

Are Mexican Drug Cartels Transnational?

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KANE BAGULEY, AUG 18 2013

To What Extent are Mexican Cartels Transnational, Organised & Criminal?

This paper will examine the extent to which Mexican cartels (MCs) are transnational, organised and criminal, as defined by the United Nations (UN) Convention Against Transnational Organised Crime (TOC) (United Nations, 2004). Academic definitions of TOC vary; for instance, Hagan traces key traits throughout academia, and common denominators include: hierarchy, profit, illicit activity & violence (Hagan, 2006). To reach a conclusion on the matter, this paper will examine the MCs' activities and their effect on these categories dismissing popular preconceptions, for example those pertaining to the organisation of drug traffickers. The study of MCs has become paramount in the 21st century, with cartels responsible for 90% of the US cocaine market, 1,000s of murders per annum, & due to their march north into the US (Cook, 2007; Stevenson, 2011; Rivait & Johnson, 2013). I will first explain the context in which these cartels operate followed by sections investigating their transnationality, organisation and criminality.

The culture in Mexico is central to the cartels' rise and their ability to remain a power within the state. There is a strong distrust of strangers in Mexico, with cartels & politicians preferring to trust family; a similar culture exists in Sicily, allowing the Mafia to thrive (Abadinsky, 2013: 147). This family basis makes infiltration into the cartels difficult and informants rare. With politicians following the same practice, the MCs only need a few corrupt officials to form a network of allies. Perhaps surprisingly, the Mexican populace treats the cartels with reverence, and ballads and folklore tales celebrate drug trafficking & violence (Edberg, 2011). 'Gangster' culture is celebrated through Mexico with traffickers seen as great outlaws who defy the state; rags-to-riches stories are told of the poor boy turned narco-kingpin. MCs celebrate this culture themselves; one trafficker was seen with a Scarface poster framed inside his cell (Grillo, 2013: 171-172).

The primary difference between MCs and other organised crime groups, such as the Mafia, is their lack of focus on territory – at least for extortion purposes. Rather, they desire to control transportation routes and hubs; Abadinsky argues this makes them “enterprise syndicates” (2013: 154). This concentration on transport routes displays the transnational nature of MCs. These transit points usually link Mexico with Latin American, drug producing nations such as Columbia, and the US, to which the majority of drugs are smuggled (Rivait & Johnson, 2013). Mexico became the main cocaine transit point in the 1980s following a crackdown on the Columbian cartels. Before this, the MCs were primarily an intermediary and as such were smaller, less organised and less powerful groups.

As well as cocaine, the MCs are a key producer of marijuana and methamphetamines, which are demanded as far away as Asia. 450,000 Mexicans now rely on drug trafficking as a significant source of income, with it providing around 4% of the Mexican gross domestic product – 40 billion dollars (Shirk, 2011: 7; Tuckman, 2009; Rivait & Johnson, 2013). In 2009, the US National Drug Intelligence Center (NDIC) called MCs “the greatest drug trafficking threat to the US”, claiming “they control most of the US drug market and have established varied transportation routes ... and strong affiliations with gangs in the United States” (National Drug Intelligence Center, 2009: 45). In their 2011 report, the NDIC reported Mexican TOCs “are solidifying their dominance of the US ... and will maintain their reign for the foreseeable future” (National Drug Intelligence Center, 2011: 7). Along with the movement of drugs to the US, the cartels themselves are moving north; they are now active in over 1,000 US cities (National Drug Intelligence Center, 2011: 8; Rivait & Johnson, 2013). This presence in the US, particularly in border states, is partially used for gun smuggling too. 90% of guns seized in Mexico, including high-powered semi-automatic rifles,

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originated in the US. Borders are now seen as having “increasingly limited protective capacity”; Aas claims that this is the dark side of globalisation (Aas, 2007: 120; O’Neil, 2009). Many argue that the North American Free Trade Agreement, another effect of globalisation, has made it easier for the cartels to move both narcotics and weapons across the border (Grim, 2009).

Organisation is paramount to the MCs survival. They moved away from the traditional hierarchical structure such as that used by businesses and adopted a cell structure similar to terrorist groups like Al-Qaeda (Gerges, 2011: 37). This decreases the chance of detection and apprehension, due to each small cell being unaware of others – thus preventing situations such as the Maxi Trials, which offered a “deadly challenge” to the Sicilian Mafia (Dickie, 2007: 402). The cell structure also leads to a neat division of labour and increases the groups’ flexibility (Abadinsky, 2013: 149-150). Contractors are also used within the MCs for specialised labour and distorting links to the ruling groups (Carpenter, 2010). Although this organisation is beneficial to the MCs, it is likely they would have much less power if it was not for the organisation of the state, particularly during the Institutional Revolutionary Party’s (PRI) reign from 1929–2000. During this era, police were poorly paid, and the PRI allowed police officers to take bribes in exchange for loyalty to the party. MCs took advantage of this and operated relatively freely. The PRI generally stayed out of the way of the cartels in exchange for relative peace, but if dues were not, paid police raids would occur. However, corruption became endemic. Describing the situation, Abadinsky stated, “crime was controlled and everyone got paid”, and the PRI’s lack of action was a “state sponsored protection racket” (2013: 147-148). Padgett supports this claim, arguing that the “PRI accommodated but regulated the drug cartels” (2009). The cartel’s organisation was further assisted by the PRI in the 1990s, as industry was privatised; additionally, due to a lack of safeguards, the cartels managed to infiltrate the larger economy, securing their survival through legitimate business. At the turn of the millennium, things became more difficult for the cartels. The PRI were voted out and a reformist party took power. The new leadership ended ties with the cartels and actively combated them. This was similar to the reformist mayor in Capone-era Chicago which led to the ‘Chicago Wars’. Following the 2000 election, the Mexican drug war began and rages on to this day (Abadinsky, 2013: 148). Another organisational failure in the Mexican state was the bloated police force. Mexico has five different branches of police, making it difficult to divide and place responsibility. (Deas, 2012). This haphazard organisation is one of the reasons the army are used to combat the MCs.

Criminality appears endemic to the cartels. The numbers killed in the violence are astonishing, between 2006–2011 there were over 34,000 drug related killings (Stevenson, 2011), over 10 times more deaths than have been incurred in the Afghanistan war (iCasualties, 2013). These are not all ‘gangsters’ or police: 70 journalists have been murdered since 2007 (Abadinsky, 2013: 149). The MCs have sent “heavily armed battalions to attack police stations” and the criminality has been described by a CIA chief as potentially “more problematic than Iraq” (O’Neil, 2009). Drug related violence is now the main cause of death for those aged 15–29 (Beittel, 2012: 25). The violence and criminality practised by the MCs is extreme and beyond that of similar groups. The violence increased during 2005, coinciding with Felipe Calderón’s dispatch of the armed forces to “curtail drug violence” (Kellner & Pipitone, 2010). In 2008-2009, the violence peaked despite massive US funding and American & Mexican crackdowns. Some argue that these aggressive crackdowns, encouraged by the US, caused the surge in violence and made the situation worse. However, with armed forces and police deaths accounting for only 7% of the total, the question arises if the violence is caused instead by the cartels trying to aggressively expand? (Shirk, 2010) We must also question the legitimacy of those making & enforcing Mexican law; corruption is not uncommon and makes the authorities somewhat complicit (Abadinsky, 2013: 147-148).

The Mexican Cartels are rather unique in the organised crime universe. They have no particular code of honour, a cell structure and are situated in the middle of a war (Abadinsky, 2013: 149-150). This unique situation affects all aspects of the group. Criminality runs rampant, with no real ‘rules’, and due to the war-like situation, members have no qualms over committing gruesome acts against enemies (Stevenson, 2011). The crime range of the cartels is huge, from drug production and smuggling to murder and extortion; the group is clearly criminal by the UN definition. The cartels’ organisation is extremely flexible; they prefer a cell structure to a traditional hierarchy. This allows a division of labour and gives added security to those at the top of the organisation. However it could make cascading orders difficult particularly if urgent and could also make joining these groups less glamorous – they may not disclose the group and there is little chance of moving up from the cell. We must also remember informants are almost non-existent in the cartels so our knowledge on their internal organisation is intelligence rather than fact.

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The organisation of the state as a whole, particularly in the 20th century, accommodated the cartels' rise to power – without the effective lawlessness, it is unlikely the cartels would have become as powerful as they are today (Abadinsky, 2013: 147-148). The cartels are highly organised and particularly efficient due to the cell structure, and they meet the UN definition of organised and structured. The transnationality of the cartels is more debateable than their organisation or criminality. The UN defines transnational as occurring in more than one state, a requirement the MCs meet due to their large presence in Mexico and the US. They also have a large involvement in much of LA; however, outside of the Americas, their involvement is negligible. International or regional seems a more appropriate description as other definitions of transnationality would exclude the MCs. Due to the cartels' large presence in Mexico, Campbell believes they are more than “a form of criminal behaviour, [but] have taken on many functions of the state. These organizations should therefore be treated analytically as political entities and their narco-propaganda as a powerful new form of political discourse” (Campbell, 2012). Engaging with the cartels in a political manner could help reduce violence against Mexican law enforcement and civilians but with around 90% of killings being inter-cartel violence would still be rife (Shirk, 2010).

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