smuggling.<sup>151</sup>

## **2. Institutionalizing Reforms to Sustain the Rule of Law and Respect for Human Rights in Mexico**

The second pillar of the Mérida Initiative was focused on the criminal justice system and historically bad records of human rights violations.<sup>152</sup> The 2014 CRS Report cites, “Due to concerns about the corruption and ineffectiveness of police and prosecutors, less than 13% of all crimes are reported in Mexico.”<sup>153</sup> Shannon O’Neil writes extensively about these issues in Mexico. In a paper titled, “The Real War in Mexico: How Democracy Can Defeat the Drug Cartels,” she labels corruption Mexico’s Achilles’ heel.<sup>154</sup> She goes on to observe that the police force never received the necessary resources to conduct objective and thorough investigations and that “the

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<sup>148</sup> Seelke and Finklea, *U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond*, CRS Report R41349 (Washington, DC: Library of Congress, Congressional Research Service, April 8, 2014), 13.

<sup>149</sup> *Ibid.*

<sup>150</sup> *Ibid.*, 13.

<sup>151</sup> *Ibid.*, 13–14.

<sup>152</sup> *Ibid.*, 14.

<sup>153</sup> *Ibid.*

<sup>154</sup> O’Neil, “The Real War in Mexico,” 72.

chance of being prosecuted, much less convicted, of a crime is extremely low.”<sup>155</sup> Policy makers clearly recognized this issue as well, and they made changing the trend a major goal in the Mérida Initiative. Affecting this issue in Mexico would require a two-tier approach; one focus would be on reforming the police, and the other on reforming the judicial and penal system.<sup>156</sup> According to Eric Olson and Christopher Wilson, “Civilian institutions, not the military, are ultimately responsible for serving justice and maintaining the rule of law.”<sup>157</sup> One of the major issues with relying on the military to perform law enforcement operations is their legal inability to “collect evidence and interrogate suspects.”<sup>158</sup> Therefore, Mexico and the U.S. were forced to come up with a long-term solution and strengthen the civilian institutions that are responsible for these actions. Lastly, Hal Brands writes, “The Mexican army has a sorry history of human right abuses, symbolized by the Tlatelolco massacre of 1968.”<sup>159</sup> From late 2006 to 2009, there have been more than 600 human rights violations, which emphasizes the importance addressing this issue and avoiding tackling the drug problem in Mexico with an equally disturbing infringement on the citizens basic rights.<sup>160</sup>

### **3. Building a 21<sup>st</sup> Century Border**

The third pillar in the Mérida Initiative was focused on the border. According to Olson and Wilson, “The challenge is to prevent the flows of illicit goods and dangerous individuals while allowing legitimate commerce and travel to occur freely.”<sup>161</sup> Due to the North American Free Trade Agreement (NAFTA) and the heavy flow of commerce across this border, shutting it down completely is not an option. Instead, Mexico and the

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<sup>155</sup> O’Neil, “The Real War in Mexico,” 72–73.

<sup>156</sup> Seelke and Finklea, *U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond*, CRS Report R41349 (Washington, DC: Library of Congress, Congressional Research Service, April 8, 2014), 15–19.

<sup>157</sup> Olson and Wilson, “Beyond Merida,” 4.

<sup>158</sup> *Ibid.*

<sup>159</sup> Hal Brands, “Mexico’s Narco-Insurgency and U.S. Counterdrug Policy” (Strategic Studies Institute Report, U.S. Army War College, 2009), 17, <http://www.StrategicStudiesInstitute.army.mil/>.

<sup>160</sup> *Ibid.*

<sup>161</sup> Olson and Wilson, “Beyond Merida,” 4.

U.S. must rely on technology and proper training to maintain safety and efficiency at the border.<sup>162</sup> In their comments about the 21<sup>st</sup> century border, the CRS make the following five observations for its inception: “(1) enhancing public safety via increased information sharing, screenings, and prosecutions; (2) securing the cross-border flow of goods and people; (3) expediting legitimate commerce and travel through investments in personnel, technology, and infrastructure; (4) engaging border communities in cross-border trade; and (5) setting bilateral policies for collaborative border management.”<sup>163</sup> Sabrina Abu-Hamdeh also describes this pillar as “changing the definition of a border from a simple geographic delineation to one of ‘secure flows.’ This would entail moving the location of customs and security away from the border to a central city and leaving the border as merely a place to ‘focus on preventing the entrance of dangerous illicit flows.’”<sup>164</sup> The overall goal of this pillar is to keep commerce flowing and effectively screen both northbound and southbound traffic for illicit goods. Shannon O’Neil understands the fiscal implications of modernizing the U.S./Mexico border. In 2013, in a prepared statement to the Subcommittee on Western Hemisphere and Global Narcotics Affairs, O’Neil states, “The estimated cost of these necessary investments would also be relatively small, with the U.S. Customs and Border Patrol estimating the need for some \$6 billion over the next decade.”<sup>165</sup> This area of focus plays an important role in the mutual benefits between both countries and the continued trade success following the implementation of NAFTA. Furthermore, this monetary commitment seems practical considering the U.S. spent over \$8 billion as part of Plan Colombia between FY2000 and 2009.<sup>166</sup>

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<sup>162</sup> Olson and Wilson, “Beyond Merida,” 4.

<sup>163</sup> Seelke and Finklea, *U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond*, CRS Report R41349 (Washington, DC: Library of Congress, Congressional Research Service, April 8, 2014), 19.

<sup>164</sup> Abu-Hamdeh, “The Mérida Initiative,” 45.

<sup>165</sup> U.S. Congress, Senate, Subcommittee on Western Hemisphere and Global Narcotics Affairs, *Refocusing U.S.-Mexico Security Cooperation: Prepared statement by Shannon K. O’Neil before the Subcommittee on Western Hemisphere and Global Narcotics Affairs*, 113th Cong., 1st sess., 2013, 6.

<sup>166</sup> Seelke and Finklea, *U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond*, CRS Report R41349 (Washington, DC: Library of Congress, Congressional Research Service, May 7, 2015), 1; June S. Beittel, *Columbia: Background, U.S. Relations, and Congressional Interest*, CRS Report RL32250 (Washington, DC: Library of Congress, Congressional Research Service, November 28, 2012), 36.



#### 4. Building Strong and Resilient Communities

The final pillar of the Mérida Initiative was focused on social economic reforms that would create jobs and in return deter involvement in illicit activities.<sup>167</sup> Olson and Wilson state, “This final pillar takes into consideration that the sources, or drivers, of violence cannot be understood or addressed solely with a security and law enforcement based approach. Social and economic factors also play an important role.”<sup>168</sup> This final pillar is directed at strengthening the communities and giving children and adults the opportunity to operate in legal parameters and not feel the desperation to work for DTOs. According to Hal Brands, “Despite relatively strong macroeconomic growth over the past 15 years, roughly 40 percent of Mexico’s population lives in poverty, with 18 percent living in extreme poverty.”<sup>169</sup> Furthermore, this pillar was in response to criticisms about the military centric approach and was meant to reduce criminality, tackle social problems, and improve citizen-government relations; this strategy became known as “Todos Somos Juárez,” which translates to “We are All Juárez” and refers to the high levels of cartel violence in Ciudad Juárez.<sup>170</sup> According the CRS, this pillar was a top priority for the Peña Nieto administration through which he implemented Mexico’s National Crime and Violence Prevention Program.<sup>171</sup>

#### 5. Summary

The aforementioned pillars of the Mérida Initiative will serve as guidance throughout this chapter, which will provide a comparison of Mexico and Colombia and focus on resource allocation of the Mérida Initiative. By understanding these pillars and their role in policy formation and funding allocation, and comparing them with the

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<sup>167</sup> Abu-Hamdeh, “The Mérida Initiative: An Effective Way of Reducing Violence in Mexico,” *Pepperdine Policy Review* 4, no. 1 (2011): 45–46.

<sup>168</sup> Olson and Wilson, “Beyond Merida,” 5.

<sup>169</sup> Brands, “Mexico’s Narco-Insurgency and U.S. Counterdrug Policy,” 19.

<sup>170</sup> Seelke and Finklea, *U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond*, CRS Report R41349 (Washington, DC: Library of Congress, Congressional Research Service, April 8, 2014), 22.

<sup>171</sup> *Ibid.*, 24.

underlying issues presented in previous chapters, one can truly understand where the focus is and whether it is properly addressing the issues.

### **C. PLAN COLOMBIA VS. MÉRIDA INITIATIVE**

One of the important aspects to analyze when discussing anti-drug policy is a comparison with other similar policies. As discussed previously, one of the criticisms that U.S. funding for the Mérida Initiative acquired in the last few years was the timeliness of fund allocation.<sup>172</sup> Therefore, one would expect the majority of anti-drug funding in Mexico to come from the United States; however, this is not the case and varies greatly from Plan Colombia. According to a 2015 CRS Report, \$2.5 billion has been appropriated for Mérida Initiative, which appears to be a decent amount compared to the over \$8 billion spent in Colombia between FY2000 and FY2009.<sup>173</sup> However, this amount of funding is insignificant in comparison to the \$79 billion spent by Mexico on security and public safety over the same time frame.<sup>174</sup> That being said, one cannot expect the timeliness of funds from the U.S. Government to have a major effect on the success of anti-drug policy in Mexico. What is more important is the training that was provided by U.S. troops in successfully combating the DTOs and to provide intelligence and equipment. Conversely, Colombia did not have nearly the assets that Mexico did to combat narcotics and narco-guerilla groups. In fact, in 2000 when funding for Plan Colombia began, Colombia's GDP was \$99.9 billion, and in 2008 when funding for the Mérida Initiative began, Mexico's GDP was \$1.1 trillion.<sup>175</sup> That is about 11 times more GDP in Mexico than Colombia, which shows that funding timeliness was much more of a necessity in Colombia than Mexico; because it was significantly more, and it played a larger role in the success of combating narco-guerilla groups.

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<sup>172</sup> U.S. Government Accountability Office, *Mérida Initiative: The United States Has Provided Counternarcotics and Anticrime Support but Needs Better Performance Measures* by Jess T. Ford, 7.

<sup>173</sup> Seelke and Finklea, *U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond*, CRS Report R41349 (Washington, DC: Library of Congress, Congressional Research Service, May 7, 2015), 1; Beittel, *Colombia: Background, U.S. Relations, and Congressional Interest*, 36.

<sup>174</sup> Seelke and Finklea, *U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond*, CRS Report R41349 (Washington, DC: Library of Congress, Congressional Research Service, May 7, 2015), 1.

<sup>175</sup> The World Bank, "GDP," The World Bank Group, accessed July 23, 2015, <http://data.worldbank.org/indicator/NY.GDP.MKTP.CD>.

That being said, the Mérida Initiative should gather less focus and criticism on the timeliness of the money being allocated and spent and more focus on training, the use of funds, and the idea of “shared responsibility” between the two countries. In a 2015 CRS Report, the authors write, “One basic measure by which Congress has evaluated the Mérida Initiative has been the pace of equipment deliveries and training opportunities.”<sup>176</sup> They go on to say, “It is unclear, though, whether more expeditious equipment deliveries to Mexico have resulted in a more positive evaluation of Mérida.”<sup>177</sup>

Organized crime played a major role in the evolution of society throughout much of modern history. One could argue that this is particularly true in Colombia and Mexico, where criminal organizations related to banditry and illegal narcotics has been influential in the state building process. In his article titled, “Plan Colombia and the Mérida Initiative: Policy Twins or Distant Cousins?” John Bailey discusses various differences between Mexico and Colombia, which includes geographical size, population, economic capacity, government and judicial systems, law enforcement, and proximity to the US, which have all impacted their approach to coping with organized crime throughout the last few decades.<sup>178</sup> In addition to this list, Francisco E. Thoumi asserts, “Mexican geography offers much greater possibilities for central government control” than Colombia<sup>179</sup> Despite the various differences, he also points out that the central governments in both countries have difficulty controlling large areas of the countries, and local governments are often involved with or tolerate organized crime.<sup>180</sup> This section will focus on the following questions: How has the evolution of state organizations in Colombia and Mexico affected the creation of organized crime groups? Furthermore,

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<sup>176</sup> Seelke and Finklea, *U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond*, CRS Report R41349 (Washington, DC: Library of Congress, Congressional Research Service, May 7, 2015), 19.

<sup>177</sup> Ibid.

<sup>178</sup> Bailey, “Plan Colombia and the Mérida Initiative: Policy Twins or Distant Cousins?” Georgetown University. Last modified February 9 2009. <http://pdba.georgetown.edu/Security/referencematerials/Bailey.doc>.

<sup>179</sup> Francisco Thoumi, “Colombian Organized Crime: From Drug Trafficking to Parastatal Bands and Widespread Corruption,” in *Traditional Organized Crime in the Modern World*, edited by Dina Siegel and Henk van de Bunt (New York: Springer, 2012), 143.

<sup>180</sup> Ibid.

how did the states react to these organized crime groups over time, and what led to these reactions? To answer these questions, this section will analyze and compare the economic, political, and social factors in Mexico and Colombia that led to the creation of organized crime groups. Then it will analyze the reactions of the government as well as the motivating factors for their reactions.

## 1. Economic Factors

Economic factors in both Mexico and Colombia provided a stimulus for the formation of OC. First, this section will discuss the economic factors that led to organized crime in Colombia then shift focus to Mexico. In his discussion of economic factors contributing to organized crime, Thoumi states, “In the twentieth century, as the country [Colombia] modernized, crime also developed: smuggling organizations flourished with the incentives provided by very high tariffs and other strong policies to protect industry.”<sup>181</sup> Not only did these groups flourish as a result of government policies, but also they were stimulated by the strong demand and high profits of the drug market. Organized crime groups’ role in the drug industry began in the 1950s, supporting Cubans in Florida with the cocaine trade, transitioned to the trafficking of marijuana, and eventually evolved into control of the cocaine industry, which provided substantial financial stimulus for all parties involved—including the Colombian government. During the “Marijuana Boom,” the Colombian government “helped to institutionalize money laundering, enabling contraband importers and exporters to carry on their illegal business; this service would later be extended as well to cocaine dealers.”<sup>182</sup> The government of Colombia provided the economic support for the creation of organized crime, but the United States provided the stimulus. Andres Restrepo and Alvaro Guizado comment on the ideal timing of their entry into the cocaine trade at the height of U.S. demand, which resulted in “enormous earnings.”<sup>183</sup> In summary, the Colombian government made

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<sup>181</sup> Thoumi, “Colombian Organized Crime: From Drug Trafficking to Parastatal Bands and Widespread Corruption,” 132.

<sup>182</sup> Andreas Lopez Restrepo and Alvaro Camacho Guizado, “From Smugglers to Warlords: Twentieth Century Colombian Drug Traffickers,” *Canadian Journal of Latin American & Caribbean Studies* 28, no. 55/6 (2003): 5.

<sup>183</sup> *Ibid.*, 6.

organized crime convenient through their policies, and U.S. demand for illicit drugs made organized crime a profitable and appealing career choice.

In Mexico, economic stagnation and inequality has created the economic incentive for banditry and organized crime.<sup>184</sup> This began after Mexico's independence in 1821, and continued throughout much of the next century. In his work titled, *Bandit Nation: A History of Outlaws and Cultural Struggle in Mexico, 1810–1920*, Chris Frazer asserts that economic stagnation is one of multiple factors that fostered banditry in postcolonial reconstruction of Mexico, and the modernization during the *Porfiriato* created rural and urban impoverishment and economic inequality that continued to stimulate banditry among the lower classes.<sup>185</sup> Luis Astorga presents the incentives for lower classes involvement in the illicit market by stating, “there can be multiple reasons for engaging in it. These may range from deeming illegal drug trade to be an economic activity like any other to viewing it as a means for survival or a full-time profession, thus making it worthwhile to risk one's freedom or even one's life.”<sup>186</sup> Similar to Colombia, there is no denying the role that U.S. demand plays in the drug trade, which produces \$65 billion per year.<sup>187</sup> In a country with economic inequality, the incentive to earn money is adequate for individuals to assume the risks involved. Furthermore, Bruce Bagley of the Woodrow Wilson International Center for Scholars asserts that profits from cocaine are partially responsible for the rise in violence in Mexico as organized crime groups attempted to dominate key trafficking routes.<sup>188</sup> To summarize, the Mexican economy, which was in shambles following independence, made banditry appealing to the lower classes. Although the economy eventually recovered, economic inequality continued and the profits of illicit markets stimulated organized crime in Mexico.

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<sup>184</sup> Chris Frazer, *Bandit Nation: A History of Outlaws and Cultural Struggle in Mexico, 1810–1920* (Lincoln, NE: University of Nebraska Press, 2006), 20–23.

<sup>185</sup> *Ibid.*

<sup>186</sup> Luis Astorga, “Organized Crime and the Organization of Crime,” in *Organized Crime and Democratic Governability*, eds. John Bailey and Roy Godson (Pittsburgh: University of Pittsburgh Press, 2001), 60.

<sup>187</sup> Luis Astorga, “Mexico: Organized Crime Politics and Insecurity,” in *Traditional Organized Crime in the Modern World*, eds. Dina Siegel and Henk van de Bunt (New York: Springer, 2012), 157.

<sup>188</sup> Bruce Bagley, “Drug Trafficking and Organized Crime in the Americas: Major Trends in the Twenty-First Century” (Washington, DC: Woodrow Wilson International Center for Scholars, 2012), 8.

Various economic factors have accounted for the rise in organized crime in Colombia and Mexico. One of the differences between these countries is the role of the government in providing economic incentives for organized crime. The Colombian government inadvertently implemented policies that allowed for the formation of organized crime and their involvement in the illicit drug trade. The Mexican government viewed the lower class and banditry as an obstacle in achieving modernization, and attempted to thwart this pandemic. One of the key economic similarities, and something this section will consistently analyze, is the role of external factors—specifically the United States. Concerning economic factors, the demand of drugs from the U.S. played a major role in the formation of organized crime groups in both Colombia and Mexico. Economic factors provide a partial understanding of the formation and evolution of organized crime groups, but one must also focus on the politics in these two countries.

## **2. Political Factors**

Political factors played a major role in the formation of organized crime groups in both Colombia and Mexico. In both of these countries this involved considerable acceptance of organized crime groups, patron-client relationships, and organized crime's involvement in politics. This section will first discuss the role of politics in Colombia then shift focus to Mexico. At the start of the cocaine industry in Colombia, the government was lenient on the cocaine producers and even allowed potential buyers and traffickers into the country.<sup>189</sup> On this topic, Restrepo and Guizado state, "It was a lot easier for them to traffic cocaine in Colombia than in the extremely tense and paranoid atmosphere of Bolivia and Peru."<sup>190</sup> The weak government and their complicit role in the cocaine trade fostered a shift in the cocaine industry from Peru and Bolivia to Colombia, and the rise of organized crime groups in Colombia.<sup>191</sup> A negative opinion of the Colombian government concerning their involvement in the cocaine trade continued for years. Government officials were often caught or suspected of accepting money from

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<sup>189</sup> Restrepo and Guizado, "From Smugglers to Warlords: Twentieth Century Colombian Drug Traffickers," 4.

<sup>190</sup> Ibid.

<sup>191</sup> Ibid.

drug cartels, and this couldn't be worse than when President Samper took money from the Cali cartel for his presidential campaign in 1994.<sup>192</sup> Concerning the role of narcotics in the Colombian political system, Restrepo and Guizado write, "The retiring local head of the U.S. Drug Enforcement Agency, in a farewell interview published in the press, referred to Colombia as a 'narco-democracy.'"<sup>193</sup> One of the major political factors leading to the formation of organized crime groups in Colombia was the battle between liberal and conservative political parties in capturing land from opponents—this was known as *LaViolencia*.<sup>194</sup> On this topic, Thoumi states, "Land ownership has always been a main status symbol in the country and the weak and frequently undefined and questionable rural property rights have encouraged the formation of organized crime like groups."<sup>195</sup> Furthermore, paramilitary groups have continuously been associated with "both state institutions and to specific political parties."<sup>196</sup> He goes on to state, "The links between paramilitary and politicians have become clearer and the evidence of their strength is overwhelming: about 90 congressmen and women have been indicted with various charges of participating in paramilitary activities, receiving funding or working with those groups."<sup>197</sup> In summary, Colombian politics played a major role in the formation of organized crime groups in Colombia. First, the weakness and complicities of the government made Colombia's role in the drug trade more prevalent after crackdowns in Peru and Bolivia. Second, political land grabs of the 1940s and 50s known as *LaViolencia*, created the political environment for the formation of organized crime groups.

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<sup>192</sup> Thoumi, "Colombian Organized Crime: From Drug Trafficking to Parastatal Bands and Widespread Corruption," 138.

<sup>193</sup> Restrepo and Guizado, "From Smugglers to Warlords: Twentieth Century Colombian Drug Traffickers," 9.

<sup>194</sup> Thoumi, "Colombian Organized Crime: From Drug Trafficking to Parastatal Bands and Widespread Corruption," 132.

<sup>195</sup> *Ibid.*

<sup>196</sup> Bagley, "Drug Trafficking and Organized Crime in the Americas: Major Trends in the Twenty-First Century," 12.

<sup>197</sup> Thoumi, "Colombian Organized Crime: From Drug Trafficking to Parastatal Bands and Widespread Corruption," 141.

Mexico has had a long-standing government relationship with organized crime groups, which began as banditry in the early 1800s.<sup>198</sup> Luis Astorga discusses these relationships utilizing the example of Colonel Cantú, Governor of Baja California in the 1910s and 20s. He states that Cantú “was a pioneer of the tradition between revolutionary politicians and those who succeeded them of conducting private business from public office, regardless of moral considerations and the illegal nature of the activities.”<sup>199</sup> This direct relationship between politicians and organized crime groups continued over time in Mexico, especially in the Northern States. This involved casinos in Tijuana during U.S. alcohol prohibition, opium poppy cultivation financed by “Bugsy” Siegel and Virginia Hill in northwestern Mexico, and Mexican Department of Health Inspector Juan Requena observed, “that many of the narcotics traffickers in Ciudad Juárez ‘have or had the support of civilian and federal authorities.’”<sup>200</sup> With the rise of the *Partido Revolucionario Institucional* (PRI) in the 1920s and their long-term domination of the Mexican political system, came an “almost tributary relations with organized crime groups.”<sup>201</sup> That being said, the political system in Mexico not only permitted organized crime groups in Mexico to gain control, they allowed them to thrive as a means of collecting revenue. Thoumi observes, “A weak central state, coupled with powerful local caudillos including state governors, used corruption as an instrument to exert control over the country’s territory.”<sup>202</sup> Lastly, Astorga discusses the role that the Federal Directorate of Security (DFS) in protecting criminal groups and suppressing political opposition of the PRI.<sup>203</sup> Unlike in Colombia, where the geography and infrastructure made it difficult for the government to assert control over its territory, it appears in Mexico that the control was in

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<sup>198</sup> Frazer, *Bandit Nation: A History of Outlaws and Cultural Struggle in Mexico, 1810–1920*, 22.

<sup>199</sup> Astorga, “Organized Crime and the Organization of Crime,” in *Organized Crime and Democratic Governability*, 62.

<sup>200</sup> *Ibid.*, 62–68.

<sup>201</sup> Bagley, “Drug Trafficking and Organized Crime in the Americas: Major Trends in the Twenty-First Century,” 12.

<sup>202</sup> Thoumi, “Colombian Organized Crime: From Drug Trafficking to Parastatal Bands and Widespread Corruption,” 143.

<sup>203</sup> Astorga, “Mexico: Organized Crime Politics and Insecurity,” 156.



the hands of local political elites, and that they formed symbiotic relationships with organized criminal groups.

### 3. Social Factors

Colombia has various social factors that have contributed to the creation and evolution of organized crime. First, although the geography is not specifically social in nature, it has contributed to the creation of social factors. Thoumi asserts, “the Colombian central state has never controlled the country’s territory and it has not been capable of formulating a national project that would allow the establishment of the rule of law.”<sup>204</sup> As a result of this, the population has developed strong local identities; has “very low levels of trust, solidarity, reciprocity and empathy;” and a large portion of the population accept illegal behaviors.<sup>205</sup> This socially acceptable view of illegal activities did shift slightly once guerilla groups and paramilitary groups began combatting each other. Thoumi writes, “They [guerilla and paramilitary groups] gained military power but lost public support as they became increasingly akin to OC [organized crime].”<sup>206</sup> Lastly, early in the drug trade, it was difficult to regulate the flow of drugs in Colombia, because prominent members of society used drugs regularly.<sup>207</sup> It was therefore difficult to prosecute them or get traction for regulating the trade—it was socially accepted among Colombian society.<sup>208</sup>

Like Colombia, Mexico underwent a similar discourse in the development of organized crime as a result of social factors. After the war for independence, banditry became socially accepted and often exploited by political parties. A belief existed that the lower classes were inclined to commit these illegal activities, and that it was the job of

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<sup>204</sup> Thoumi, “Colombian Organized Crime: From Drug Trafficking to Parastatal Bands and Widespread Corruption,” 133.

<sup>205</sup> *Ibid.*, 132–133.

<sup>206</sup> *Ibid.*, 138.

<sup>207</sup> Restrepo and Guizado, “From Smugglers to Warlords: Twentieth Century Colombian Drug Traffickers,” 2.

<sup>208</sup> *Ibid.*

the elites to “revive the colonial spirit of respect for authority.”<sup>209</sup> Chris Frazer discusses the phenomenon in further detail by stating, “the war for independence had inculcated a spirit of disobedience and rebellion among significant portions of the lower classes, and this clearly animated their reaction to the economic crisis.”<sup>210</sup> Essentially banditry became socially acceptable among the lower classes as a means of survival, while the upper classes accepted the fact that the lower classes were prone to these activities—even though they did not approve. As discussed previously, the elites, who were battling for control over the country, exploited the urban and rural poor in their quest for power, or as Frazer puts it, they became a “reserve army of the unemployed.”<sup>211</sup> However, the elites that exploited the lower class bandits did not realize how big of a problem organized crime would eventually become.<sup>212</sup> As organized crime escalated to substantial heights of power and influence in Mexico and Colombia, the governments were compelled to take action, but to what extent and why?

#### **4. Government Reactions**

This section will discuss the government reactions to organized crime over time and the stimulating factors for their reactions. Following suit with the rest of this paper, it will begin with Colombia and then shift focus to Mexico. One of the major contributing factors to government reaction to organized crime in Colombia was external pressure—specifically from the United States. After President Samper was discovered to be involved with drug traffickers, the U.S. threatened Colombia with various sanctions due to their negligent attitude towards the illicit market.<sup>213</sup> Concerning these sanctions, Restrepo and Guizado state, “These measures represented a double threat to Colombia’s institutional stability: highly placed Colombian officials and politicians were virtually being denounced as accomplices of the drug barons, and as a result the country’s

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<sup>209</sup> Frazer, *Bandit Nation: A History of Outlaws and Cultural Struggle in Mexico, 1810–1920*, 28.

<sup>210</sup> Frazer, *Bandit Nation: A History of Outlaws and Cultural Struggle in Mexico, 1810–1920*, 29.

<sup>211</sup> *Ibid.*

<sup>212</sup> *Ibid.*

<sup>213</sup> Restrepo and Guizado, “From Smugglers to Warlords: Twentieth Century Colombian Drug Traffickers,” 1.

reputation suffered a severe blow in the eyes of the rest of the world.”<sup>214</sup> This incident involving President Samper not only created external pressures, but internal pressure as well by shifting public opinion in Colombia; the combination of both forced the government to take action against the drug trafficking organizations.<sup>215</sup>

In Mexico, government reaction is very similar to that in Colombia. They are only willing to combat the drug industry when they receive external pressure, when violence exceeds tolerable limits, or during shifts in political parties—which often coincides with a rise in violence.<sup>216</sup> Astorga discusses the five stages of drug trafficking in Mexico, stating that the first involved the establishment of the patron-client relationship with the PRI.<sup>217</sup> Second was the rise in the role of the Office of the Attorney General (PGR) and the DFS in combatting the illicit drug market, which “extended the social groups that could benefit economically.”<sup>218</sup> The third was the beginning of U.S. involvement and included Operation Intercept and Operation Condor in the 1960s and 70s, and began after a rise in violence between traffickers and Mexican officials.<sup>219</sup> Note, this rise in violence occurred after a rise in demand from the U.S. market.<sup>220</sup> The fourth stage began with the assassination of Drug Enforcement Agency (DEA) agent Enrique “Kiki” Camarena and Mexican pilot Alfredo Zavala, which created increased external and internal pressure to combat drug trafficking.<sup>221</sup> The fifth stage involved the decrease in prominence of the PRI throughout Mexico, which coincided with the end of subordinating the drug trafficking organizations (DTOs), and a rise in violence as DTOs fought for control over drug routes.<sup>222</sup> In summary, government reactions against organized crime—specifically drug trafficking—has been a result of external pressures, increased violence, and the

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<sup>214</sup> Ibid.

<sup>215</sup> Restrepo and Guizado, “From Smugglers to Warlords: Twentieth Century Colombian Drug Traffickers,” 9.

<sup>216</sup> Astorga, “Organized Crime and the Organization of Crime,” 79–81.

<sup>217</sup> Ibid., 79.

<sup>218</sup> Ibid.

<sup>219</sup> Ibid.

<sup>220</sup> Ibid.

<sup>221</sup> Ibid., 80.

<sup>222</sup> Ibid.

breakdown of PRI control. Early in Mexican history, the government resorted to emergency decrees and implementation of the colonial penal code to deal with banditry, but continuous political contention and weakness prohibited their effectiveness. This continued through the 1800s and into the early 20<sup>th</sup> century, and the government primarily opposed banditry, because they saw it as an obstacle in the modernization process.<sup>223</sup> Understanding these government reactions provides insights for policy development.

This section found that Colombia and Mexico have various similarities, including government relations with organized crime groups. Colombia also has factors that cannot be controlled, like geography, and the issues this presents for government presence and control of territory. Furthermore, the responses of these two countries' governments to organized crime were similar in nature and often involved external pressures from the United States. However, based off the differences like geography, economies, governments, etc., they should not be treated or have similar anti-drug policies as each other. Francisco Thoumi provides an important lesson about understanding the foundations of organized crime and the policies to combat organized crime by stating, "Violence and drugs are the result of a complex set of forces including economic ones but also each country's productive structure, culture and institutions. Because of this transferring social policy recipes from one country to another is always dangerous."<sup>224</sup> In order to establish effective policies, one must understand the nature of the problem, and avoid a one-size-fits-all approach.

#### **D. MÉRIDA INITIATIVE RESOURCE ALLOCATION**

Analyzing resource allocation in the Mérida Initiative is a crucial step in understanding its effectiveness. A 2010 GAO report cited allocation and spending of Mérida funds as an underlying issue with its progress.<sup>225</sup> This section will analyze the

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<sup>223</sup> Frazer, *Bandit Nation: A History of Outlaws and Cultural Struggle in Mexico, 1810–1920*, 22–23.

<sup>224</sup> Thoumi, "Colombian Organized Crime: From Drug Trafficking to Parastatal Bands and Widespread Corruption," 143.

<sup>225</sup> U.S. Government Accountability Office, *Mérida Initiative: The United States Has Provided Counternarcotics and Anticrime Support but Needs Better Performance Measures* by Jess T. Ford, 11.

allocation of resources throughout the Mérida Initiative, which will include funding, equipment, and training. By providing this data, one can perhaps identify a link between resources and effectiveness of this policy. Furthermore, one can identify whether the resources match the four overall pillars of the initiative.

## 1. Funding

This section will focus solely on the funding for Mérida Initiative, which includes allocated, obligated, and expended funds. Specifically, this section can exhibit which of the aforementioned pillars was most important, or at least which one received the most focus, to policy makers based off funding.

One of the criticisms of the Mérida Initiative was spending the money in a timely and efficient manner, which was even expressed by then Secretary of State Hillary Clinton during a trip to Mexico in March of 2009.<sup>226</sup> As of March 31, 2010, of the \$1.6 billion initially allocated for the Mérida Initiative, \$1.322 billion was allocated to Mexico and the remainder to Central American countries.<sup>227</sup> Of this \$1.322 billion, only \$669 million was obligated and only \$121 million was expended; that is approximately 9 percent of funding being utilized after more than a year into the initiative (see Table 3).<sup>228</sup> Furthermore, according to a 2015 CRS Report, “Between FY2008 and FY2015, Congress appropriated roughly \$2.5 billion for Mérida Initiative programs in Mexico. Of that total, more than \$1.3 billion worth of training, equipment, and technical assistance has been provided,” which reveals that initial obstacles were never fully overcome.<sup>229</sup> However, State Department argues “that expenditure levels alone are not an accurate measure of progress on program delivery.”<sup>230</sup> As stated in a Government Accountability Report,

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<sup>226</sup> Seelke and Finklea, *Mérida Initiative for Mexico and Central America: Funding and Policy Issues*, CRS Report R40135 (Washington, DC: Library of Congress, Congressional Research Service, August 21, 2009), 17.

<sup>227</sup> U.S. Government Accountability Office, *Mérida Initiative: The United States Has Provided Counternarcotics and Anticrime Support but Needs Better Performance Measures* by Jess T. Ford, 11.

<sup>228</sup> Ibid.

<sup>229</sup> Seelke and Finklea, *U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond*, CRS Report R41349 (Washington, DC: Library of Congress, Congressional Research Service, May 7, 2015), 1.

<sup>230</sup> U.S. Government Accountability Office, *Mérida Initiative: The United States Has Provided Counternarcotics and Anticrime Support but Needs Better Performance Measures* by Jess T. Ford, 12.

“expended funds do not capture all program activity because of timing issues associated with procurement, billing and reporting systems of State and Department of Defense (DOD). Officially funds are considered expended when payment has been made from the U.S. Treasury.”<sup>231</sup> They go on to state that these issues are due to a variety of factors that can delay the actual accounting of the money being spent.<sup>232</sup> That being said, even if the full \$2.5 billion appropriated for Mérida Initiative was expended, it would account for about 3 percent of the total funds spent on Mexican security and public safety, because Mexico invested \$79 billion of its own resources.<sup>233</sup>

Table 3. Mérida Initiative Spending as of March 31, 2010 (in Millions of U.S. Dollars)

	<b>Allocated</b>	<b>Obligated</b>	<b>Expended</b>
<b>Mexico</b>			
FY08 Supplemental	\$398.0	\$290.9	\$107.1
FY09 Omnibus	\$300.0	\$44.1	\$2.7
FY09 Supplemental	\$420.0	\$330.1	\$6.4
FY10	\$204.3	\$4.6	\$5.0
<b>Mexico total</b>	<b>\$1,322.3</b>	<b>\$669.7</b>	<b>\$121.2</b>

Data from U.S. Government Accountability Office, *Mérida Initiative: The United States Has Provided Counternarcotics and Anticrime Support but Needs Better Performance Measures* by Jess T. Ford. (GAO-10-837) (Washington, DC: GPO, 2010), 11.

The next area to be analyzed is the specific departments responsible for expending the funds, which also reveals the primary focus of the initiative. Funding to Mexico between FY2007 and FY2014 was split into seven different areas. These are International Narcotics Control and Law Enforcement (INCLE), Economic Support Fund (ESF), Foreign Military Fund (FMF), International Military Education and Training (IMET), Nonproliferation, Anti-terrorism and Related Programs (NADR), Global Health and

<sup>231</sup> U.S. Government Accountability Office, *Mérida Initiative: The United States Has Provided Counternarcotics and Anticrime Support but Needs Better Performance Measures* by Jess T. Ford, 12.

<sup>232</sup> Ibid.

<sup>233</sup> Seelke and Finklea, U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond, CRS Report R41349 (Washington, DC: Library of Congress, Congressional Research Service, May 7, 2015), 1.

Child Survival (GHCS), and Development Assistance (DA).<sup>234</sup> The Mérida Initiative funds went primarily into INCLE, ESF, and FMF, and also consisted of the majority of the money that went to Mexico (see Table 4). Furthermore, the three peak years for the Mérida Initiative funding was FY2008-FY2010 with a slight resurgence in FY2012.<sup>235</sup> That being said, one can assert that the primary focus of the Mérida Initiative was on supplying and training law enforcement agencies and the military in Mexico, while ESF rarely exceeded 10 percent of funding during this time frame. Furthermore, in a 2005 *U.S. Foreign Assistance Reference Guide*, ESF “promotes the economic and political foreign policy interests of the United States,” and most of the funding is utilized by the U.S. Agency for International Development (USAID).<sup>236</sup> More than likely this funding was used for training purposes, which will be addressed in further detail in an upcoming section. In a 2015 CRS Report, the author states, “From FY2012 onward, funds provided for pillar two have exceeded all other aid categories.”<sup>237</sup> After analyzing this data, one can assert that the majority of funding for the Mérida Initiative was focused on the first two pillars. While the last two appear to be neglected or perhaps were too difficult to properly address via monetary means.

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<sup>234</sup> Seelke and Finklea, *U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond*, CRS Report R41349 (Washington, DC: Library of Congress, Congressional Research Service, April 8, 2014), 36.

<sup>235</sup> Seelke and Finklea, *U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond*, CRS Report R41349 (Washington, DC: Library of Congress, Congressional Research Service, April 8, 2014), 36.

<sup>236</sup> U.S. Department of State, *U.S. Foreign Assistance Reference Guide* (Washington, DC: Department of State Publication 11202, 2005), 6.

<sup>237</sup> Seelke and Finklea, *U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond*, CRS Report R41349 (Washington, DC: Library of Congress, Congressional Research Service, May 7, 2015), 7.

Table 4. U.S. Assistance to Mexico by Account, FY2007–FY2014 (in Millions of U.S. Dollars)

Account	FY2007	FY2008	FY2009	FY2010	FY2011	FY2012	FY2013	FY2014 (est.)	FY2015 (req.)
<b>INCLE</b>	36.7	242.1	454.0	365.0	117.0	248.5	195.1	148.1	90
<b>ESF</b>	11.4	34.7	15.0	15.0	18.0	33.3	32.1	46.1	35.0
<b>FMF</b>	0.0	116.5	299.0	5.3	8.0	7.0	6.6	7.0	5.0
<b>IMET</b>	0.1	0.4	0.8	1.0	1.0	1.0	1.2	1.4	1.5
<b>NADR</b>	1.3	1.4	3.9	3.9	5.7	5.4	3.8	3.9	2.9
<b>GHCS</b>	3.7	2.7	2.9	3.5	3.5	1.0	0.0	0.0	0.0
<b>DA</b>	12.3	8.2	11.2	10.0	25.0	33.4	26.2	0.0	12.5
<b>TOTAL</b>	<b>65.4</b>	<b>405.9</b>	<b>786.8</b>	<b>403.7</b>	<b>178.2</b>	<b>329.6</b>	<b>265.0</b>	<b>206.5</b>	<b>136.9</b>

Data from Clare Ribando Seelke and Kristin Finklea, *U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond*, CRS Report R41349 (Washington, DC: Library of Congress, Congressional Research Service, April 8, 2014), 36.

## 2. Equipment

Along with funding, shipment of equipment from the United States to Mexico also took longer than initially expected. According to a 2010 GAO report, a lot of equipment had not shipped yet, and even more worrisome, did not have an estimated delivery date (see Tables 5 and 6).<sup>238</sup> Also similar to funding, a majority of the equipment that was part of the Mérida Initiative was military equipment that would aid in intelligence, surveillance, and reconnaissance of DTOs, or for detection of illicit goods during transportation. This equipment included polygraph units, X-ray units, aircraft, and communications gear.<sup>239</sup> The tables alone do not provide a clear picture for the equipment being utilized in Mexico.

<sup>238</sup> U.S. Government Accountability Office, *Mérida Initiative: The United States Has Provided Counternarcotics and Anticrime Support but Needs Better Performance Measures* by Jess T. Ford, 25.

<sup>239</sup> *Ibid.*



Table 5. Selected Equipment Delivered to Mexico, as of March 31, 2010

<b>Equipment</b>	<b>Delivery Date</b>
26 armored vehicles	May 2009
62 Plataforma Mexico computer servers	June 2009
Training equipment	July & December 2009
5 X-ray vans	August 2009
OASISS servers and software	August 2009
Biometric equipment	September 2009 & January 2010
Document verification software	September 2009
Ballistic tracing equipment (IBIS)	September 2009
30 ion scanners	October 2009
Rescue communication equipment & training	October & November 2009
Personal protective equipment	October & November 2009
5 Bell helicopters	December 2009
10 Mobile X-ray minivans	December 2009
Constanza software	February 2010
100 Polygraph units	March 2010
13 armored Suburbans	April 2010

Data from U.S. Government Accountability Office, *Mérida Initiative: The United States Has Provided Counternarcotics and Anticrime Support but Needs Better Performance Measures* by Jess T. Ford. (GAO-10-837) (Washington, DC: GPO, 2010), 8.

The same 2010 GAO report expands upon this data singling out the use of Bell helicopters for troop transport in military operations against DTOs and the utilization of biometric equipment to collect data of immigrants entering the country, which is then stored in a nationwide database using the servers and software provided. However, they do not go into detail on the utilization of equipment to improve the criminal justice system, due process, and intelligence collection and surveillance to secure the transport of illicit goods. It appears that in a similar fashion as funding, the primary focus of equipment procurement was to support the first two pillars. Despite initial delays, deliveries increased efficiency in 2011 and approximately \$500 million in equipment,

training, and technical assistance was provided.<sup>240</sup> The CRS report expands upon this data by stating, “As of the end of Calderón’s term (November 2012), \$1.1 billion worth of assistance had been provided.”

Table 6. Selected Equipment Pending Delivery to Mexico, as of March 31, 2010

<b>Equipment</b>	<b>Estimated Delivery Date</b>
218 Polygraph Units	April 2010
2 Railroad X-Ray Inspection Units	August 2010
2 Bell Helicopters	October 2010
3 Black Hawk Helicopters (SSP)	October to December 2010
Mobile Gamma Radiation Trucks	2010
3 Black Hawk Helicopters (SEMAR)	September 2011
4 CASA Airplanes	September to December 2011
Intelligence, Surveillance, and Reconnaissance Aircraft	2011
3 to 5 Black Hawk Helicopters (SSP)	No estimated delivery date
Additional equipment for Mexican National Data System	No estimated delivery date
Additional equipment for Mexican Communication and Transportation Secretariat	No estimated delivery date
1 Bell Helicopter	No estimated delivery date

Data from U.S. Government Accountability Office, *Mérida Initiative: The United States Has Provided Counternarcotics and Anticrime Support but Needs Better Performance Measures* by Jess T. Ford. (GAO-10-837) (Washington, DC: GPO, 2010), 25.

That total included roughly \$873.7 million in equipment (including 20 aircraft and more than \$100 million in non-intrusive inspection equipment) and \$146.0 million in training.<sup>241</sup> These numbers emphasize the point that a majority of Mérida Initiative funds went to equipment. More specifically, they went to military equipment meant to support military and law enforcement operations against DTOs. However, in a 2015 CRS Report, the author states, “It is unclear, though, whether more expeditious equipment deliveries to

<sup>240</sup> Seelke and Finklea, *U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond*, CRS Report R41349 (Washington, DC: Library of Congress, Congressional Research Service, May 7, 2015), 8.

<sup>241</sup> Seelke and Finklea, *U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond*, CRS Report R41349 (Washington, DC: Library of Congress, Congressional Research Service, May 7, 2015), 8.

Mexico have resulted in a more positive evaluation of Mérida. Moreover, if equipment is not adequately maintained, its long-term impact could be reduced.”<sup>242</sup> Therefore, in a similar evaluation to allocation of funding for programs, equipment, and training, one can assert that timeliness of equipment delivery to Mexico did not necessarily adversely impact the results of the Mérida Initiative. It appears that improperly addressing the key factors that contribute to the prevalence of DTOs in Mexico and their participation in feeding U.S. drug demand.

### **3. Training**

Training was no different than the last two areas discussed. Various delays frustrated the Mexican government and prohibited progress for Mérida. In the 2010 GAO Report, the author states, “Mexican officials told us that they were frustrated by the lack of information on the time frame for delivery and said they need this information to be able to proceed with other programs that they are implementing in conjunction with Mérida.”<sup>243</sup> Similar to equipment allocation, the training conducted in Mexico focused on the first two pillars with many of the community building programs having no delivery date two years into the initiative (See Tables 7 and 8).

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<sup>242</sup> Ibid., 19.

<sup>243</sup> U.S. Government Accountability Office, *Mérida Initiative: The United States Has Provided Counternarcotics and Anticrime Support but Needs Better Performance Measures* by Jess T. Ford, 27.

Table 7. Selected Training Delivered to Mexico, as of March 31, 2010

<b>Training</b>	<b>Delivery Date</b>
230 Officials attending arms trafficking conferences	April 2009 to October 2009
187 Mexican Ministry of Public Safety (SSP) officers trained in corrections instruction and classification	April 2009 to December 2009
United Nation’s human rights project inaugurated	July 2009
4,392 SSP investigators trained	July 2009 to January 2010
USAID training for capacity building programs throughout Mexico for over 10,000 Mexican officials <ul style="list-style-type: none"> <li>• Citizen participation councils</li> <li>• Victim protection and restitution</li> <li>• Judicial exchanges</li> <li>• Trafficking in persons</li> <li>• Human rights</li> <li>• Pre-trial services and case resolution alternatives</li> <li>• Continuing education for police, prosecutors and other officials</li> <li>• Penal reform</li> </ul>	August 2009 to March 2010
Over 200 Mexican prosecutors and investigators trained in trial advocacy, trafficking in persons and extradition	September 2009 to March 2010
28 canine trainers trained	October 2009 to April 2010
293 mid-level and senior-level SSP officers trained	October 2009 to December 2009
45 Mexican state officials trained in anti-kidnapping	November 2009 to January 2010

Data from U.S. Government Accountability Office, *Mérida Initiative: The United States Has Provided Counternarcotics and Anticrime Support but Needs Better Performance Measures* by Jess T. Ford. (GAO-10-837) (Washington, DC: GPO, 2010), 8.

Furthermore, the Government Accountability Office reveals weaknesses in the State Departments’ performance tracking for the Mérida Initiative. The authors of a 2010 GAO Report state, “Most of the indicators that State has developed for Mexico only measure the outputs of the Mérida Initiative, such as the number of officials trained,” and they go on to state, “State’s performance indicators measure the number of Mexican law enforcement officials trained under Mérida, but do not measure the impact of the training

and if it has been successfully employed.”<sup>244</sup> Despite initial delays in training and lack of performance measures on the State Department’s part, training did progress throughout the next few years but remained unrefined.

In a 2014 CRS Report, the authors cite \$146.0 million worth of training being spent by November 2010.<sup>245</sup> However, the training focused heavily on strengthening Mexico’s criminal justice system and did little to improve underlying factors for drug trafficking and involvement in DTOs.<sup>246</sup> According to the same report, “As of May 2013, some 19,000 law enforcement officers (including 4,000 federal police investigators) had completed U.S. courses. Another 8,500 federal and 22,500 state justice sector personnel had received training on their roles in Mexico’s new accusatorial justice system.”<sup>247</sup> Lastly, despite the progress this training may have contributed to Mexico’s criminal justice system, the CRS report counters by stating, “Despite these numbers, high turnover rates within Mexican criminal justice institutions, particularly since the transition from a PAN to a PRI government has limited the impact of some U.S. training programs.”<sup>248</sup> This appears to be a major obstacle in training provide under the Mérida Initiative. United States and Mexico must assure, or at least attempt, to ensure continuity between various political party changes, but this is probably easier said than done.

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<sup>244</sup> U.S. Government Accountability Office, *Mérida Initiative: The United States Has Provided Counternarcotics and Anticrime Support but Needs Better Performance Measures* by Jess T. Ford, 23.

<sup>245</sup> Seelke and Finklea, *U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond*, CRS Report R41349 (Washington, DC: Library of Congress, Congressional Research Service, April 8, 2014), 8.

<sup>246</sup> *Ibid.*

<sup>247</sup> *Ibid.*, 9.

<sup>248</sup> *Ibid.*

Table 8. Selected Equipment and Training Pending Delivery to Mexico, as of March 31, 2010

<b>Training</b>	<b>Delivery Date</b>
Various training expected, for example	
- Drug demand reduction	No estimated delivery date
- Financial intelligence unit & financial crimes	No estimated delivery date
- Support for law schools and bar associations	No estimated delivery date
- Institution building and rule of law	No estimated delivery date
- Stand up robust internal controls	No estimated delivery date

Data from U.S. Government Accountability Office, *Mérida Initiative: The United States Has Provided Counternarcotics and Anticrime Support but Needs Better Performance Measures* by Jess T. Ford. (GAO-10-837) (Washington, DC: GPO, 2010), 25.

## **E. CONCLUSION**

This chapter has examined the goals of the Mérida Initiative, made an in-depth comparison between Plan Colombia and Mérida Initiative, and finally analyzed the allocation of resources for Mérida Initiative. This chapter identifies a few key issues with the Mérida Initiative as a policy. First, although the initiative appears to address fundamental issues within Mexico as presented in chapter two, it is implemented in a similar fashion to Plan Colombia. Second, a comparison between Mexico and Colombia reveals that these two countries are dealing with a different set of challenges, and similar anti-drug policies should not be used in these two countries. Third, although timeliness of resource allocation was an initial problem for the Mérida Initiative, a closer examination reveals that the funds, equipment, and training are minute in relation to the overall resources expended in Mexico and that they primarily focus on the first two pillars. Furthermore, based on the evidence presented thus far, training is one of the most valuable assets the U.S. can provide in Mexico beyond focusing on dual border management to sustain economic prosperity and addressing internal issues such as demand and gun control.

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## **IV. ANALYSIS AND FINAL CONCLUSIONS**

This thesis posed the following research question: Did funding and allocation of resources of the Mérida Initiative address the underlying issues that contributed to the drug trade in Mexico? This thesis examined the historical foundations of the drug trade ranging from Mexico's weak institutions to the effects of anti-drug policies in other parts of Latin America to United States' weak gun legislation. Furthermore, it addressed Mexico's ability to combat DTOs by examining claims that Mexico is a failing state and requires intervention to prevent non-state actors from gaining control. Lastly, this thesis explored the goals of the Mérida Initiative through multiple administrations, compared Mexico to Colombia, and examined the allocation of resources over time. This conclusive chapter will examine all this data and analysis and address the research question established in the first chapter. In order to do this, this chapter will take a final look at 'one-size-fits-all' drug policy used on both Colombia and Mexico, examine the effects of delayed resource allocation, and provide a final analysis and recommendations for future drug policy in Mexico, which can also be applied abroad.

### **A. MEXICO IS NOT COLOMBIA**

One of the fundamental issues with the Mérida Initiative is its similarity to Plan Colombia. In Chapter III, this thesis provided an in-depth analysis of Mexico and Colombia and the anti-drug policies implemented in both countries. This chapter found that both countries had different challenges to address; that U.S. contributions in Colombia had a larger impact; that both countries had economic, political, and social factors that contributed to the rise of organized crime; and that U.S. demand for drugs was an underlying factor in both country's difficulties with organized crime. Concerning the policy for Plan Colombia, John Bailey writes, "Plan Colombia covered five areas: the peace process, economic growth, anti-drug production and trafficking, reform of justice and protection of human rights, and democracy-promotion and social development."<sup>249</sup> As a reminder, the four pillars for MI are disrupting the operational capacity of organized

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<sup>249</sup> Bailey, "Plan Colombia and the Mérida Initiative," 2.



criminal groups, institutionalizing reforms to sustain the rule of law and respect for human rights in Mexico, building a 21st century border, and build strong and resilient communities. The issue with the similarity in policies is that these two countries are not alike and do not require similar policies. The major difference between these two policies stems from a shared border between Mexico and the United States, but beyond that they have similar focus and approach to alleviate drug trafficking within their countries. Colombia's issue was an insurgency that had a legitimate ability and opportunity to take control of large portions of Colombian territory and even overthrow the government.<sup>250</sup> As discussed in Chapter II, Mexico was not in danger of becoming a failed state and continuously had the ability to combat DTOs. They did not require an anti-insurgency policy like Colombia, but needed one that focused on the true underlying issues: weak institutions, corruption, economic inequality, and U.S. domestic issues. Despite the appearance of a package that addresses some of these issues, the Mérida Initiative continually focuses on combatting DTOs through use of military and law enforcement.

Furthermore, multiple scholars have shown disdain for the policy similarities and success in general. On this topic, Arturo Sotomayor writes, "Plan Colombia had no effect on the price, purity, and availability of cocaine and heroin in the U.S."<sup>251</sup> Therefore, despite the rhetoric establishing Plan Colombia as an anti-drug policy, it had little to no effect on the drug market in the United States. Similarly, Brian Bow asserts, "Others condemned the Plan Colombia model, because it led in the short run to an explosive increase in violence and to the militarization of law enforcement and other government agencies, yet it failed to actually diminish the overall scale of the drug industry in Colombia."<sup>252</sup> This is a similar phenomenon as seen in Mexico with an increase in violence, militarization of law enforcement, and overall inability to suppress drug presence. Lastly, Shannon O'Neil comments, "Most important, the focus of this aid is too narrow, reflecting a misunderstanding of Mexico's fundamental challenge. Unlike Colombia, which had to retake vast swaths of territory from guerilla groups, paramilitary

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<sup>250</sup> O'Neil, "The Real War in Mexico," 72.

<sup>251</sup> Sotomayor, "Militarization in Mexico and Its Implications," 46.

<sup>252</sup> Bow, "Beyond Mérida?" 83.

organizations, and drug cartels, the Mexican state has been able to quell the rising violence when it has deployed large and well-armed military units...Firepower is not the main issue; sustainability is.”<sup>253</sup> These comments point out one of the underlying issues with an approach similar to Plan Colombia. Despite the appearance of success in Mexico through the use of advanced weaponry and tactics the overall success of a plan like this lacks the long-term sustainability due to the remaining presence of economic inequality and a weak criminal justice system. The drug market has proven the balloon effect time and again, and combating DTOs head-to-head will only displace the problem, because the demand exists, and it presents economic stimulation for the impoverished.

## **B. TIMELINESS DOES NOT MATTER**

As briefly discussed in Chapter III, the timeliness of fund allocation for the Mérida Initiative did not play a major role in its success or failure. The State Department has argued that expenditure levels do not accurately reflect delivery of goods and services due to various factors with the billing process, multiple State bureau involvement, and a new fund tracking system.<sup>254</sup> Furthermore, as stated previously, the amount of funds expended for the Mérida Initiative paled in comparison to the funds expended by Mexico over the same time period. In total, U.S. appropriated support only accounted for 3 percent of the funds expended for anti-drug policy. Even more disconcerting, the United States was only able to expend approximately half of the appropriated funds, making their contributions even more negligible. Even according to Mexico, the issue was not with the pace of delivery, but with the lack of information sharing concerning delivery. In a 2010 GAO report, the authors cite, “Mexican officials told us that they were frustrated by the lack of information on the time frame for delivery and said they need this information to be able to proceed with other programs that they are implementing in conjunction with Mérida.”<sup>255</sup> Mexico has the capacity to fund and wage this war, but

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<sup>253</sup> O’Neil, “The Real War in Mexico: How Democracy Can Defeat the Drug Cartels,” *Foreign Affairs* 88, no. 4 (2009), 72.

<sup>254</sup> U.S. Government Accountability Office, *Mérida Initiative: The United States Has Provided Counternarcotics and Anticrime Support but Needs Better Performance Measures* by Jess T. Ford, 12–15.

<sup>255</sup> *Ibid.*, 27.

depends on the United States' promise to support their cause through equipment and training.

Furthermore, this thesis spoke briefly about the likelihood of Mexico becoming a failed state and through the use of scholarly debate and evidence ruled this out. However, Mexico does need help, but it is not with controlling territory or the people of the state—it is with the criminal justice system. The Mexican government has drawn criticism for the weakness of law enforcement and the judicial system. David A. Shirk, for example, writes, “In a 2007 Gallup poll, only 37% of Mexicans responded positively to the question, ‘do you have confidence in Mexico’s judicial system?,’ while 58% said ‘no’ and 4% ‘don’t know.’”<sup>256</sup> Possibly even more alarming, only 10 percent of Mexicans have some or much confidence in police agencies.<sup>257</sup> The opinions of the Mexican people are based on two major factors, first, that the police don’t possess the ability to solve the crimes, and two, that they are corrupt.<sup>258</sup> This has led to the involvement of the armed forces in roles typically held by law enforcement—specifically in anti-drug operations.<sup>259</sup> The unwanted side effect of this is the tarnishing of the armed forces reputation due to an increase in human rights violations.<sup>260</sup> The United States needs to keep this in mind and keep the focus on training and judicial reform in Mexico—not delivery of military equipment. The issue that weak law enforcement and judiciary presents is that despite the arrest of organized crime members, the majority of them end up being released. According to Paul Kenny and Monica Serrano, “Of the 70,000 members of organized criminal groups arrested from 2007 into early 2010, the expert calculation is that 98 percent were released for want of evidence to bring their cases to trial.”<sup>261</sup> This is one of the major problems that Mexico is faced with. Despite the delivery of equipment—late or

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<sup>256</sup> Shirk, “Justice Reform in Mexico: Change & Challenges in the Judicial Sector,” 206.

<sup>257</sup> Ibid.

<sup>258</sup> Ibid., 206–207.

<sup>259</sup> Astorga and Shirk, “Drug Trafficking Organizations and Counter-Drug Strategies in the U.S.- Mexican Context,” 48.

<sup>260</sup> For instance see, Brewer, “Rethinking the Mérida Initiative: Why the U.S. Must Change Course in its Approach to Mexico’s Drug War,” 9; Bow, “Beyond Mérida?” 89; Astorga and Shirk, “Drug Trafficking Organizations and Counter-Drug Strategies in the U.S.- Mexican Context,” 49.

<sup>261</sup> Kenny and Serrano, “Introduction: Security Failure Versus State Failure,” 13.

timely—Mexico is unable to put members of organized criminal groups behind bars due to corruption and inefficiency.

This section concluded that timeliness of deliveries is not as detrimental to the success of Mérida as addressing the root of the problems. Despite the United States being able to deliver equipment used for surveillance, reconnaissance, and intelligence collection, the inability for law enforcement and the judicial system to prosecute criminals is inhibiting the initiative's success. Furthermore, the amount of money (for equipment and training) that the United States is contributing to the anti-drug effort in Mexico is miniscule in comparison to the amount the Mexican government has contributed. What the United States can contribute and what Mexico needs is proper training, and to temporarily extradite criminals to the United States for prosecution and punishment, which a treaty signed in 1978 allows.<sup>262</sup> The total number of extraditions over a 20 year period (1995-2014) only totals 986 individuals.<sup>263</sup> However, this would be better suited as a temporary solution for high profile arrests due to the lack of capability of the Mexican criminal justice system, but they must continue to develop their capacity through U.S. involvement and training.<sup>264</sup> Repairing the criminal justice system is perhaps one of the most important steps that the United States and Mexico must take to win the war on drugs.

### **C. FINAL ANALYSIS AND RECOMMENDATIONS FOR IMPROVEMENT**

Based on the evidence presented in this thesis, the Mérida Initiative did not address the underlying issues that contributed to the drug trade in Mexico. Although various iterations of the initiative use language that imparts the impression these issues are being addressed, an examination of the allocation of resources reveals that law enforcement or direct conflict with DTOs receives the majority of the focus. This thesis has reinforced the need for continued cooperation between the United States and Mexico

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<sup>262</sup> Walter Rodriguez, "Mexico's Catch-22: How the Necessary Extradition of Drug Cartel Leaders Undermines Long-Term Criminal Justice Reforms," *Boston College International and Comparative Law Review* 38, no. 1 (2015): 172.

<sup>263</sup> Seelke and Finklea, *U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond*, CRS Report R41349 (Washington, DC: Library of Congress, Congressional Research Service, May 7, 2015), 20.

<sup>264</sup> Rodriguez, "Mexico's Catch-22," 187.

with an increased focus on improving the criminal justice system, addressing U.S. domestic issues, which includes arms control, drug demand, and money laundering, as well as a shared responsibility over the border to allow commerce to prosper while decreasing flow of illegal goods—both North and South. Furthermore, the money being spent to arm Mexican troops should be utilized to improve social programs in Mexico, decrease income inequality, and provide opportunities for lower income individuals. This section will take a final look at alternate solutions for Mérida Initiative and future policies based off the research of scholars.

### **1. Improving Mexico’s Criminal Justice System**

One of the crucial areas for improvement, as noted by scholars, is the improvement of Mexico’s criminal justice system. This area is important to focus on, because continued use of the military will only scar their reputation and increase human rights abuses.<sup>265</sup> Furthermore, direct conflict with DTOs has only fragmented their organizations and increased violence as they vie for territorial control.<sup>266</sup> The United States should focus on providing the training and resources necessary to improve Mexico’s criminal justice system, provide extradition resources for high profile cases, and encourage Mexico to not utilize the military in domestic issues. On the topic of law enforcement, Laurie Freeman and Jorge Luis Sierra advocate an absence of military involvement similar to U.S. practices:

The United States should promote the establishment of clear legal divisions between the military and police roles in Mexico modeled after Posse Comitatus, the U.S. law forbidding U.S. troops from making arrests or conducting searches or seizures within U.S. territory that would eliminate military participation in law enforcement. U.S. drug control programs that take advantage of the absence of such legislation in Mexico and encourage the involvement of the military in domestic law enforcement prevent this democratic principle from taking root.<sup>267</sup>

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<sup>265</sup> For instance see, Astorga and Shirk, “Drug Trafficking Organizations and Counter-Drug Strategies in the U.S.- Mexican Context,” 49; Sotomayor, “Militarization in Mexico and Its Implications,” 43.

<sup>266</sup> Molzahn, Ríos, and Shirk, *Drug Violence in Mexico*, 29.

<sup>267</sup> Freeman and Luis Sierra, “Mexico: The Militarization Trap,” 294–295.

Furthermore, addressing the weakness of the criminal justice system will require addressing corruption on all levels of this system. In 2008 and 2009, a corruption purge called ‘Operation Cleanup’ exposed various high ranking officials for forms of corruption, which included “Mexico’s drug czar in the 1990s, two former directors of Interpol Mexico, personnel in the office of the Attorney General’s special prosecutor against organized crime.”<sup>268</sup> A monumental endeavor such as reviving Mexico’s criminal justice system will require sustained focus and resources, which is crucial for the United States to be involved with. While they are training the various institutions involved and restructuring the process, they must provide extradition resources for high-profile arrests. Furthermore, they need to remain patient since this will be a long process. John Bailey recognizes the challenges and provides insight by stating, “First, the scope of the institutional reforms needed to reconstruct Mexico’s national police, reorient the justice system from an inquisitorial to an adversarial (accusatory) model, build an intelligence system, and integrate the national, state, and local security apparatus requires decades, even at the best of circumstances.”<sup>269</sup>

In closing, the United States should provide training at all levels of criminal justice to increase the efficacy of criminal investigations; Mexico must continue to address corruption, address its over-crowded prison system, and should avoid the use of its military in domestic matters, but utilize the lessons learned to train its police force; and both sides must have patience for this process to take effect.

## **2. United States Domestic Issues**

Another major area of focus among scholars is U.S. domestic issues that are fueling the drug trade and a primary focus of the shared responsibility tenant of the

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<sup>268</sup> Astorga and Shirk, “Drug Trafficking Organizations and Counter-Drug Strategies in the U.S.-Mexican Context,” 50.

<sup>269</sup> John Bailey, “Combatting Organized Crime and Drug Trafficking in Mexico: What are Mexican and U.S. Strategies? Are They Working?” in *Shared Responsibility: U.S.-Mexico Policy Options for Confronting Organized Crime*, ed. by Eric L. Olson, David A. Shirk, and Andrew Selee (Washington, DC: Woodrow Wilson International Center for Scholars – Mexico Institute; San Diego: University of San Diego Trans-border Institute, 2010), 328.

Mérida Initiative.<sup>270</sup> Specifically, these areas are U.S. demand, gun control, and money smuggling. On the topic of reducing drug demand, a study done by C. Peter Rydell, Jonathan P. Caulkins, and Susan S. Everingham found that “treating heavy-users is more cost-effective than supply-control programs.” Peter Reuter, however, states, “A cursory calculation, which is the best one can do, suggests that an expansion of cocaine treatment places by 25%, a massive expansion by historical standards, might reduce cocaine consumption by only 6%.”<sup>271</sup> On this same topic, Shannon O’Neil advocates for demand reduction programs citing it is five times more cost effective to treat addicts than conventional law enforcement.<sup>272</sup> While drug reduction programs may not be effective in a traditional sense, scholarly assessments seem to agree that it is more effective than interdiction and a way to improve the situation in Mexico and abroad.

On the topic of gun control, scholars tend to agree that the United States must address the transportation of U.S. origin weapons across the border. One report cites 90–95 percent of cartel weapons originated in the United States, while other estimates are around 70 percent of all illegal weapons, which is about 20,000 guns each year.<sup>273</sup> Either way, this is an issue that needs to be addressed by the United States by increasing resources and altering legislation. Shannon O’Neil suggests that one solution would be to increase resources going to the ATF.<sup>274</sup> To be discussed in the following section, increasing resources and technology on the border would help decrease the southern flow of illicit goods like firearms. Furthermore, legislation should be amended to avoid the loopholes that allow for the purchase and shipment of these weapons. On this topic, Stephanie Brewer states, “The Bureau of Alcohol, Tobacco, and Firearms (ATF) estimates that 90–95% of Mexican cartels’ weapons enter Mexico from the southern United States, where individual buyers, benefiting from gaping loopholes in U.S. gun

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<sup>270</sup> Seelke and Finklea, *U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond*, CRS Report R41349 (Washington, DC: Library of Congress, Congressional Research Service, April 8, 2014), 6.

<sup>271</sup> C. Peter Rydell, Jonathan P. Caulkins, Susan S. Everingham, “Enforcement or Treatment? Modeling the Relative Efficacy of Alternatives for Controlling Cocaine,” *Operations Research* 44, no. 5 (1996): 694; Reuter, “How Can Domestic U.S. Drug Policy Help Mexico?” 136.

<sup>272</sup> O’Neil, “The Real War in Mexico,” 71.

<sup>273</sup> Brewer, “Rethinking the Mérida Initiative,” 11; O’Neil, *Two Nations Indivisible*,” 146–147.

<sup>274</sup> O’Neil, “The Real War in Mexico,” 70.

laws, purchase multiple military weapons from gun sellers and then pass the weapons to drug cartels.”<sup>275</sup> Addressing this area is one of the many ways that the United States can support their end of the ‘shared responsibility’ approach of the Mérida Initiative.

On the topic of money smuggling, estimates vary but put the total amount of money smuggled across the border between \$15 and \$25 billion a year.<sup>276</sup> This provides the resources and the motivation necessary to continue the drug trade and needs to be addressed by the United States. Similar to firearms smuggling, some of this can be addressed by improving current infrastructure on the border, but the United States must also address money laundering. According to O’Neil, “Federal investigators believe that over the course of a few years, Mexico’s criminal organizations laundered billions of dollars through bulk cash and wire transfers via Wachovia Bank (now part of Wells Fargo) alone.”<sup>277</sup> This may prove to be difficult and involve oversight in countless financial institutions and business and may best be prevented through training and increased resources on the border to increase the difficulty and ingenuity required to either smuggle or launder cash from drug proceeds on U.S. soil. Nevertheless, it is one of the areas that must be addressed by the United States to support Mexico.

### **3. Improving Border Security and Efficiency**

Various scholars see the importance of increased border security, infrastructural improvements, and maintaining commerce. As stated previously, the United States and Mexico trade \$500 billion annually as a result of NAFTA, which leaves shutting down the border out of the question.<sup>278</sup> In an article titled, “The U.S. and Mexican Cooperation: The Merida Initiative and Beyond,” Tekin writes, “Border and public security are very important for the US; therefore, rather than having the police force at the border as proposed by the Obama administration, border control should be done through U.S.

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<sup>275</sup> Brewer, “Rethinking the Mérida Initiative,” 11.

<sup>276</sup> O’Neil, “The Real War in Mexico,” 70.

<sup>277</sup> O’Neil, *Two Nations Indivisible*, 127.

<sup>278</sup> *Ibid.*, 6.



military officers.”<sup>279</sup> She goes on to cite the success that “Operation Jump Start,” in which 6,000 National Guard troops were sent to the southern border, which resulted in a reduction of illegal drug trafficking and drug related violence.<sup>280</sup> This mission went on between 2006 and 2008, but one must question the long term sustainability and cost effectiveness of utilizing troops to support border patrol.<sup>281</sup> Shannon O’Neil recommends improving border infrastructure and states, “The U.S. Department of Transportation currently estimates that \$11 billion more will need to be spent on the U.S. side of the border to catch up with the growing traffic.”<sup>282</sup> This is a large expense to improve a dated infrastructure but necessary to ensure safety and sustained flow of legal goods. Lastly, Olson and Lee observe the benefits of implementing technology in the border regions to increase border security, and see this as an area for increased focus.<sup>283</sup> In the case of Mexico, the United States should keep the border as an area of focus, improve infrastructure, and inject technology to improve efficiency and decrease manpower and cost. Due to the high levels of trade between these two countries, this is an important investment for improving security, maintaining flow of legal goods, and decreasing the flow of illicit goods both North and South.

#### **4. Investing in Mexico’s Social Programs**

The final area that the United States and Mexico can focus on to diminish the drug trade is economic development and social programs in Mexico. Concerning the importance of social programs to combat organized crime, Vanda Felbab-Brown states, “There are good reasons to incorporate socioeconomic policies into efforts to combat organized crime. Populations in areas of inadequate state presence, poverty, and social and political marginalization are often dependent on illicit economies, including drug

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<sup>279</sup> Yasemin Tekin, “The U.S. and Mexican Cooperation: The Merida Initiative and Beyond.” *Pepperdine Policy Review* 8, no. 1 (2015): 7.

<sup>280</sup> *Ibid.*

<sup>281</sup> *Ibid.*

<sup>282</sup> O’Neil, “The Real War in Mexico,” 75.

<sup>283</sup> Erik Lee and Eric L. Olson, “The State of Security in the U.S.-Mexico Border Region,” in *The State of the Border Report*, ed. by Christopher E. Wilson and Erik Lee (Washington, DC: Woodrow Wilson International Center for Scholars, 2013), 115.

trade, for the satisfaction of their socioeconomic needs, including livelihoods and social advancement.”<sup>284</sup> Furthermore, Yasemin Tekin states, “the U.S. should take measures to improve economic growth in Mexico in order to eradicate one of the root causes of the problem, poverty.”<sup>285</sup> To achieve this, she suggests various incentive programs that the government could utilize to encourage corporations and firms to invest or relocate, which would benefit both U.S. and Mexican workers. She believes these programs would strengthen the Mexican economy and eventually attract foreign investors from abroad. Lastly, she encourages utilizing Mexican territory to attract investments from renewable energy businesses, which would be a long-term enhancement to the Mexican economy. She closes by stating, “Thus, with greater economic development, Mexican people will have less incentive to engage in criminal behavior and violence, as their new jobs will pay more than the organized drug trade ever could.”<sup>286</sup> Although I do not completely agree with her last statement—the DTOs could pay more than their wages—it would further impede organized criminal groups from recruiting individuals. Felbab-Brown recognizes the need for such programs, but understands it is not a replacement for security:

Socioeconomic programs for reducing violence are not a substitute for security. In fact, they are often dependent on the establishment of greater security on the ground to have a chance to take off at all. If an urban sector continues to experience intense warfare among criminal groups that law enforcement institutions or the military are unable to suppress, few but illegal economies will thrive. However, if designed as a comprehensive social development effort and executed well, such programs reinforce the bonds between communities and the state, and critically hamper the operational space of criminal groups. Thus, they reduce the negative effects of criminal groups on both national security and the community’s social fabric.<sup>287</sup>

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<sup>284</sup> Vanda Felbab-Brown, *Calderón’s Caldron: Lessons from Mexico’s Battle Against Organized Crime and Drug Trafficking in Tijuana, Ciudad Juárez, and Michoacán* (Washington, DC: The Brookings Institute, 2011), 16.

<sup>285</sup> Tekin, “The U.S. and Mexican Cooperation,” 8.

<sup>286</sup> *Ibid.*

<sup>287</sup> Felbab-Brown, *Calderón’s Caldron*, 22.

Lastly, in a 2015 CRS report, the author recognizes the success of similar social development programs by referencing ‘Todos Somos Juárez’ (‘We are all Juárez), which was implemented to address the high levels of violence in Ciudad Juárez in 2010.<sup>288</sup> This program utilized \$400 million in federal investments, and although its contributions in the successful reduction in violence are ambiguous, the report cites, “lessons have been gleaned from this example of Mexican and U.S. involvement in municipal crime prevention that are informing newer programs in Mexico and Central America.”<sup>289</sup> Social programs serve as one of the many tools that the United States and Mexico should continue to focus on to reduce the effects of drug trafficking in this region.

## 5. Closing Remarks

This thesis concludes that the Mérida Initiative did not address the underlying issues that contribute to the drug trade in Mexico, but the United States and Mexico must continue to pursue a ‘shared responsibility’ approach to addressing this issue. Furthermore, it has provided various means for addressing this issue, which should be used in combination to reduce the effects of the drug trade in this region. By addressing these underlying issues that contribute to the problem, one can expect lower levels of violence, reduced drug demand, less income inequality in Mexico, increased flow of commerce and decreased flow of illicit goods, lower levels of corruption in Mexico’s institutions, and stronger communities that don’t tolerate the presence of organized crime. While no policy can be expected to alleviate an issue overnight, the governments should utilize a similar phased approach to implement anti-drug policies. First, understand the underlying issues that contribute to the drug trade. Second, examine historical cases of success and failure. Finally, implement a policy that takes these factors into account and avoid the one-size-fits-all approach that has been used in the past.

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<sup>288</sup> Seelke and Finklea, *U.S.-Mexican Security Cooperation: The Mérida Initiative and Beyond*, CRS Report R41349 (Washington, DC: Library of Congress, Congressional Research Service, May 7, 2015), 17.

<sup>289</sup> *Ibid.*

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