

**Západočeská univerzita v Plzni  
Fakulta filozofická**

**Bakalářská práce**

**Drogová válka v Mexiku a její dopady na národní  
bezpečnost USA  
Mexican Drug War and Its Impacts on U. S.  
National Security**

**Petr Vrchota**

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Prohlašuji,

že jsem práci zpracoval samostatně a použil jen uvedených pramenů  
a literatury.

*Plzeň, duben 2012*

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## Introduction

The War on Drugs has been symptomatic and has co-generated U. S. – Mexico relations in the twentieth century. Now, at the beginning of the 21<sup>st</sup> century it seems evident that a threat emerging from use of drugs, including drug violence and other long-term negative effects, have reached unexpected proportions. This phenomenon has come that far that undermines the basics of democracy, rule of law and civil liberties. Drug trafficking not only tends to ruin lives of individuals who lose their personal integrity, an ability to self-resistance and power to think rationally, not only tends to enrichment of drug dealers who jeopardize their top-notch living in order to earn more. Furthermore, it subverts democratic institutions, separations of powers or checks and balances system, economic processes and civil society. It attacks a political system, judiciary, police and military forces in its core; it dismantles efforts of profit and non-profit organizations, of journalists striving for an objective approach and safeguarding freedom of expression, and of any individual person ready to appeal against lawlessness and mistreatment. Eventually, it also helps to disintegrate the international system as it has been portrayed in the pages of the Charter of the United Nations and the Declaration of Human Rights.

Some authors call War on Drugs “a new threat” that suddenly appeared in 1990s (Eissa, 2005: 10). Yet, we come into a trend that has been underway for long decades and politicians of state governments have long avoided due solutions. With a dire development in Vietnam War Richard Nixon has proclaimed War on Drugs an underlying issue of his presidential campaign at the end of 1960s (Baum, 1996: 10). While becoming a president he presented his iron fist against drug smuggling and the notional War on Drugs could have been born. Nixon’s successors continued in this restrictive current meanwhile drug production and transshipping coming from Latin American countries began to rise enormously. Original drug families have been replaced by smaller and more efficacious drug trafficking groups that operate all across the region and have been closely interconnected with organize crime.

What actually stands beyond drug business? Dan Baum purports that War on Drugs have rarely been about drugs (Baum, 1996: 1). A well-known

economist Milton Friedman sees a main cause in stances of politicians that lead to prohibition instead they would legalize narcotics, and therefore to take down black market and to enable free choice for people between using and non-using.<sup>1</sup> We must understand this opinion providing we are familiar with Friedman's neoliberal thinking. Still, it is relevant to say there might be some trouble directly in criminalization which is politically sidelined and one rather focuses on armed operations that constrain ordinary citizens whereas kingpins of drug trafficking organizations remain untouched.

However, if we pull back from the context of drugs between these two countries it is necessary to set a basic question "Why is U. S. – Mexico relationship so exceptional than any other". Andrew Selee labels it as "*an intense and complex relationship next door*" (Selee, 2010: 1). The truth is that in no other part of the world there exists such a rapport where a highly developed and a developing country live side by side; although metrics for Mexico's stage of development vary author by author. This gives an appropriate space for a unique asymmetry apparent in political, economic, social and cultural perceptions. Conversely, this imbalance supports a permanent interdependence where neither the United States nor Mexico can leave easily. Not only three thousand kilometer border link these diverse neighbors. In 2010, U. S. exported \$163.3 billion and imported \$229.7 billion across the border.<sup>2</sup> This relates to a significant transformation of Mexico in recent years that is both politically and economically becoming more potent. Yet, catastrophic poverty, weak law enforcement and judicial power, pervasive corruption and badly controlled and administered northern states leave the federation exposed to internal and external threats. The United States is the most powerful economic power as well as it remains the world's largest consumer market for illegal narcotics (Selee, 2010: 33). Hundreds of documented and undocumented immigrants cross border every day to settle down in the country that offers a haven of opportunities. Additionally, U. S. – Mexico relationship is determined by openness or isolation of both

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<sup>1</sup> Friedman, Milton: 2008. *Why Drugs Should Be Legalized*. YouTube June 6th 2008. See <http://www.youtube.com/watch?v=nLsCC0LZxkY>, February 12th 2012.

<sup>2</sup> Office of the U.S. Trade Representative. U. S. – Mexico Trade Facts. See <http://www.ustr.gov/countries-regions/americas/mexico>, February 15th 2012.



countries. This factor constitutes its character and rationalizes either vivid cooperation or total ignorance.

The goal of my work will expose achievements and failures of American and Mexican drug-related strategies with emphasis on U. S. approaches. General assessment of achievements and failures will be conducted via particular aspects – impacts of mutual interaction in the security sphere, other alternatives to this war and forecasting probable scenario. Analysis will represent a method of the work. My bachelor's work is divided into three chapters.

The first chapter will deal with the character of the War on Drugs which was initiated by the Mexican president Felipe Calderon shortly after assuming power in 2006. Initially, I will briefly introduce huge economic overhaul starting with NAFTA ratification following up with transition of the political system in Mexico from authoritarian to democratic regime. Then I will concentrate on combating organized crime, underlying moments in the struggle against drug gangs and also show effects on lives of ordinary Mexicans. I will use statistics of security operations including assessments of positive and negative gauges. Indicators of corruption, functioning of police and military forces and trustworthiness of judicial organs as well as power of civil society and exploitation of journalists may not be left out.

The second chapter will analyze particular perils that have a decisive clout on U. S. national security. In the preliminary I will outline number of asymmetries that encompasses U. S. – Mexico relations. Aftermath, I will concentrate on the perception of drug using in American politics and society and the problematic of drug consumption that spurs on to demand for drugs and consequently for a vast inflow of marijuana, cocaine, heroin, methamphetamines and other narcotics. I will also focus on adjacent problems that together constitute bunch of U. S. national security threats – firearms trafficking, money laundering, spill-over violence, exodus of narco-refugees and related inflows of immigrants as well as securitization and sustainability of U. S. – Mexico border.

In the third chapter I will tend to show documents and resources which the United States uses to react to above said matters and to reflect primarily

challenges and risks for U. S. national security. I may not omit a reform of Mexican constitutional system itself that goes to police and judiciary transformation together with transformation of the armed forces. I consider inclusion of this ambitious start an integral part of bilateral collaboration. I will proceed from the Mérida Initiative which may symbolize a significant overhaul in U. S. – Mexican strategies; I will explore examples of positive steps forward as well as challenges that must be taken in consideration. I will proceed from the *Border Security Program* of the U. S. Department of Homeland Security (DHS) that is responsible for prevention, protection and effective law enforcement in case of danger for U. S. domestic security. I will mention the U. S. Drug Enforcement Administration (DEA) and concretely *Southwest Border Initiative* which seeks to eliminate and pulverize activities of drug organizations and to turn down drug corridors heading northwards. I will mention the *Strategic Plan – Fiscal Years 2010 – 2016* of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). I will also utilize documents of the White House especially *the National Security Strategy* and *the National Control Drug Policy*. Other sources come mostly from U. S. and Mexican universities and from specific institutes dedicated to these issues.

Contemporary situation in the region takes place not just around U. S. – Mexican border, but permeates deeply into the heart of both countries, as well. I will outline the implementation of possible consensus between presidents Calderon and Obama in common combat against undermining security environment not just via iron fist, but in the form of other supporting means. I will present a concept which will trace a way of counter-narcotics measures in both short and longer run.

The future of bilateral cooperation does not resonate much within the framework of the U. S. foreign and security policy at the moment meanwhile Mexico feels an urgency threatening stability and prosperity of the whole federation. If the United States repudiates its role in the American continent and especially in the context of drugs, it might shatter its position in the international arena, in fact.

# 1 Drug War in Mexico

Statistics of death toll differentiate survey by survey and no-one can capture exact numbers, however, since the onset of the officially proclaimed War on Drugs in 2006 we have seen an alarming uptick of drug-related crimes such as murders, kidnappings, extortions, rape, human trafficking and other atrocities that Mexican civilians must carry on their shoulders. Does this dangerous phenomenon refer to a cyclical stigma where heydays are regularly substituted by decays of society or does it make anything unprecedented that Mexicans have never witnessed, yet? We must look for the answer in the historical line of the Mexican state.

## 1.1 Historical outline

The United States of Mexico has experienced two tumultuous centuries which were underpinned by strong centralistic shackles, by foreign interventions as well as by warm international collaboration. Contradictory stances towards the international community have been forming domestic policies and have illustrated that Mexico is still not in concert with the role that should play in the future.

### 1.1.1 *Since independence up to 1982*

Latin American peoples have always been drifted by perceptions of independence, which was escalated by the widespread wave of emancipation at the beginning of 19<sup>th</sup> century when they threw off yoke of their former colonial powers (Kozák, 2010: 28). Mexico was no exception. Moreover, it was compelled to interact with its northern neighbor.

A decade during Mexicans fought for their sovereignty was completed in 1821 (Cinco de Mayo) when Mexico became an independent state after having been inspired by Bolivarian philosophy. Several years after achieving supremacy Mexico started to crumble into pieces when firstly lost Texas and then entered Mexican-American War with catastrophic consequences. The Guadalupe Hidalgo Agreement and the Gadsden Purchase have laid foundations for a perpetual trauma that continued to 20<sup>th</sup> century and might still matter even at the present. Aftermath, a weakened state has been smashed

by the European intervention that installed a bastion of the French empire there and targeted to destabilize Mexico and the United States at that time stricken by the civil war. Nonetheless, this episode lasted only few years and Mexico submerged into a half-century of a rigid dictatorial regime under baton of Porfirio Díaz. Porfiriato era was born in the spirit of suppression of native citizens, but welcomed and protected foreign investors, which sowed seeds for future dependency on the United States of America.

In 1910, Mexican campesinos (peasants) rebelled in the Mexican Revolution and overthrew Díaz, which was followed by the two American interventions to prevent destabilization of the region. These offensive interferences triggered another series of anti-American/ gringo aversion. The Bucareli Agreement together with the nascent Great Depression threw Mexico into more than a seventy-year-long authoritarian reign of the Institutional Revolutionary Party (PRI, Partido Revolucionario Institucional).

Years following the end of World War II have been indicated “*el milagro mexicano*” (Mexican miracle) because despite U. S. limitations on immigration, nationalization of domestic and foreign enterprises and total encapsulation of Mexican political system, Mexico was experiencing an extraordinary economic boom.

### **1.1.2 Bankruptcy and political turmoil**

A positive upswing of economy was supported by discovery of oil reserves in the Gulf of Mexico, which jumpstarted Mexico City to invest in exporting petroleum and simultaneously to borrow vast loans from international banks. Sadly, after the Iranian Revolution in 1979 oil prices skyrocketed and accelerated Mexico’s borrowing. Mexico’s debt mounted, inflation was enormous and interest costs from petroleum sales started to go down.

In 1982, Mexico declared a state bankruptcy which directly affected the whole Latin America and other continents, as well. Devastating effects of the Mexican financial crisis hit the United States, particularly via rising immigration and drug smuggling. Conversely, mythical Mexican protectionism was over and era of greater bilateral integration might have started. Washington

in exchange for cooperation came up with certain demands such as opening of Mexican economy, free elections, freedom of press and acceptance of American drug war policy (Kozák, 2009: 7).

A new president of Mexico Carlos Salinas de Gortari (1988 – 1994) welcomed an American initiative in launching free trading to diminish illicit drugs and illegal immigration and to help flourishing employment and growth in both countries. In 1994, after Salinas' brilliant obscuring drug issues NAFTA was signed by Canada, United States and Mexico. In parallel to new investments into Mexican economy negative effects were striking as written by Jorge G. Castañeda “...for Mexico to become a dynamic market for American exports – thus providing good jobs at good wages – it had to maintain an overvalued currency that would eventually drive Mexican firms out of business, and Mexican workers out of their jobs” (Castañeda, 1995: 32). These concerns exacerbated Zapatista insurgents in Chiapas, who certainly took part in assassinations of politicians<sup>3</sup>, as well as a repeated devaluation of Mexican peso.

### **1.1.3 Entry to democratic millennium**

Promising chances for a political change evaporated in the mid-90s thereby had to wait another six years when Vicente Fox Quesada (2000 – 2006) from opposition National Action Party (PAN, Partido Acción Nacional) was elected president. The process of democratization began – mayors and governors from then excluded parties suddenly settled in their offices; citizens were enabled to vote freely, to express their opinions and to find new work and study opportunities; a substantial revolution of the constitutional system was carried out.

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<sup>3</sup> A guerrilla movement EZLN (Ejército Zapatista de Liberación Nacional) that espoused Emiliano Zapata, a leader of the Mexican Revolution in 1910, fought openly against NAFTA ratification because of notion of the U. S. neocolonial domination over the Mexican territory. Series of dubious acts happened in the ratification year of 1994. PRI candidate Luis Donaldo Colosio and PRI secretary José Francisco Ruiz Massieu were killed and two other politicians were kidnapped. Though, investigations did not reveal who committed these murders, it seemed apparent the linkage led to organized crime groups. See Castañeda, Jorge G.: 1995. *The Mexican Shock. Its Meaning for the United States*. The New Press: New York, p. 65 - 111.

The administration of George W. Bush received these ambitious steps and manifested willingness to support transitional efforts of Mexico, however, after 9/11 attacks U. S. enthusiasm receded and Mexico occurred on the side track. In addition, with unlocking the political system, Mexico became vulnerable to various groups linked to organized crime, which together with mounting immigration threatened stability of U. S. – Mexico border. As part of counterterrorism strategy Bush administration tightened building fences and strengthened border patrols.<sup>4</sup>

When Fox's successor Felipe Calderon Hinojosa (2006 – 2012) came to power, the country was tossed about violent practices of drug gangs, profound poverty and inequality among citizenry as well as among particular federation states. In this light, Calderon declared a resolute War on Drugs at all costs.

## **1.2 Dire drug-related violence**

Mexico has had a colorful life in smuggling contraband dating back to the early twentieth century, which peaked at times of Prohibition, when Mexican barons partially controlled distribution of alcohol and psychotropic substances. The second part of 20<sup>th</sup> century has brought to game drugs which immensely modified the character of illegal market. Thousands of deployed police and military forces, daily seizures of narcotics, guns and cash, and a stream of arrests and extraditions targeting organized crime did not, in fact, help to diminish this unsatisfactory trend. Instead, drugs became more accessible, more widely utilized, and more potent than ever before.

Luis Astorga and David A. Shirk outline four conceivable scenarios for managing drug use:

- Complicity with traffickers
- Confrontation of traffickers
- Prevention and treatment
- Tolerating consumption (Astorga; Shirk, 2010a: 32)

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<sup>4</sup> *“Border policing is not simply a policy instrument for deterring illegal crossings but a symbolic representation of state authority, it communicates the state’s commitment to marking and maintain the borderline.”* See Andreas, Peter: 2000. *Border Games. Policing the U. S. – Mexico Divide*. Cornell University Press, Ithaca: New York.

### 1.2.1 Drug trafficking organizations

Nowadays, Mexico fights in a regular war far overreaching Heidelberg Institute for International Conflict Research's characterization of armed conflicts and wars.<sup>5</sup> According to STRATFOR 2010 report there are two main struggles for "lucrative turf" in the security landscape of Mexico – between the Mexican government and trafficking groups, and among trafficking groups themselves.<sup>6</sup>

Drug trafficking organizations (DTOs) or sometimes called cartels<sup>7</sup> embody a driving force of violence activities. These violent groups struggle to protect their plazas, or zones of control for shifting illicit goods northward to market in the United States. Fragmentation of DTOs and polarization of the federation disrupt balance of power and paralyze security apparatus of Mexico.

These days, some DTOs stand out in between others that fail to address U. S. demand and to avoid tough restrictions of the Mexican government. In following lines, I enclose brief overview of drug trafficking organizations operating throughout Mexico.

- *Sinaloa Cartel* – Mexico's largest cartel that dominates so-called Golden Triangle (Sinaloa, Durango and Chihuahua states) and stretches out to other continents. Its leader Joaquín "El Chapo" Guzmán Loera is

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<sup>5</sup> "A war is a type of violent conflict in which violent force is used with a certain continuity in an organized and systematic way. The conflict parties exercise extensive measures, depending on the situation. The extent of destruction is massive and of long duration." Heidelberg Institute for International Conflict Research. Methodological Approach since 2003. See [http://hiik.de/en/methodik/methodik\\_ab\\_2003.html](http://hiik.de/en/methodik/methodik_ab_2003.html), February 25<sup>th</sup> 2012.

<sup>6</sup> STRATFOR: 2010. *Mexican drug wars: Bloodiest Year to Date*. Texas, Austin, p. 13.

<sup>7</sup> Drug War terminology differs according to how theoreticians and policymakers view it. "Drug cartel" stands for an organized crime syndicate involved in the production, distribution and sale of psychotropic substances. In their remarks Molzahn, Ríos and Shirk purport that interpretation of "cartel" is much broader including "formal, informal or even implicit agreement among business associations, or firms, to control production, fix prices, limit competition, and/ or segment markets by product, clientele, or territory". "Drug trafficking organization" term is widely used but often avoided by the U. S. government for not reflecting all kinds of trafficking goods. "Trans-National Criminal Organization" term accepted by the U. S. government but often denied by observers because organized crime groups do not have to necessarily operate in trans-national waters. The most simplified term "organized crime groups" symbolizes a more generic expression. See Molzahn, Cory, Ríos, Viridiana, Shirk, David A.: 2012. *Drug Violence in Mexico. Data and Analysis Through 2011. Trans-Border Institute, San Diego, California: p. 4.*

currently the most wanted person viewed by the FBI. Sinaloa Cartel governs over important transport junctions in Ciudad Juarez and Tijuana.

- *Gulf Cartel* – It is formerly the most powerful cartel that wages brutal battles against Los Zetas in conjunction with the New Federation (Sinaloa Cartel, Gulf Cartel and La Familia Michoacana) to keep strongholds in Nuevo Leon and Tamaulipas states.
- *Los Zetas* – A relatively new cartel, previously impersonated an armed wing of the Gulf Cartel and comprised of former Guatemala army deserters, operates in northeastern Nuevo Leon state. Its ruthless tactic of public intimidation uses up in Central and South America, too.
- *Juarez Cartel* – Sometimes called Vicente Carrillo Fuentes Organization after the name of its leader, represents a thriving counterpart to Sinaloa Cartel in northern states using modern fighting techniques such as improvised explosive devices. It continues to be a major purchaser of Colombian cocaine.
- *Arrellano Felix Organization/ Tijuana Cartel* – A cartel riddled with infighting and arrests fights battles against Sinaloa Cartel for a drug corridor along the borderline of Tijuana – San Diego.
- *Beltran-Leyva Organization* – A network of cartels, that has been splintered after a death of Arturo Beltran Leyva in 2009, at the present fights for its territories in central and western states of Morelos and Guerrero.
- *La Familia Michoacana* – The 2009 most violent gang, once as a paramilitary group designed by Los Zetas, now in alliance with Sinaloa and Cartel cartels against its former employer. After calling



truce with the government in December 2010, the cartel went through series of arrests and almost collapsed (Olson; Shirk; Selee, 2010b: 6).

### **1.2.2 Clashes on background of Calderon's repressive policy**

Drug-related violence has become extremely elevated in 2005 in the period of lame-duck president Vicente Fox who pioneered in conducting institutional reforms to combat drug violence and organized crime more effectively. In December 2006, an offensive rhetoric of Felipe Calderon has soon turned into real crackdowns on drug lords launching "Joint Operation Michoacán" (Operativo Conjunto Michoacán) deploying 6, 500 soldiers and police in the state of Michoacán (Meyer, 2007: 1) Ever since, more than 45,000 troops have been deployed to several states of the Mexican federation.<sup>8</sup>

Nevertheless, a repressive approach promoted by the present administration came to grief because figures of violence-affected people have not dropped conversely they have grown to astronomical amounts. Beginning War on Drugs in late 2006 through 2011 there were over 50, 000 homicides attached to organized crime with 2011 as the bloodiest year of 16, 466 casualties.<sup>9</sup> This shows an ominous tendency when a number of death toll is tremendously lifting every single year. David A. Shirk attributes three essential factors that have shaped escalation of Mexican drug-related violence in recent years:

- The fractionalization of organized crime groups
- Changing structures of political-bureaucratic corruption
- Recent government efforts to crack down on organized crime (through military deployments and the disruption of DTO leadership structures) (Shirk, 2010c: 11).

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<sup>8</sup> STRATFOR: 2012. *Polarization and Sustained Violence in Mexico's Cartel War*. Texas, Austin. See <http://www.stratfor.com/analysis/polarization-and-sustained-violence-mexicos-cartel-war>, February 28<sup>th</sup> 2012.

<sup>9</sup> WM Consulting. 2012. *Knowledge Is Security*. See <http://sites.google.com/site/policereform/>, February 28<sup>th</sup> 2012.

Governmental released data during first nine months of 2011 explored 12, 903 “*homicides allegedly caused by criminal rivalry*” meanwhile it accounted for 10, 240 organized crime homicides, 1, 652 organized crime-government clashes, 740 organized crime direct attacks on officials and 311 organized crime clashes among criminal groups.<sup>10</sup> For example, last April there were exposed mass graves of 183 bodies in Tamaulipas state apparently slain by sledgehammers or burned alive, and two weeks later 100 corpses were extracted in the state of Durango.<sup>11</sup> Latest news also illustrate 26 bodies left in Guadalajara and 35 dismissed police officials in Veracruz who were later found dumped on a road.<sup>12</sup>

Of course, we cannot only criticize Calderon’s administration for downsides while not seeing obvious achievements. The year of 2010 has been quite successful in disrupting DTOs via killing, arresting and incarcerating their bosses.<sup>13</sup> Yet, these good catches might have assisted other more resistant DTOs in transforming themselves, liquidating former rivals and inventing innovative smuggling methods. Thus, the country’s security situation is increasingly becoming more susceptible to subversive entities.

What really boosts violence activities of the criminal groups? There is no doubt that narcotics constitute a chief element in battling over territories, in slaying human lives and destroying human dignity, disrupting family bonds and finally rupturing legality and legitimacy of the state and governing authorities. According to up-to-date statistics, about 60 percent of Andean

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<sup>10</sup> Molzahn, Cory, Ríos, Viridiana, Shirk, David A.: 2012. *Drug Violence in Mexico. Data and Analysis Through 2011*. Trans-Border Institute STRATFOR: 2012. *Polarization and Sustained Violence in Mexico’s Cartel War*. Texas, Austin. See <http://www.stratfor.com/analysis/polarization-and-sustained-violence-mexicos-cartel-war>, February 28<sup>th</sup> 2012., San Diego, California: p. 6.

<sup>11</sup> Economist: 2011. *Mexico’s drug war. Shallow graves, deepening alarm*. Economist April 28<sup>th</sup> 2011. See <http://www.economist.com/node/18621268>, February 20<sup>th</sup> 2012.

<sup>12</sup> Archibold, Randal C.: 2012. *Mexico’s Drug War Bloodies Areas Thought Safe*. New York Times January 18th 2012. See [http://www.nytimes.com/2012/01/19/world/americas/mexico-drug-war-bloodies-areas-thought-safe.html?\\_r=2](http://www.nytimes.com/2012/01/19/world/americas/mexico-drug-war-bloodies-areas-thought-safe.html?_r=2), February 20<sup>th</sup> 2012.

<sup>13</sup> Major cartel leaders and their networks brought down in 2010: Eziquiel Antonio “Tony Tormenta” Cardenas Guillen of the Gulf Cartel; Eduardo “El Teo” Garcia Simental of the Arrellano Felix Organization; Sergio “El Grande” Villareal Barragan; Edgar “La Barbie” Valdez Villarreal faction of the Beltran-Leyva Organization; Ignacio “El Nacho” Coronel Villarreal; Nazario “El Mas Loco” Moreno Gonzalez of La Familia Michoacana. See STRATFOR: 2010. *Mexican drug wars: Bloodiest Year to Date*. Texas, Austin, p. 14.

cocaine went through Mexico in 2011 in comparison to 1 percent in 2007.<sup>14</sup> Between the years of 2005 and 2009 seizures of heroin have tripled whilst marijuana and methamphetamines shipping increased, as well.<sup>15</sup> Do these indicators truly reflect a functioning strategy of the law enforcement and government operations?

One may object this is happening just in few states in northern part of the country bordering directly on the United States, where Tijuana and Juarez rank among areas with the deadliest murder rate in the world. However, we can observe growing drug-related violence in other territories of the federation. The Federal District of Mexico City and neighboring Mexico state seem to be much more secured than any other federation unit. Still, as explained by the Economist *"...in fact, murder rate in Mexico City is the lowest because other places have deteriorated faster"*.<sup>16</sup> With southern Acapulco's being the second most violent city in Mexico<sup>17</sup> we might be witnessing an overwhelming spread of drug-related atrocities as DTOs are realizing a renowned "balloon effect" when pressure applied on one area is relocated to another place with less resistance.

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<sup>14</sup> *"Mexico's drug system is not labor-focused like in Columbia or Afghanistan, says Brookings narcotics expert Vanda Felbab-Brown, but the drug trade still provides direct or indirect employment for much of its population. She estimates that as much as 40 to 50 percent of the Mexican population works in the "informal, if not illegal, economy." Officials estimate that the drug trade makes up 3-4 percent of Mexico's \$1.5 trillion annual GDP--totaling as much as \$30 billion--and employs at least half a million people."* See Rawlins, Aimee: 2011. *Mexico's Drug War*. Council on Foreign Relations December 13th 2011. See <http://www.cfr.org/mexico/mexicos-drug-war/p13689>, February 20<sup>th</sup> 2012.

<sup>15</sup> In 2005, law enforcement agencies seized 228 kilograms of heroin, 1,044, 549 kilograms of marijuana and 2,919 kilograms of methamphetamines. In 2009, total seizure reached 670 kilograms of heroin, 1,493,096 kilograms of marijuana and 3,488 kilograms of methamphetamines. See U. S. Department of Justice: 2010. *Drug Movement Into and Within the United States*. U. S. Department of Justice, National Drug Intelligence Center, National Drug Threat Assessment 2010 February 2010. See <http://www.justice.gov/ndic/pubs38/38661/movement.htm>, March 2<sup>nd</sup> 2012.

<sup>16</sup> In the Federal District there is 1 policemen to 100 people, still 9 out of 10 crimes go unreported. See The Economist: 2011. Mexico's presidential election. Campaigning against crime. The Economist May 26th 2011. See <http://www.economist.com/node/18744547>, February 22<sup>nd</sup> 2012.

<sup>17</sup> Archibold, Randal C.: 2012. *Mexico's Drug War Bloodies Areas Thought Safe*. New York Times January 18th 2012. See [http://www.nytimes.com/2012/01/19/world/americas/mexico-drug-war-bloodies-areas-thought-safe.html?\\_r=2](http://www.nytimes.com/2012/01/19/world/americas/mexico-drug-war-bloodies-areas-thought-safe.html?_r=2), February 20<sup>th</sup> 2012.

### 1.3 Challenges for Mexican authorities

Apart from organized crime violence prompted by production, distribution and consumption of narcotics, Mexico has been facing severe institutional challenges at the same time. It is extremely hazardous to confront subversive entities without consolidation of the political and justice system, police and military forces; without lessening gaps in the society; without offering opportunities to any individual who can either take advantage of or throw away. Otherwise, the entire socio-economic establishment jumps into a complete agony whereas defrauding and circumventing law and order happen to be a norm.

As Peter Andreas has noted, *“The smuggler is dependent on the state in multiple ways. The most obvious but essential point is that state laws provide the very opening for smuggling in the first place...The method, intensity, and the focus of law enforcement shapes the location and form of smuggling, the size and structure of the smuggling organizations, and the cost and profitability of smuggling.”*<sup>18</sup> Joaquín Villalobos coins a similar idea via propagating four supporting pillars:

- To reduce criminal density at maximum
- To restore authorities of the critical territories
- To strengthen security and justice institutions
- To foment civil changes in the conduct of inhabitants<sup>19</sup>

#### 1.3.1 Institutional challenges

I place corruption first because I believe this phenomenon has long been a profound structural problem that hampers the very basics of democracy, rule of law and civil society. According to Transparency International’s Corruption Perceptions Index 2011 Mexico occupies 100<sup>th</sup> place from total 183 countries and territories being ahead of its Latin American fellow countries

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<sup>18</sup> Andreas, Peter: 2000. *Border Games. Policing the U. S. – Mexico Divide*. Cornell University Press, Ithaca: New York, p. 22 – 23.

<sup>19</sup> Villalobos, Joaquín: 2012. *Nuevos mitos de la guerra contra el narco*. Infolatam January 2<sup>nd</sup> 2012. See <http://www.infolatam.com/2012/01/03/nuevos-mitos-de-la-guerra-contra-el-narco/>, February 22<sup>nd</sup> 2012.

like Venezuela, Paraguay or Nicaragua.<sup>20</sup> Corruption is directly tied up with a dire reality when 40 percent of Mexicans live in poverty and 18 percent in extreme poverty (Brands, 2009: 19) therefore there is an open floor for ubiquitous bribery practices present in hospitals, education, judiciary, traffic and federal police as well as in financial machineries during highly overcharged political campaigns.<sup>21</sup>

Law enforcement system has also been heavily attacked by corruption and embezzlement. Although police forces have come through significant transformation in recent years, they remain vulnerable enough to outside influences. There is a weak coordination between federal and hundreds of state and municipal police units. They often lack proper trainings and equipment, which eventually forces them to fall behind drug gangs. Yet, we might observe promising signs of change in education of police officers and appropriate punishments for misconduct of power.<sup>22</sup>

Meanwhile, the military indulges in a publicly acknowledged reputation when citizens favor army to police because of better capability and efficiency to tackle organized crime calamities. However, this may no longer be a truth because in the light of human rights abuses people are getting under protection of drug cartels that supply them with food, clothes, toys for children, and organize festivals. We may view a parallel world where state is retreating from obligation to protect its residents. Extrajudicial killings, torture, illegal interdiction, rape and robbery executed by the military and appalling percentage

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<sup>20</sup> Transparency International: 2011. *Corruption Perceptions Index*. Transparency International: Berlin.

<sup>21</sup> Economist brings sinister statistics where unlimited spending in political campaigns is by 60 percent fueled by drug gangs, at the municipal, state and even federal level. Economist: 2011. *Crime and Politics in Mexico. A turning tide*. Economist June 30<sup>th</sup> 2011. See <http://www.economist.com/node/18897585>, February 22<sup>nd</sup> 2012.

<sup>22</sup> Since the beginning of Calderón's War on Drugs in 2006 federal police forces have been expanded fivefold from 6,500 to 35,000 with 7,000 college degrees holders. In 2010, 3,000 federal policemen were fired for misconduct. See CNN: 2011. *Mexico sees hope among drug violence*. CNN February 9<sup>th</sup> 2011. See <http://edition.cnn.com/2011/WORLD/americas/02/09/mexico.violence/index.html>, February 22<sup>nd</sup> 2012.

of impunity create a suitable environment for arousing fear, insecurity and delinquencies.<sup>23 24</sup>

This all is fueled by obsolete justice system that often rules on old colonial principles. Changeover from “inquisitorial” legal system to “adversarial” model turned out to be rather problematic, and “*currently only cases of torture, rape and enforced disappearance are handled by civilian prosecutors*”, the rest is managed by military investigators who expectantly cover any improprieties conducted by their colleagues and subordinates.<sup>25</sup> Human Rights Watch is urging the United Nations on suing Mexico for human rights abuses at the international level.<sup>26</sup>

### **1.3.2 Grassroots**

Journalists, reporters and media photographers belong to one of the most touched and endangered groups in Mexico. Committee to Protect Journalists ranks Mexico 8<sup>th</sup> deadliest country for reporters ever.<sup>27</sup> They put forth their lives in order to inform the public about heinous crimes carried out by drug trafficking organizations as well as by the army. Unfortunately, publicizing cruelties in the newspapers, on blogs and social sites have led to series of brutal massacres of reporters, which eventually means a more robust media censorship. Nevertheless, last year a huge protest wave burst out throughout Mexican towns and villages where demonstrators gathered and set out a “silent march” to project their discontent and disgust over the present situation. A leading figure Javier Sicilia, a distinguished poet and father of an assassinated son, made it clear: “*For the government, everything is*

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<sup>23</sup> From more than 3,600 investigations of human rights abuses carried out by the military only 15 uniformed have been sentenced. See El Universal. *Crece ‘horrorosamente violencia’, alerta HRW*. El Universal January 23<sup>rd</sup> 2012. See <http://www.eluniversal.com.mx/primer/38652.html>, February 25<sup>th</sup> 2012.

<sup>24</sup> Plata o plomo = a terminus technicus that forces officials to choose between bribery or death. See <http://www.stratfor.com/analysis/polarization-and-sustained-violence-mexicos-cartel-war>

<sup>25</sup> Los Angeles Times: 2011. *Mexico’s war with itself*. Los Angeles November 21<sup>st</sup> 2011. See <http://articles.latimes.com/2011/nov/21/opinion/la-ed-mexico-20111121>, February 25<sup>th</sup> 2012.

<sup>26</sup> Aguilar Camín, Hector: 2011. *Ni seguridad ni derechos*. Infolatam November 10<sup>th</sup> 2011. See <http://www.infolatam.com/2011/11/10/ni-seguridad-ni-derechos/>, February 28<sup>th</sup> 2012.

<sup>27</sup> Committee to Protect Journalists: 2011. *Attacks on the Press in 2011*. See <http://cpj.org/2012/02/attacks-on-the-press-in-2011-mexico.php>, March 3<sup>rd</sup> 2012.

*a question of statistics, of collateral damage, of abstractions...Now we are going out into the street to say this: Every city has its story. Every town has a story. The story is full of faces of pain...This is a country that cannot tolerate anymore.*<sup>28</sup>

This quiet repugnance against lawlessness, hypocrisy and inertia signified a formidable boost for once idle society that sent warning to the federal government that they will no longer tolerate war crimes and crimes against humanity.

### **1.3.3 Great expectations?**

Do these bleak trends reveal a vicious circle where Mexico finds no purposeful instrument to stagger from? The Mexican federation may be truly moving in the conflict spiral, it does not mean that fails to guarantee other sectors of state such as medical and health care, education, transport and communication infrastructure, money and banking system, environmental stability etc.

Shannon K. O'Neil alerts that Mexico is experiencing a monumental rise of the middle-class, which has always been a driving force of democracy.<sup>29</sup> During the contemporary financial crisis Mexico was hardest hit in Latin America, but quickly recovered, successfully beefed up tourism sector and GDP growth through vivid interconnection with U. S. companies and U. S. consumers.<sup>30</sup>

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<sup>28</sup> CNN: 2011. *Mexican poet becomes crusader after son's slaying*. CNN May 5<sup>th</sup> 2011. See <http://edition.cnn.com/2011/WORLD/americas/05/05/mexico.poet.activist/index.html>, March 3<sup>rd</sup> 2012.

<sup>29</sup> The middle-class in Mexico is approximately between 35 – 45 million people. There are more investments in children and education, growing per capita income, huge growth in consumer products and sells of cars; many multinational and Mexican companies begin to thrive; we may see explosion of stores and malls. Moreover, Mexicans see changes in their lives compared to lives of their fathers. A growing optimism is really apparent in Mexican society. See Shannon K. O'Neil: 2011. *The Rise of Mexico's Middle Class*. Council on Foreign Relations November 1st 2011. See <http://blogs.cfr.org/oneil/2011/11/01/the-rise-of-mexico%E2%80%99s-middle-class/>, February 24<sup>th</sup> 2012.

<sup>30</sup> Shannon K. O'Neil: 2012. *Mexico's Burgeoning Economy Amid Drug Violence*. Council on Foreign Relations February 21st 2012. See <http://blogs.cfr.org/oneil/2011/11/01/the-rise-of-mexico%E2%80%99s-middle-class/>, March 3<sup>rd</sup> 2012.



Alberto Arduro asserts that *“the fifteen plus years of fiscally responsible policies have made Mexico’s economy the healthiest in the hemisphere”*.<sup>31</sup> Everything will hinge on Mexico’s strong will to find right solutions and to cooperate in the bilateral and multilateral scheme. It must be taken in account that no successful result can be accomplished without active U. S. assistance.

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<sup>31</sup> Shannon K. O’ Neil: 2011. *Mexico on the Road to 2012*. Council on Foreign Relations October 31st 2011. See <http://blogs.cfr.org/oneil/2011/10/31/mexico-on-the-road-to-2012/>, February 20<sup>th</sup> 2012.



## 2 Imminent threats for the U. S. National Security

The United States of America is currently going through difficult times although it stands in the forefront of world events. Doctrines of containment, roll-backing and deterrence the Soviet Union has predestined U. S. “*grand strategy*” within bipolar competition. Two decades after the end of the Cold War the U. S. is desperately seeking a new “*grand strategy*” which would define its role in the architecture of the international system. Tragic disasters of 9/11 attacks should have shown America’s new fierce enemy – global terrorism – which was worth to extirpate in its anti-American or anti-Western appearance. However, it came out to be unfeasible to fight asymmetric danger by traditional mind-set of waging wars and by conventional tactics and weapons. In addition, financial crisis and subsequent recession, newly emerged economic powers confronting U. S. dominance at the world market, two long-lasting and exhaustive wars, fear of weapons of mass destruction and possible nuclear war, unstable and bureaucratic political system, technocracy versus civil movements, swelling disparities and diversities in the society – this all America must face immediately. Still, it remains to be world hegemony that benefits both from *hard power* and *soft power*.

National security is not solely a tool of realists in theories of international relations who manipulate with state as the only actor in the international system; but it predominantly guarantees and protects determinants of state – inhabitants, territory, and sovereignty.

Peter Katzenstein calls national security concept an extraordinary mixture of neorealism with Hobbesian philosophy of egoistic self-interests (of states in this case), zero-sum game and balancing the power, and neoliberalism with establishment of diplomatic international relations, multilateral institutions and political economy in the post-hegemonic world (Katzenstein, 1997: 6).

The latest U. S. National Security Strategy 2010 states that “...*our national security depends upon America’s ability to leverage our unique national attributes, just as global security depends upon strong and responsible American leadership. That includes our military might, economic competitiveness, moral leadership, global engagement, and efforts to shape an*

*international system that serves the mutual interests of nations and peoples. For the world has changed at an extraordinary pace, and the United States must adapt to advance our interests and sustain our leadership*".<sup>32</sup>

It is blatant Mexico is not playing a decisive role in forging America's new "grand strategy", but it inevitably incarnates the strongest relationship and interconnectedness in the Western hemisphere – together with Canada. George Friedman in his futurist work *Next 100 Years. A Forecast for 21<sup>st</sup> Century* anticipates new fault lines unfolding in following decades where Mexico can be audaciously classified among Asia-Pacific, Eurasia, Europe and the Muslim world (Friedman, 2009: 82).

In the light of America's struggle for global supremacy, regional competitiveness and preservation of its own traditional values as well as Mexico's enduring transitional complexities and likely engaging in the family of world economic powers; this shows unavoidable U. S. – Mexico interdependence going on.

## **2.1 Historical asymmetry**

There are several versions of asymmetries embracing U. S. – Mexico relations and in both countries you come across entrenched stereotypes and prejudices. In America Mexicans pejoratively called *Chicanos* are viewed as abusers of U. S. generous system, thieves of jobs for Americans and disrupters of American Creed – Americans have built upon for long decades – not only through cultural differences but also by religious influence when Hispanic Catholicism visibly penetrates major society of Protestant morale. Although above said aspects are often misguided, stereotypes prevail.

On the other hand, Mexicans have had severe mistrust and suspicion to Gringo element in forming their autonomous regime. This is mostly enforced by the valid revolutionary Constitution of 1917 that tells:

*„Only Mexicans by birth or naturalization and Mexican companies have the right to acquire ownership of lands, waters, and their appurtenances, or to obtain concessions for the exploitation of mines or of waters.*

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<sup>32</sup> The White House: 2010. *National Security Strategy 2010*. The White House: Washington, D. C., p. 15.

*The State may grant the same right to foreigners, provided they agree before the Ministry of Foreign Relations to consider themselves as nationals in respect to such property, and bind themselves not to invoke the protection of their governments in matters relating thereto; under penalty, in case of noncompliance with this agreement, of forfeiture of the property acquired to the Nation. Under no circumstances may foreigners acquire direct ownership of lands or waters within a zone of one hundred kilometers along the frontiers and of fifty kilometers along the shores of the country“ (Constitution of Mexico, art. 27, sec. I).*

Such a constitutional proclamation does not truly correspond with political, military and particularly economic interventions that have been in place since the mid-19<sup>th</sup> century.

### **2.1.1 Political asymmetries**

Mexican ambitious attempt to imitate U. S. presidential political system have been created in the wrong direction, which partially lies in the Constitution of 1917. Conversely, it recently approximated in interesting dimension. U. S. Constitution have been drafted after a period of the Articles of Confederation, thus the Founding Fathers contemplated every option where to wend. It proceeds from the Anglo-American political tradition dating back to medieval times and crafting values of liberal democracy, parliamentary system, federalism and republicanism. Mexican Constitution has been drafted in the wake of ferocious Revolution with great emphasis on social justice and dislike of foreign players. Likewise, U. S. Constitution takes pride in English common law system, in which legal principles are processed in the judicial precedents, whilst the Constitution of 1917 is based upon European civil law system, in which concrete legal principles are codified directly in the articles and paragraphs of the Constitution.<sup>33</sup>

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<sup>33</sup> Wall, Alan: 2008. *Comparing & Contrasting the USA and Mexican Constitutions*. MEXIDATA.INFO February 4<sup>th</sup> 2008. See <http://mexidata.info/id1707.html>, March 12<sup>th</sup> 2012.

U. S. Constitution attributes all authorities that have not been demarcated to the federal government to each of fifty states, which establishes a thorough model of decentralized power in the country. Mexico has long dealt with highly centralized power centered to the Federal District and still ever since obvious democratization and decentralization Mexico City remains to be both political, financial, industrial, cultural and educational center compared to American diversification in Washington, D. C., New York City and Los Angeles (Beer, 2005: 13).

Two-party political system in the United States based on checks and balances persisted since the beginning of the republic until today. It guarantees balance of executive, legislature and judiciary where president as a head of state chooses his administration that rules; where bicameral Congress approves laws and opposition party often filibuster president's party efforts; and where the Supreme Court and sets of lower courts control all others. This leads to quite a fair division of powers where citizens thanks to majority constituencies may responsibly vote for one party or the other. But it can also bring frustration and exhaustion from both Democrats and Republicans because of long-term usurpation of power and inclination to technocracy where parties lack their previous ideological background and become motivated by financial incentives. Mexican authoritarian experience have stigmatized the present when previously PRI leader coalesced with the president who de facto chose his staunchest acolytes in gubernatorial and public office positions. Nowadays, legislature divided into the Chamber of Deputies and the Senate is functioning in a complicated mixed-proportional system that hamstrings decision-making of the executive branch.

### **2.1.2 Economic asymmetries**

Military actions have later been substituted by direct economic infiltrations such as ISI (Import substituting industrialization), Brady plan and finally NAFTA. Fear of repeated "*la intervención norteamericana*" (*North American invasion*) have driven Mexicans to think of perpetual inferiority to their northern neighbor.

Prior to NAFTA Mexico has cleared its way via strong protectionist policies until it pulled a massive liberalization of economy beginning in 1980s. In 2011, Mexico is walking in quite flourishing economic condition with real GDP volume of \$ 1, 1 trillion, with GDP growth exceeding expected 3,8 % and with unemployment rate reaching 5, 1 %.<sup>34</sup> Meanwhile, the United States – having \$ 15 trillion in real GDP volume, 1, 5 % in GDP growth and 8,3 % in unemployment rate<sup>35</sup> in February 2012 – is recovering in a slower motion.

Since the NAFTA ratification and implementation foreign direct investments (FDI) have been an integral part of U. S. – Mexico bilateral economic relationship. In 2010, the United States earmarked \$ 90, 3 billion in FDI for Mexico for operating in real estate, manufacturing plants and retail facilities. *“Mexican FDI for U. S. in exchange totaled \$ 12, 6 billion.”*<sup>36</sup>

Furthermore, there are assembly plants/ maquiladoras in economically most vibrant areas along the U. S. – Mexico border. In the wake of wild NAFTA implementation a duty-free status for all imports coming to Mexico regardless of the country of the products have been approved but subsequent regulations put an end to this display and eliminated a duty-free status for imports from Canada and U. S. only, which bolstered up uncertainty for companies and flattened differences on the NAFTA market with enforcing more affluent enterprises and excluding weaker ones.

### **2.1.3 Cultural asymmetries**

It seems self-evident that not only political and economic asymmetries play a relevant role in comparing these two nations. Cultural prejudices are

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<sup>34</sup> CIA The World Factbook. Mexico. See <https://www.cia.gov/library/publications/the-world-factbook/geos/mx.html>, March 15<sup>th</sup> 2012.

<sup>35</sup> Trading Economics: *United States Unemployment Rate*. Trading Economics See <http://www.tradingeconomics.com/united-states/unemployment-rate>, March 15th 2012.

<sup>36</sup> On economic issues, North American cooperation efforts have focused on increasing information sharing, harmonization of standards, productivity improvement, reductions in the costs of trade, and enhancement of the quality of life. The three countries have also addressed the need to enhance North American competitiveness through compatible regulations and standards that would help them protect health, safety and the environment, as well as to facilitate trade in goods and services across borders. See Angeles Villareal, M.: 2012. *U. S. – Economic Relationship: Trends, Issues, and Implications*. Congressional Research Service: Washington, D. C.

often what drive anti-American or anti-Mexican sentiments in both societies and what hinder closer political and economic approximation.

Jorge Castañeda notices three divergences that alienate U. S. and Mexico society and peoples:

- U. S. middle-class society vs. polarized Mexican society
- Cultural difference in time perception
- The role and weight of history in the two cultures (Castañeda, 1995: 45).

First, though significant changes have occurred in last two decades, Mexican society remains polarized with huge gaps and inequalities between rich and poor, town and country, north and south, and is suffering from profound colonial societal stratification between criollos, mestizos and Indians. The United States has still a strong middle-class society despite recent upheaval of unemployed and dispossessed people. Second, time divides both nations. Notorious *“mañana syndrome”* determines Mexicans have different thinking of being on time, delivering on time and working on time in contrast to Americans who regard time as a sign of Protestant work ethic and capitalist consumerist lifestyle. Third, interpretation of history, its milestones, victories and defeats strikingly divides both nations. Americans are more oriented in the future meanwhile Mexicans look aback and historical concepts still remain on the table. *“For the Americans, history is folklore plus the recent past; for Mexicans, it is the historicist essence of the present”* (Castañeda, 1995: 42).

## **2.2 Drug consumption in the U. S.**

The United States has the largest world market. Apart from common licit goods coming there from different parts of the world it has been unsheltered from an inflow of illicit narcotics that also found their way how to address the U. S. population. Since the Nixon’s and Reagan’s war on drugs authorities have been mostly focusing on enforcement and treating drug addicts as criminals. Currently, of over 2 million people held in prisons more than half has been incarcerated for drug use (Alexander, 2010: 59). Though, we have

seen a very subtle decline of price while availability and purity of drugs have risen constantly. This reflects a spiral where market needs have triumphed over penalties, drug seizures, border controls and militarized approach to eradicate consumption.

Today, Mexico has become a major supplier of illegal drugs coming northward. Despite not being such a novelty, it is striking in what dimensions it has been assumed. As Peter Reuter and David Ronfeldt have noted, “*Mexicans have always been available to supply whatever Americans want but cannot obtain legally in their own country – just as Americans have always been ready to provide whatever Mexicans want and cannot acquire readily in Mexico*” (Reuter; Ronfeldt, 1991: 10).

### **2.2.1 Perception of drug abuse**

Drug consumption is a behavioral problem. All first drug experience is carried out by a friend or family member who make easier for a future user to be acquainted with these psychotropic substances.

Especially in minority and low-income communities narcotics entail a great concern because despite a massive anti-drug campaign they have a limited access to get to know genuine side effects of using. Most families think drug consumption should primarily be reduced between children and adolescents who start at increasingly earlier ages. Many Americans believe negative popularization via anti-drug advertisements has been very potent in liquidating drug demand. Conversely, it has also led to bigger popularization among youths whose decisions to take drugs have been tempted by billboards, bumper stickers and TV commercials. Americans have a very low tolerance for drug use in the workplace and only a slight majority thinks tough penal actions would be effective. They would rather prefer prevention, treatment and further education.<sup>37</sup>

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<sup>37</sup> Office of National Drug Control Policy: 1999. *A Look at How Americans View the Country’s Problem*. Office of National Drug Control Policy: Princeton, New Jersey. See <https://www.ncjrs.gov/ondcppubs/publications/gallup/summary.html> , March 18th 2012.

### **2.2.2 Prevention and treatment**

Laudatory messages that relate to more investments in prevention stumble on inaccurate results, though. Peter Reuter warns there is no existing reliable data on effectiveness of prevention programs. Similar education programs are targeted usually at children who are 10 – 15 years because these are years in which children are most susceptible to these messages as well as elementary and middle schools are more capable to address their pupils than high schools where it is far more problematic.

Unlike, there are more encouraging statistics about treatment results. It shows that drug abuse treatment has helped to reduction of patients who, before treatment, commit serious offences. However, there is also a difference between particular substances where compared with results for opiates, treatment proved less effective in reducing crack cocaine use (Reuter, 2010: 121 – 136).

### **2.2.3 To reach the U. S. client**

Drug trafficking inside the United States has been similarly elaborate like in Mexico in which the only want is to reach the client and provide him with suitable goods. In reality, there is a complicated franchised system where drug cells are procured with supplies, know-how and labor force straight from their Mexican associates.

The White House Office of National Drug Control Policy comes up with following statistics of what amounts the positive-tested patients used drugs – 83 percent of marijuana, 45 percent of cocaine, 38 percent of heroin and 62 percent of methamphetamine have been debunked in a year of 2010. These chronic drug users came mostly from big cities such as Chicago, Sacramento, New York, Washington, D. C. etc.<sup>38</sup>

It seems that narcotics are mostly dispersed in populous urban areas and in the Southwest. Lately, there has been a surge of drugs heading to the East Coast, in particular cheaper black tar heroin produced in Mexico that

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<sup>38</sup> Office of National Drug Control Policy: 2010. *ADAM II 2010 Annual Report*. Office of National Drug Control Policy. Executive Office of the President: Washington, D. C., p. 18 – 19. See <http://www.whitehouse.gov/sites/default/files/ondcp/policy-and-research/adam2010.pdf>, March 22<sup>nd</sup> 2012.



in places like Columbus, Ohio and Charlotte, North Carolina replaced more expensive Colombian white heroin (Díaz-Briseño, 2010: 98 – 115).

### **2.3 Firearms trafficking**

Smuggling of illicit guns belongs to one of most heated issues while dealing with drug and organized crime violence all around the world. Many times the West has witnessed how donations for reducing poverty, hunger and diseases expansion, and enhancing living conditions headed for purchasing firearms to hands of criminal organizations. And today, major powers still sell their military arsenals to the developing countries – which they might later tackle with – in order to satisfy needs of armaments industry.

Within the bilateral scheme of U. S. – Mexico relationship firearms have become subject of both academic, political and armament discussions. Both Mexican and American sides blame themselves for fomenting violence in the context of drug war in Mexico that might spill over to the U. S.

Both countries proceed from their constitutional order that modulates how to treat guns according to law. The United States enshrined in the Amendment II to the Constitution that “...*the right of the people to keep and bear Arms, shall not be infringed*” (U. S. Constitution, amend. II). A sentiment to defend own personality and property dates back to the times of British settlers coming to the New World and especially of rangers colonizing the West. Mexican Constitution allows its inhabitants “...*to have arms of any kind in their possession for their protection and legitimate defense, except such as are expressly forbidden by law, or which the nation may reserve for the exclusive use of the army, navy, or national guard...*” (Constitution of Mexico, art.10). Unlike the U. S., Mexico has passed series of restrictions of gun possession in recent years.

It might be right time for reassessing the attitude toward the guns and armament material which in combination with narcotics may cause lethal destruction of human life.

### **2.3.1 Myth vs. reality**

Mexican government and Congress have been constantly criticizing the United States for enabling an easy way for drug trafficking organizations to get guns and therefore to protect their northbound drug trafficking routes.

In 2010, for instance president Calderon having the statistics from ATF (Bureau of Alcohol, Tobacco, Firearms and Explosives) said that of 75,000 firearms seized in last three years about 80 – 90 percent or more than 60,000 firearms came from the United States.<sup>39</sup> This long-standing assumption of producing guns, arms and ammunition inside the U. S. and distributing them to hands of DTOs in Mexico makes from the U. S. the only culprit that should take responsibility from. Last year U. S. Attorney General Eric Holder, though, came up with the report that rejects these horrific numbers. The report tells that less than estimated 12 percent of guns seized in Mexico have been verified of U. S. origin according to recognized U. S. mandated serial number and firearms' make and model. In addition, 20 percent of seized guns have been good-looking duplicates made by DTOs themselves.<sup>40</sup> STRATFOR classifies three types of weaponry:

- Guns legally available in Mexico
- Guns legally available in the U. S. but not in Mexico
- Guns not available for civilian purchase in Mexico or the U. S. (especially with origin in Asia and Latin America)<sup>41</sup>

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<sup>39</sup> Rowland, Kara: 2010. *Calderon Blames U. S. Guns for Violence*. The Washington Times May 21<sup>st</sup> 2010. See <http://www.washingtontimes.com/news/2010/may/21/calderon-faults-us-guns-for-mexico-violence/?page=all>, March 20<sup>th</sup> 2012.

<sup>40</sup> Keane, Larry: 2011. *Myth: 90 % of Mexican Drug Cartel Guns Come From U.S.* Opposingviews October 19<sup>th</sup> 2011. See <http://www.opposingviews.com/i/society/crime/myth-90-mexican-drug-cartel-guns-come-us>, March 22<sup>nd</sup> 2012.

<sup>41</sup> STRATFOR: 2011. *Mexico's Gun Supply and the 90 Percent Myth*. STRATFOR February 10<sup>th</sup> 2011. See [http://www.stratfor.com/weekly/20110209-mexicos-gun-supply-and-90-percent-myth?utm\\_source=SWeekly&utm\\_medium=email&utm\\_campaign=110210&utm\\_content=readmore&utm\\_term=.1ce9adcf3da240a19923ff84e0424a0a](http://www.stratfor.com/weekly/20110209-mexicos-gun-supply-and-90-percent-myth?utm_source=SWeekly&utm_medium=email&utm_campaign=110210&utm_content=readmore&utm_term=.1ce9adcf3da240a19923ff84e0424a0a), March 22<sup>nd</sup> 2012.

No-one can truly trace how long the firearms were on release, what countries were fueling with violence before coming to Mexico, and who the first purchaser was – it is always a matter of speculation.

### **2.3.2 Characteristics of firearms usage**

Firearms violence serves criminal organizations to “...*either neutralize or force government officials to support their illegal enterprise*” and also to attack and intimidate politicians, journalists, businesses, police and military (Goodman; Marizco, 2010: 173). Mexican DTOs create impression of real guerrilla warfare by seeking mostly for semi-automatic rifles AK-47 type and AR-15 type as well as using shotguns, pistols, hand grenades and rocket-propelled grenades (RPG) manufactured both in Central America and the United States. Police are often defenseless fighting them with old revolvers, few rounds of ammunition, little training and no bulletproof vests (Goodman; Marizco, 2010: 173 – 178).

There is often a direct correlation between drug purchasers and firearms purchasers who launder money from illegal narcotics distribution to buy guns in order to get other psychotropic substances, which they come full circle again. President Calderon claimed that DTOs are “*imposing fees like taxes in areas they dominate and trying to impose their laws by force of arms*”<sup>42</sup>, which illustrates the tragic futility of Mexican authorities to act.

### **2.3.3 To root out the enemy**

Since the onset of the War on Drugs Mexico has undertaken plenty of background checks, vehicle inspections, raids on suspected houses and sites possibly linked to organized crime and drug trafficking, and intensified collaboration with U. S. government and ATF on providing information about firearms investigations and prosecutions. Statistics of Secretaría de Defensa Nacional (SEDENA, Department of National Defense) comes up with 83,613

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<sup>42</sup> BBC News: 2010. *Calderon: Mexico drug gangs seeking to replace state*. BBC News August 15<sup>th</sup> 2010. See <http://www.bbc.co.uk/news/world-latin-america-10877156>, March 22<sup>nd</sup> 2012.

confiscated firearms in 2010, which entails unprecedented 603 percent upsurge in 5 years.<sup>43</sup>

In response to these negative results U. S. and Mexican authorities orchestrated a counter-strategy called Border Enforcement Security Task Force (BEST) teams consisted from six cooperative bodies – U. S. Customs and Border Protection (CBP), ATF, Federal Bureau of Investigation (FBI), Drug Enforcement Administration (DEA), U. S. Attorney’s Office, and Mexican federal police (Secretaría de Seguridad Pública). A wide range of operations have been set in motion under the BEST.

- *Operation Armas Cruzadas (2008 – today)* – a bilateral law enforcement and intelligence-sharing program for combating weapons smuggling in Mexico and the U. S.<sup>44</sup>
  
- *Project Gunrunner (2006 – 2011)* – AFT program to stem the flow of weapons to Mexico. The sub-*Operation Fast and Furious* became scandalous. Initially, it was designed to track the end station of firearms. Several federal agents, though, let straw buyers walk away from gun shops with weapons that headed straight to Mexican DTOs.<sup>45</sup>

## 2.4 Money laundering

There is a question if money can pose imminent threat to U. S. national security. However, if we look at this case from more general perspective, we can observe how financial stimulus twirls the entire vicious circle of drug trafficking and organized crime activities.

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<sup>43</sup> El Universal: 2011. *El decomiso de armas crece 152 % al año*. El Universal May 21<sup>st</sup> 2011. See <http://www.eluniversal.com.mx/nacion/185628.html>, March 22<sup>nd</sup> 2012.

<sup>44</sup> U. S. Embassy: 2011. *Fact Sheet Combating Arms Trafficking*. U. S. Embassy. See <http://photos.state.gov/libraries/mexico/310329/7abril/Arms%20Trafficking%20April%202011%20Final.pdf>, March 23<sup>rd</sup> 2012.

<sup>45</sup> Al Jazeera: 2011. *U. S. Government Regrets ‘Gun-Walking’ Operation*. Al Jazeera November 8<sup>th</sup> 2011. See <http://www.aljazeera.com/news/americas/2011/11/2011118174711754456.html>, March 23<sup>rd</sup> 2012.

### **2.4.1 Bulk cash shipments**

There has always been a vibrant circulation of cross-border commerce and later worker remittances between the U. S. and Mexico. Financial anxiety of Mexico and consequent NAFTA ratification opened the gate for uncontrolled expansion of bulk cash heading in both directions. New cyber-technological devices facilitated inflow of money obtained from smuggling contraband, and better infrastructure in transportation and communication helped to furnish simple shipment methods in comparison to Colombia.

Criminal organizations mostly gain their money from distribution of narcotics. There is no wonder why they easily entangle with illicit drug trade providing 1 kilo of cocaine costs \$1,000 in Colombia, while \$2,500 in Panama, \$6,500 in Costa Rica, \$10,500 in Honduras, \$13,000 in Guatemala, and when it gets to U. S. black market it reaches \$30,500.<sup>46</sup> They also benefit from trafficking of stolen cars, weapons and other goods. The estimates of the amount range between \$6 billion to \$36 billion a year according to the Mexican government and distinguished academics. *“Historically much of the money – up to 80 percent by some estimates generated by the Mexican drug trafficking cartels – is used to buy new shipments of cocaine...”* (Douglas, 2010: 143). Drug dealers who often work as rotating drivers are forced to establish their own money service businesses such as *casa de cambio* and *centros cambiarios* to convert dollars to pesos which does not mean any trouble in the era of dollarization of Mexican economy.

Investigations and prosecutions seem to be very cumbersome, insufficient and weak. Law enforcement agencies focus on seizure of bulk cash through main entry points on roads and highways and random surveillances of suspected sites. A promising breakthrough happened in 2008 when Congress passed law that gave access to preventative detention and asset forfeiture (Douglas, 2010: 150). Still, many cases remain unsolved and bulk cash shipments untouched. Moreover, it became almost impossible to check convoys with bulk cash shipments meanwhile thousands of vehicles and pedestrians crisscross the border every day.

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<sup>46</sup> International Crisis Group: 2011. *Guatemala: Drug Trafficking and Violence*. Latin America Report N°39: Berlin, p. 8.

#### **2.4.2 Involvement in money laundering**

Organized crime and money laundering practices have deeply infiltrated the country, which Douglas Farah illustrates with the following assertion: *“the revenue generated from drug trafficking and criminal activity is dispersed throughout Mexican society, including business community, politicians, law enforcement and military personnel, the media and scores of other individuals”* (Douglas, 2010: 157 – 160). Thanks to no transactions in dollarized Latin American economies Mexican DTOs find no obstacles to expand and dominate over cocaine factories in Colombia, Ecuador or Peru where replaced traditional narcofamilies.

In reality, not only Mexican DTOs themselves are engaged in criminal activities. Recently, there has been an apparent upswing of bilateral trade between Mexico and China and the rumors have it that Mexican DTOs have been purchasing cheap plastic bags from China that serve as containers for narcotics.

Likewise, law enforcement worries growing presence of Russian organized crime in Mexico that also brings violence. Russian mafia is buying up spate of properties on the west coast and especially unregulated casinos function as perfect dishwashers for laundering the money.

#### **2.5 Immigration**

The United States has become a nation of immigrants. Throughout the previous two immigration waves Britons, Irish, Italians, Greeks, Jews, Germans, Poles, Chinese, Koreans, Japanese and other nations have been sailing to a country of opportunities hoping that they will find new place to live and flourish. Gradually, they settled down and incorporated to a majority society creating a famous “melting pot”. Unlike, the third immigration wave beginning in the second half of 20<sup>th</sup> century has brought something new. Immigrants from Cuba, Puerto Rico, Nicaragua, Peru, Chile and other Latin American countries fled from their homelands (both legally and illegally) to the United States. Nowadays, a Hispano community comprise over 16 percent (Humes; Jones; Ramirez, 2011: 5) of the total population

and represents an integral part of U. S. society, economy and even politics where many of them serve as justices, representatives, governors, mayors – and they voice loudly even in the presidential elections.

Even though Hispanics come from diverse background, Mexicans themselves amount to 60 percent of the whole Latino community dwelling mostly in southern U. S. states. Historically, there has been a vivid interaction of the new emerging republics which intensified in the 20<sup>th</sup> century and peaked at the present.

The escalation of legal and illegal immigration might be justified by four Huntington's attributes of U. S. – Mexico relationship: a) territorial contiguity, b) high percentage of Mexican immigrants in the U. S., c) regional concentration and diasporas in the Southwest of the U. S., and d) historical reminiscence of the original territory (Huntington, 2004: 157). This is what distinguishes eminence of Mexican immigration from others.

### ***2.5.1 What stands behind?***

Historically, Mexicans have come to the U. S. because of work opportunities and new chances, but because of U. S. demand for a labor force, as well, just like for example during the Brazero program in WWII. Changing of approaches towards Mexicans in allowing and sudden restricting has swung side to side. Eisenhower's Operation Wetback led to a mass deportation of illegal immigrants meanwhile Immigration and Nationality Act of 1965 canceled quotas for legal immigration, which again motivated newcomers to cross the border. Richard Nixon in the light of his War on Drugs triggered off Operation Intercept which was symbolized by tightening border controls. Immigration Reform and Control Act of 1986 enacted by the U. S. Congress issued an annual list of countries that overtly cooperate and enable the floor for drug traffickers (Kozák, 2010: 165).

Although President Clinton backed a ratification of NAFTA, he performed steps to clamp down on illegal immigrants and smuggling of narcotics to the U. S. by building fences along the border and by strengthening high traffic areas south of San Diego (Operation Gatekeeper) and in El Paso (Operation Hold the Line). The budget of INS (Immigration and Naturalization Service) has

tripled since the beginning of 1990s and southern U. S. border has suddenly become militarized.

This was even more visible after 9/11 attacks when securitization of the border has become a top priority within the U. S. counter-terrorism strategy. At the same time with the establishment of the Department of Homeland Security U. S. Coast Guard authorized to interdict drugs and illegal migrants regained vigor, extending fences continued to grow, border inspections fit into a daily routine of cross-border travelling and trading, as well as toughening of the visa, admission and travel screening procedures (Andreas, 2003: 5).

### ***2.5.2 Worrisome motive for immigration***

Some analysts doubt that Mexicans are flooding the U. S. territory just because of better wages and better working conditions. Ultimately, current economic crisis has struck U. S. market more than Mexican market and many U. S. businesses transfer their affiliates to Mexico. Very often, Mexicans themselves make decisions to come back home if they do not find proper jobs. Nonetheless, there is increasingly more severe motive to go to the U. S. at price of life or death.

Lately, number of asylum seeker requests increased enormously. In 2008, 312 Mexicans asked for asylum at the entry point and another 2,231 after entering the U. S. in comparison to no request in 1990s. According to some estimates hundreds of thousands have fled from border cities across Rio Grande River to the U. S. and there are many Mexicans remaining who work in Mexico during the day, but come to the U. S. at night. However, it became almost unreachable for many Mexicans to obtain asylum seeker confirmation because firstly they are supposed to undergo investigations of credibility locked up in detention facilities, and to wait for a status of refugee (Kan, 2010: 5).

Uncertainty, fear and anxiety unravel a level of insecurity imminently threatening the borderline and expelling Mexicans northward. We might trace some initial signs of spill-over violence that U. S. authorities should have in mind while tackling organized crime.



### **2.5.3 Immigration reform vs. state attempts**

The absence of an elaborate immigration reform is what hurdles the process of dealing with cross-border migration and accurate procedures how to treat legal and illegal immigrants. The administration of George W. Bush has approximated most in preparing the motion, but eventually it broke down because the Republican Party split over the issue.

Instead, the Patriot Act has been passed in 2003 as the effective tool to combat terrorism after 9/11 attacks. It authorizes FBI to raid on potential terrorists via using roving wiretaps, searches of business records, and concluding surveillance of “lone wolves” – individuals who operate independently on any terrorist group. Despite civic division over the issue, criticism of trampling on individual rights, spying on innocent people, and violating the Constitution, President Obama prolonged the effect for four more years. He rationalized his action with protecting all Americans and impeding the pursuit of terrorists.<sup>47</sup> The Patriot Act has been contested by immigrants who could have felt endangered.

A long-lasting underestimation of the federal immigration policy has led to impetuous and emotional resolutions. In 2010, a controversial Arizona SB 1070 came into effect. This law authorizes police to detain any suspected of being in the country illegally; aftermath they might identify, prosecute and even deport the detainees. Furthermore, not carrying immigration papers has been implemented as a state crime. It triggered massive demonstrations in Mexico where inhabitants worry of automatic harassment and discrimination against Hispanics. Such a precedent has generated a breeding ground for South Carolina, Utah and Alabama that also passed similar laws. The Department of Justice is currently suing those state administrations for exceeding jurisdiction.<sup>48</sup>

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<sup>47</sup> Abrams, Jim: 2011. *Patriot Act Extension Signed by Obama*. Huffington Post July 26<sup>th</sup> 2011. See [http://www.huffingtonpost.com/2011/05/27/patriot-act-extension-signed-obama-autopen\\_n\\_867851.html](http://www.huffingtonpost.com/2011/05/27/patriot-act-extension-signed-obama-autopen_n_867851.html), March 25<sup>th</sup> 2012.

<sup>48</sup> Archibold, Randal C.: 2010. *Arizona Enacts Stringent Law on Immigration*. New York Times April 23<sup>rd</sup> 2010. See [http://www.nytimes.com/2010/04/24/us/politics/24immig.html?\\_r=2](http://www.nytimes.com/2010/04/24/us/politics/24immig.html?_r=2), March 25<sup>th</sup> 2012.

#### **2.5.4 What is the future?**

Many lawmakers and opinion-makers urge the president to act on immigration policy. They recommend approving a comprehensive immigration reform, attracting high-skilled immigrants, granting a stay for students with advanced degrees, minimizing strict nationality quotas, eliminating work visas. They also advise to impose penalties on employers hiring laborers illegally, to simplify immigration administration, to promote border enforcement, and state and local enforcement, to guarantee an earned legalization for currently living illegal immigrants rather than amnestying them, to grant greater discretion for detainees, and to create a special office within the Homeland Department dealing with refugee protection. They follow implementation of the DREAM act that grants legalization for children of illegal immigrants who attend college or perform military service, and demonstrate good moral character.<sup>49</sup>

President Obama doubled Border Patrol agents, supported unmanned drones for collecting information, allowed “start-up visas” for foreign investors to open business in the U. S. and deported detainees who posed danger to U. S. national security. He claimed to legalize the status of almost 11 million illegal immigrants currently living in the U. S. except for criminals. Nevertheless, there is so much hesitation about the future of immigration policy in case a Republican candidate wins the presidential elections in November. Provisional proclamations of Republican Party nominees testify about numerous overhauls and completely different approaches.<sup>50</sup>

To bring immigration issue to the table will not be an easy pathway, but it will definitely shape the future of bilateral relationship. Jorge Castañeda

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<sup>49</sup> Council on Foreign Relations: 2009. *U. S. Immigration Policy Task Force Report* July 2009. See <http://www.cfr.org/immigration/us-immigration-policy/p20030>, March 25<sup>th</sup> 2012.

<sup>50</sup> Various approaches towards the immigration policy have been heard in the Republican Party. Newt Gingrich suggests a creation of „Red Cards“ that would separate legalization from citizenship. Ron Paul would deploy troops along the border, abolish birthright citizenship and cut off welfare benefits for immigrants. Mitt Romney and Rick Santorum would support completing the fence along the entire length of the border. Michelle Bachman suggests to get down to mass deportations of all illegal immigrants and to complete the border fence until 2013. John Huntsman would bring „brain power“ to the country. Rick Perry expressed he would pay in-state tuition for foreign college students, to build up a strategic fencing in high traffic areas. See Council on Foreign Relations: 2012. *The Candidates on Immigration*. February 27<sup>th</sup> 2012. See <http://www.cfr.org/united-states/candidates-immigration/p26803>, March 25<sup>th</sup> 2012.

described it precisely: “...if Mexicans were placed on an equal legal footing with their peers in the United States, the process of eliminating the vestiges of Mexican political culture would be swifter and less painful” (Castañeda, 1995: 27).

## **2.6 Sustainability of the U. S. – Mexico border**

A globalized world of the 21<sup>st</sup> century has brought a notion that borders and their protection are no longer important as they used to be. Although 9/11 attacks and subsequent War on Terror have initiated scores of precautions relating to homeland defense and security perimeters, an idea of powerful transnational actors, political and trading blocs is playing an increasingly substantial role within the framework of the international system. Thereby, we get to a paradoxical situation of greater need for liberalized trading without barriers and simultaneously tightening border patrolling to eradicate organized crime activities.

Extending more than 3,000 kilometers the U. S. – Mexico border is paying for one of the most glaring examples of such a paradox.

Additionally, as Paul Rexton Kan asserts there is also a linguistic division in the perception of the border. “*While in English ‘border’ connotes a boundary that delineates a fixed separation that can serve as a barrier to the outside, in Spanish the word ‘frontera’, which can also mean ‘frontier’ - or the beginning of a new territory*” (Kan, 2010: 1).

### **2.6.1 Beyond the border**

The border region is defined in 100 kilometers on the U. S. side and 300 kilometers on the Mexican side and is comprised from four U. S. states (California, Arizona, New Mexico, Texas) and from six Mexican states (Baja California, Sonora, Chihuahua, Coahuila, Nuevo Leon, Tamaulipas). More than 83 million people live there.

NAFTA freshened cross-border exports and imports. The mutual trade totaled over \$ 293 billion in 2008, which has tripled in previous thirteen years. Land trade (rail, trucks and pipelines) prevails within the entire bulk of shipping goods. There are plenty of interconnected agglomerations such as Tijuana – San Diego, Laredo – Nuevo Laredo, Ciudad Juarez – El Paso

where high concentration of companies in manufacturing and service sectors is situated there. Notorious border factories called maquiladoras account for 76 percent of the total Mexico employment. Huge flow of human and economic capital is exchanged in corridors of both directions. Despite the growth of drug-related violence more than 70 million international tourists visit the cross-border region annually, which generates employment and higher incomes for locals. Interdependency is palpable in every place of the border that both U. S. and Mexico governments have supported collaborations between their governmental agencies, community groups, and businesses just to facilitate the exchange of information.<sup>51</sup> Only a couple of countries themselves have larger GDP than the border region. “*What’s more, the region is growing faster than of either the country*” (Selee, 2010: 41).

Furthermore, deserts, rivers, forests, rangelands, and coastlines constitute a unique ecosystem that provides natural resources and critical ecological services, that enhances quality of life and sustains economic opportunities.

### **2.6.2 De-bordering the border within 2030 vision**

Series of aggressive constraints toward the U. S. – Mexico border have led to a serious question if the border policy have succeeded or failed. “*Border policy is not simply a policy instrument for deterring illegal crossings but a symbolic representation of state authority; it communicates the state’s commitment to marking and maintaining the borderline*” (Andreas, 2000: 8). Though, such a proclamation has frequently been misinterpreted and restricted to repressive measures rather than to think rationally where the causes sprang from.

It became apparent that border crackdown escalated the emergence of more skilled and sophisticated migrant smuggling groups and methods of their undertaking. Amongst severe problems of border deterrence policy Peter Andreas enumerates the creation of “*unintended closer ties between licit and illicit trade*”, opening of more remote and dangerous entry points in the deserts and mountains, as well as “*dramatic slow of cross-border traffic*”

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<sup>51</sup> Woodrow Wilson International Center for Scholars: 2009. *Strategic Guidelines for the Competitive and Sustainable Development of the U. S. - Mexico Transborder Region*. Woodrow Wilson International Center for Scholars & El Colegio de la Frontera Norte.

usually for the sake of massive traffic jams and delays – this, for instance, has influenced negatively electronics, textiles, chemicals and Mexican factories supplying just in-time parts to U. S. auto companies (Andreas, 2003: 8).

What is the solution of this long-lasting paradox? Ambassador Andrés Rozental and Professor Peter H. Smith recommend de-bordering the border by “*increasing law enforcement and inspection capabilities of traditional border areas, including airports and pre-clearance zones*” (Rozental; Smith, 2005: 4). Putting the stress on outside customs and police checks meanwhile releasing pressure at the border in conjunction with precise information sharing might be a positive instrument how to way out. This should go hand in hand with harmonizing regulations in key sectors, unifying and expanding requirements for defining rules of origin and facilitating customs transactions.

In cooperation with governments, lawyers, stakeholders, entrepreneurs, academics, and social and ecological partners a strategic plan has been developed – it bears name “*A 2030 Vision: Building a Common Future Together, Goals and Objectives*”. It foresees a sustainable, competitive, equitable, and secure a trans-border region in the next 20 years. This vision has four objectives:

- Increasing the region’s competitiveness (support for logistics, labor productivity, governance, know-how, infrastructure, entrepreneurial spirit etc.)
- Developing the sustainable region (conservation of water sources, climate change action through energy efficiency, comprehensive ecosystem management etc.)
- Creating secure and safe region (information sharing, law enforcement and its trainings and professional standards, judicial reform and civic engagement, prevention and treatment etc.)
- Improving quality of life for everyone (promoting bi-national coordination in health and medicine, education, livable havens

for families, regional identity, opportunities for all, global engagement etc.)<sup>52</sup>

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<sup>52</sup> Woodrow Wilson International Center for Scholars: 2009. *Strategic Guidelines for the Competitive and Sustainable Development of the U. S. - Mexico Transborder Region*. Woodrow Wilson International Center for Scholars & El Colegio de la Frontera Norte.

### **3 U. S – Mexico bilateral approach**

Unsatisfactory situation that tosses around Mexico and permeates deeply into the United States must be wisely wielded at the level of both Federal administrations, as well as at the state and local level.

Initial incentives should stem from Mexico that must guarantee a recovery of its judiciary, armed forces and societal problems whose manifestations become an easy prey for drug trafficking organizations. However, the United States should not retreat from its responsibility. Monstrous consumption foments narcotrafficking and throws loads of civilians into a desperate circle of violence. The U. S. has installed several law enforcement agencies, and even special Department of Homeland Security has been created to fight terrorism, organized crime and to protect American soil and citizens. Apart from repressions they should not be afraid of backing up healthy society via particular prevention and treatment programs.

Both the United States and Mexico should be able to communicate and share their information and intelligence and try to overcome mutual animosities regardless what ideological administration is currently in power.

#### **3.1 Mexican reforms of the institutional system**

Once we contemplate about tackling organized crime and drug trafficking Mexico must realize that initial proceedings ought to come from their decision-making process. The United States of Mexico must first and foremost restore public trust in authorities and government, try to weed out corruption and tax evasions, handle abysmal inequality and poverty, and rather avoid militarization of the country that might bring chaos and disruption of state. Conversely, Mexico should make agreement among the public sphere and finish adopting crucial institutional reforms that impede subverting the country by individuals or by organized groups.

##### **3.1.1. *Judicial reform***

The present criminal justice system is a bygone of then autocratic centralization which arbitrates according to obsolete federal criminal codes

dating back to 1870s and 1930s. An instructional judge leads investigation as well as makes decision about suspect's guilt or innocence. This places him/her into a supreme position over prosecutors. Public mistrust in justice is enforced by weak prosecutions and impunity in dealing common crime (robbery, property crime) and organized crime. Additionally, long stay in jail without sentencing, overcrowded facilities, corrupt prison guards, prison violence, rioting, intimidation and often escapes worsen the situation.

Last two presidents have attempted to make a shift of Mexico's inquisitorial system toward a more adversarial model based upon Anglo-Saxon precedents. President Calderon proposed a judicial reform in 2008 which promotes four elements: a) oral trials in open court, b) emphasis on the right of the accused, c) reforming the police, d) tougher measures for prosecuting organized crime. Likewise, it expands using wiretaps and in 2010 Calderon proposed an "Anti-Kidnapping Law" (Shirk, 2010c: 205 – 251).

Despite ambitious steps forward most of the proposals still remain in the Congress. Some criticize the reform is trying to do too much because implementation of justice system lasts for decades, meanwhile others assert the reform has not gone far enough.<sup>53</sup>

### **3.1.2. Police reform**

Restructuring police forces and placing them into the legal framework have been a main theme in past administrations. During the PRI regime public security has been successfully neglected. President Ernesto Zedillo was the first who founded the National Public Security System (Sistema Nacional de Seguridad Pública, SNSP) and National Security Council alongside with Federal Preventive Police (Policía Federal Preventiva, PFP). He also attempted to purge Federal Judicial Police (Policía Judicial Federal, PJF). His successor Vicente Fox substituted PJF with Federal Investigations Agency (Agencia Federal de Investigaciones, AFI) and poured money to state police while neglected municipal forces. President Felipe Calderon replaced PFP and AFI with Federal Ministerial Police (Policía Federal Ministerial, PFM) and Federal

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<sup>53</sup> Hernández, José Luis: 2012. La reforma de justicia en México. Letras Libres March 29<sup>th</sup> 2012. See <http://www.letraslibres.com/blogs/polifonia/la-reforma-de-justicia-en-mexico>, March 30<sup>th</sup> 2012.



Police (Policía Federal, PF). He expanded their powers in conducting investigations, operating undercover, tapping phone lines, and locating cell phones.

Still, complications hampering feasibility of police forces prevail. There persists corruption and collusion with organized crime bosses, abuses of human rights, poor investigations and high rates of impunity. Preventive police are often paralyzed because they are not authorized to arrest unless they catch someone red-handed, they are prohibited from handling evidence or interviewing witnesses, and they are often sent to unfamiliar districts. Alike, municipal units are underfinanced, which gives a strange impression if we bear in mind that vast majority of crimes are local crimes. A tendency to repudiate previous administrations via restructuring police, introducing new programs shatters stability and opens loopholes (Sabet, 2010: 247 – 268).

### ***3.1.3. Reforming the armed forces***

Apart from judicial and police reforms it is substantial for Mexico to reconstruct the armed forces. As written above, popular trust in the Army is much higher than police, ranking third after schools and the Church. There has been an assumption that the military can cope with DTOs more effectively and is less susceptible to corruption. However, the militarization and need for outcomes have contributed to human rights abuses among the civilians.

Under President Fox sharing intelligence between military and civilian agencies increased and President Calderon also supports such a stance. Mexican military officers are trained at U. S. camps and schools getting better know-how, education, and tactics. Likewise, it seems that average Mexicans are becoming more willing to invite U. S. forces to quell drug-related violence, which enormously augmented presence of the U. S. professional agents (Ai Camp, 2010: 291 – 325).

## **3.2 Mérida Initiative**

The United States and Mexico have made efforts to formulate a bilateral partnership to sort out common challenges together. U. S. interests in Mexico have visibly shrunk after 9/11 attacks once the Bush administration focused

on combating terrorism both in Afghanistan and in other parts of the world, and on the invasion in Iraq. In the Western hemisphere the U. S. concentrated on assistance to Colombia's drug violence and eradication of poppy fields through infamous Plan Colombia.

Thereby, U. S. – Mexico more intensive collaboration efforts have been limited to official visits, proclamations of statesmen, and to meetings of ambassadors and leading figures of both nations. Though, one such a conference in Mérida has laid foundations for future cooperation.

### **3.2.1 Mérida at dawn – Bush and Calderon**

In 2007, Presidents George W. Bush and Felipe Calderon agreed on implementing an initiative in which U. S. would provide \$1, 4 billion counternarcotics package for FY 2008 – FY 2010 to assist Mexico and Central America with a major share to Mexico. The Mérida Initiative includes three clusters: 1) Counter-narcotics, Counter-terrorism, Border Security, 2) Public Security and Law Enforcement, 3) Institution Building and Rule of Law; and designed five objectives of strategy:

- *“Reduce the flow of drugs into the U. S.*
- *Disrupt and dismantle major drug trafficking organizations*
- *Focus on the nexus between the drug trade and other potential threats to the U. S., including terrorism*
- *Deny drug traffickers, narcoterrorists, and their criminal associates their illicit profits and money laundering activities*
- *Assist foreign countries threatened by illegal drugs in strengthening their governance and law enforcement institutions”* (Brands, 2009: 25)

The United States committed to procure Mexico with helicopters, surveillance aircrafts, X-ray inspection devices; to offer equipment and training for armed and law enforcement forces, as well as training for the drug-sniffing dogs; and to modernize computer and information systems in order to facilitate exchange of information and intelligence. In response, Mexico allotted \$7 billion

to increase military expenditures, to double Federal Police forces, to carry out penitentiary and judicial reforms etc.

Still, investing into repressive forces overshadowed a need for broader concept including anti-corruption and social programs, strengthening of institutional framework. Much of the planned reforms have not been passed because of lack of consensus both in the Mexican Congress and among the public (Brands, 2009: 42).

### **3.2.2 *Beyond Mérida – Obama and Calderon***

Once President Bush was leaving office, the results of the Mérida Initiative were quite bleak. Having known about negative connotations, his successor Barack Obama came up with a new approach called “Beyond Mérida”, in which he wanted to improve neglected sides of the strategy. He announced to focus more on institution building than military expansion. Alike, he voiced amplification of shared responsibility where the United States must take responsibility of drug demand in its territory, which prompts DTOs to transport illicit narcotics northward. The four pillars consist of:

- *“Disruption and dismantling criminal organizations*
- *Institutionalizing the rule of law*
- *Building a twenty-first century border*
- *Building strong and resilient communities through social and economic reforms that range from job creation and neighborhood zoning to expanded daycare” (Abu-Hamdeh, 2011: 45).*

### **3.3 Drug Enforcement Administration**

The Drug Enforcement Administration as it has been orchestrated by Nixon administration at the eve of 1970s is a law enforcement federal agency under the Department of Justice. Apart from numerous divisions in the United States it expands to more than sixty countries sending its special agents, investigators, intelligence specialists and chemists to deal with narcotics. The main objectives of DEA are to dismantle structures of major

drug trafficking organizations, to disrupt their financial infrastructure, to combat a nexus between narco-trafficking and terrorism, to build a strategic partnership and to enhance intelligence and information sharing between drug-ridden countries, to balance between a dispersion of narcotics to the mainstream society and their conservation for medical, commercial and scientific purposes, and to support demand reduction initiatives.<sup>54</sup>

### **3.3.1 Southwest Border Initiative**

The most resonant DEA strategy is conducted via the Southwest Border Initiative that works in close cooperation with the Department of Homeland Security, Attorney General and FBI, as well cross-border task forces in Tijuana, Juarez and Monterrey. It includes several programs and task forces such as OCDETF (Organized Crime Drug Enforcement Task Forces) that struggle to bolster law enforcement and to disrupt drug market resulting in reduction of drug supply. It utilizes wiretapping, monitoring, communication sharing and permanent incarceration of DTO leaders hoping this would leave them in disarray. In the past, there have been three principal operations that have taken place under the Southwest Border Initiative:

- *Operation Zorro II (1996)* – a successful operation that brought criminals to justice for producing Colombian cocaine, transshipping through Mexico, and storing it Los Angeles where was expected to be distributed to American syndicates all around the U. S.<sup>55</sup>
  
- *Operation Reciprocity & Operation Limelight (1996 – 1997)* – two separate but related operations that raided on warehouses in Tucson, Texas, seized tons of cocaine, kilos of marijuana and arrested dozens of international criminals.<sup>56</sup>

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<sup>54</sup> Drug Enforcement Administration. *Southwest Border Initiative*. See <http://www.justice.gov/dea/programs/sbi.htm>, March 31<sup>st</sup> 2012.

<sup>55</sup> Drug Enforcement Administration. *Operation Zorro II*. See <http://www.justice.gov/dea/major/zorro2.htm>, March 31<sup>st</sup> 2012.

<sup>56</sup> Drug Enforcement Administration. *Operation Reciprocity & Operation Limelight*. See <http://www.justice.gov/dea/major/reclime.htm>, March 31<sup>st</sup> 2012.

Nowadays, it seems a fierce supply-side approach has borne its fruit, at least according to the latest DEA report that states that since 2000 teenage users of illicit drugs have experienced a 15 percent decline, marijuana dropped seven percent, cocaine, crack cocaine and LSD around 50 percent and drug users at workplace plummeted to the lowest in last 20 years.<sup>57</sup>

### **3.3.2 Demand Reduction Program**

DEA has also promoted a demand program that echoed long ignored problem of drug use especially among children and teenagers. Demand Reduction Coordinates work with civil leaders, state and local drug prevention organizations, treatment experts and general public. They attempt to bring education to schools, families and local communities, as well as appeal on states and municipalities not to neglect such a dangerous phenomenon.

They drive around schools and public institutions and run several websites on drug prevention informing children, parents and the public about kinds of drugs, where they can find it, what the effects of using are and how can damage human health and psyche.<sup>58</sup>

### **3.4 Department of Homeland Security**

U. S. Department of Homeland Security was established in 2002 in response to 9/11 attacks, emerging War on Terror and protecting Americans within, at and outside their own borders. Unlike the Department of Defense deals with military issues, the Department of Homeland Security (DHS) works with a civilian sphere and with more 240,000 employees from various professional sectors cast in the third largest Cabinet department. There are five main security objectives that DHS take responsibility for:

- *“Preventing terrorism and enhancing security*
- *Securing and managing our borders*
- *Enforcing and administering our immigration laws*

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<sup>57</sup> Drug Enforcement Administration: 2012. Successes in the Fight Against Drugs. See [http://www.justice.gov/dea/2011\\_successes\\_in\\_the\\_fight\\_against\\_drugs.pdf](http://www.justice.gov/dea/2011_successes_in_the_fight_against_drugs.pdf), March 31<sup>st</sup> 2012.

<sup>58</sup> Drug Enforcement Administration. *DEA Drug Reduction Program*. See <http://www.justice.gov/dea/programs/demand.htm>, March 31<sup>st</sup> 2012.

- *Safeguarding and securing cyberspace*
- *Ensuring resilience to disasters*<sup>59</sup>

The Homeland Security Appropriations Act of 2004 was passed by the U. S. Congress and authorized the President to finance DHS operations. In 2012, DHS administers \$56, 9 billion budget, and its central motto is “*preserving our freedoms, protecting America...we secure our homeland*”.<sup>60</sup> There are two main components relevant within the Border Security Program – Customs and Border Protection (CBP) and Immigration and Customs Enforcement (ICE).

### **3.4.1 Customs and Border Protection (CBP)**

U. S. Customs and Border Protection is a federal law enforcement agency that was designed to “*prevent the terrorists and their weapons from entering the United States*”. It also tackles narcotics, agricultural pests and smuggled goods, protects American business from intellectual property theft, as well as apprehends those with a strong criminal record.

CBP uses several tactics to fight above said matters. Border patrolling combines marine, air and land security checks at the entry points with inspections of convoys and cargo shipments inside the country (using biometric screening), with training for drug-sniffing dogs, with focusing on protection of human trafficking victims, and with building a viable infrastructure (roads, electrical components, fencing, lights etc.) along the border.<sup>61</sup>

The latest strategy declared last July by the Homeland Secretary Janet Napolitano is called the National Southwest Border Counternarcotics Strategy. It operates within the framework of broader national drug control policy and increases coordination and information between Federal, state and local

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<sup>59</sup> Department of Homeland Security. *Our Mission*. See <http://www.dhs.gov/xabout/our-mission.shtm>, April 2<sup>nd</sup> 2012.

<sup>60</sup> Department of Homeland Security. *Our Mission*. See <http://www.dhs.gov/xabout/our-mission.shtm>, April 2<sup>nd</sup> 2012.

<sup>61</sup> U. S. Customs and Border Protection. *About*. See <http://www.cbp.gov/xp/cgov/about/>, April 2<sup>nd</sup> 2012.

law enforcement agencies as well as with the Mexican counterparts in interdicting contraband and arresting criminals.<sup>62</sup>

### **3.4.2 Immigration and Customs Enforcement (ICE)**

U. S. Immigration and Customs Enforcement is the second investigative law enforcement agency that together with CBP protect national security and public safety, administer border patrolling, customs examinations, control trade and immigration. Currently, they announce four primary missions to reach such standards.

- Prevent terrorism and enhance security (through security visas, investigation tactics, deportations of those who pose national security threat, strong emphasis on cooperation with allies)
- Protect the border against illicit trade, travel and finance (through BEST task forces, targeting large scale smuggling organizations, increasing penalties, invigorating money laundering and intellectual property investigations)
- Protect the borders through smart and tough interior immigration enforcement (through detaining and removing aliens seeking illegal entry, greater employer compliance, protecting integrity of the immigration system)
- Construct an efficient agency (through reorganizing criminal investigations, civil immigration enforcement, management, and legal, through a stable work and wise using of resources).<sup>63</sup>

### **3.5 White House Office of National Drug Control Policy**

The White House Office of National Drug Control Policy (ONDCP) is a supportive office of the President and the Federal government which was founded by the *Anti-Drug Abuse Act of 1988* to address problems with drug-related activities. It emphasizes “community-based prevention

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<sup>62</sup> Department of Homeland Security. *Senior Administration Officials Release Southwest Border Counternarcotics Strategy*. See <http://www.dhs.gov/ynews/releases/20110707-napolitano-southwest-counternarcotics.shtm>, April 2<sup>nd</sup> 2012.

<sup>63</sup> U. S. Immigration and Customs Enforcement. *ICE Strategic Plan FY 2010-2014*. See <http://www.ice.gov/doclib/news/library/reports/strategic-plan/strategic-plan-2010.pdf>, April 2<sup>nd</sup> 2012.

*programs, early intervention programs in healthcare settings, aligning criminal justice policies and health care systems to divert non-violent drug offenders into treatment instead of jail, funding scientific research on drug use and...expanding access to substance abuse treatment.*<sup>64</sup>

Every year ONDCP issues a National Drug Control Strategy that coordinates efforts to defend American citizens from narcotics and their disastrous effects.

### **3.5.1 National Drug Control Strategy 2011**

The latest National Drug Control Strategy 2011 released by the President Barack Obama has meant a significant shift in the conduct of drug issue that has been on table since the Nixon administration.

In Congress, President Obama upheld two important bills that were signed into law.

- *Fair Sentencing Act of 2010* (eliminates mandatory minimal sentence for simple possession of crack cocaine in Federal cases meanwhile increases penalties for drug traffickers)
- *Secure and Responsible Drug Disposal Act of 2010* (authorizes states and local offices to collect unused prescription drugs for safe disposal)

The most impaired populations are students, especially at college, who submerge into binge drinking, which creates a by-product in form of missing classes, falling behind, worsening study results. Alike current conditions poses hurdles for women because treatment is often provided only for men and women must make a choice between undergoing treatment and losing a child. This relates also to female youth who fall to depressions and peer pressure. There is also a concern about military veterans who have served overseas and after coming back suffer from traumatic shocks.

The strategy views a string of priorities that should be implemented in the following years. Prescription drug abuse is the fastest-growing problem

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<sup>64</sup> White House Office of National Drug Control Policy. *About*. See <http://www.whitehouse.gov/ondcp/about>, April 5<sup>th</sup> 2012.



afflicting all social classes including White Protestants, African Americans, Hispanics, Asians as well as other minorities. In 2007, more than 27,000 people have been overdosed by drugs legally acceptable in pharmacies, which indicate a five-fold growth since 1990. An electronic database called *Prescription Drug Monitoring Programs*, disposal methods to remove medications from the home, supportive education for patients and healthcare providers and reduction of illegal prescription practices make up the counter-tactics for other overdosed people.

There is an urgent need to eliminate numbers of drugged drivers who constitute one-third in car crashes statistics. This ought to be accomplished through cooperation with NGOs and special enforcement and treatment programs.

Probably, a major emphasis is oriented to prevent those who have never used drugs in the past. The *Drug Free Communities Support Program* aims to develop grassroots level to identify and respond to drug problems. This includes addressing school policies to limit alcohol retailers and drug dealers in the surroundings, setting up a healthy environment for students free from drugs, alcohol, bullying, harassment and violence. Likewise, it should help military personnel and their families to overcome mental disorder, and to enable women proper treatment. Eventually, it should promote education for the public via strong media campaign that reflects negative sides of prescription and non-prescription drug use.<sup>65</sup>

### **3.6 Bureau of Alcohol, Tobacco, Firearms and Explosives**

A predecessor of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) was formed in 1972 and in fact, various versions of such a law enforcement agency had existed even before. Finally, after 9/11 attacks it has gotten its present name and jurisdictionally belonged to the Department of Justice. Primary focus of the agency is centered at “*violent criminals, criminal organizations, the illegal use and trafficking of firearms, the illegal use and*

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<sup>65</sup> The White House: 2011. *National Drug Control Strategy 2011*. The White House: Washington, D. C.

*storage of explosives, acts of arson and bombings, acts of terrorism, and the illegal diversion of alcohol and tobacco products”.*<sup>66</sup>

### **3.6.1 Strategic Plan – Fiscal Years 2010-2016**

ATF’s Strategic Plan for FY 2010 – FY 2016 constitutes a blueprint for the future how ATF will meet their successes in reducing organized crime. It earmarks four main objectives – 1) illegal firearms trafficking, 2) criminal groups and gangs, 3) explosives, bombs and bombings, 4) fire and arson.

Firearms trafficking is one of the most dangerous threats, it plants wrath, fear, uncertainty and violence. ATF react against drug traffickers and diversion of illegal weapons due to gathering information at the National Tracing Center. They check out firearms licenses and registrations, regulate and partner with firearms industry, and eliminate importation of ammunition from Mexico via cooperation with CBP. They advocate controversial Project Gunrunner and move along the Gun Control Act of 1968, and international agreements.

Cracking down on criminal groups and gangs should be achieved via expansion of VCIT (Violent Crime Impact Teams), special enforcement agents that have advanced training and use innovative technologies. It is necessary to share gang intelligence and coordinate efforts at the multi-agency level.

Linkage between improvised explosive devices and violent crime is very close and often tends to decimate many lives. There are special agents trained for explosive expertise and investigations, forensic science laboratories, canine training program, and several cells conducting research and intelligence sharing.

Growing examples of arson indicate that ATF must make communities safer from fire, enhance training programs for fire service and support the judicial process so that the offender would pay for his crimes.<sup>67</sup>

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<sup>66</sup> ATF. *About ATF*. See <http://www.atf.gov/about/mission/>, April 6<sup>th</sup> 2012.

<sup>67</sup> ATF: 2010. Strategic Plan FY 2010 – FY 2016. Bureau of Alcohol, Tobacco, Firearms and Explosives: Washington, D. C.

## Conclusion

Organized crime and drug-related violence poses a sinister threat both for Mexico and the United States. Mexican and U. S. officials differ in specification of warlike zone in Mexico – some call them drug cartels, some insurgents and terrorists, which often outrages opposite side. No matter how we semantically label amplification of drug trafficking in recent years it is underlying to admit that security situation is worsening every single year.

The United States of Mexico is still stumbling on inheritance of the rigid authoritarian rule of the Institutional Revolutionary Party (PRI) that has controlled nearly all sectors of public life for more than seven decades. Sequential period beginning at the end of 20<sup>th</sup> century has brought breath of fresh air into the politics and society. Nonetheless, initial aftershocks were of an economic nature. Mexico has been assailed by deep recession, high inflation and multiple devaluation of its own currency. This opened a gate for external bailouts in form of foreign direct investments, greater bilateral integration, finally leading to ratification of NAFTA that poured millions of dollars for job creation and setting up new businesses in Mexico, despite immediate loss of competitiveness. U. S. has conditioned economic recovery of Mexico on opening of the political system and granting fundamental freedoms, which paved the way for democratization.

Sudden decentralization of the Mexican federal structure together with demolition of drug routes in the Caribbean have forced drug traffickers to find new ways of smuggling especially Andean cocaine and heroin heading to U. S. black market, and therefore Central American Isthmus seemed to be the safest alternative. Border areas in Mexico, as well as Guatemala, Honduras and El Salvador became the most dangerous parts of the world with high murder rates. Presidents Fox and Calderon started their offensive campaigns deploying thousands of police and military forces mostly in the northern part of the country. Meanwhile DTOs skillfully shifted to different territories that rendered a safe haven for their activities. Two frontlines appeared in the turf war – between DTOs and Federal government, and among DTOs themselves. President Calderon succeeded in capturing several chief leaders of drug cartels, as well as in interdiction of narcotics, firearms and money. Yet, we

might apply a proclamation of a U. S. Senator Von Raab from 1987 who commented on increasing drug seizure: *“There is good news and bad news. The good news is that we are catching more drugs because we are getting better at doing our jobs. We have more resources. The bad news is that we are catching more because more is coming across”* (Andreas, 2000: 46).

Apart from violence Mexico is tackling profound institutional challenges that embody by-gones from the past. Ubiquitous corruption and embezzlement reach all spheres including federal, state and municipal politics, police and military forces, judiciary, journalists and ordinary residents. High poverty and extreme poverty rates drive civilians to agree on tempting offers granting sudden enrichment, because they must often make a decision between life or death of themselves and their families. Wide range of reforms must be implemented in the armed forces – raising salaries and benefits, improving recruitment and selection criteria, offering specialized training and a system of merit based promotion, vetting officers, expanding in planning, tactical analysis, and requiring higher education. Judiciary must also go through radical reforms that would enforce civilian courts, oral trials, right of the accused and tougher measures on prosecuting organized crime.

However, Mexico is not the only player that should feel responsibility for deterioration of security situation. The United States of America has been confronting severe difficulties in its nearly forty year-long drug war campaign. Scores of interdiction initiatives, secret and overt operations, lists of hostile countries collaborating with drug networks, several acts responding to drug use have been sketched like a blueprint to fight spread of violence from Latin American countries into its own territory.

There have been series of by-products alongside spillover violence. Inflows of illegal immigrants have increased enormously in last two decades. Mexican communities settle down in the Southwest, they sometimes form closed diasporas reluctant to integrate into a majority society. Their primary reason for leaving their homeland is a Jeffersonian “pursuit of happiness”, so that they would find new jobs, new identity and new meaning of life. Recently, Mexicans though attempt to escape away from drug criminals, and finally become so-called narcorefugees and strangers in both countries. Firearms

trafficking ranks high among by-products of violence circle. In fact, smuggling of guns is a catalyst of violence. Although we do not precisely discern of what factory the guns might have come from, how long might have been abroad and what hands might have been intended to pass by, U. S. legislators should reassess their attitudes towards guns treatment. Otherwise, such an approach of cracking down on criminals while supplying them (directly or indirectly) with heavy weapons, ammunition and RPGs seems very hypocritical. Likewise, revenues from money laundering are getting higher, thereby criminals are more capable of buying new technological equipment, weapons, securing drug plazas, guaranteeing training for their members and finding bribes to corrupt local authorities. To cut off money resources and to sharpen inspection over foreign mafia must be a top priority for law enforcement.

Presidents Clinton and Bush junior wagered on strong enforcement policies at the U. S. – Mexico border. Securitization, fencing and tightening border patrols have become a cornerstone of the Southwest Border Initiative and aimed at suspects who could pose threat for U. S. national security. Yet, it remains to be very questionable who might be labeled a narcotrafficker unless he is caught red-handed. Notwithstanding U. S. – Mexico border region is experiencing incredibly vibrant time being one of the most prosperous areas in the world. It generates millions of jobs, provides haven for American manufacture and service enterprises, offers millions of international tourists to visit the area and therefore to bring capital there. Moreover, it is a unique biosphere with spate of natural resources and water supplies. Once U. S. officials claim to guard the border with complete fencing and strengthening controls of trade routes, they must realize that American firms would be shut down, and Mexican laborers would lose their jobs, which would spin the circle of uncertainty and easy way how to get hired by DTOs, again. It seems to be much more rational to do police and customs inspection outside the border, to facilitate customs transactions and to harmonize regulations in key sectors in the name of “de-bordering the border”.

The biggest failure of U. S. counter-drug strategy is apathy of drug use consumed by American citizens. Despite these repressive efforts, price of narcotics still remains very high, purity and availability of drugs is

augmenting. U. S. government and legislators must contemplate if incarceration of drug addicts is the well-proven instrument to reduce drug demand. Supply-side efforts have overshadowed a focus on demand side – prevention campaigns and treatment. There are several U. S. law enforcement agencies that fight drugs. They should primarily spread education about harmful effects of narcotics among children, teenagers, parents and employers. Battles for drug corridors would have never existed if there had not been consumption of psychotropic substances. As Peter Andreas remarks, “...*laws and consumer demand are the most basic determinants of what smugglers smuggle*” (Andreas, 2000: 17). It might be the right time to consider carefully if decriminalization of small drug possession should not be approved at the Federal level. This would almost automatically meet opposition of many who would call it infringement of the Constitution. Yet, I suppose such an extensive problem needs a comprehensive approach. Illustrative examples of Mexico and California that have taken this route might help the future.

Mérida Initiative may successfully back up favorable development. In order not to become second Plan Colombia, it must stress social projects concerning reducing poverty, corruption, offering jobs, education like an alternative for citizens so that they did not have to intermingle with drug criminals.

Luis Astorga and David Shirk outline four prospective scenarios – 1) complicity with narcotraffickers creating a Pax Mafioso, 2) strategy of direct confrontation against DTOs, 3) elimination of the black market for illicit drugs through prevention and treatment, 4) move away from absolute prohibition of drug production, distribution and consumption through decriminalization and re-legalization (Astorga, Shirk, 2010a: 51 - 56).

If U. S. and Mexican officials give up two main determinants of drug trade – restoring confidence in institution-building of Mexico, and reducing consumption through demand – a relationship will be then seriously harmed. If they bear it in mind and make some action, they will score success.

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## **Acronyms**

AFI – Agencia Federal de Investigaciones (eng. Federal Investigations Agency)

ATF – Bureau of Alcohol, Tobacco, Firearms and Explosives

BEST – Border Enforcement Security Task Force

CBP – Customs and Border Protection

DEA – Drug Enforcement Administration

DHS – Department of Homeland Security

DTO – Drug trafficking organization

FBI – Federal Bureau of Investigation

ICE – Immigration and Customs Enforcement

INS – Immigration and Naturalization Service

NAFTA – North American Free Trade Agreement

OCDETF – Organized Crime Drug Enforcement Task Forces

ONDCP – Office of National Drug Control Policy

PAN – Partido Acción Nacional (eng. National Action Party)

PF – Policía Federal (eng. Federal Police)

PFP – Policía Federal Preventiva (eng. Federal Preventive Police)

PFM – Policía Federal Ministerial (eng. Federal Ministerial Police)

PGR – Procuraduría General de la República (eng. General Attorney's Office)

PJF – Policía Judicial Federal (eng. Federal Judicial Police)

PRD – Partido de la Revolución Democrática (eng. Party of the Democratic Revolution)

PRI – Partido Revolucionario Institucional (eng. Institutional Revolutionary Party)

SEDENA – Secretaría de la Defensa Nacional (eng. Department of National Defense)

SNSP – Sistema Nacional de Seguridad Pública (eng. National Public Security System)

## VCIT – Violent Crime Impact Teams



## **Résumé**

My Bachelor's work deals with the matter that relates to a permanent relationship between the United States of America and the United States of Mexico. It analyzes the War on Drugs that takes place in Mexico, and what kind of effects it has for the U. S. national security.

In the first chapter I reflect historical reminiscence of Mexican presence, role and mind-set of drug trafficking organizations as well as institutional challenges and shared responsibility of civil society.

The second chapter is engaged in imminent threats – among them rooted asymmetries, U. S. drug consumption, firearms trafficking, money laundering, immigration and resolution of the mutual border – that endanger the well-being of the United States.

The third chapter analyzes tools to combat organized crime and drug-related problems including necessary Mexican reforms, bilateral projects, and U. S. specialized agencies.

## **Key words**

War on Drugs, drugs, United States of America, Mexico, threat, tools

## **Resumen**

Mi tesis trata del tema que se refiere a una relación permanente entre los Estados Unidos de América y los Estados Unidos Mexicanos. Analiza la Guerra contra el narcotráfico en México y como esta afecta a la seguridad nacional de los Estados Unidos.

El primer capítulo refleja una reminiscencia histórica del México contemporáneo, el papel y las maneras de las organizaciones narcotraficantes así como los retos de las instituciones y la responsabilidad compartida presentada por la sociedad cívica.

El segundo capítulo entabla las amenazas inminentes – como asimetrías arraigadas, consumo de estupefacientes, tráfico de las armas, blanqueo de dinero, inmigración y propósito de la frontera común – que pone en peligro el bienestar de los Estados Unidos.

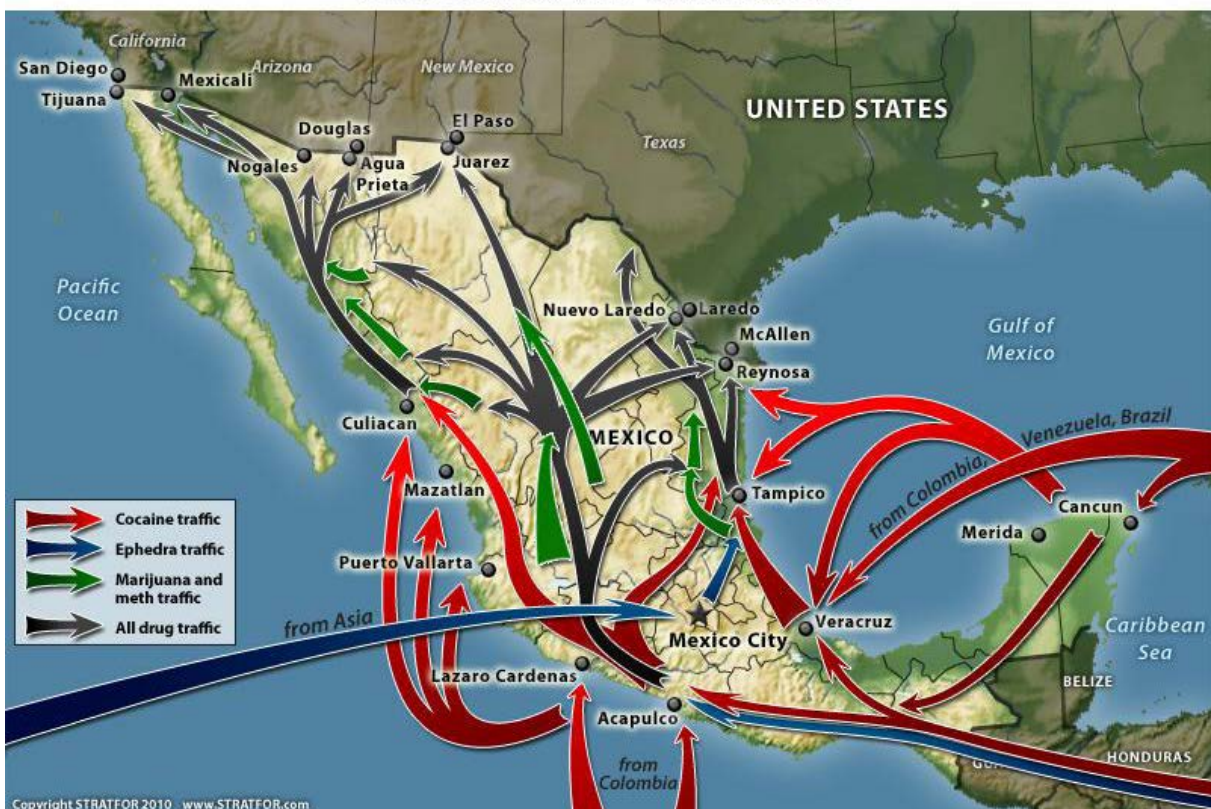
El tercer capítulo analiza las herramientas para combatir el crimen organizado y los problemas relacionados con las drogas incluso las necesarias reformas de México, los proyectos bilaterales y las especializadas agencias de los Estados Unidos.

# Enclosures

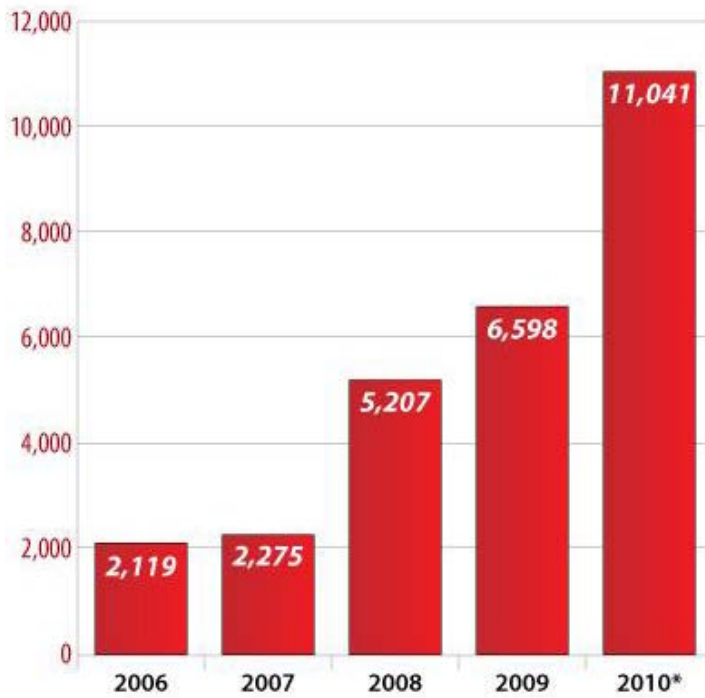
## AREAS OF CARTEL INFLUENCES IN MEXICO



## DRUG ROUTES IN MEXICO



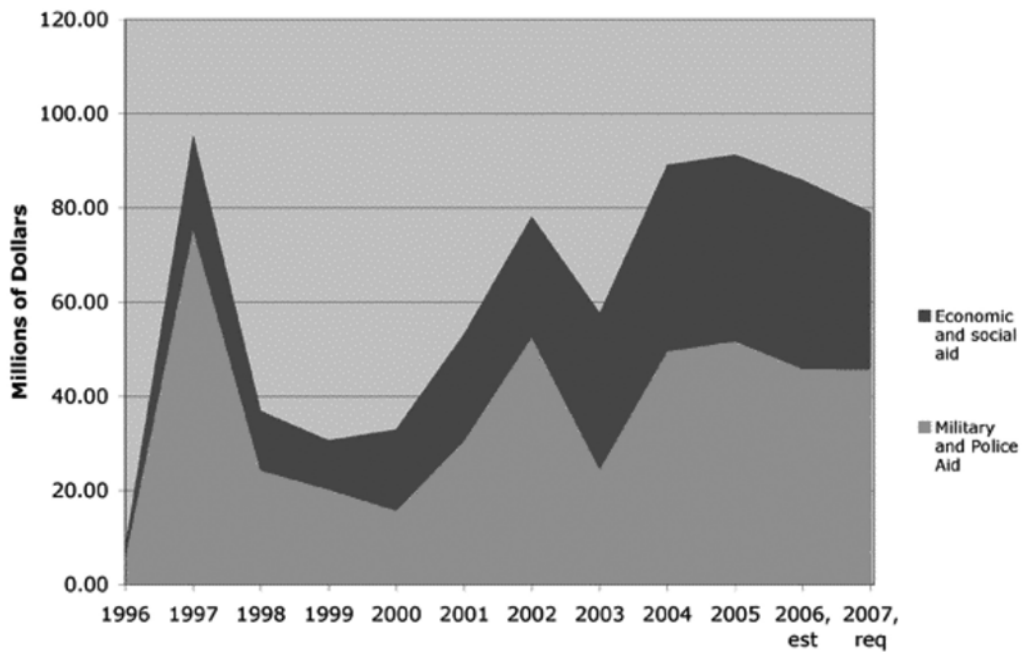
### DRUG-RELATED DEATHS IN MEXICO



Source: Reforma  
\*through Dec. 13

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### U.S. Aid to Mexico

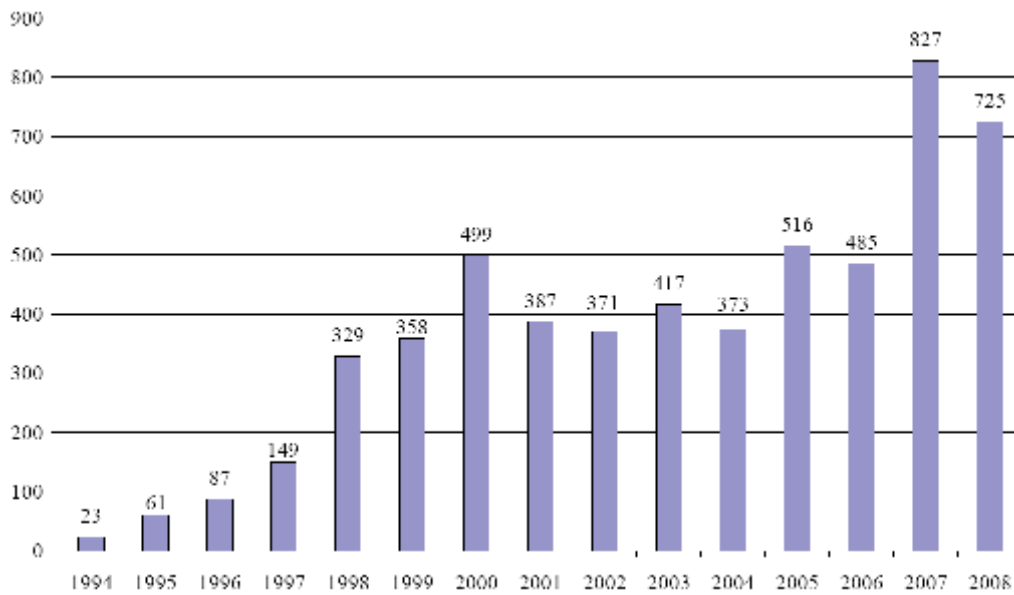


Source: Meyer, Maureen. *At a Crossroads: Drug Trafficking, Violence and the Mexican State*. Washington Office on Latin America.



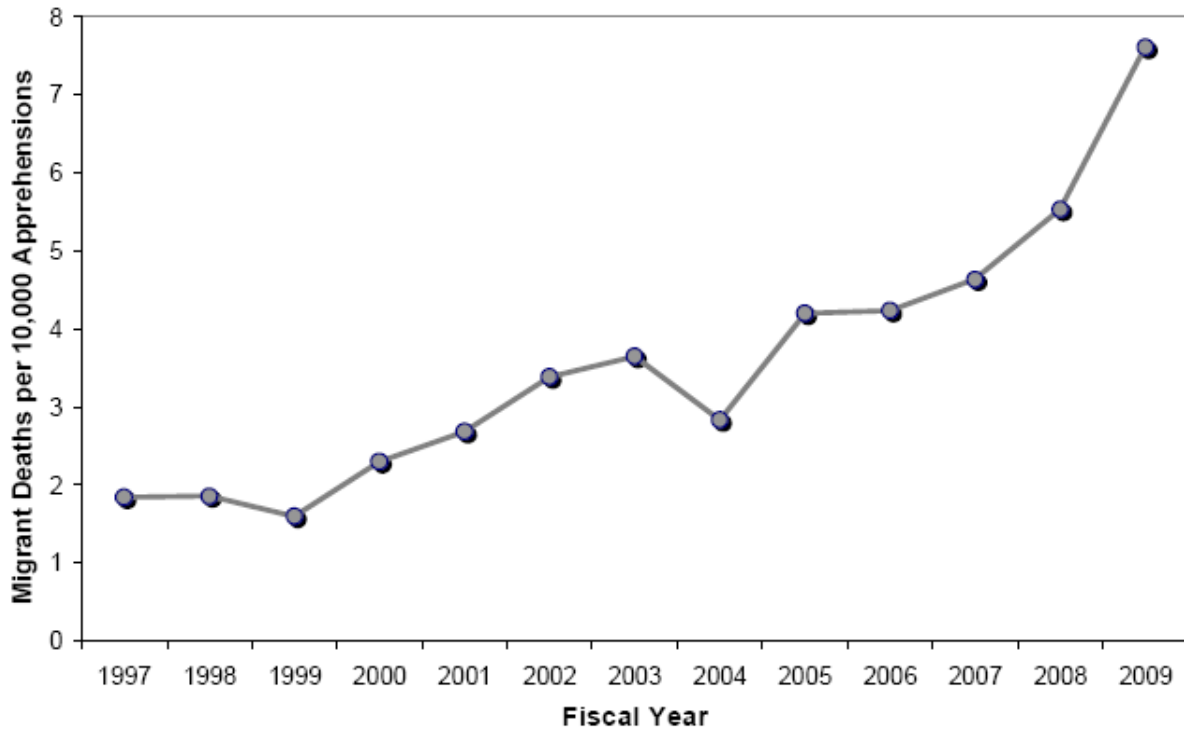
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### Border Crossing Deaths, 1994 – 2008



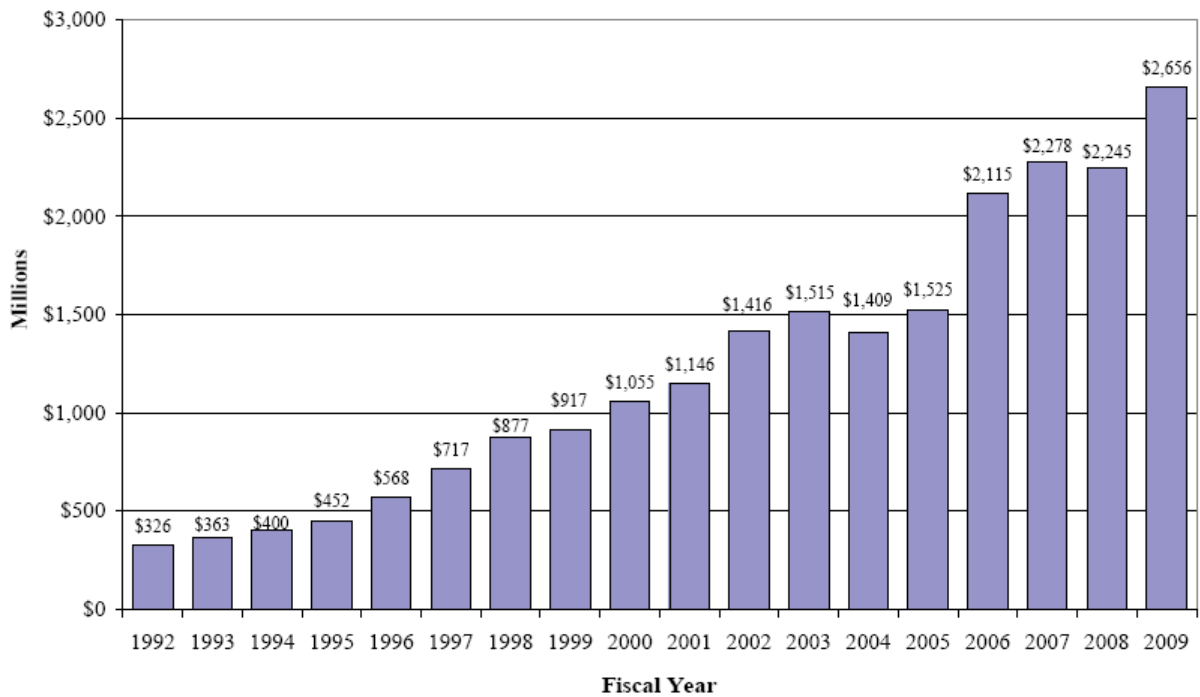
Source: Maria Jimenez, "Humanitarian Crisis: Migrant Deaths at the U.S.-Mexico Border" Oct. 1, 2009

### Migrant Mortality Rate, per 10,000 Apprehensions



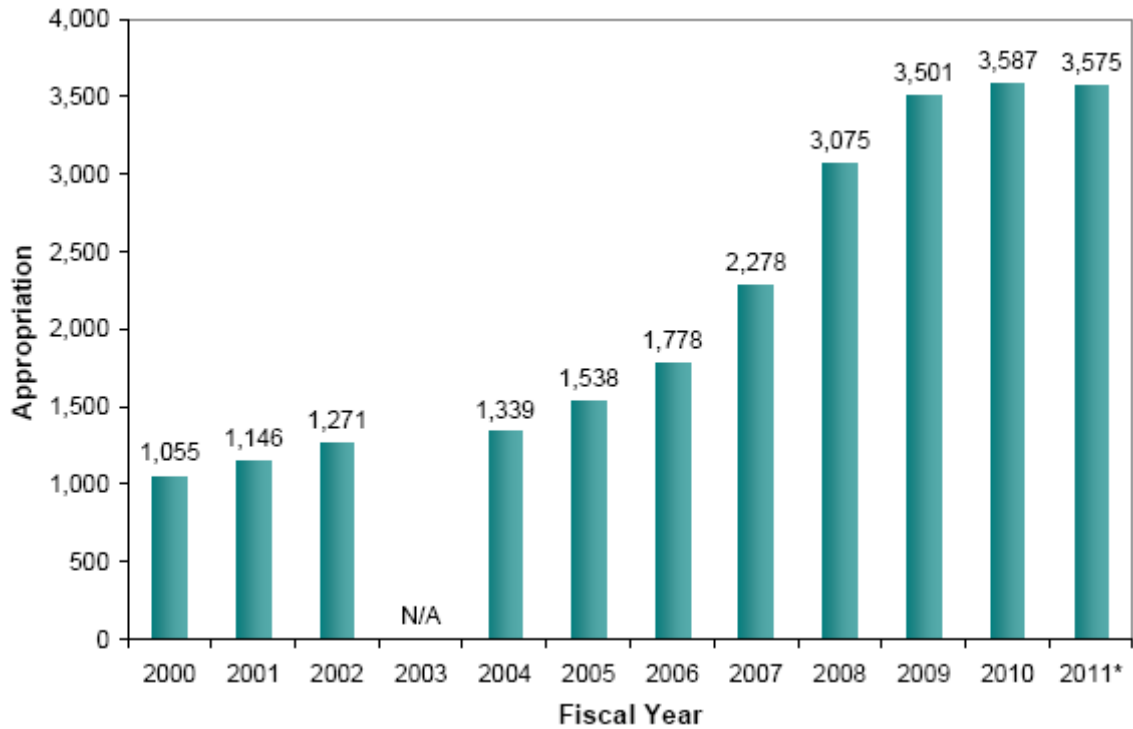
Graph from Chad C. Haddal, "Border Security: The Role of the U.S. Border Patrol," Congressional Research Service, August 11, 2010.  
Source: CRS Analysis of CBP Data.

### U.S. Border Patrol Budget, FY 1992-2009



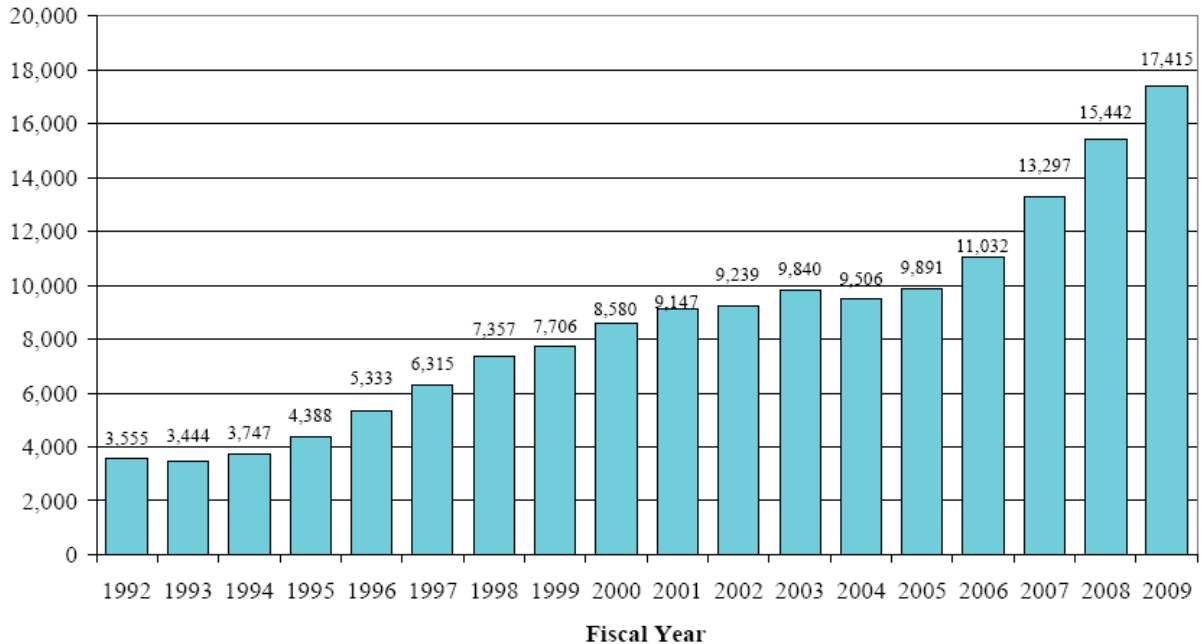
Source: U.S. Border Patrol Headquarters, Office of Public Affairs, September 25, 2009.  
Graph from Immigration Policy Center, "Breaking Down the Problems" October 2009.

### Border Patrol Appropriations



Sources: Appropriations for FY2001 and FY2002 are from the Department of Justice, Immigration and Naturalization Service, FY2002 Congressional Budget Justifications.

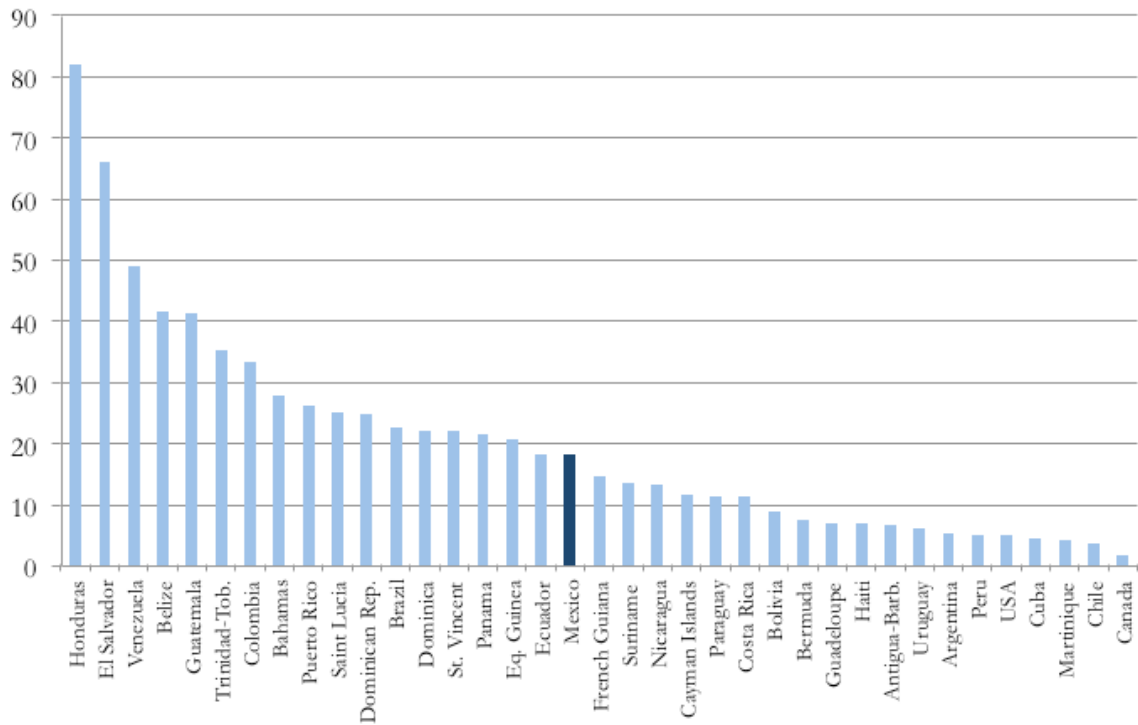
### U.S. Border Patrol Agents Stationed Along the Southwest Border, FY 1992-2009



Source: U.S. Border Patrol Headquarters, Office of Public Affairs, September 25, 2009. Graph from Immigration Policy Center, "Breaking Down the Problems" October 2009.

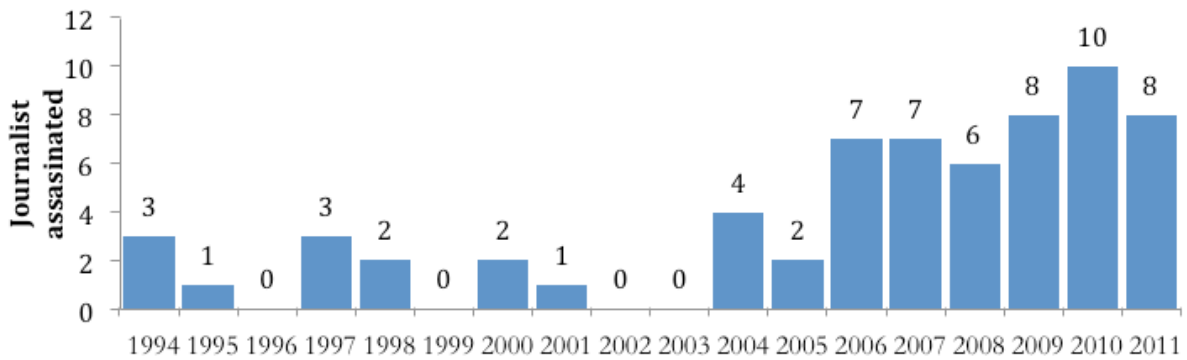


## Homicide Rate Per 100,000 Inhabitants in the Western Hemisphere



Source: <http://www.unodc.org/unodc/en/data-and-analysis/homicide.html>

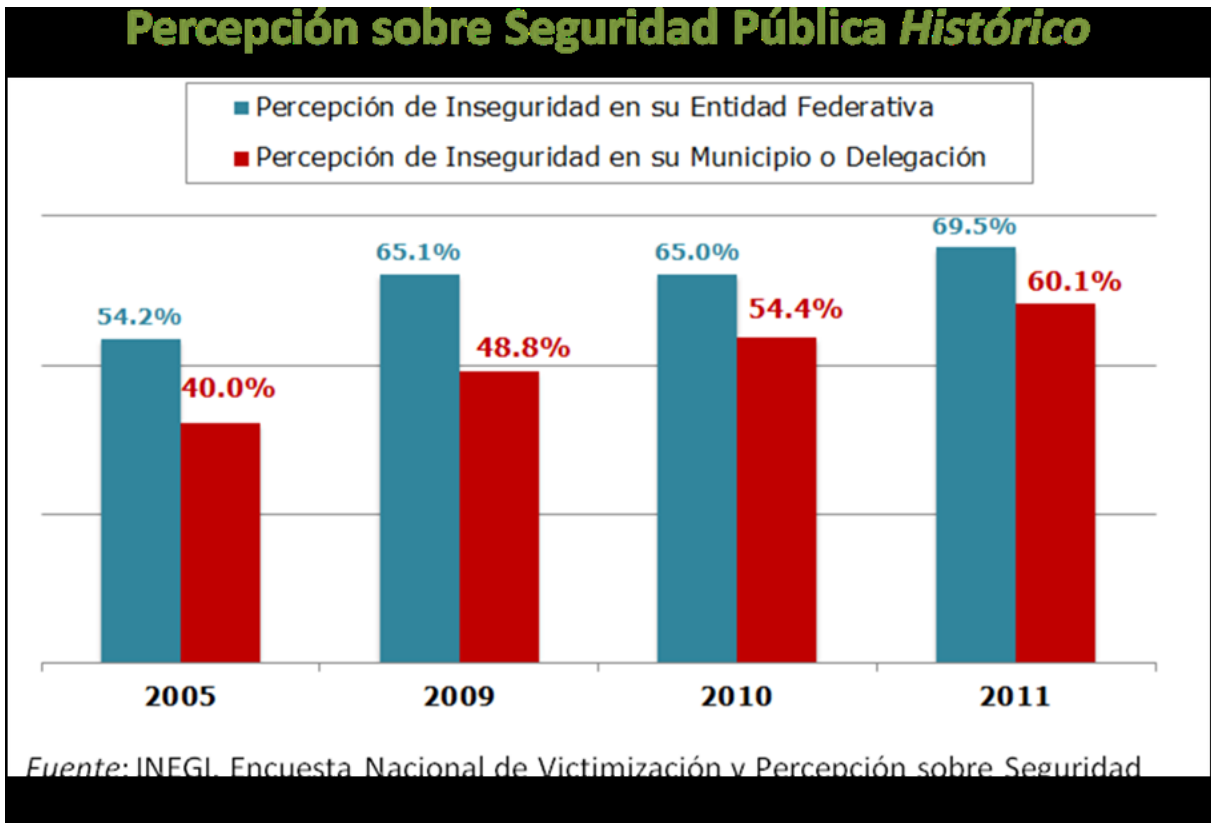
## Journalists Assassinated in Mexico, 1994 – 2011



Source: <http://www.unodc.org/unodc/en/data-and-analysis/homicide.html>

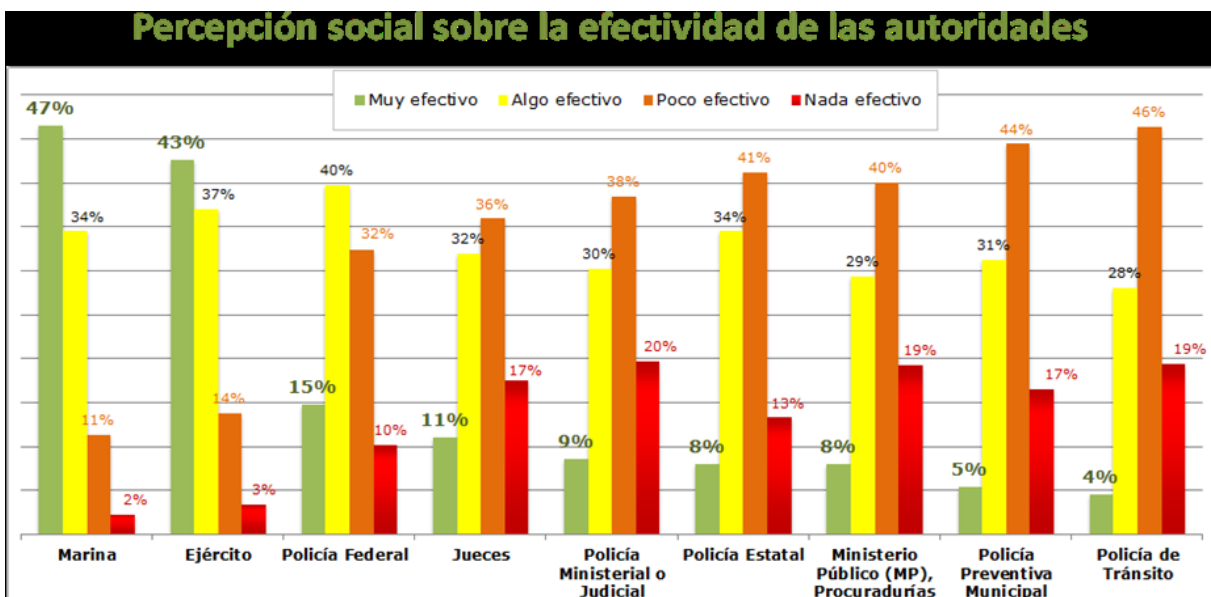


## Historical Perception of Public Security



Sources: INEGI. Encuesta Nacional de Victimización y Percepción sobre Seguridad Pública 2011; ICESI e INEGI. Encuesta Nacional sobre la Inseguridad 2010, 2009 y 2005.

## Society perception viewed effectivity of authorities



Sources: INEGI. Encuesta Nacional de Victimización y Percepción sobre Seguridad Pública 2011; ICESI e INEGI. Encuesta Nacional sobre la Inseguridad 2010, 2009 y 2005.