Doomed Democracy? Globalization, the War on Drugs, and Mexico’s Endangered Democracy

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I Introduction

This investigation differs substantially from traditional studies of democracy, drugs, or globalization. Typically, research on democracy looks at internal barriers to democratization, such as corruption, military threats, poverty, or maldistribution of income. In contrast, this essay looks at externally generated obstacles, the problems caused by drugs. But, unlike those few studies which examine drugs and democracy by focusing on drug trafficking, this paper targets the war on drugs. Furthermore, the third component of this research project, globalization, is examined with a different twist. Few previous explorations of the relationship between globalization and democracy concentrate on the issue of drugs. However, globalization is the environment which shapes both drug trafficking and the drug war. Thus this paper travels into relatively unexplored but critical waters: problems for democracies caused by the war on drugs within the context of ever-increasing globalization.

The paper begins with the essential task of establishing a strong foundation for analyzing the interaction between globalization, the war on drugs and Mexican democracy. What is meant by democracy? What does globalization encompass? What falls within the scope of “the war on drugs”? How is globalization linked to anti-drug efforts? Uncertainty can undermine any evaluation. Thus, this assessment starts with definitions of key terms and provides an overview of crucial relationships between these concepts.

Next comes the investigation into the actual operations of the war on drugs in Mexico. Special consideration is given to the different actors involved in the policy, the components emphasized by the Mexican government, and the actual methods employed in the war. The paper
also assesses the globalization dimension of the drug war. Then, the analysis examines how the
drug war endangers Mexican democracy. The research is clear: a serious, albeit often
overlooked, threat to Mexican democracy exists. As the pace and scope of globalization
continues to expand, so too does the war on drugs in Mexico. As the war on drugs intensifies, its
damage to Mexican democracy increases. Without a change in policy, the drug war may doom
Mexican democracy before it has a chance to mature. Thus, the essay concludes with an
assessment of the likelihood for a change in the situation.

II Key Concepts and Critical Relationships

Logically, research concerning the interrelationship between globalization, the war on
drugs, and Mexican democracy must define each term. As with any attempt to classify complex
social phenomena, there is disagreement over the exact nature of these three concepts. However,
the definitions utilized here reflect broad areas of agreement among scholars.

The first concept under consideration, globalization, is a recently coined term. The word
begins to arise in theses, dissertations, and working papers in the late 1970s and early 1980s: the
first monographs with globalization in their titles appeared in the late 1980s. As a result of its
novelty, there is no clear, concise, commonly agreed upon definition. Some seek to describe a
process: globalization is seen as “[s]hrinking space, shrinking time and disappearing borders ... linking people’s lives more deeply, more intensely, more immediately than ever before.” (UNDP, 1999: 1) Many definitions give economics a prominent position. For instance, the International Monetary Fund (IMF) states that globalization “refers to the increasing integration of economies around the world, particularly through trade and financial flows.” But, the IMF also notes that “[t]he term sometimes also refers to the movement of people (labor) and knowledge (technology)
across international borders [and there] are also broader cultural, political and environmental dimensions of globalization”. (International Monetary Fund, 2000) For the purposes of this paper, globalization is understood as the compression of time and space, resulting in increased “flows” across borders of goods, services, capital, ideas, and people, contributing to the “vanishing” of borders.

The second central concept is the “war on drugs.” The war was declared on June 17, 1971 by President Richard Nixon, when he named drugs "public enemy number one in the United States" and created the Special Action Office for Drug Abuse Prevention. The war effort was renewed in 1986 when President Reagan signed “The Anti-Drug Abuse Act of 1986", which appropriated $1.7 billion to fight the drug crisis; it also created mandatory minimum penalties for drug offenses. President George H. W. Bush intensified the war in 1990 when he advocated the addition of $1.2 billion to the budget for the drug war, including a 50% increase in military spending. (Frontline, 2000) Overall, the in this paper term “war on drugs” or “drug war” refers to efforts on the part of the United States, either unilaterally or with other governments, to control and/or end drug production, drug trafficking and affiliated crimes (such as money laundering). This essay emphasizes those activities that occur outside of the borders of the United States.

Democracy is the final key term. The volume of material examining the core aspects of democracy and democratization are enormous. However, Dahl (1971) provides a basic framework that many in the field have used as a procedural definition for democracy. As outlined by Dahl (and others subsequently), democracy is best understood as a set of procedures that guide political discourse, structure political institutions, and mandate the rules that govern politics. The
standard “list” of characteristics include:

1. control over government by elected officials;
2. frequent and fair elections;
3. universal adult suffrage;
4. minimal restrictions on candidacy for political office;
5. accessible and varied sources of information;
6. freedom of association; and,
7. freedom of speech

Karl & Schmitter (1993) developed two additional characteristics of a democratic polity which are crucial; these were articulated in order to distinguish between democracies and political “electionism”. In a democracy:

8. there is no veto power over elected officials’ decisions by unelected officials; and,
9. the polity must be self-governing: they are “able to act independently of constraints imposed by some other overarching political system” (Schmitter and Karl, 1993: 45)

These added attributes make national sovereignty part of the definition of democracy, which is a key consideration in the paper.

A brief overview of the critical relationships and links examined in the paper is necessary before proceeding with the analysis. What is the general connection between globalization and the war on drugs? How does the war on drugs influence democracy? The paper offers the generic links between these concepts before diving into their specific manifestations in the case of
Mexico.

Research, as well as common sense, clearly suggests that globalization facilitates drug production and drug trafficking. Drugs are a commodity: they, like other commodities, benefit from increased economic flows. The illegal status of drugs means that “vanishing” borders—the spatial embodiment of state regulations—are particularly beneficial. (See, for instance, Payne, 1996) Even the government of Mexico notes the connection between globalization and drug trafficking: “Narcotrafficking organizations have not remained outside of the phenomena [of globalization] and have globalized their activities.”¹ (Procuraduría General de la República, 2000: 15)

Not surprisingly, globalization influences the war on drugs as well. Numerous examples of extra-territorial extension of political regulations and policies have taken place all over the globe: usually strong countries, driven by the consequences of economic globalization, seek to influence the policy and/or laws of weaker countries to address concerns. (Hudson, 1998) In the realm of drugs, increased flows of drugs attract the attention of law enforcement; this often results into an increase in the scope and intensity of the drug war. Therefore, if globalization facilitates drug trafficking, a by-product of this is a larger war on drugs. But the connection between globalization and the drug war is even more direct. Cross-border actions and bilateral investigations are manifestations of globalization. The compression of time and space makes these anti-drug efforts easier due to stronger and more extensive ties, as well as improved technology. Also, as economies become more intertwined -- due to globalization -- the pressure one country can exert on another to pursue its policy concerns may increase.

¹ Translated from Spanish by author of this paper.
Overall, globalization enhances both “sides” of the drug problem equation. Drug trafficking is easier, but so too is cooperation across borders. This translates into a spiraling situation whereby globalization feeds a never-ending dynamic between the drug trade and the drug war.

A critical concern of this analysis is the link between the war on drugs and democracy. In general, a “war” by a state against its own sovereign citizens appears anti-democratic in theory; the rhetoric of the policy suggests an antagonistic and exclusionary undertone at odds with the basic philosophy of democracy. For instance, freedom of speech and association are often threatened during war, under the justification of “national security”. The actual application of the drug war policies in countries around the world indicates that the war on drugs is also anti-democratic in practice. For instance, the military commonly plays a major role in anti-drug efforts. An increased role for the military in domestic affairs can threaten control over the government by elected officials or lead to the creation of a veto power over elected officials’ decisions. The application of drug war policies has also been associated with increased human rights violations, thereby diminishing of the character of democracy. Finally, the major role typically played by the US in the drug war in other countries suggests a diluted quality of national sovereignty, which also jeopardizes democracy. In general, the war on drugs has been detrimental to democracy in several countries. (See NACLA Report, July/August 2001) This paper now shifts to an analysis of the Mexican drug war, in order to assess whether this same pattern is emerging and endangering democracy in Mexico.
III The War on Drugs in Mexico

Interestingly, the first salvos of the US war on drugs in Mexico predate President Nixon’s public declaration in 1971. In September, 1969, the United States launched Operation Intercept. In an effort to reduce drug (marijuana) trafficking, the US Customs Service subjected every vehicle crossing the border from Mexico to a three-minute inspection. The operation lasted two weeks; it had negative consequences for both the US and Mexican economy. Under pressure from Operation Intercept, the government of Mexico agreed to engage in drug interdiction and crop eradication. However, there was no discernible impact on the flow of marijuana into U.S. (Frontline, 2000) Thus, the initial drug war efforts of the US and Mexico proved to be unsuccessful. This did not deter the United States from continuing to make drugs a major component of the bilateral relationship.

Today, the scope and depth of the war on drugs in Mexico is exponentially larger than that of the Operation Intercept era. It is led by both Mexicans and US personnel working both in the United States and in Mexico. This proliferation has occurred on both sides of the border; at times it almost seems easier to determine who does not have a role in the war rather than enumerate all who do have some part to play.

The Mexican Drug Warriors

The drug war in Mexico involves personnel across several national bureaucracies, as well as state and local agencies. The National Security Advisor to the President (Adolfo Aguilar Zinser, at present) and the Center for Investigation and National Security (CISEN) coordinate overall policy in the counternarcotics arena. (CISEN, 2001) The dominant law enforcement agency is the Attorney General’s Office of Mexico (Procuraduría General de la República - PGR).
Under the administrative control of the PGR are several units:

- **Special Prosecutor for Crimes Against Health**—viewed by many as the equivalent of the Drug Enforcement Agency, this office houses the Bilateral Task Forces, which are charged with investigation—in conjunction with US law enforcement—the most significant drug organizations operating across the Mexican-US border;

- **Special Prosecutor for Organized Crime** - a newly created division that oversees its own drug police unit made up of 117 members each “rigorously vetted by both nations” (Weiner, 2001);

- **Special Unit for the Investigation of Money Laundering**—devised to develop special techniques and expertise in financial crimes linked to drug trafficking; and,

- **Deputy Attorney General for Legal and International Affairs**—the office which oversees extradition, as well as the implementation of international agreements and accords.

The current President of Mexico, Vicente Fox, created a new ministry, the Secretariat of Public Security. Under the Secretariat’s authority are two groups that are also involved in the drug war:

- **Federal Preventive Police (PFP)** - a national organization, similar to the FBI, charged with providing intelligence and assistance to law enforcement (as well as conducting its own investigations), especially in the area of drug trafficking; and,
• Deputy Secretary for Public Safety—an administrative unit transferred from the Interior (Gobernación) Ministry, that will oversee the strategy of the ministry for crime prevention as well as investigation and prosecution.

Mexico has experienced a “militarization” of its counternarcotics efforts, falling into a drug war pattern seen in the United States and other countries. All branches of the Mexican military are involved all aspects of the war on drugs. The Army and Navy engage in eradication; the Army and the Air Force work to locate drug production and processing sites; and, the Army and Navy are key in interdiction programs. Indeed, the Secretariat of National Defense (SEDENA) has an on-going operation entitled the “Permanent Campaign Against Drug Trafficking” (Campaña Permanente contra el Narcotráfico).

There are numerous other Mexican government organizations involved in combating drugs. The Secretariats of the Interior (Gobernación), Treasury and Public Credit (Hacienda y Crédito Público), Commerce and Industrial Development (Comercio y Fomento Industrial), Communication and Transportation (Comunicaciones y Transportes), and Foreign Relations (Relaciones Exteriores) all have official duties related to the prevention and control of the sale of drugs. For instance, the Secretariat of Commerce works with money laundering investigations. Commerce is associated with efforts to control the manufacturing of illegal pharmaceuticals and chemicals needed for drug processing. The Secretariat of Communication and Transportation is responsible for aiding the drug war with timely information about ground, sea, and air shipments into and out of Mexico that are suspicious in nature. These are only a few of the obligations to the drug war officially required of the institutions. (Procuraduría General de la República, 2001a)

The US Drug Warriors
Almost as many US institutions are involved in the drug war in Mexico as Mexican institutions. According to a US General Accounting Office (GAO) 1998 report, “more than 20 federal or federally funded organizations, spread across 5 cabinet-level departments and 2 cabinet-level organizations, have a principal role in collecting and/or producing counterdrug intelligence.”

(2) Even more institutions are connected to the effort if the measure includes law enforcement and judicial activity along with intelligence gathering. In general, much of the drug war effort of the Government of Mexico is originated by, guided by, and linked to the United States.

Given the essentially bilateral nature of the war on drugs, there is a great need for coordination and information exchange. The most senior group engaged in this work is the High-Level Contact Group. The primary members of this group are the US Director of the Office of National Drug Control Policy (the Drug Czar), the US Attorney General, the Mexican Attorney General, and the Mexican Foreign Minister. The High-Level Contact Group can authorize “working groups” made up of designated personnel to coordinate specific policy. For example, there is a US/Mexico Interdiction Working Group with members from the US Coast Guard, the Mexican Navy, and others. Another is the Working Group on Money Laundering. The goal of the High Level Contact Group and its associated Working Groups are increased coordination, joint training, and policy “harmonization”. (Office of National Drug Control Policy, 1999)

As noted by the GAO, the Drug Enforcement Agency (DEA) “is the principal US agency for drug investigation and drug intelligence coordination in Mexico.” (United States General Accounting Office, 1999: 149) The DEA presence in Mexico is sizeable; there are more DEA offices in Mexico than in any other country in the world. At present, the DEA operates 78
foreign offices—and more than 10% of them (8) are located in Mexico. The main “country office” is situated in Mexico City. Seven resident offices are spread throughout the country (Tijuana, Ciudad Juarez, Hermosillo, Monterrey, Mazatlán, Guadalajara, and Merida). In 1998 (last available data), the Mexican offices had 88 DEA staff, of which 45 were special agents. Furthermore, the DEA offices had representatives from the FBI and the Department of Defense assigned to them. (GAO, 1999: 149)

Another element of the DEA organization with links to Mexico is the El Paso Intelligence Center (EPIC). This institution “concentrates primarily on drug movement and immigration violations.... [with a broad focus that includes] all of the United States and the Western Hemisphere where drug and alien movements are directed toward the United States.” (DEA, 2001). The staff at this DEA-led center has over 300 analysts, agents, and support personnel, including liaisons with the Mexican government.

Working in conjunction with EPIC, and sharing its emphasis on the US-Mexican border is the administrative unit known as the Southwest Border Initiative. This is a multi-agency organization composed of personnel from five cabinet-level US federal government departments - Treasury, Justice, Transportation, State, and Defense. The Border Initiative coordinates activity between these groups in connection with drug-control along the Southwest border with Mexico. The Initiative encourages collaboration in six drug-control related areas: drug interdiction, money laundering, drug enforcement, prosecutions, counternarcotic support, and counternarcotic cooperation with Mexico.

Another major component in the joint US-Mexico war on drugs is the US Department of State. The State Department has a Bureau for International Narcotics and Law Enforcement
Affairs, primarily organized around Country Programs. The Mexican program, while not the largest, is important. Its funding has increased from $4 million (FY 2000) to $10 million (FY 2001 -estimate). The Department of State program focuses on judicial sector training, law enforcement activities, and anti-money laundering projects. (Department of State, 2001)

Beginning in 1989, the Department of Defense became the lead U.S. agency responsible for detecting and monitoring illegal drugs entering the United States by air or sea. Initial authorization permitted the use of funds for drug-interdiction operations, such as radar sites, surveillance flights and intelligence-gathering. In 1991, the National Defense Authorization Act enhanced the military’s role in counter-narcotics. It allowed the Pentagon to provide specific types of support to domestic U.S. law-enforcement agencies, and -- unlike previous law -- permitted some assistance and training for foreign security forces. Under current law, the US military is authorized to pay for military training of foreign police forces, an activity that the Foreign Assistance Act -- a separate law governing most military security-assistance programs -- did not authorize for anti-drug purposes. Types of support allowed for counternarcotics efforts by the US military include: maintenance, repair and upgrading of equipment; transport of U.S. and foreign personnel and supplies; establishment and operation of bases of operation and training; training of foreign law enforcement personnel; detection and monitoring; construction to block drug smuggling across U.S. borders; communication networks; linguistic and intelligence services; and, aerial and ground reconnaissance. Counternarcotics expenditures are large when compared with many other programs that provide assistance to Latin American security forces. Furthermore, no legal conditions prohibit a country from receiving assistance under the authorizing legislation. Thus, there is no linkage between access to assistance and support for
Focus of the War on Drugs in Mexico

The emphasis of the drug war in Mexico has been on the supply of drugs. Budget reports indicate that Mexico spends 30 times more on controlling the production, processing, and trafficking of drugs than on consumption/demand policy. (Quezada, 2001) Domestic drug consumption is not regarded as a large problem in Mexico (see, for instance, Programa Nacional para el Control de Drogas, 1995-2000). In general, the main purpose of drug war is to “intercept the rivers of drugs flowing uncontrollably toward the veins, noses, lungs, and brains of Americans.” Therefore, it can be argued that “the general guidelines of the [drug war] policy come from the neighboring country,” the United States. (Quezada, 2000) In its efforts to control the supply of drugs, the Mexican government concentrates on the following policies: eradication of drug crops and drug processing labs; the prosecution of organized cartels/crime groups/kingpins; interdiction; money laundering; extradition; and improvement in Mexican law enforcement capabilities and institutions.

The War on Drugs in Mexico

Most of the drug war policies adopted by Mexico rely upon collaboration and cooperation between the United States and Mexico. The different aspects of the war are pursued through joint operations (or even solo US operations) in intelligence gathering, combined US-Mexican investigations that lead to arrests, prosecutions and requests for extraditions, as well as training by United States officials of Mexican officials in law enforcement and judicial branch. Furthermore,
confidence building between the two partners occurs through “the vetting” of Mexican agents assigned to joint operations.(Weiner, 2001) Furthermore, the US has encouraged harmonization of policies, usually to conform with existing statutes in the US. For example, Mexico adopted asset forfeiture laws that mirror those of the US; and, the promulgation of the Mexican the Federal Law Against Organized Crime, created similar standards to the US in order to ease the exchange of evidence between the two countries.(US/Mexico Bi-National Cooperation, 2001) When discussing the implementation of the drug war in Mexico, the role of the United States in any area is noted. And, as the review illustrates, the United States is involved in EVERY aspect of counternarcotics policy.

**Eradication**

Mexico is a world leader in eradication. United Nations data from 2000 indicates that Mexico has consistently been a leader in eradication of opium/poppy (i.e., 15,717 hectares in 2000 as compared to 9,279 hectares in the next highest country, Colombia). Furthermore, it is the only country that reports sizeable cannabis eradication to the UN: 31,046 hectares in 2000 33,569 hectares in 1999. (United Nations Office for Drug Control and Crime Prevention, 2001: 72). The military plays a major role in this policy. A *daily average* of 25,000 Army soldiers and 2,625 sailors participate in crop eradication. Crops are destroyed manually, by burning, and through use of pesticides. Between January 1, 2001 and August 19, 2001, the Mexican military was responsible for the eradication of 15,527 hectares of illicit drugs; an almost even split between marijuana and poppy plants.(Secretaria de Defensa Nacional, 2001) US Defense Department equipment aid to Mexico facilitates the eradication program; helicopters and aircraft (as well as spare parts) from the United States military provide the means for search and identify drug crops
for destruction.

**Targeting Criminal Organizations**

Following the “kingpin” strategy employed by the DEA domestically, the bilateral counternarcotics effort has begun to focus on large criminal organizations and their leaders (kingpins) in Mexico. Since 1995, the law enforcement agencies in both the United States and Mexico (such as the DEA, the FBI, the Customs Service, the Mexican Attorney Generals Office, and the Special Prosecutor for Crimes Against Health) have created specific mechanisms of cooperation and collaboration for “the development and exchange of intelligence; the development of coordinated investigations; the attack on organizations and the arrest of its members; and collaboration in prosecuting criminal cases.” (US/Mexico Bi-National Cooperation, 2001) Recent operations that reflect the bilateral targeting of criminal organizations and their leaders include Operation Millennium, Operation Tar Pit, and Operation Impunity II. Operation Millennium focused on Alejandro Bernal-Madrigal, a Colombian who shipped cocaine through Mexico to the United States. The US-led operation relied upon and coordinated the efforts of the Mexican and Colombian governments. Operation Tar Pit concentrated on a Mexican heroin transportation and trafficking organization located in Tepic, Mayarit, Mexico. The coordinated investigation utilized electronic surveillance, wire-tapping, and other actions in both countries that resulted in the arrest of Mexican and US citizens in both Mexico and the United States. Operation Impunity II concentrated on a drug organization that operated in the United States but was controlled by bosses residing in Mexico. Much of the evidence was developed by US law enforcement, leading to requests for the extradition of eight Mexican nationals. (Marshall, 2001)
Interdiction

Mexican policy to stop land, sea, and air drug traffic depends upon efforts by federal, state, and local law enforcement agencies and—to a great degree--the Mexican military. The Mexican Army conducts land-based interdiction, such as the searching of trains and trucks. State and federal police also stop land-based transportation, typically based on counternarcotics intelligence from Mexican and/or US law enforcement. For maritime and aerial interdiction, the military is used almost exclusively by the Mexican government. Working to improve its interdiction capabilities, the Mexican government purchased (in 1999) “state-of-the-art detection equipment,” 73 Cessna airplanes, 5 other types of airplanes, and 40 high-speed boats. (US/Mexico Bi-National Cooperation and Way, 1999, respectively)

All the activity by the Mexican government does not mean that the US is not involved in interdiction. On the contrary, several US agencies work with Mexico to stop the flow of drugs into the US. The Coast Guard is very active in maritime interdiction. The DEA (often via EPIC or other intelligence operations) also aids air interdiction. Of course, the US military is very active in interdiction; it has been designated by the US government at the organization with primary responsibility for air and maritime interdiction. And, the US Customs Service engages in interdiction activity. For example, US Customs’ Operation Halcon monitors and tracks suspicious drug flights in Mexico heading north to the United States. Customs “has two C-550 jets stationed in [Mexico], one in Hermosillo, and the other in Monterrey.” (United States Senate, 2001)

Thus, a multitude of Mexican and US organizations interdict drug traffic. As a result, the
two government sought to “improve the permanent mechanism of information exchange” about interdiction. Towards this end, liaison offices have been established for the Mexican Attorney General’s Office at the Air and Maritime Interdiction Coordination Center of the U.S. Customs Service in California. Liaison offices between the Mexican Attorney General and the US Defense Department are also being established through the Joint Interagency Task Force-East and Joint Interagency Task Force—West, each of which is in charge of coordinating the U.S. interdiction agencies in the Caribbean and the Pacific, respectively. (US/Mexico Bi-National Cooperation, 2001) Direct links are also being forged between the US Defense Department and the Mexican Defense Department: “the Mexican military has been more open than at any time in recent memory and has pressed for expanded cooperation in overland interdiction and increased [United States Government]-funded training.” (US Department of State, 2001)

**Money Laundering**

In May 1996, money laundering was made a criminal offense in Mexico. Previously, it had been a tax offense, punishable by a fine. Subsequent to the passage of this legislation, the two countries have emphasized coordination in anti-money laundering investigations between the United States and Mexico (since laundering usually occurs from the US into Mexico). Cooperation has been manifested through, among other things, the exchange and sharing of information contained in Currency Transaction Reports and Suspicious Activity Reports; from simultaneous investigations in accordance with existing bilateral agreements; and through coordinated investigations in accordance with the Mutual Legal Assistance Treaty (MLAT). The Mexican government changed its statutes so that a cash transaction of US$10,000 would require documentation; this amount is identical to US regulations. In terms of practical implementation,
the US and Mexican governments initiated 16 simultaneous investigations in between 1998 and 1999 (latest data available). Simultaneous investigations are carried out by both the US Treasury and the Mexican Treasury working together. (US/Mexican Bi-National Cooperation)

**Extraditions**

Historically, extradition has NOT been a key component of the Mexican drug war. Indeed, “in the first 15 years after the Extradition Treaty (1980–1994) came into force, Mexico extradited a total of eight people to the United States.” (US/Mexico Bi-National Cooperation, 2001). Yet, from the perspective of the United States, extradition to the United States is critical. As a DEA administrator viewed the situation: “extradition ... breaks the cycle of intimidation and bribery and corruption, and the ability of those drug traffickers to continue essentially to run their drug operations from prison cells.”(United States Senate, 2001) The unceasing drive by the US to increase extradition from Mexico has resulted in changes. In the five years between 1995 and 2000, 86 individuals were extradited to the United States. A Mexican Supreme Court decision in January, 2001 ruled that the extradition of Mexican nationals sought by the United States for legal proceeding was permissible. This makes permanent (and legal) a decision by the Mexican executive branch in the late 1990s to extradite Mexican nations under “exceptional circumstances”(Reforma, January 19, 2001) While only eleven Mexican nationals were handed over to the United States between 1995 and 2000, the Mexican Supreme Court ruling should lead to a greater volume.

**Asset Forfeiture**

A relatively new tactic in the Mexican drug war (adopted November 1996), the asset forfeiture policy—borrowed from the United States—has grown over the years. Through recent
money laundering investigations, the PGR seized 70 properties, including bank accounts, 20 companies and six aircraft. Last year the government the Mexican government seized numerous properties amounting to over 8 million U.S. dollars. Furthermore, joint operations between the United States Custom Service and Mexico led to the seizure of more than 20 aircrafts. These assets were shared, according to the protocol adopted by the two countries for asset forfeiture seizures in combined operations. (US Department of State, 2001 and US/Mexico Bi-National Cooperation)

Improving Mexican Counternarcotics Efforts

A variety of programs, initiatives, and exchanges between the United States and Mexico concentrate on improving Mexican drug war activities. For instance, in 2000, “approximately 4,000 students participated in at least 122 U.S. sponsored courses offered through Mexican law enforcement training institutions.” There were also three Binational Training Seminars, “where prosecutors and police officers from both countries participated ... [and learned about] the similarities and differences of the Mexican and U.S. legal systems regarding several matters, such as investigation techniques, combating organized crime, legal wire-tapping, as well as the seizure and forfeiture of assets, among others.” (US Department of State, 2001) The Justice Department of Justice’s International Criminal Investigation Training Assistance Program and Overseas Prosecutorial Development Assistance and Training Program have been utilized by the Mexican Attorney General’s Office to improve investigative techniques, legal specializations, and other areas of advanced training. The Internal Revenue Service and the US Customs Service provided courses on suspicious transactions to help train Mexican government personnel in money laundering investigations. In general, every facet of the war on drugs in Mexico has a training
component, led by the United States.

The War on Drugs and Globalization

As noted earlier, drug trafficking thrives under globalization. This phenomena has been witnessed in Latin America, especially in Colombia and Mexico. As the Organization of American States notes:

Drug trafficking, as an expression of organized crime ... has been transformed and grown more sophisticated, through the use of the main instruments of globalization, such as instant communications, electronic funds transfers, the Internet, and the latest technologies and increased ability to obtain confidential information. Today the same resources and modalities used for international commerce in goods and services are employed by international criminal organizations to traffic in illicit drugs, controlled chemical substances, and firearms.” (Organization of American States, 2001)

The framework that facilitates drug trafficking–increased flows of goods, capital, and people–is especially evident in the interaction between the United States and Mexico. The Customs Service reported that in fiscal year 2000 “293 million people, 89 million automobiles, and 4.5 million trucks crossed the Southwest border [between the US and Mexico].” (Varrone, 2001) This solely counts legal, openly-recorded border flows: illegal transactions occurred as well, increasing the degree of cross-border interaction. The implications for drug trafficking are obvious. As one official put it: “the more trade, the more trucks, the more cars, the more people you have crossing that border, the more opportunities you have for drug smuggling.” (United States Senate, 2001)

By creating more opportunity, globalization makes the drug trafficking easier between the United States and Mexico. Easier trafficking translates into more difficulty in pursuing the drug war.

At the same time, globalization also stimulates the war on drugs in Mexico. The high-level contact group and its allied working groups are manifestations of the globalization of public
policy and political regulation. Policy harmonization, expressed through the adoption of similar assets forfeiture laws or common procedures for evidence in organized crime prosecutions, is another element of globalization. The extradition of Mexican nationals tangibly represents the fluid borders described by globalization theory. The vanishing borders of globalization are almost fully realized by the many coordinated aspects of the war on drugs: during joint US-Mexican operations—when US agents engaged in law enforcement inside of Mexico—the borders between the two cease to exist. Finally, as the review of the drug war illustrated, almost every aspect of the drug war in Mexico is touched by the US: this demonstrates extensive, continual globalization on par with the flow of goods, services, and people that physically cross the border every day.

Thus, globalization is central to understanding the dynamics of the drug trade and the war on drugs. Without globalization, drug trafficking would be more difficult. Similarly, without globalization, the drug war would be more disjointed. Both the cause of the war and the response are conditioned by globalization. Yet, since the same phenomena fuels both parts, globalization does not provide a decisive, winning edge to either. In essence, globalization contributes to the perpetuation of the cycle.

How the War Endangers Democracy

The drug war in Mexico raises profound concerns for the future of Mexican democracy. In particular, four areas generate alarm: the militarization of the drug war, leading to greater power of the military; problems with state violations of human rights, especially arbitrary detention; the loss of sovereignty; and the violence and corruption generated by the illegal status
of drugs. Analysts must ask themselves: does South America foreshadow the future of Mexico? The war on drugs in Peru, Bolivia, and Colombia resulted in many human rights violations and damage to/destruction of democracy in those countries. While a full-blown civil war (like in Colombia) may not erupt in Mexico, grave concerns about the depth and durability of Mexican democracy emerge when the experiences of South American countries are considered. We must seriously consider how dangerous the drug war is to Mexican democracy.

Evidence from the current situation in Mexico reveals a key role for the Mexican military in drug war. In general, any expansion and strengthening of the military into the domestic arena is troublesome for democracy. A cornerstone of democracy (as noted about) is the ultimate authority of elected officials. Military officials, as unelected leaders of armed organizations, must be carefully scrutinized. Historically, the greatest threat posed to Latin American democracies has come from their own militaries. One of the greatest accomplishments of Mexico in the post-Revolutionary period was the establishment of civilian control over the military. However, the expansion of the Mexican military into domestic law enforcement must raise concerns about the long-term ability of the civilian, elected government to maintain a check on this institution.

The war on drugs emphasizes a law enforcement approach to the issue. Adopting such an enforcement focus, though, may not be in the best interest of Mexican democracy. According to the Mexican government’s own Commission for Human Rights, the single greatest source of human rights violations by the state of its citizens in Mexico today is arbitrary detention. Documents from the Human Rights office make clear that these are not political detentions but rather abuse of law enforcement authority for personal gain. Any policy that prioritizes law
enforcement and incarceration—as the drug war does—leads to more opportunity for abuse and misuse of power (Comisión Nacional para los Derechos Humanos, 2001)

Attacks on national sovereignty create another area of concern for the health of Mexico’s democracy. Sovereignty is a vital component of any democracy polity: control of the government by elected officials is meaningless if the government is not sovereign. Evidence from the on-going situation already suggests a diminished quality to Mexican sovereignty. Current practices, such as the interrogation of a Mexican national in Mexico by a DEA agent and a FBI agent, without the presence of Mexican law enforcement (as discussed by William E. Ledwith in Congressional testimony) indicate an erosion of sovereignty. Proposals put forward by the United States to further the drug war implies a push for continued deterioration of national borders and national sovereignty in the name of the war on drugs. The US “wish list” of changes in Mexican policy include the forward basing of US ships and planes in Mexico and the ability of US law enforcement to carry firearms in Mexico. (Mica, 2000) If Mexican public policy answers to the needs and concerns of the US, it is not fully democratic: citizens in Mexico do not have the right to elect US officials who are—through control over the drug war—directing Mexican politics.

Typically the first danger to democracy identified when considering drugs is violence and corruption linked to the drug trafficking. Even a cursory perusal of Mexican newspapers, speeches, and commentary reveal the tremendous impact of drug-related chaos and graft on Mexico. Often, though, such analyses fail to note that it is not the trafficking in drugs per se that results in brutality and abuse of power. Rather, it is the illegality of these substances that leads to mayhem and bribery. Thus, the war on drugs (especially when organized around a punitive approach to drug use) causes violence and corruption.
IV Conclusion: Doomed Democracy?

The dangers to Mexican democracy from the drug war are real. The best scenario would be for an end to the war. Thus, the likelihood of a change in the situation must be assessed. Either globalization, which furthers both drug trafficking and the drug war, must change or the “war” strategy must change.

It is unlikely that the basic features of globalization will change in the short-term. Globalization enjoys the support of dominant world powers that use their positions, resources, and prestige to further the objective of globalization. Likewise, inertia and existing links make a transformation in the path of global development improbable. However, even if a general “slowing down” of globalization around the world occurred, it is unlikely to translate into distance or decreased links between the United States and Mexico. Thus, cross border flows (of both drugs and anti-drug “warriors”, committees, machinery, and such) will probably increase rather than decrease over time.

Since globalization is not apt to change, can we expect to see a transformation in the drug war approach? Such a shift in the strategy articulated and pushed by the United States onto other countries could arise from two sources: victory in drug war or conversion of the US approach. The likelihood of victory is non-existent. Most serious policy analyses emphasize that a “war” approach which targets supply without significantly influencing demand CANNOT win. Data indicates that expenditures in every category of the drug war have increased, and drug sentencing as been “vigorously” and “heavy-handed” by any measure. For instance, there have been an increased number of convictions: Department of Justice reports in August 2001 that “the number of defendants charged with a drug crime was 29,306, up from 11,854 in 1984. Almost 90% of
defendants were convicted, the vast majority for drug trafficking.” (The Lindesmith Center, 2001) At the same time, UN data shows that prices for opium/pothey and coca have decreased greatly, indicative of a boom in the drug trade. (United Nations Office for Drug Control and Crime Prevention, 2001) Thus, thirty years of a drug war have not led to victory—and there is not even a glimmer of light at the end of the tunnel.

Given this three decade long failure, is it conceivable that the war emphasis will be replaced? While there are some “rumblings” within the United States concerning policy (mandatory minimums; medical marijuana; “sensible drug policy” and harm reduction movements), these remain minor, at present. The Bush Administration continues with the “warrior” approach.

However, even if a policy change occurred, the emphasis on change has been on laws **within** the United States. Indeed, little attention has been placed on the foreign policy dimension of the war on drugs. And, internal change does not definitely create an external change. A case from the Cold War stands as a stark lesson: the end of McCarthyism within the United States did not translate into more tolerance for “deviant” political ideologies outside of the United States. Thus, the following scenario emerges as a possibility: decriminalization of some drug use within the United States with continued support for drug production control and interdiction efforts in other countries. Given the current direction of US policy and the past history of the United States, the chances for change in the situation of Mexico and the globalization-drug war dynamic seem slender at best.

**Implications for Mexican Democracy?**

Continuation of the war on drugs presents serious problems for Mexico’s young
democracy. The policy endangers the regime on numerous fronts. As discussed above, the actual implementation of current practices erodes national sovereignty, which weakens the democratic state. And, the increased opportunity for abuse of power (arbitrary arrest, for example) hurts democracy. More subtly, the drug war undermines public support for the government, thereby also damaging public support for democracy. Limited expenditures are spent on drug eradication and interdiction; this means less money for other pressing problems. For instance, “The National Public Safety System invested approximately $1 billion U.S. dollars in both state and federal law enforcement agencies in 2000.” (US Department of State, 2000) While not all of the expenditure went to fight the drug war, a sizeable percentage did. Research on democratization recognizes that making tangible improvements in people’s lives is critical for the success for a regime. Diversion of scarce Mexican resources to projects that matter more to the United States than the domestic population creates damaging attitudes about the government; furthermore, it postpones spending on domestic problems (poverty, for instance) detrimental to democracy. Overall, the war on drugs raises concern about the legitimacy of Mexican democracy: would a government of the Mexican people, by the Mexican people and for the Mexican people really pursue the war on drugs? Regimes that lose legitimacy lose political power.

“Doomed” may be an overstatement about the current situation in Mexico. Yet, the threats to Mexican democracy are substantial, and the downward trend is clear. The war on drugs has a corrosive effect. By diverting scarce resources, compromising national sovereignty, encouraging violence and corruption, strengthening the military, and increasing the opportunity for abuse of power, the war on drugs endangers Mexican democracy.
Citations


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