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Time for an Alternative to Mexico's Drug War

by Jorge Castañeda

If we do not ask why Mexico got into an aggressive fight against the drug cartels, it will be very difficult to understand how to get out of it. A lot of my colleagues in Mexico and the United States say, "Well okay, whatever reasons President Felipe Calderón had for getting into this war, the fact is now we are in it and we have to do something about it." Yes, but it is not an idle exercise to go back and see to what extent this war was declared, more than five years ago, on false premises.

False Premises for Launching the Drug War

First false premise: violence in Mexico had been increasing, and something had to be done about it. Absolutely false. Violence in Mexico had been declining by any indicator, mainly the most important and reliable one: willful homicides per hundred thousand inhabitants. From the early 1990s through 2007, violence in Mexico declined from around 20-odd willful homicides per hundred thousand a year to about 8 per year in 2006 and 2007. That is still higher than the rate in United States, but it is one-third the rate in Brazil, one-tenth of what Colombia saw in its worst years, and one-third of what we have in Mexico today. Violence in Mexico had been declining for 20 years, but then spiked from 2007 onward. The year 2011 saw violence in Mexico reach Brazilian levels.

Second false premise: drug consumption in Mexico had been rising to an alarming level. Mexico had shifted

from being a transit country to a country of consumption. Something had to be done about this. Absolutely false. Mexico has among the lowest rates of consumption of drugs in Latin America—much lower than those of Central America, Brazil, or Colombia—and even lower than those rates of places such as Chile and Uruguay. And the increases, while very significant in purely statistical terms, were from such a low baseline that they were insignificant.

Mexico is not a market for drugs for a very simple reason: you have to be crazy if you are a trafficker selling in Mexico. You've got the biggest, richest market in the world right next door where you can sell your junk. In Mexico, the drug traffickers are not crazy, they are very intelligent, sophisticated businessmen. This is not the case in Bolivia. In Bolivia, you have Brazil, you have Chile, you have other places. If you already got the stuff into Mexico, why in the world would you want to peddle it there if you can peddle it across the border for 10 to 15 times the price? There is no sign of any significant increase in drug consumption in Mexico over the past 15 years. It has remained stable and at very low levels.

Third premise: the drug cartels had become so powerful that they were taking over the country. This is more difficult to gage. How do you know when part of the country has been taken over by drug cartels? Well, probably the only way to know is when you take it back from them, and then you say, this used to be in the hands of the cartels, I'm taking it back, and I have now arrested, or killed, or thrown in jail, not the drug traffickers—those are easy—but the governor, the mayors, the senators, the congressmen, police chiefs, and so on. Well, this has not happened in one single state in Mexico in five years under President Calderón. Not one governor, ex-governor, significant mayor of a signifi-

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cant city, congressman, senator; nobody has been thrown in jail for this type of territorial recapture. Police have been thrown in jail and freed, by the way, but that is a different story. Even in Michoacán, when Calderón arrested 30 mayors in his home state and where the war began five years ago, the authorities had to free the 30 arrested mayors because they had no case against them. So the war was declared on false premises. None of the premises were true.

The Real Reason for Declaring War on the Cartels

So why was the war declared? I think for very simple political reasons. I voted for President Calderón. I called on people to vote for him. I supported his efforts after the elections to take office because I thought he had won, and I thought he won the election cleanly—by 0.56 percent. Granted, this was not a landslide, to put it mildly, but he won the election. I think it was essentially a clean election, but he decided that like many Mexican presidents before him, he had to do something spectacular on taking office, in order to consolidate himself and legitimize himself after a highly questioned and controversial election.

So Calderón decided for political reasons that what he was going to do was send the army into Michoacán and a couple of other states, do the job, and then get out. It did not work out that way. The war against the cartels was declared for political reasons, not for drug-related reasons. This is important because it means that if the premises were false then, they are still false now. And that means that if we change strategies and find an alternative, we do not have to address these causes of the war, we have to address other causes and other effects of the war—for example, the human-rights disaster that has befallen Mexico over the last five years, as documented recently in a report by Human Rights Watch.¹

The Costs

What are the costs? First, we have around 55,000 drug-war-related deaths since Calderón took office. This is more than the number of Americans who died in Vietnam, but in a country with one-third the U.S. population.

Second, we have a human-rights situation in Mexico where the incidents of torture, extrajudicial executions, and forced disappearances have increased exponentially, as documented by Mexican and international watch-dog groups. That is something that the government itself is acknowledging it is trying to fix. The way the Human Rights Watch report was received by Calderón and his cabinet last November shows that the discussion is much more about what to do than whether it is true or not. This is in a country that had huge human-rights problems over the previous 30, 40, or 50 years, but where the human-rights situation had been significantly improving under Presidents Ernesto Zedillo and Vicente Fox, presidents who represented two different parties.

Third, we have suffered a devastation of Mexico's image in the world. For some countries this is more important than for others. For Mexico, a terrible image in the world is a big deal. If you have scenes like the ones you all see on television and newspapers throughout the United

States—of people being beheaded, being hung from bridges, being executed in the streets—and your single-most important employer is the tourism industry, you have an enormous problem.

And finally, money. Mexico is a big country; it is a rich country. Our budget this year will be roughly \$320 billion. By the end of President Calderón's term we'll have spent around \$60 billion fighting drug trafficking, in addition to what we spend normally on security and on the army. That is a significant amount of money for a country of our size.

So if you put all of this together, you can see that the costs of this war have been immense. The positive results are not very clear. For example, eradication and seizures of marijuana and heroin, the drugs we produce in Mexico, are way down. We are seizing significantly less marijuana and heroin today in Mexico than 10 years ago.

On the cocaine front, it is hard to say, because it all comes from the south, from Colombia and Peru basically, through Central America, and to the United States. Apparently there may have been a small drop in the amount of cocaine transiting through Mexico and into the United States. But if there had been a very significant drop, you would see it reflected in the price of cocaine in the streets of New York, or Washington, D.C., and unless somebody knows differently, that price spike has not taken place. There has been a slight increase in price, but no great spike to reflect a tremendous drop of supply over the past five or six years. With regard to crystal meth and other designer drugs, some of which we produce in Mexico with Chinese inputs, there may have been a drop, but the results there are not significant.

What Can Be Done?

What can be done about all of this? First, I think that the army has to be sent back to the barracks and used only exceptionally when there is a very critical situation, with very clear instructions and indications of how many troops will be sent, how long they will be there, and when they will be brought back. The definition of a crisis should be very specific.

Second, we have to build up a national police force. Calderón has made an effort, like Fox before him, but it is insufficient. Today, we've got about 25,000 federal police. This is in a country of a 115 million inhabitants. Colombia has 165,000 full-fledged national police members in a country two-and-a-half times less populated than Mexico. If we wanted to have the equivalent in Mexico, we would need 400,000 boots on the ground of the federal police, given that the municipal police are useless, at best. So we have to go from 22,000–25,000 to 100,000–150,000 federal police very quickly.

This takes a lot of money, some time, and a lot support. We could get the support from all sorts of places, but there is only one place we are actually going to get it. That is in the United States. And we have to think in Mexico very seriously about how we want to do this. Do we want to send 100,000 Mexican police to be trained in the United States, or do we want to have a couple thousand American

advisers training them in Mexico? Politically, it is impossible to have the advisers go to Mexico. Economically, it's impossible to have the Mexican police go to the United States. So what do we do? We have a problem.

We need to concentrate all our efforts, as Mark Kleiman of the University of California at Los Angeles has said, on combating violence and crime—kidnapping, extortion, homicide, theft in homes and of cars, and so on—instead of concentrating on the drug issue.² Drugs do not harm Mexico. Whether they harm Americans or not is an issue Americans have to decide for themselves, as is the issue of how Americans want to combat the harm that drugs do to American society—if indeed they do cause harm. That is a U.S. discussion, it is not our discussion, and it is not our business. It makes absolutely no sense for us to put up 55,000 body bags to stop drugs from entering the United States, which, once they enter the country, are de facto or de jure legally consumed. I congratulate former presidents Fernando Henrique Cardoso (Brazil), Ernesto Zedillo (Mexico) and César Gaviria (Colombia), as well as other colleagues on the Global Commission on Drug Policy, for making this point.³

If we concentrate the resources we have in fighting violence we can bring violence back down to the levels we had in the years 2006–2007, and we can begin to try to address the issue of how to do all of this without encouraging the culture of illegality, which in Mexico has plagued us now for 400–500 years (probably even before the Spanish arrived we were already in trouble on that front, although they made things worse). Which is why I think it is very important that the next Mexican government—and President Calderón has begun putting his toe in the water on this—has to be very clear on the question of drug legalization, starting with marijuana but not necessarily limiting legalization to that drug.

Why push for legalization? Because we cannot do it alone. If the Americans do not do it, we cannot do it. Prices are set in the United States, not in Mexico, so legalizing

just in Mexico will not really reduce the cartels' profits because those come from the illicit business in the United States. If the United States does not legalize, and Mexico does, all we will do is get in trouble with the Americans and not really make a dent in the cartels' finances.

Mexico, together with Colombia, perhaps one day with Brazil and Peru, should make advocacy for legalization in the United States its main task in foreign policy. Mexico today certainly has the moral authority, and President Juan Manuel Santos of Colombia certainly has the moral authority, to come to the United States and say: "Look guys, we did this for 40 years, like you have. We've put up 55,000 bodies, we've spent a fortune, we've destroyed our image in the world, we've knocked down tourism, we have done everything you can humanly do and it doesn't work, so we have to do something else." It is very important, of course, for former presidents with the prestige of Cardoso and his colleagues to do this. But it is even more important for sitting presidents to do so—especially the presidents of Mexico and of Colombia today, who for personal reasons have the prestige to do so.

If we worked along these three lines—combating violence, not drug trafficking; building a national police and pulling the army back; and fighting for legalization, even if we cannot do it overnight with all drugs—we will have the beginning of an alternative policy that can work.

Notes

1. Human Rights Watch, *Neither Rights nor Security: Killings, Torture, and Disappearances in Mexico's "War on Drugs"* (New York: Human Rights Watch, 2011).
2. Mark Kleiman, "Surgical Strikes in the Drug Wars: Smarter Policies for Both Sides of the Border," *Foreign Affairs* 90, no. 5 (September–October 2011): 89–101.
3. Global Commission on Drug Policy, "War on Drugs: Report of the Global Commission on Drug Policy," June 2011, http://www.globalcommissionondrugs.org/wp-content/themes/gcdp_v1/pdf/Global_Commission_Report_English.pdf.

Relevant Publications from the Cato Institute

The Fire Next Door: Mexico's Drug Violence and the Danger to America by Ted Galen Carpenter with a foreword by Vicente Fox Quesada (forthcoming 2012)

"How the War on Drugs Is Destroying Black America," by John McWhorter, *Cato's Letter*, vol. 9, no. 1, Winter 2011

"Undermining Mexico's Dangerous Drug Cartels," by Ted Galen Carpenter, Policy Analysis no. 688, November 15, 2011

"The Budgetary Impact of Ending Drug Prohibition," by Jeffrey A. Miron and Katherine Waldock, White Paper no. 30, September 27, 2010

"Mexico's Failed Drug War," by Jorge Castañeda, Economic Development Bulletin no. 13, May 6, 2010

"The War on Drugs," Chapter 33, *Cato Handbook for Policymakers*, 7th Edition (2009)

"The International Drug War," Chapter 58, *Cato Handbook for Policymakers*, 7th Edition (2009)

“Drug Decriminalization in Portugal: Lessons for Creating Fair and Successful Drug Policies,” by Glenn Greenwald, White Paper, April 2, 2009

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“Overkill: The Rise of Paramilitary Police Raids in America,” by Radley Balko, White Paper, July 17, 2006

“Mexico Is Becoming the Next Colombia,” by Ted Galen Carpenter, Foreign Policy Briefing no. 87, November 15, 2005

“Treating Doctors as Drug Dealers: The DEA’s War on Prescription Painkillers,” by Ronald T. Libby, Policy Analysis no. 545, June 6, 2005

“How the Drug War in Afghanistan Undermines America’s War on Terror,” by Ted Galen Carpenter, Foreign Policy Briefing no. 84, November 10, 2004

Bad Neighbor Policy: Washington’s Futile War on Drugs in Latin America, by Ted Galen Carpenter (2003)

“Deployed in the U.S.A.: The Creeping Militarization of the Home Front,” by Gene Healy, Policy Analysis no. 503, December 17, 2003

“Back Door to Prohibition: The New War on Social Drinking,” by Radley Balko, Policy Analysis no. 501, December 5, 2003

“Cigarette Taxes, Black Markets, and Crime: Lessons from New York’s 50-Year Losing Battle,” by Patrick Fleenor, Policy Analysis no. 468, February 6, 2003

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“Thinking about Drug Legalization,” by James Ostrowski, Policy Analysis no. 121, May 25, 1989

“The U.S. Campaign Against International Narcotics Trafficking: A Cure Worse than the Disease,” by Ted Galen Carpenter, Policy Analysis no. 63, December 9, 1985