FEDERALISM AND DECENTRALISATION:

THE CHALLENGES OF SECURITY

IN CONTEMPORARY MEXICO

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Abstract

According to official measurements, the number of homicides in Mexico has more than doubled since 2007, thus breaking the consistent downward trend of the last two decades. A considerable part of the increase seems to be related to confrontations among criminal organisations. Presumably, the presence of federal forces in the states −part of the "war" against organised crime launched by President Felipe Calderón (2006-2012)− would have broken the *status quo* at the local level and triggered the conflict. Several authors have suggested that the violence could have been avoided had the government followed a "tolerance policy", a strategy very often attributed to previous governments. However, as it is argued in this work, the possibility of applying such a policy became non viable due to decentralisation. Processes aiming at decentralisation, which got underway in the administration of President Miguel de la Madrid (1982-1988) affected security in two related ways: (1) they diminished the capacity of the state to maintain control over criminal organisations; and (2) they diminished the capacity of relevant actors to face and respond to security challenges. Decentralisation processes (enhanced by democratisation) led to changes in the balance of intergovernmental relations (IGR), which contributed to the fragmentation of state power. At the same time, organised crime was in a process of consolidation. The analysis of the evolution of IGR helps explain part of the complex security situation that Mexico faces currently, and underscores important characteristics of the present balance of power in the federation; a fundamental factor to be taken into account in any security policy to come.

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ACRONYMS

CISEN	National Security and Investigation Centre
DEA	Drug Enforcement Administration
DFS	Federal Security Directorate
FDN	National Democratic Front
IFE	Federal Electoral Institute
IGR	Intergovernmental relations
INEGI	National Institute for Statistics and Geography
PAN	National Action Party
PGR	Office of the Attorney General of the Republic
PRD	Party of the Democratic Revolution
PRI	Institutional Revolutionary Party
PRONASOL	National Solidarity Programme
SIEDO	Deputy Attorney General's Office for Special Investigation into Organised Crime
SNSP	National Public Security System
SSP	Public Security Secretariat
US	United States of America

INTRODUCTION

In recent years, Mexico has experienced an unprecedented wave of violence that has challenged the capacities of the state to provide security in the territory. Even while violence does not always jeopardize security, in this case the situation has come to a point where questions around the possible failure of the state have arisen among a number of specialists.[1] Drug-related crimes such as shoot-outs in public squares, massacres, decapitations and bodies hanging from bridges with threatening messages are everyday news in the media. The increase of violence is best illustrated through the stark growth in the number of homicides. According to official measurements, the number has more than doubled in the space of two years: from 8,868 in 2007 to 19,809 in 2009.[2] Surprisingly, these figures break the consistent downward tendency in homicide rates since the early 1990s.[3]

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[1] In February 2009, James Mattis, United States Marine Corps General and Commander of the United States Central Command compared Mexico with Pakistan and showed his concern about the risk of both countries becoming failed states ('Preocupa 'en extremo' México a Pentágono', *Reforma*, 27 January 2009). For previous opinions on the topic, see George Friedman, 'Mexico: On the Road to a Failed State?', *Stratfor*, 13 May 2008.

[2] Instituto Nacional de Estadística y Geografía (INEGI), see graph below. Although crime statistics are very often inaccurate, homicide rates tend to be more reliable than other indicators; they are less susceptible to changes of methodology in data collecting, misinterpretations, under-reporting or no reporting. Alternative measurements confirm the validity of the trend. See Viridiana Ríos and David A. Shirk, 'Drug Violence in Mexico. Data and Analysis through 2010', Trans-Border Institute- University of San Diego, San Diego, February 2011 [report].

[3] Mexico is one of the rare cases in Latin America with negative growth in homicide rates since the mid-1980s (Marcelo Bergman and Laurence Whitehead (eds.), *Criminality, Public Security and the Challenge to Democracy in Latin America*, Notre Dame, University of Notre Dame Press, 2009, table p.5).

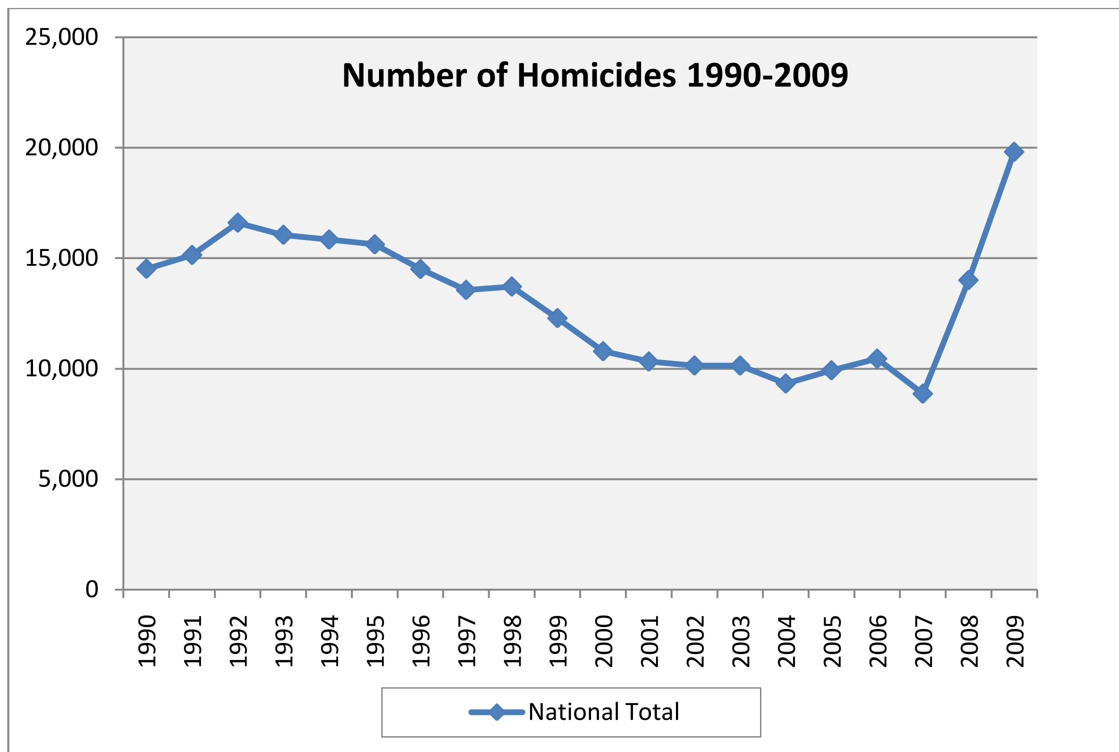

Figure 1. Source: National Institute for Statistics and Geography (INEGI).

Two important points are to be stressed in order to appreciate the context in which the dramatic change of the homicide pattern has taken place. The first one is that the increase seems to be related to organised crime[4], and more particularly to drug cartel[5] violence. Although in Mexico drug- or organised crime-related homicides are not legal categories, the federal government and several independent organisations have established different methodologies in order to distinguish them from "regular" homicides.[6] Only murders with certain characteristics presumably attributed to criminal organisations (e.g. extreme violence, multiple shootings, presence of "narco" messages, etc.) are taken into

[4] Criminal organisations range from street gangs to transnational gangs and their activities can vary from theft to drug trafficking. For the purposes of this work, organised crime is understood in a broad sense as "unlawful activities of the members of a highly organized association engaged in supplying illegal goods and services" (US Omnibus Crime Control and Safe Street Act of 1968, quoted in Michael D. Matlz, 'On Defining "Organized Crime"', in Federico Varese (ed.), *Organized Crime*, London-New York, Routledge, 2010, p.68).

[5] The term "cartel" is increasingly accepted by specialists, even when some authors prefer to avoid it. In this text it will be used interchangeably with "drug-trafficking organisations".

[6] See Viridiana Ríos and David A. Shirk, *Op. cit.*, p.4.

account in these measurements.[7] Different sources are consistent in showing the rise of drug-related homicides between 2007 and 2010. In this period, according to the National Public Security System (SNSP), the number skyrocketed from 2,826 to 15,273.[8] This would represent almost 50 percent of the total homicides for 2008 and 2009 respectively.[9] The figures suggest that a significant part of the increase can be explained by the clash between criminal organisations, presumably a consequence of rivalries in the fight over the control of illegal markets.

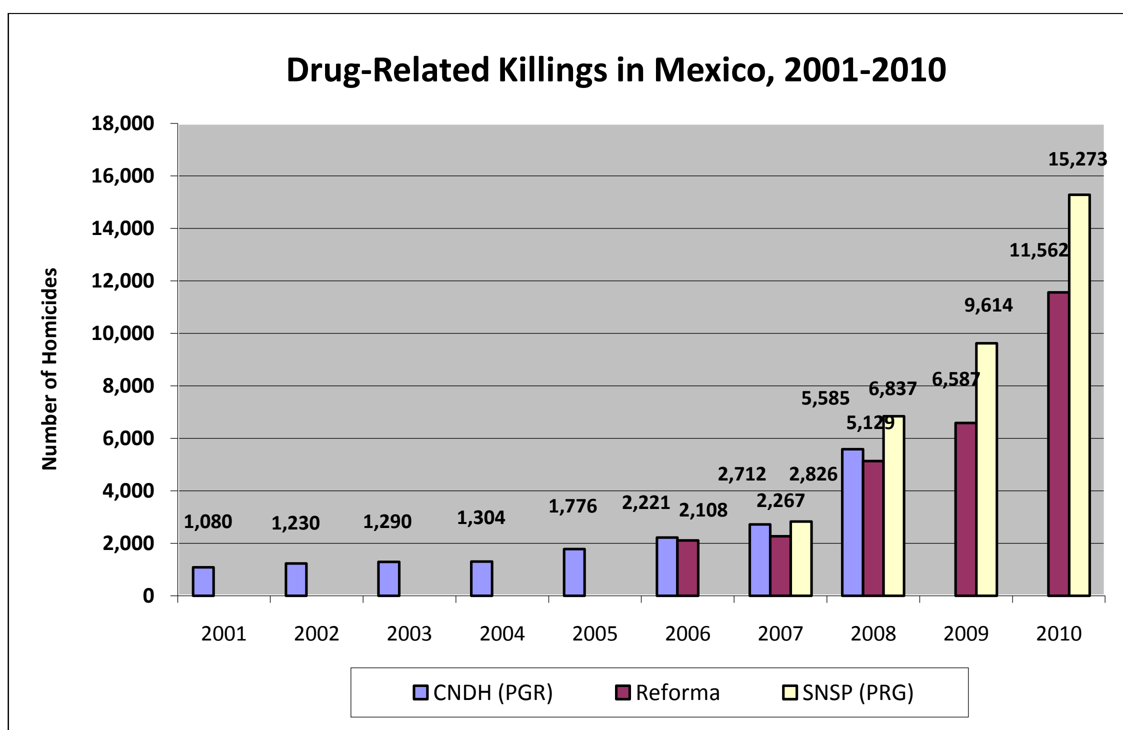

Figure 2. Source: Viridiana Ríos and David A. Shirk, *Op. cit.*

The second element to be remarked on is the geographical location of violence and its evolution at the local level. Different studies have pointed out the huge concentration of homicides in some states and municipalities of the country. According to official reports, from December 2006 to December 2010, just 85 out of the nearly 2,500

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[7] See the database of the federal government, *Base de datos de fallecidos ocurridos por presunta rivalidad delincuencial.*

[8] See Figure 2; Viridiana Ríos and David A. Shirk, *Op. cit.*, p.5.

[9] With official information from INEGI for total homicides and SNSP for drug-related homicides.

municipalities concentrated 70 percent of the homicides that were presumed to be related to organised crime.[10] Likewise, Viridiana Ríos and David Shirk state that, in 2010, four out of the 32 states concentrated 56 percent of this type of homicides: Chihuahua, Sinaloa, Tamaulipas and Guerrero.[11] This is not a new development; the distribution of homicide rates has historically been uneven in the country. In the last two decades, a group of five or six states (including the four mentioned above) has consistently tended to be over the national average.[12] However, it is interesting to note the dramatic change in the downward tendency in some of these states. Fernando Escalante has recently shown that there is a strong relation between the states where military and federal police "joint" [13] operations have been undertaken since 2007 – as part of the "war"[14] against organised crime launched by President Felipe Calderón (2006-2012) – and the sharp increase in homicide rates from that year on.[15] This contribution sheds some light on the causalities of the direction of violence: joint operations may have been launched in those states due to their high number of homicides but it was only after the arrival of the federal forces that rates skyrocketed.

[10] Federal Government, *Base de datos de fallecidos ocurridos por presunta rivalidad delincuencial*, *doc. cit.*
[11] *Op. cit.*, p.1.
[12] Fernando Escalante, 'Homicidios 2008-2009. La muerte tiene permiso', *Nexos*, January 2011.
[13] "Joint" operations is the popular name of the interventions of the federal forces in the states but it does not necessarily imply actions under a single command as it is commonly understood in military terms.
[14] The term "war" in this context refers to an internal security campaign encompassing a set of different operations mainly based on the use of federal forces against criminal organisations. Although the meaning does not correspond to the legal definition of "war", the term is commonly used by both politicians and academics.
[15] Particularly in Baja California, Chihuahua, Sinaloa, Tamaulipas, Guerrero, Durango, Nuevo León and Michoacán, the first group of states to be included in the war against organised crime (Fernando Escalante, *Art. cit.*).

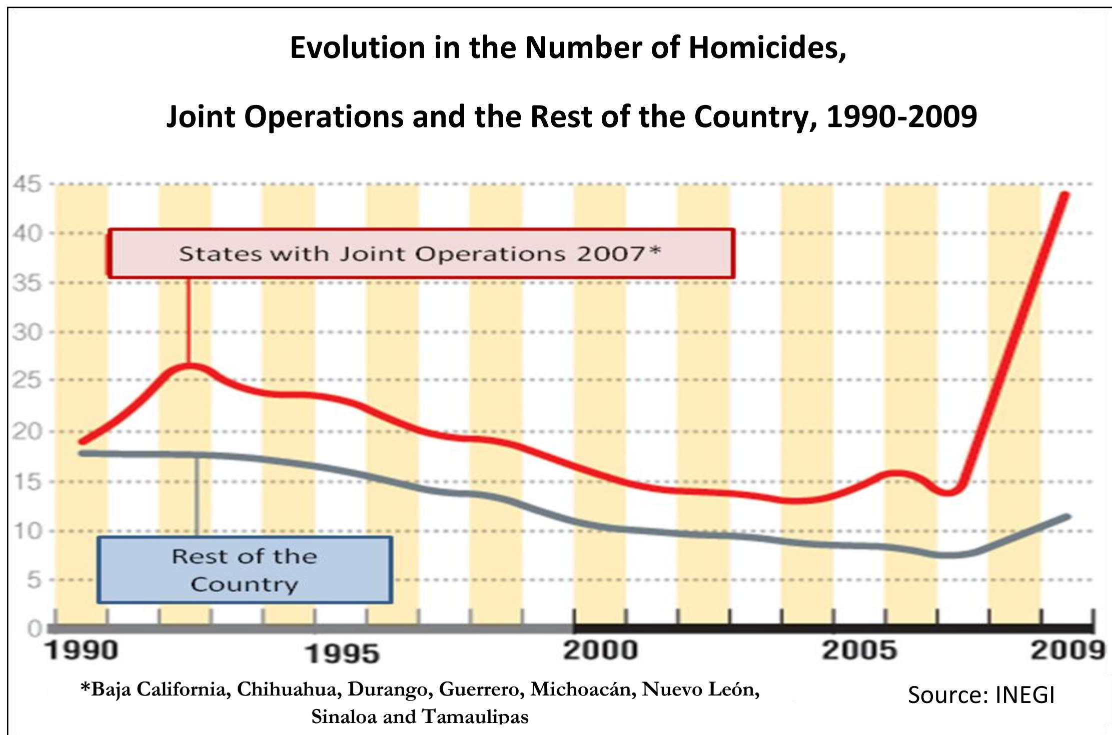

Figure 3. Source: Fernando Escalante, *Art. cit.*

These two characteristics of the growth in the number of homicides – namely, a high percentage of killings seemingly involving criminal organisations and a strong relation with the presence of federal forces – reopen the debate about some popular hypotheses in the study of security in Mexico. Fernando Escalante suggests that the presence of federal forces in the states may have broken some sort of implicit or explicit agreements between criminals and local authorities that were formerly effective in keeping violence low.[16] Following this logic, excluded rival groups could have taken advantage of the situation to seek changes to the *status quo*. Taking this perspective, some authors have argued that the war against organised crime is a great mistake on the part of the present administration.[17]

In the last few years, discussions around the viability of tolerance agreements between authorities and criminal organisations have gained importance in the public

[16] Fernando Escalante, *Art. cit.*

[17] See Ana Laura Magaloni Kerpel, 'El crimen no es el problema', *Nexos*, 1 February 2011.

debate. Many examples can be referred to: Ruben Aguilar, after having left his position of spokesman under President Vicente Fox's administration (2000-2006), declared that the only way to win the war undertaken by President Calderón was to negotiate with the enemy.[18] Likewise, very recently the poet Javier Sicilia, after having suffered the assassination of his son by an organised crime group, has openly asked that the war on drugs be halted, and that agreements with organised crime be made:

> Las mafias están aquí, pues, pactemos... Hablemos claro otra vez: ahí están, tenemos que convivir con ellos. Y, si no están haciendo bien la guerra, pues vamos a los pactos. Las guerras terminan en pactos al final de cuentas. Cuando se acaban de destrozar y destrozar a la humanidad, terminan en pactos. Y esto va a terminar en un pacto, tarde o temprano.[19]

Sicilia became the leader of a national movement against violence in Mexico that is now having considerable success in mobilising people in several cities, attracting the attention of the media and in putting pressure on the government.

In this context, questions need to be asked about how the previous regime managed to keep violence under control. For more than 70 years, from 1929 to 2000, Mexico was ruled by the same political party: the Institutional Revolutionary Party (PRI).[20] For a long period, the authoritarian regime established by the PRI was able to maintain stability and relatively low levels of violence in the country.[21] A number of Mexican political analysts[22] have long argued that implicit or explicit agreements between drug cartels and public officials were in operation in Mexico during the period of authoritarian rule. The existence of a policy of tolerance (nicknamed the *pax priista*) has become a

[18] 'Sugiere Rubén Aguilar negociar con narco', *Reforma*, 18 December 2008.
[19] 'Demanda Sicilia pactar con narco', *Reforma*, 3 April 2011.
[20] The PRI was created in 1946 but is considered to be the successor of the Partido de la Revolución Mexicana (1938-1946), which was in turn the successor to the Partido Nacional Revolucionario (1929-1938).
[21] Some authors call this long period of stability, c. 1947-1985, the *pax priista*; Marco Palacios and Mónica Serrano, 'Colombia y México: las violencias del narcotráfico', in Arturo Alvarado and Mónica Serrano (coord.), *Seguridad nacional y seguridad interior- Los Grandes Problemas de México*, México, Colmex, 2010, p.106.
[22] Luis Astorga, Jorge Chabat, Leonardo Curzio, Mónica Serrano, *et. al.*

generally accepted hypothesis in academic circles. According to this argument, the democratic transition of 2000, when, for the first time, the results of the federal elections were not favourable to the PRI, would have broken old practices.[23] This explanation is shared by the current government and is part of its "official" discursive lines. President Calderón and different members of his cabinet have consistently suggested that security problems, including violence, are the consequence of the tolerance or omission of previous administrations.[24]

In order to better understand the current security situation in Mexico and to evaluate the viability of a policy of tolerance from a *realpolitik* perspective (therefore, the deployment of the federal forces in the current strategy), the apparent contradiction between Escalante's hypothesis (agreements at the local level kept violence low) and the official position (the tolerance of previous administrations – namely the PRI governments – let security problems and violence grow) needs to be explored in further detail. The discussion of this topic is particularly pertinent when taking into account that the current administration is coming to an end and that the next government will have to face considerable pressure from several social movements and civil organisations, among other political actors, when defining the federal security strategy.

Public security and national security are two different concepts that have important links in the Mexican case. While public security emphasises the protection of persons and properties, national security is concerned with the protection of the state, its institutions and essential functions.[25] In Mexico, the drug business boosted and supported

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[23] Jorge Chabat, 'Las respuesta del gobierno de Felipe Calderón al desafío de narcotráfico: entre lo malo y lo peor', in Arturo Alvarado and Mónica Serrano (coord.), *Op. cit.,* p.27.
[24] 'Crecimiento del narco, por omisión: Calderón', El Universal, 26 March 2011.
[25] John Bailey's definitions, 'Public Security and Democratic Governability: Theorizing about Crime, Violence, Corruption, State and Regime', Chicago, April 14-17, 2004, p.2, [Seminar for the Midwest Political Science Association].

common criminals in their becoming organised.[26] For that reason, special attention will be given to drug cartels. Even though not all criminal activities are directly linked to organised crime, as it will be analysed, most serious felonies can be traced back to them. Criminal organisations that threatened persons and property, due to the huge profits of their illegal activities, gained power and became a menace for the essential state functions and its territorial integrity. Thus, organised crime problems went from being a public security issue in the 1980s to a national security concern over the past few years.

In order to explain the deterioration of security in Mexico, many studies (not without reason) have focused on the increase of criminal activities, in part related to the boom of drug trafficking in the 1980s. However, it is very often forgotten that, while criminal organisations were making huge profits and started to gain more and more power, Mexico was undergoing important decentralisation changes. In this research, a distinct approach is adopted by tracing out the interplay between the emerging security crisis and the decentralisation and democratisation processes launched under President De la Madrid's administration (1982-1988). These processes led to changes in intergovernmental relations (IGR) that contributed to the fragmentation of power, with a number of nefarious unintended consequences in the field of security. The transformation of IGR is a key element, as the policy of tolerance depended to a considerable extent on the centralised character of the regime.

In this work, it is argued that decentralisation processes (enhanced by democratisation) affected security in two related ways: (1) they diminished the capacity of the state to maintain control over criminal organisations; and (2) they diminished the capacity of relevant actors to face and respond to security challenges. These arguments

[26] Mónica Serrano and María Celia Toro, 'From Drug Trafficking to Transnational Organized Crime in Latin America', in Mats Berdal and Mónica Serrano (eds.), *Transnational Organized Crime and International Security: Business as Usual?*, London, Lynne Rienner, 2002, p.155.

will be developed across four sections: in the first one, there will be a brief revision of the theoretical concepts to be used; in the second section, an overview of some relevant changes in the political system since the 1980s will be given; in the third, the way in which the authoritarian regime dealt with drug-trafficking organisations and the consolidation of organised crime will be explored; and, lastly, the consequences of decentralisation in the field of security will be addressed, namely the breakdown of the policy of tolerance and the rise of new coordination challenges. In addition, some short-term alternatives will be discussed in the conclusion.

I Analytical Framework

One of the major challenges faced by studies on federalism has been to differentiate federal systems from other governmental systems and to deal with important variations within that same category.[27] As a starting point, we consider William Riker's classic definition of federalism: "[f]ederalism is a political organisation in which the activities of government are divided between regional governments and a central government in such a way that each kind of government has some activities on which it makes final decisions"[28]. This broad definition encompasses different federal systems from "peripheral" federalist systems (where the central government can intervene only in one category of governmental action) to centralised federations (where the central government can intervene in all but one category of action).[29]

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[27] While Albert Breton asserts that there are only three governmental systems – confederal, federal, and unitary – ('Federalism and Decentralization: Ownership Rights and the Superiority of Federalism', *Publius*, Vol. 30, No. 2, 2000, p.4), Daniel Elazar's concept of federal arrangements includes unions, federations, confederations, associated statehood and leagues (*Exploring Federalism*, Tuscaloosa, University of Alabama Press, 1987).

[28] William H. Riker, 'Federalism', in Fred I. Greenstein and Nelson W. Polsby (eds.), *Handbook of Political Sciences*, Addison-Wesley, 1975, p.101.

[29] Craig Volden, 'Origin, Operation, and Significance: The Federalism of William H. Riker', *Publius*, Vol. 34, No. 4, autumn 2004, p.91. Any kind of policies and activities undertaken by the government can be encompassed in these categories of actions: public education, public transportation, security, urban planning, justice, foreign policy, national defense, to name a few.

One of the problems in defining federalism is that there can be considerable variations of it, depending on the attributions of each level of government. [30] Two main models can be distinguished: the "residual" model that lists the attributions of the national government and leaves the remaining ones to the states (e.g. the United States (US) and Mexico); and the "delegation" model that works the other way around, so that the attributions of the states are defined and the others are left to the national government (e.g. Canada and India). Other models combine the ones just mentioned: the attributions of each level of government are listed and the residual ones are shared (Germany).[31]

Furthermore, it is essential to stress the fact that, even though constitutional attributions may be clearly specified, the practice of federalism can work very differently from the constitutional stipulations. Political, economic or cultural factors may have more weight than the formal constitutional structure.[32] Thus, in a number of countries – notably Mexico or the former USSR – the existence of federal constitutions was a mere formality. In these cases, the national governments far exceeded their prerogatives. For that reason, the study of decentralisation and IGR has served as a complement to constitutional perspectives in the literature on federalism. [33]

For the purposes of this work, decentralisation is understood as a process of distribution going from the central government to the peripheries, following Tulia Falleti's definition: "[d]ecentralization is a process of state reform composed by a set of public policies that transfer responsibilities, resources, or authority from higher to lower levels of

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[30] The term "level of government" will be used for practical reasons without any hierarchical connotation. The superiority of the national government over the other federal components is therefore not implied in the concept.
[31] Vicente Ugalde, 'Distribución de competencias y relaciones intergubernamentales en el sistema federal mexicano', in José Luis Méndez (coord.), *Políticas públicas- Los Grandes Problemas de México*, México, Colmex, 2010, pp.455-456.
[32] William H. Riker, 'Six Books in Search of a Subject or Does Federalism Exist and Does it Matter?', *Comparative Politics*, Vol. 2, 1969, p.144.
[33] Deil S. Wright, *Understanding intergovernmental relations: Public Policy and Participants' Perspectives in Local, State, and National Governments*, North Scituate, Duxbury Press, 1978, p.58.

government in the context of a specific type of state" [34]. This definition makes it clear that decentralisation processes go in one specific direction (from the centre to the peripheries) and that the lower levels of government receive new resources, authority or responsibilities, with non-state actors not being taken into account. Three main categories are commonly referred to:[35]

- Administrative decentralisation: policies that transfer to subnational[36] governments the administration and/or delivery of social services (e.g. education, health, social welfare, or housing);

- Fiscal decentralisation: policies that increase the revenues or fiscal autonomy of the subnational units;

- Political decentralisation: constitutional amendments and electoral reforms aiming to create and/or activate dormant spaces for subnational polities' representation.

The distribution of responsibilities, resources or authority implied in decentralisation processes has significant effects on the relations of power among the different units of a federation.[37] To analyse the interaction of public officials of different levels of government, William Anderson developed the concept of "intergovernmental relations", which refers to interactions, of all types, between levels of government.[38] This approach focuses on finding patterns, characteristics and contents of relations specifically within

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[34] Tulia G. Falleti, 'A Sequential Theory of Decentralization: Latin American Cases in Comparative Perspective', *The American Political Science Review*, Vol. 99, No. 3, 2005, p.328.

[35] *Ibid.,* p.329.

[36] By "subnational" governments or units I refer to both the intermediate and local levels of government, namely states and municipalities. The terms "national government" and "federal government" are used interchangeably.

[37] Tulia Falleti argues that the sequence in which the three different categories of decentralisation (administrative, fiscal and political) are launched has important consequences in the resulting balance of power among the federal components. Depending on the sequence, more power may or may not be given to subnational recipients. This means that not all decentralisation processes result in the increase of power of the subnational units in comparison with the national government (*Decentralization and Subnational Politics in Latin America,* Cambridge, CUP, 2010).

[38] *Intergovernmental Relations in Review*, Minneapolis, University of Minnesota Press, 1960.

federal systems. All possible relations between levels of government may be considered, namely national-state, interstate, national-local, state-local, national-state-local and interlocal.[39]

Using Anderson's concept, Deil Wright identified three basic models of IGR based on the examination of the evolution of federalism in the US:[40]

- The inclusive model, the most hierarchical one, whereby the national government has the lead and subnational units depend largely on its authority, often being governing entities only in name: Governors, Mayors and state Legislators can have almost a symbolic role;

- The coordinate model, whereby distinct boundaries separate the national government and the state government; they are linked only tangentially. The state government is truly autonomous, while local governments remain highly attached to it;

- The overlapping model, the most egalitarian one, which is constituted of interdependent units that are simultaneously involved in substantial areas of government. The power and influence of each unit is limited, therefore bargaining plays a central role.

As can be seen in Figure 4 below, the concept of IGR does not assume that the national level of government is superior to the others, although it takes into account the existence of power differences.[41] Variations in IGR have a direct effect on the power relations among the federal units and may lead to the transformation of the federation from one model to the other. Tulia Falleti suggests taking into consideration three main factors in

[39] See the details in Deil S. Wright, 'Intergovernmental Relations: An Analytical Overview', *Annals of the American Academy of Political and Social Science*, Vol. 416, 1974, p.4.
[40] See Figure 4; *Understanding intergovernmental relations, Op. cit.*
[41] Deil S. Wright, *Understanding intergovernmental relations*, *Op. cit.*, p.38.

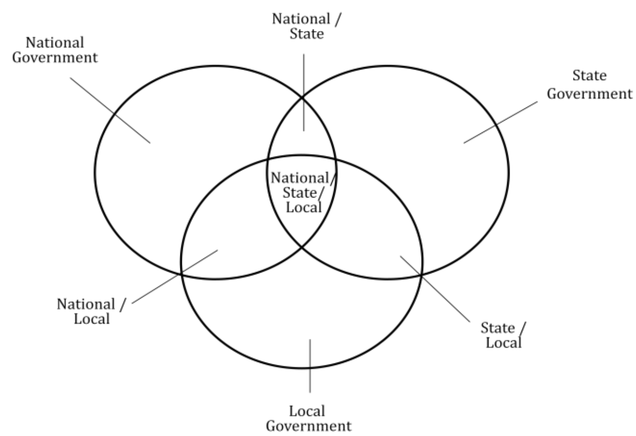
order to observe significant changes in intergovernmental power: "(1) economic resources, which enhance the capacity of political actors to pursue their desired courses of action; (2) legal authority, which sets the institutional limit that economic resources can reach; and (3) organizational capacities, which facilitate coordination at each level of government".[42] The evolution of these main factors, usually affected by decentralisation processes, can bring significant changes to federal systems, and can have important consequences in their governmental performance.

A number of scholars and public officials consider security to be a testing ground for the operation of federalism.[43] Depending on the distribution of attributions within a federation and on the intergovernmental balance of power (the real weight of subnational units), one or many levels of government can be involved in the numerous tasks related to security. The more decentralised the political system is, the more attributions are distributed and the greater the number of actors involved, meaning the more complex the challenge is. In order to get a better understanding of the evolution of IGR in Mexico and its possible consequences in governmental performance in the field of security, a historical overview of decentralisation and democratisation processes will be given.

[42] *Art. cit.,* p.333.
[43] Kiki Caruson and Susan A. MacManus, 'Mandates and Management Challenges in the Trenches: An Intergovernmental Perspective on Homeland Security', *Public Administration Review*, July-August, 2006.

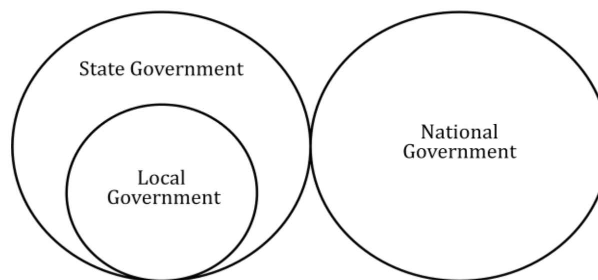
Figure 4. Source: Deil Wright, *Understanding intergovernmental relations, Op. cit*.

Overlapping Model



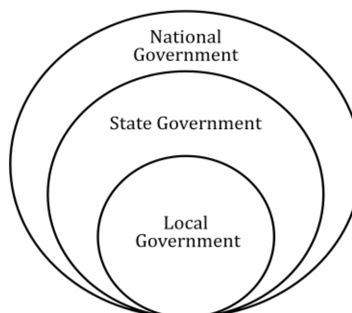
Relationships: Interdependent
Authority Pattern: Bargaining

Coordinate Model



Relationships: Independent
Authority Pattern: Autonomy

Inclusive Model



Relationships: Dependent
Authority Pattern: Hierarchy

II THE EVOLUTION OF THE POLITICAL SYSTEM

The study of IGR is relatively new in Mexico; this reflects – at least in part – the highly centralised nature of the political system for most of the twentieth century. Although the Mexican Constitution of 1917 establishes that Mexico is a federal republic with division of powers, the hegemony of the PRI and the weak or dormant attributions of the federal components made it work as a centralist state. As Peter Ward and Victoria Rodríguez point out, "[b]ecause the system's centralization served as one of the major determining forces for stability, one could hardly expect any changes in the field of intergovernmental relations" [44]. It was only in the 1990s, following the emergence of political plurality and incipient decentralisation processes, that the analysis of IGR began to take importance. Over a short period of time, subnational units (especially state governments) became central political actors, a clear sign that significant changes were occurring in the intergovernmental balance of power.[45] To underline these changes, a brief description of the authoritarian regime will be given, followed by an overview of the decentralisation and democratisation processes through three chronological stages.

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[44] Peter M. Ward and Victoria E. Rodríguez, *New Federalism and State Government in Mexico*, Austin, University of Texas, 1999, p.51.
[45] Tulia Falleti, *Op. cit.*, p.3.

A) The Authoritarian Regime[46]

After the revolution of 1910, the executive branch – more specifically, the president himself – progressively concentrated political power.[47] The federal executive dominated most political institutions with little evidence of substantive or effective division of power, either vertically (among the three levels of government) or horizontally (among Executive, Legislative and Judiciary).[48] It was able to control the whole political system thanks to a parallel structure: the PRI. The official party worked as a hierarchical structure of access to and distribution of power. Originally conceived as the institutional response to resolve power conflicts between *caudillos* in the aftermath of the Mexican revolution, the system evolved into an effective machinery that allowed the PRI to stay in power for over seven decades.[49]

Even while the Constitution granted large attributions to the executive branch, the real power of the Mexican presidentialism was constructed through the subordination of all other institutions to the authority of the president. María Amparo Casar argues that the federal executive used and abused its constitutional prerogatives and employed two main mechanisms to bypass the division of powers: (1) control of the electoral processes (whether legal or illegal); and (2) a system of incentives to serve the interests of the federal executive.[50] In the first place, through electoral fraud, candidates would owe their victory to the party and not to the citizens; this way their loyalty was guaranteed and their

[46] See the theoretical discussion about authoritarianism in Juan Linz, 'An Authoritarian Regime: Spain', in Erik Allardt and Stein Rokkan (eds.), *Mass Politics: Studies in Political Sociology*, New York, Free Press, 1970.
[47] Lorenzo Meyer, 'Un Tema Añejo Siempre Actual: El Centro y las Regiones en la Historia Mexicana', in Blanca Torres (ed.), *Descentralización y Democracia en México*, México, Colmex, 1986, pp.23-32.
[48] María Amparo Casar, 'Las bases político-institucionales del poder presidencial en México', *Política y gobierno*, Vol. III, number 1, 1996, p.62.
[49] The Partido Nacional Revolucionario (PNR), predecessor of the PRI, was created by President Plutarco Elías Calles (1924-1928) in 1929, after the assassination of Alvaro Obregon (former president and elected candidate for a second term) as a mean to overcome the political crisis.
[50] *Art. cit.*, p.84.

autonomy reduced.[51] In the second place, using the hegemonic party, the president controlled the distribution of all the positions in the public administration and therefore had the power to interfere with any political career. Public servants who did not comply with the rules of the party were very likely to be removed from their posts, while loyalty was rewarded. This way, the president gained "metaconstitutional" powers.

Thanks to these mechanisms, the Congress resigned its autonomy in favour of the Executive and, hand in hand, since the Judges of the Supreme Court of Justice were appointed by the Senate, the Judiciary did the same.[52] In a very similar manner, the federal system was centralised. The metaconstitutional powers of the president and the weak Senate gave IGR a highly centralised character.[53] In the first place, the Senate became a space for the party rather than for the representation of the states.[54] In the second place, although elections were regularly held, the president had a great influence over the nomination or destitution of governors, who, in turn, selected the mayors by negotiating with the local elite. A phrase attributed to President Adolfo Ruiz Cortínez (1952-1958) supports the above: "[t]he chambers and the governorships belong to the president, the state assemblies to the governors, and the city halls to the people"[55].

Once political discipline had been established in the 1950s, other economic and administrative mechanisms were put in place to guarantee the subordination of the federal units.[56] Regardless of any constitutional equitable distribution principle[57], the national government concentrated most of the economic resources of the federation. In the post-

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[51] It is important to underline the fact that evidence of fraud does not – specifically – mean that PRI candidates had not actually won the elections. It is possible that, even when they had won, the results were inflated in order to keep the mechanism working.

[52] María Amparo Casar, *Art. cit.*, pp.83-88.

[53] Tulia Falleti*, Op. cit.*, p.189.

[54] Alberto Díaz-Cayero, 'Do Federal Institutions Matter? Rules and Political Practices in Regional Resources Allocation in Mexico', in Edward Gibson (ed.), *Federalism and Democracy in Latin America*, Baltimore and London, Johns Hopkins University Press, 2004, p.299.

[55] Quoted in Tulia Falleti*, Op. cit.,* pp.211-212.

[56] María Ampara Casar, *Art. cit.*, p.89.

[57] *Cf.* Article 31, paragraph IV.

revolution period, on average 85 percent of the budget was in hands of the federal government, 12 percent was allocated to the states and just three percent to the municipalities.[58] The authoritarian system remained without significant changes for many years, until the late 1970s/early 1980s, when important democratic reforms alongside decentralisation processes began to develop.

B) Decentralisation and Democratisation

There are many factors that can have an impact on IGR. Tulia Falleti argues that the main causes behind the evolution of the intergovernmental balance of power are linked to changes in the relative distribution of economic resources, legal authority and organisational capacities among levels of government: elements usually involved in decentralisation processes.[59] Bearing this in mind, some of the main features of administrative, fiscal and political decentralisation in Mexico will be reviewed. Three chronological stages will be distinguished. In the first one, a set of constitutional reforms aiming at favouring stability laid the groundwork for the development of decentralisation processes; in the second stage, the newly empowered subnational actors fought against the national government and the metaconstitutional power of the president; and, finally, in the third stage democratisation processes led to a new intergovernmental balance of power.

Decentralisation and democratisation are two different processes that run side by side in the Mexican case and have an impact on IGR. Democratisation (defined through scales of participation) involves reforms that bring about freer and fairer elections and

[58] María Amparo Casar, *Art. cit.*, p.90.
[59] Tulia Falleti, *Op. cit.,* p.16.

increase electoral competition.[60] As has been shown, in the Mexican case the intergovernmental balance of power was also dependent on the informal rules of the authoritarian regime. Since the interests of governors, mayors and other public servants were linked to those of the federal executive through the official party, the dismantling of the incentives system through democratisation becomes relevant for the analysis. For this reason, it is necessary to consider some of the main elements of democratisation that enhanced decentralisation.

- Stability through Decentralisation

The first cycle of decentralisation in Mexico began in the early 1980s during the government of President Miguel De la Madrid (1982-1988).[61] The 1982 economic crisis[62], inherited from the previous administration, and the pressure of democratic movements, especially from the National Action Party (PAN), drove him to undertake these policies.[63] In such a complicated context, De la Madrid conceived of decentralisation as a strategy to reduce social tension. [64] In 1983, Article 115 of the Constitution was reformed, aiming to

[60] Since it is commonly accepted that Mexico is an electoral democracy but the wider democratic character of the regime is still under discussion, a narrow definition of democracy is used (Robert Dahl, *Democracy*, New Haven, Yale University Press, 1998).
[61] Programmes designed by previous administrations (Presidents Luis Echeverria (1970-1976) and José López Portillo (1976-1982)) had more a deconcentration than a decentralisation character; it is only from the 1980s that the focus of the policies is put on the Constitution and on the role played by the federal units, specifically municipalities (Victoria E. Rodríguez, 'Recasting Federalism in Mexico', *Publius*, Vol. 28, No. 1, 1998, p.240).
[62] In February 1982, the annual inflation rate reached 60 percent and some months later, Mexico declared default on its external debt; *Ibid.*, p.190.
[63] Between 1982 and 1983, the PAN had won some important elections at the local level (among them Chihuahua, Durango, Sonora, Guanajuato and San Luis Potosí) and protests against the economic crisis were being organised (Ady P. Carrera Hernández, 'Evolución de las relaciones intergubernamentales en México: la búsqueda de un nuevo arreglo institucional ante una nueva geografía del poder político (1980-2000)', *IX Congreso Internacional del CLAD sobre la Reforma del Estado y de la Administración Pública*, Madrid, 2-5 Nov., 2004, p.8.
[64] *Cf.* Miguel de la Madrid declarations quoted in Tulia Falleti*, Op. cit.*, p.213.

strengthen municipal governments; this strategy was perceived as a low-cost and effective way to reach to people in the local arenas.[65]

The reform listed all public services – from that moment on – in the hands of the municipalities: this included water provision, street lighting, cleaning and waste collection, public security, and transit regulation. Most importantly, municipalities were allowed to charge fees for the provision of some of those services. Their income sources were listed (taxes, service fees and transfers from the federal government) and they were granted the exclusive right to collect property taxes. In addition, it was established that two thirds of the votes in the state legislatures were needed in order to remove mayors from office.[66]

These reforms sought to empower municipal governments while keeping control over states. For the then president, in order to maintain the verticality of the political system, it was not desirable to give too much power to governors.[67] As will be shown below, in this respect, the real outcomes were not precisely as expected. Nonetheless, overall, the reforms were successful in the short term in releasing social and political pressure: the PRI stayed in power, the political crisis was overcome and the stability of the regime continued.

[65] *Loc. cit.*

[66] *Loc. cit.*

[67] "At the state level, only governors who consistently demonstrated loyalty to the president and maintained high levels of electoral support for the PRI within their states could hope to keep their jobs and become politicians of national standing. State executives who fell short in this capacity were commonly removed from office", Emily Edmonds, "Decentralization under the Fox Administration: Progress or Stagnation", *Mexican Studies / Estudios Mexicanos*, Vol. 22, No. 2, 2006, p.392.

- Centre vs. Peripheries

Aiming at maintaining stability, the decentralisation process launched by President De la Madrid modified the intergovernmental balance of power in a relatively short term. However, municipalities, the target of the strategy, were not truly strengthened; the real winners of the reforms were the states. As De la Madrid himself pointed out, governors refused to distribute political and economic power to the municipalities. For instance, although municipalities could collect taxes from local property, the state legislature (usually controlled by governors) still had the prerogative to determine the rate. In addition, local governments remained dependent upon the state level that was responsible for distributing the increasing funds allocated by the federation to each municipality.[68]

President Carlos Salinas (1988-1994) had to deal with these new arrangements of power.[69] The leading programme of his administration, the National Solidarity Programme (PRONASOL), designed to allocate financial resources for community projects, did not include the participation of other levels of government. Due to his distrust of subnational units, resources were allocated directly to non-state actors. For that reason, PRONASOL cannot be precisely considered a decentralisation programme. Subnational units were not strengthened. On the contrary, the federal government, overlooking local governments, established direct links with the community and created clientelistic networks.[70]

Salinas took office in the midst of a major legitimacy crisis; the elections of 1988 were the most questioned of the PRI period. An electoral fraud is believed to have

[68] Emily Edmonds, *Art. cit.*, p.395.
[69] "Al interior de los propios estados se dan también fenómenos importantes de centralización", Salinas Quoted in Victoria E. Rodríguez, "The Politics of Decentralization in Mexico: From Municipio Libre to Solidaridad', *Art. cit.*, p.139.
[70] Emily Edmonds, *Art. cit.*, p.396.

snatched victory from the new leftwing coalition formed by PRI dissidents and other social movements, the National Democratic Front (FDN).[71] Even though the possibility of a democratic change in the federal government was closed, the opposition parties achieved important victories at the local level. In 1989, the FDN was transformed into the Party of the Democratic Revolution (PRD)[72] and a few months after the federal electoral fraud, it won 52 out of 113 municipalities in the state of Michoacán. In addition, that same year – for the first time – an opposition party won an election at the state level: a governor from the PAN took office in Baja California.[73]

The new opposition governments questioned the fiscal centralisation of the political system and demanded the distribution of resources to subnational units. In response, the Salinas administration assigned large proportions of PRONASOL's budget to communities in the municipalities governed by the PRD. Direct control over the resources distributed through the programme gave the president the opportunity to undermine the influence of opposition parties at the local level.[74] Salinas did not only push aside states and municipalities from the core programme of his mandate, he removed from office more than 16 constitutionally elected governors (out of 32), the biggest number since the post-revolutionary presidency of Lázaro Cárdenas (1934-1940), one of the founders of the regime.[75] These figures give an idea of the rearrangement of power at stake.

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[71] Ady P. Carrera Hernández, *Art. cit.*, p.10.
[72] The FDN was created in 1987 and changed its name to PRD two years later.
[73] Ady P. Carrera Hernández, *Art. cit.*, p.11.
[74] In the 1991 elections, the PRD lost most of the municipalities it had won in 1989 to the PRI, *Loc. cit.*
[75] Peter M. Ward and Victoria E. Rodríguez, 'New Federalism, Intra-governmental Relations and Co-governance in Mexico', *Art. cit.,* p.676.

- Rearrangements in IGR

In contrast with 1988, the 1994 elections had one of the greatest approval rates in Mexican history. The transparency and fairness of the process was recognised by the recently created Federal Electoral Institute (IFE)[76], renowned political analysts, civil organisations and international observers. The PRI won with a huge advantage over the other parties.[77] Notwithstanding the above, sooner than expected President Ernesto Zedillo (1994-2000) had to deal with another great economic crisis; the economic performance of the PRI governments was questioned again, and in the local elections of 1995 and 1996 the opposition recovered positions. The newly elected president decided to push decentralisation forward.[78]

Zedillo announced his will to give up the metaconstitutional power traditionally used by the presidency.[79] This meant that governors – who had acquired more authority and resources transfers – would no longer be in the shadow of the federal executive. However, it was only until 1997 that subnational units had a greater say in the distribution of the budget. That year, the PRI lost the majority in Congress for the first time.[80] Subnational governments were demanding more transfers but, in contrast with previous attempts, the official party no longer held control of the Congress. As a consequence of budgetary reforms, between 1998 and 2000 the revenue of the states reached 28 percent of the national budget.[81] Nonetheless, the federal government kept the authority to

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[76] The IFE was created in 1990 to prevent further electoral fraud.

[77] The PRI received more than 17 million votes, followed by the PAN with around 9 million votes (IFE).

[78] Peter M. Ward and Victoria E. Rodríguez, *New Federalism and State Government in Mexico*, *Op. cit.*, p.52.

[79] "It is my conviction that the president of the republic should not have or exercise any power other than those explicitly conferred by the constitution and the law… The executive branch is not authoritarian and does not benefit from exercising power not granted by the law", President Ernesto Zedillo quoted in *Loc. cit.*

[80] 1997 was also the year of the first popular elections for Mayor in Mexico City; the PRD obtained victory and ever since it has governed the capital; Tulia Falleti*, Op. cit.,* p.9.

[81] Emily Edmonds, *Art. cit.*, p.398.

determine how the resources should be spent, and the enriched state governments still had substantial authority over municipalities. As a result, the states emerged as fairly independent political actors.

In 2000, Vicente Fox (2000-2006) took office and led the first federal government ever formed by an opposition party (PAN). The expectations were very high; many believed that decentralisation policies would be at the top of his agenda. However, Fox just followed some of the lines of his predecessor: subnational units were not granted more attributions but more resources were decentralised.[82] Yet the Fox administration made it clear that federal transfers could not increase indefinitely and stressed the fact that municipal and state governments had responsibility for generating their own revenue.[83] As contradictory as it may seem, subnational units resisted taking greater responsibilities concerning their fiscal and administrative independence, due to the difficulties that this would imply.

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Since the 1980s, administrative, political and fiscal decentralisation processes (in this order, following Falleti's argument) have considerably transformed IGR in Mexico.[84] The Constitution was reformed several times in order to give subnational units more prerogatives and different laws conferring them more resources were approved. Decentralisation processes have been reinforced by democratisation and vice versa. Victories by opposition parties pushed forward decentralisation and decentralisation opened new spaces for democracy. Three chronological stages were distinguished. In the first one, the constitutional reforms proposed by De la Madrid, while aiming at stability, laid the groundwork for decentralisation processes; in the second, new tensions between

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[82] *Ibid.*, p.407.
[83] *Loc cit.*
[84] Tulia Falleti*, Op. cit.*

the centre and the peripheries arose; finally, in the third stage, a new intergovernmental balance of power was established.

It is also important to note that even though the national government still controls most of the economic resources and thus has a strong influence upon the other levels of government, the federal executive lost much of the metaconstitutional powers it used to have. Governors are not under the influence of the president anymore, but they still exert significant control over municipalities; this gives them considerable power. According to the framework that was delineated in the previous sections of this dissertation, we can see that over the past few decades Mexico has been moving from an "inclusive" model of IGR to a "coordinated" model.[85] As discussed earlier, changes in the IGR patterns have important implications in the way that the federation works in many strategic areas, security being among them.

[85] See Figure 4.

III Security Issues

Mexican federalism underwent significant transformations, the balance of IGR changed considerably from the first constitutional reforms of the 1980s to the democratic transition of 2000. Even though all through this period the federal government remained in the hands of the PRI, the regime nonetheless lost much of the power that it had exerted over subnational units. In order to understand the implications of the rearrangements of IGR in the field of security, it is necessary to understand the way in which the *pax priista* was maintained and to analyse the evolution of the security threats faced by the regime since the 1980s. Both elements are important in explaining the current security situation in Mexico.

A) The Policy of Tolerance

Proximity to the US, the biggest drug consumer in the world, made Mexico a potential place of production and/or transportation of illegal substances. The roots of drug-trafficking organisations go back to the early twentieth century.[86] By the 1970s, the

[86] Luis Astorga and David A. Shirk, 'Drug Trafficking Organizations and Counter-Drug Strategies in the U.S.-Mexican Context', *Evolving Democracy*, Center for U.S.-Mexican Studies, San Diego, January

country was identified as the main supplier of heroin and marijuana for the US market, with an incredible rate of growth in these activities.[87] Despite that fact, drug organisations were not considered a threat to public or national security in any sense. Public security issues were not a great concern (there was no public security policy as such) and organised crime was not identified within the possible threats for national security.[88] Mexican officials declared that the only reason why they were fighting production and smuggling was the US's interest in the topic.[89] In this subsection, it will be argued that the state was able to keep criminal organisations under control in part due to implicit or explicit illegal agreements and – more importantly – because of the centralisation of power.

Among many specialists, Luis Astorga and David Shirk argue that "for many decades Mexico had in place a highly centralized power structure that was not only permissive, but protective of organized criminal activities"[90]. Even though the inner functioning of the *pax priista* is hard to prove or detail, the generally accepted hypothesis has recently received further credence through the declaration by Sócrates Rizzo, a former PRI governor of the state of Nuevo León (1991-1996). Although the president of the party and other notable members immediately denied the veracity of his declarations and pushed Rizzo to take back his words, the statement by the former governor sheds some light on the policy of tolerance:

> De alguna manera se tenía resuelto el conflicto del tránsito (de drogas); yo no sé como lo hayan resuelto otros gobiernos, pero había un control y había un estado fuerte y un presidente fuerte y una Procuraduría fuerte y había un control férreo del Ejército y entonces de alguna manera decían 'tú pasas por aquí, tú por aquí, pero no me toques aquí estos lugares'; algo pasó (…) Todo se decidía desde la capital y los

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2010, p.4. For more about drugs in Mexico in the first half of the twentieth century, see Celia Toro, *Mexico's 'War' on Drugs. Causes and Consequences*, London, Lynne Rienner, 1995.

[87] Celia Toro, *Op. cit.*, p.16.

[88] "What is more surprising is the fact that, until the 1990s, nobody in the government seemed to be worried about insecurity" (Jorge Chabat, 'Mexico: The Security Challenge', *Documentos de trabajo*, México, CIDE, number 140, 2006, p.3).

[89] Celia Toro, *Op. cit.*, p.16.

[90] *Art. cit.*, p.6.

> gobernadores eran menos independientes (…) Lo que controlaban los gobiernos priistas era que ese tráfico no perturbara la paz social.[91]

Two important elements must be noted in the previous lines: first, the existence of agreements between drug-trafficking organisations and authorities. Clear rules, in which the government seems to have had the leading role, were established. Second, details about the centralisation of the political system and the characteristics of its IGR are mentioned. The former governor points out federal institutions and declares that the federal government was chiefly responsible for setting the informal rules. This is a groundbreaking revelation, although it must be subject to certain reservations, since Rizzo once headed a state government and could have interests to look after. However, his statement does match the way in which the political system worked. As it was shown, during the authoritarian regime local authorities were subordinated to the federal government. They enjoyed a certain degree of independence as long as they kept their states under control and followed the rules of the centre. It would not be surprising that in matters related to drug trafficking, where large amounts of money were involved, the national government had taken the leading role, even if local governments had played a part as well.

The centralisation processes that developed after the Mexican revolution displaced local authorities from many of their formal or informal activities. According to Mónica Serrano and Marco Palacios, drug-related matters were no exception: "[c]omo era de esperarse, la centralización de las políticas antinarcóticos implicó, a su vez, la transferencia del control de estas actividades del ámbito local a la federación"[92]. Since its creation in 1947, the Federal Security Directorate (DFS)[93], the core of the intelligence services of the

[91] Conference at the Autonomous University of Coahuila (UAC); 'Presidentes de alternancia no saben controlar el país: Sócrates Rizzo', *Milenio,* 23 February 2011 and 'Controlaban Presidentes al narco- Rizzo', *Reforma*, 23 February 2011.
[92] Marco Palacios and Mónica Serrano, *Op. cit.*, p.116.
[93] For more on the DFS (1947-1985), the Mexican Intelligence Agencies and their transformation during the democratic transition, see Leonardo Curzio, 'The Evolution of Intelligence Services in

regime, was in charge of drug-trafficking supervision.[94] Thus, one could expect that agreements would have been centralised as well. Declassified documents from the US government show that the founder of the DFS, Coronel Carlos Serrano, was perceived by the US government as the personal "tax" collector of President Miguel Alemán (1946-1952).[95] Likewise, Marco Palacio and Mónica Serrano further argue that drug traffickers had to pay "kick-backs" to obtain the "permission" and/or protection of the authorities.[96] Even while this remains hard to prove, it is important to stress the fact that corruption was not necessarily needed for the establishment of implicit or explicit agreements. Other motivations could have been involved. While setting agreements with drug cartels, the federal government was able to keep an eye on the activities of criminal organisations and to control them. As Luis Astorga and David Shirk argue, "[c]omplicity between the DFS and Mexican DTOs [Drug Trafficking Organisations] ensured that organized criminal activity was extensively protected and well regulated"[97].

It is worth stressing that both agreements and more importantly centralisation of power were essential in the functioning of the policy of tolerance. Low levels of violence can be explained in part by agreements, but it is unlikely that these arrangements would have been so effective in a decentralised system for two main reasons. In the first place, the centralisation of the regime enhanced the organisational capacities of the state in the sense that it facilitated coordination among the three federal units. The federal government was able to give certainty to the actions of each level. Agreements could be maintained in the long run only because both parts were able to comply with them. Once

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Mexico', in John Bailey and Jorge Chabat, *Transnational Crime and Public Security*, San Diego, University of California, 2002.

[94] Marco Palacios and Mónica Serrano, *Op. cit.*, p.116.

[95] Interview with Luis Astorga in Jésica Zermeño, '¿Pactar o no?', *Enfoque,* 17 April 2011.

[96] 'Colombia y México: las violencias del narcotráfico', in *Op. cit.*, p.117.

[97] *Art. cit.*, p.9.

the mechanism was running, reciprocity and the repetition of the exchange reduced the costs of transaction and gave certainty and stability to the established relations.

In the second place, centralisation conferred the state the power to act as a unit entity. During the *pax priista*, the balance of power was in favour of the state; it had the capacity to bring force to bear on those not willing to comply with the rules.[98] The president had command of the whole repressive apparatus, including the subnational agencies. Luis Astorga points out that, in this scenario, drug lords only had three options if they did not want to follow the rules: to quit the business, to go to jail or to die.[99] According to Palacios and Serrano, in contrast with the Colombian case, where no effective centralisation was in place, the centralised system in Mexico prevented the participation of drug traffickers in political activities. Following this argument, the Mexican drug cartels and other criminal organisations were subordinated to political power.[100]

Having reviewed some of the fundaments of the policy of tolerance and the importance of the centralisation of power, it can be argued that the *pax priista* depended partly on the *status quo* of the intergovernmental balance of power. The centralisation of the political system allowed the government to impose the rules of the game and to comply with its agreements. In the next subsection, the evolution of the security threats faced by the regime will be analysed.

[98] It can be argued that before the boom of cocaine trafficking in the 1980s (to be examined below), criminal organisations had not yet developed their full potential, and therefore the challenge was lower. However, for analytical reasons, it is important to distinguish between the evolution of the capacities of the state and those of organised crime. It is not only the evolution of criminality but the interplay of both processes that is essential in explaining the security conditions in Mexico.

[99] Interview with Luis Astorga in Jésica Zermeño, *Art. cit.*

[100] Marco Palacios and Mónica Serrano, *Op. cit.*, p.117.

B) The Rise of Security Issues

In Mexico, the rise of security issues is in part related to the consolidation of organised crime. The growth of drug-trafficking structures provided an ideal context for the emergence of different kinds of criminal groups. The drug business goes back to the early twentieth century; poppies and marijuana were cultivated mainly in the northern states (Sinaloa, Durango, Chihuahua and Baja California).[101] As a result of the international drug prohibition consensus[102] and the increasing demand in the US, among other factors[103], these relatively small but stable markets grew rapidly in the 1960s and skyrocketed in the 1970s.[104] Some specialists argue that Mexico was the main supplier of marijuana and heroin for its northern neighbour in 1975: "[t]he U.S. President's Commission on Organized Crime estimated that the supply of Mexican heroin had increased from 10-15 percent in 1972 to 80 percent in 1975" [105].

In the early 1980s, cocaine produced in South America became increasingly popular in the North American market. When South American cartels stopped being able to smuggle it through Florida, due to the effective seizure actions of the border police and the Drug Enforcement Agency (DEA), Mexico became the most important transit corridor.[106] The amount of cocaine seized by the Mexican authorities went up from 29 kilos in 1980 to 39,337 kilos in 1989.[107] Although it is impossible to know the real amount of drugs smuggled through Mexico, these figures suggest a huge growth. Some authors estimate that in 1988 the total drug revenue represented between 1.25 and 4 percent of

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[101] For more about the drug in the early twentieth century, see Celia Toro, *Op. cit.*
[102] Mexico signed all the agreements of the international anti-drug regime throughout the twentieth century, therefore adopting an official position against drugs (Jorge Chabat, 'Las respuesta del gobierno de Felipe Calderón al desafío de narcotráfico: entre lo malo y lo peor', in *Op. cit.*, p.23).
[103] For example, the ban of opium production in Turkey and the dislocation of the heroin smuggling network the "French Connection" (Mónica Serrano and María Celia Toro, *Op. cit.*, p.159).
[104] *Loc. cit.*
[105] Celia Toro, *Op. cit.*, p.16.
[106] Marco Palacios and Mónica Serrano, *Op. cit.*, p.114.
[107] Celia Toro, *Op. cit.*, p.33.

Mexico's GDP and between 6 and 20 percent of its export earnings.[108] Thus, drug organisations acquired unprecedented financial capacities and the huge profits of the business contributed to the consolidation and "professionalisation" of criminal structures.

In the second half of the 1980s, the remarkable increase in the drug offer pushed down the price of cocaine[109], marijuana and heroin. Nonetheless, the huge differential between the price of production and the sale price in the US market (largely due to the prohibition regime[110]) allowed the trade to remain cost-effective.[111] However, the drop in the prices and the enforcement of antinarcotics policies lead to important changes in criminal activities: cartels had to adjust their strategies.[112] They reorganised their modes of production and transportation, reconsidered their links with political authorities and expanded their activities into other criminal enterprises.[113] These changes had a tremendous impact on security.

Arm smuggling, kidnapping, extortion, human trafficking, car theft and piracy are among some of the criminal activities that grew parallel to drug-trafficking structures. [114] In some cases, drug cartels diversified their activities to include a wide range of other criminal enterprises (e.g. kidnapping and extortion) and, in other cases, different illegal markets were established to provide products and "services" (e.g. arms smuggling, money laundering and *sicariato*) to drug organisations. As Mónica Serrano and Celia Toro state, "[a]rms smuggling, the industry of kidnapping, and vehicle crime, which are increasingly

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[108] Mónica Serrano and María Celia Toro, *Op. cit.*, p.161.

[109] The price of cocaine in the US dropped from 45,000-55,000 dollars per kilo in the early 1980s to 10,000-20,000 at the end of the decade (*Ibid.*, p.160).

[110] Marco Palacios and Mónica Serrano, *Op. cit.*, p.113.

[111] In 1988-1989, a kilogram of cocaine cost between 3,000 and 6,000 dollars in Colombia while it could reach a price of 17,000 dollars in the US (Mónica Serrano and María Celia Toro, *Op. cit.*, p.161).

[112] *Ibid.*, p.162.

[113] *Loc. cit.*

[114] *Ibid.*, p.155.

well organized and thriving in Latin America, are directly or indirectly related to drug smuggling: as businesses, they are variations on the theme".[115]

This presumed link between the boom of drug trafficking in the 1980s and the increase in the number of other crimes seems to be reflected in the evolution of criminality rates.[116] In general terms, in Mexico, as in many other Latin American countries, official statistics tend to understate the real dimension of insecurity. This can be explained by different factors, but underreporting is one of the most commonly cited reasons.[117] People may distrust some institutions and perceive that the risk of reporting crimes (i.e. revenge due to possible police collusion) is higher than the likelihood of having those crimes addressed. In addition, changes of methodology and the lack of systematic data collection are other important problems to consider.[118] Nevertheless, in spite of the necessity of being sceptical about the reliability or accuracy of official statistics, there are some consistent patterns across different sources regarding the increase of criminality rates in Mexico since the 1980s.

Marcelo Bergman and Laurence Whitehead point out the rise of 141 percent in property crimes in Mexico City, between 1985 and 1997.[119] Pablo Piccato found similarities between the trends of criminality rates made out of Judiciary data from national sources and those made out of information from Mexico City.[120] In both cases, criminality rates, particularly theft, increased consistently starting in the 1980s.[121] Although there are some disagreements about the levels of criminality in the mid-twentieth

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115 *Op. cit.*, p.155.
116 See Figure 5.
117 See other considerations in Marcelo Bergman and Laurence Whitehead (eds.), *Op. cit.,* pp.3-4.
118 *Loc. cit.*
119 *Ibid.*, Table on p.6.
120 Pablo Piccato, 'Introducción: Estadísticas del crimen en México, series históricas', Columbia University, 2003, [data base].
121 *Loc. cit.*

century[122], it is interesting to note that the figures provided by Piccato could suggest a possible relation between criminality rates and the evolution of the Mexican political system. Even though this hypothesis would be hard to prove, partly due to the wide range of variables involved[123] (and exceeds the scope of this dissertation), it is interesting to point out that the trends visualised in Figure 5 seem to match some aspects explored previously in this work, namely the *pax priista* (1947-1985) and the decentralisation processes launched in 1980s. Such general conclusions cannot be sustained in this work but could be an interesting subject for future research.

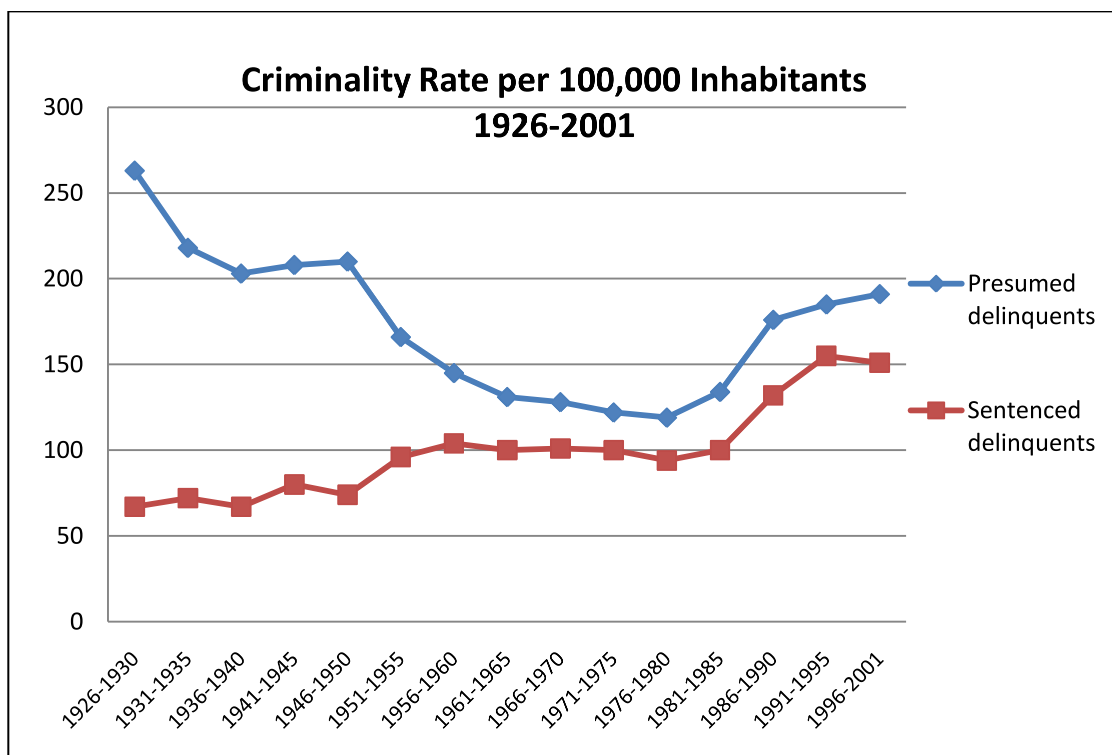

Figure 5. Source: Pablo Piccato, 'Estadísticas del crimen en México, series históricas', Columbia University, 2003, [data base].[124]

122 It should be noted that there are questions about the quality of information in the period 1950-1980 (Marcelo Bergman and Laurence Whitehead (eds.), *Op. cit.,* p.4).

123 Since the economy is closely related to the performance of the political regime and many variables can affect criminality rates, complementary economic perspectives must be taken into account. "In Mexico, while official rates of reported crime declined significantly from the 1940s to the 1970s –a period of strong economic growth- a series of economic crises in the 1980s and 1990s was accompanied by sharp increases in certain forms of crime, specially robbery and theft" (Wayne A. Cornelius and David A. Shirk (eds.), *Reforming the Administration of Justice in Mexico,* Notre Dame, University of Notre Dame Press, 2007, p.8).

124 The homicide rate is calculated with the total of homicides, injuries, theft and rape from the local and federal jurisdictions. A presumed delinquent is a person been investigated by the public prosecutor for criminal charges; he or she becomes a sentenced delinquent if a judiciary sentence is given.

* * *

In summary, many authors argue that during the *pax priista* violence was maintained at a low level in part due to a policy of tolerance, based on implicit or explicit agreements between authorities and criminal organisations. The centralisation of power was an essential component of the system: the state was able to act as a unit entity under the lead of the federal executive and had the capacity to impose the rules of the game and to comply with its agreements. At the same time, the relatively small Mexican drug market of the 1960s became a large-scale market in the 1980s. The drop in cocaine prices pushed drug-trafficking organisations to diversify their criminal activities into other felonies of high social impact (e.g. extortion, kidnapping, human trafficking); this fact could partly help to explain the increase of criminality rates and the deterioration of public security.

IV The Effects of Decentralisation on Security

While organised crime became a powerful actor in Mexico, the capacities of the state were undermined. In this section, some of the elements that helped bring the *pax priista* to an end will be analysed. It will be argued that as a consequence of decentralisation and democratisation, the federal government lost many of its former capacities. Moreover, the difficulties caused by the shift in IGR made difficult the establishment of coordination mechanisms among levels of government.

A) The Breakdown of the *Pax Priista*

Between the 1980s and the 1990s, the governmental capacities of the regime decreased; decentralisation processes undermined the power of the state, which was not working as a unit actor anymore. Ongoing IGR rearrangements were breaking down the discipline that allowed the authorities to keep criminal organisations under control: the federal government was losing its vertical power over subnational authorities and therefore also over their security agencies. As Jorge Chabat asserts, "the Mexican State began to show a

great inability to control its security forces. They were acting increasingly on their own and compromising the rights of the population in unprecedented ways"[125].

This loss of control can be exemplified in one of the big scandals of the De la Madrid administration. In 1985, the assassination of Enrique Camarena, a DEA agent, exposed the complicity of the Mexican authorities with drug lords. It was from that year that, alongside the US government's pressure, drug trafficking became a concern for the Mexican government. The DFS was accused of being directly involved in drug trafficking and other serious felonies such as extortion and kidnapping. As a consequence, the emblematic intelligence agency – a key element of the regime's stability – was eliminated.[126] Presumably, the DFS exceeded the supervision tasks that it had had for many years and was working under the orders of criminal organisations.[127] The line between tolerance and direct participation in the illicit activities seemed to have been broken.

In a decentralised context, criminal organisations could more easily corrupt or threaten (following the "*plata o plomo*" principle) each level of government and each security agency separately, especially at the municipal and state levels. The line between the lack of "will" of the authorities (possibly influenced by bribery: *plata*) and the lack of real capacities (incapacity to face the menaces: *plomo*) is very thin.[128] Astorga and Shirk support this argument by emphasising that "– unlike the past, when national level state structures effectively dominated and controlled organized crime – sub-national authorities

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[125] 'Mexico: The Security Challenge', *Art cit.*, p.3.
[126] The DFS was replaced by the General Directorate of Investigation and National Security (DISEN) that four years later, in 1989, gave way to the National Security and Investigation Centre (CISEN). For more on the intelligence agencies, see Leonardo Curzio, 'The evolution of intelligence services in Mexico', *Op. cit.*
[127] Luis Astorga and David A. Shirk, *Art. cit.*, p.10.
[128] Jorge Chabat, 'Narcotráfico y Estado. El discreto encanto de la corrupción', *Letras Libres*, September 2005, p.15.

lack the coercive capability to control organized crime, and are more likely to be controlled by it"[129].

The balance of power between authorities and criminals was transformed. While the state experienced decentralisation processes, the newly enriched drug cartels not only had their corruptive capacities multiplied[130], they had sophisticated weaponry and enough power to force the authorities to serve their interests or at least to keep them away from their businesses. However, even in this scenario, organised crime still had incentives to make agreements and to try to facilitate its activities or to reduce the costs of transactions. The difference is that, after the decentralisation processes, these agreements would be expected to be made separately with each level of government or agency.[131]

Nevertheless, these new generation of agreements may not have the same weight as during the *pax priista* for two reasons: the wide range of new actors involved (new state actors and new criminal organisations) and, hand in hand with that, the incapacity of the authorities to establish the rules and fully comply with them. During the *pax priista*, implicit or explicit agreements made by the federal government were respected by all other subnational authorities and security agencies. In contrast, after the decentralisation processes, each level of government gained different levels of independence. Therefore, an agreement made by a criminal organisation and one component of the federation could no longer guarantee the actions of another level of government. If we take into account that, on their way to the US, many criminal groups cross almost the entire Mexican territory, from south to north (at least three different states in the Golf route, eight in the Pacific one, hundreds of municipalities in both cases and thousands of kilometres of

[129] Luis Astorga and David A. Shirk, *Art. cit.*, p.33.
[130] "Peter Smith reckons that traffickers in Mexico have been able to afford to spend as much as US$500 million per year on bribery – more than twice the total budget of the attorney general office" (Mónica Serrano and María Celia Toro, *Op. cit.*, p.172).
[131] *Cf.* Fernando Escalante, *Art. cit.*

federal highways or coasts), any attempt to make agreements becomes much more complex.

Furthermore, even if a criminal group could successfully make agreements with many of the state actors involved in security, it must not be forgotten that other rival organisations have to be included in the picture. Mexico went from a uni-polar cartel arrangement in the mid-1980s (Felix Gallardo's cartel) to a multi-polar model of trafficking organisations by the late 1990s.[132] Agreements with one organisation most of the time exclude others, which find incentives to fight against their enemies and the co-opted or subjugated authority.[133] As Mónica Serrano and Celia Toro point out:

> The enlargement and more profitable drug market of the 1980s marked the beginning of a fierce competition between new and old traffickers for a share in the market and for the protection of different law-enforcement agencies (…) As police regulation – through either corruption or active participation – became increasingly problematic, orderly illegal transactions gave way to more chaotic and violent illegal markets.[134]

As a consequence, since the government was not able to organise illegal markets anymore and/or to provide protection to criminals, many organisations decided to take security into their own hands or to hire armed groups for that purpose.[135] The result has been a sharp increase in violence:

> Violence is not solely a symptom of tighter enforcement; it is indeed one of the thermometers that measures the level of organization or disorganization of the criminal marketplace. An escalation in violence can be seen as an indicator of wider disorganized drug-trafficking market, in which traffickers are unable to establish deals, durable agreements on market boundaries, and long-lasting relationships with law-enforcement agencies or, in the case of some countries, with the military. The quick emergence and reemergence of new contenders in the market provides additional support for this hypothesis.[136]

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132 Luis Astorga and David A. Shirk, *Art. cit.*, p.38.
133 However, in some cases agreements between different criminal organisations are possible; see Phil Williams, 'Cooperation Among Criminal Organizations', in Mats Berdal and Mónica Serrano (eds.), *Transnational Organized Crime and International Security: Business as Usual?, Op. cit.,* pp.67-80.
134 *Op. cit.*, p.172.
135 Marco Palacios and Mónica Serrano, *Op. cit.*, p.136.
136 Mónica Serrano and María Celia Toro, *Op. cit.*, p.173.

As it was shown, the viability of the policy of tolerance depended to a certain extent on the centralised character of the system, when the government had the upper hand in the situation. The new IGR arrangement limited the regulatory capacities of the state; therefore, the stability of illegal markets was disrupted and violence inevitably arose.

B) The Coordination Challenges

At a time when criminal groups were getting better organised, the decentralisation processes boosted the dormant federal arrangement. The constitutional attributions of the federal components started to become important. The Mexican federation works formally on the basis of the model of "residual" distribution of attributions; Article 124 of the Constitution states that all the attributions that are not specifically given to the central government are left to the states.[137] Nonetheless, regardless of that principle, other articles give attributions to different levels of government, adding complexity to the system and difficulties to the emerging need for intergovernmental coordination.

It was only in 1994, around a decade after the beginning of the decentralisation processes, when a reform to Article 21 explicitly stated that the federation, the federal district, the states and municipalities had shared responsibility over public security (prevention, investigation, persecution and administrative infractions) and the obligation to become integrated into the SNSP. The reform laid the groundwork for the establishment of the SNSP, one of the first institutions aiming at specifically increasing the coordination among the three levels of government.[138] The enactment of the general law of the SNSP had to go through intense negotiations. One of the concerns of the

[137] Vicente Ugalde, *Op. cit.*, p.456.
[138] The predecessor of the SNSP, the National Office for Public Security Coordination, only existed on paper (Fernando Castillo and Viviana Macías, 'Mexico's National Security System: Perspectives for the New Millennium', in John Bailey and Jorge Chabat (comps.), *Op. cit.*, p.54).

subnational units was the respect for their sovereignty and the independence they had achieved in the last decades. [139]

Notwithstanding its formal attributions, the coordination model is very often perceived by subnational units as an imposition of the federal government. José Luis Santiago Vasconcelos, Deputy Attorney General under President Fox's administration, acknowledged that the institution was not working correctly, partly because the police forces were "not interested in entering into the dynamics" led by the federal government.[140] It is not uncommon to see in the media, representatives of different levels of government pointing fingers at each other, especially when they belong to different political parties. Rivalries exist among the different federal units and even within the same level of government, as was remarked on in the leaked cables of the US Embassy in Mexico: "Mexican security institutions are often locked in a zero-sum competition in which one agency's success is viewed as another's failure, information is closely guarded, and joint operations are all but unheard of"[141].

One of the possible conjectures is that the relevant actors have few incentives to participate in a model that does not take into account the reality of IGR. Some measures have been taken aiming at overcoming the "zero-sum" competition in which the security agencies are immersed. In 2010, the SNSP was transferred from the Public Security Secretariat (SSP) back to the Secretary of Government. During the period when it was hosted by the SSP (2000-2010), many of the links with subnational units deteriorated: the verticality of the model – opposed to the current IGR status – undermined the nature of its mission. At present, the SSP is not anymore above but among the institutions to be coordinated by the SNSP. This should facilitate coordination with subnational units but

[139] *Loc. cit.*
[140] Jorge Chabat, 'Mexico: The Security Challenge', *Art. cit.*, p.19.
[141] Cable 10MEXICO83 of the US Embassy in Mexico, 29 January 2010.

the engagement of the SSP in the new model remains uncertain. The consolidation of effective coordination mechanisms, in line with the evolution of IGR from an inclusive to a coordinated model, is still among the tasks to be completed.

So far, the SNSP has mainly focused its attention on strategic coordination (the establishment of guidelines for a national public security policy), particularly on the standardisation and professionalisation of the police forces (there are more than 2,000 in Mexico). This means that, although there are some projects of operative coordination (collaboration between agencies) among the federal forces (the Army, Navy and Federal Police), the state's corporations and the municipal police, the mechanisms of operative coordination are not clearly institutionalised yet. The consequence is not only the lack of real joint operations to face a common problem but the arousal of dangerous conflicts among agencies that, in some cases, have resulted in incidents of armed confrontation.[142]

Similar problems regarding judicial processes can be mentioned. In Mexico, surveillance duties are in the hands of the municipal police, prosecution depends on the state and drug-trafficking matters are a federal responsibility. As a consequence, the detention of a drug dealer by the local police requires collaboration at all levels. The lack of effective coordination mechanisms and information sharing result, in many cases, in the incapacity to bring delinquents to justice. As Diane Davis asserts, "[d]emocratization of the state through decentralization and power sharing, along with the strengthening of competitive party politics, seems to have contributed to the emergence of new and more vicious intrastate and bureaucratic conflicts."[143]

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[142] 'Enfrentamiento entre agentes en Durango deja 4 heridos', La Razón, 29 December 2010.
[143] Diane E. Davis, "Undermining the Rule of Law: Democratization and the Dark Side of Police Reform in Mexico", *Latin American Politics and Society*, Vol. 48, No. 1, 2006, p.58.

The huge financial resources of organised crime and the fragmentation of power within the Mexican state reversed the balance of power between criminals and authorities. Presumably, agreements between authorities and criminal organisations were decentralised. Due to the multiplicity of actors involved in both illegal businesses and security tasks, agreements lost their regulatory capacity. In that context, the policy of tolerance became non-viable. Furthermore, the changes that led IGR from an inclusive model to a coordinate model require efficient institutions of coordination that remain weak in the current political context. Public servants may interpret the defeat of their political enemies as an achievement for them. These dynamics, in practical terms, have practically left the federal government alone in a very complicated war.

Conclusions and Short-Term Alternatives

There are no easy solutions to the security problems rife in Mexico. The list of actions and reforms to be undertaken is long.[144] Many of these changes may take a long time to be implemented and even longer to produce results. In the case of the SNSP, for instance, the consolidation of effective coordination mechanisms has been on the agenda of the institution since its creation, 15 years ago. However, the next administration (2012-2018) will have to define its security strategy as soon as it takes office, or even before. One of the first decisions to be faced is whether to continue the complex and widely criticised war against organised crime or to put an end to it or come to agreements with criminals, as some civil organisations and other political actors have eagerly demanded.

The pressure will be intense and the options are rather limited. Organised crime has become a national security menace: it has acquired the capacity to infiltrate and in some cases control municipalities (e.g. Mier, Tamaulipas)[145], states (e.g. Tamaulipas)[146], and even federal institutions (e.g. SIEDO, the Deputy Attorney General's Office for Special Investigation into Organised Crime)[147]. Municipal and state police agencies are among the most vulnerable institutions; many of them have been either overwhelmed or corrupted

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144 Police reform, reforms to the administration of justice, criminal justice reform, reforms to the national security law, to name a few.
145 *Cf.* 'Ciudad Mier, pueblo fantasma', *Milenio*, 11 November 2010.
146 *Cf.* 'Tamaulipas, ¿en camino de convertirse en un estado fallido?', *BBC Mundo*, 13 April 2011.
147 Deputy Attorney General's Office for Special Investigation into Organized Crime; *cf.* 'Investigan a ex titular de la SIEDO por la venta de información a los Beltrán Leyva', *La Jornada*, 22 October 2008.

(e.g. Cherán, Michoacán[148] and San Fernando, Tamaulipas[149]). The number of homicides has skyrocketed and criminal organisations have expanded their range of activities from drug trafficking to other felonies of higher social impact. With this bleak picture, the problem would be rather difficult to avoid.

Recalling the *pax priista* period, some ideas suggesting a shift backwards have emerged in the public debate. "El federalismo a la violenta se hizo sin sistemas", asserts General Jorge Carrillo Olea, founder and first general director of the CISEN: "México es un país que ha demandado desde su prehistoria una autoridad fuerte, pero llegan los gobiernos de Zedillo, Fox y ahora Calderón, y en un ilusorio sentido federalista sueltan a los gobernadores (…) Fue una concepción federalista extrema que no va con este país" [150]. The declarations of General Carrillo Olea are opportune, having analysed some of the unexpected consequences of decentralisation in Mexico. However, the questions about whether these propositions are desirable and/or possible remain.

Democratisation and decentralisation are two independent processes: decentralisation does not always lead to democratic outcomes[151] and, vice versa, centralisation does not necessarily have a negative impact on democracy.[152] Nevertheless, as was shown earlier, both processes can interact in specific contexts, be mutually reinforcing and change the intergovernmental balance of power in a relatively short time. For this reason, when considering recentralisation policies, it is essential to give special attention to the possible consequences for democracy. The concentration of power in the hands of one person or institution – even when legally done – could put at risk the checks

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148 'Disuelven la Policía de Cherán para formar nuevo cuerpo policiaco', *Excelsior*, 9 May 2011.
149 *Cf.* 'Desarman a policías de Tamaulipas por narcofosas', *Excelsior,* 14 April 2011.
150 'Debe revertirse federalismo violento', *Reforma*, 20 April, 2011.
151 Decentralisation can even result in the concentration of power at subnational levels and the formation of local authoritarianisms.
152 Tulia Falleti, *Art. cit.*, pp.327-328.

and balances system on which democracy has been built, thus producing undesirable consequences for citizens (reduction of plurality, loss of rights, etc.).

Having said the above, radical recentralisation policies seem quite unlikely in the current plural political scenario. The most likely resistance would come from the newly empowered subnational units and very probably from the Congress. This last would depend on the composition of both chambers (at present divided), but it is interesting to note that even the majority of one party would not necessarily guarantee the approval of a bill. This was illustrated during May 2011, when a set of reforms supported by the PRI in the Senate (including the national security law aiming at the regulation of the army's operations in peace times) was opposed by members of that same party in the Chamber of Deputies.[153] The lack of a system of incentives makes the convergence of interests difficult, even within the same political party.

Propositions about agreements with criminal organisations are likely to continue to arise as well. As has been underscored throughout this work, without a centralised system, a way back to the policy of tolerance does not seem a viable alternative. The Mexican political system has experienced significant changes that have transformed IGR and, therefore, the way in which the federation works. In contrast with the official explanation, the transition of 2000 is not seen as a focal point in the study of security but rather as part of a set of processes developing since the 1980s. Decentralisation and democratisation diminished the capacity of the state to maintain control over criminal organisations and increased the difficulties the relevant actors faced in responding to security challenges. Partly due to the resulting fragmentation of power, the mechanisms by which the previous regime was able to control criminal organisations lost their efficiency.

[153] 'Frenan reformas pugnas de priistas', *Reforma*, 25 April 2011.

It was no longer able either to impose the rules of the game or to comply with its agreements.

It is likely that, due to decentralisation processes, the agreements between criminals and authorities became decentralised as well. This new generation of agreements would be expected to be more fragile, taking into account the multiplication of state actors and criminal organisations. In this context, agreements between criminal organisations and local authorities – even when apparently keeping violence low according to Escalante's argument – could no longer guarantee security conditions for the population or for the state. As Astorga and Shirk emphasise, regardless of the results of the 2012 elections, a return to the policy of tolerance does not seem possible: "even if Mexico's once powerful PRI – which continues to govern more than half of Mexico's state governments and the vast majority of municipalities – were to recapture presidency […], it is not clear that it could recreate the top-down controls of organized crime that formerly existed under past PRI governments, even if this was desirable".[154]

Two main short-term alternative strategies for the next federal government can be distinguished. The first one would be to split criminal organisations into small groups in order to reduce their power. This fracturing of the organisations is sought by eliminating (arresting or killing) the leaders of the most important organisations. Drug cartels are the main targets due to their enormous financial resources and capacity to threaten the state. This is the strategy of the current administration; the goal is not to destroy drug-trafficking organisations but to reduce their power and turn a national security problem into a public security one.[155] The national security logic is compelling; however, the costs in terms of violence are huge. Rivalries within the same organisation

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[154] Luis Astorga and David A. Shirk, *Art. cit.*, pp.33-34.

[155] Jorge Chabat, 'Las respuesta del gobierno de Felipe Calderón al desafío de narcotráfico: entre lo malo y lo peor', *Op. cit.,* p.30.

and with other cartels are multiplied and the rise of drug-related homicides is one of the disastrous consequences.

In contrast, the second strategy is focused on the reduction of violence. Drug lords are not persecuted. Taking into account its limitations, the state chooses its targets: the most violent organisations and those perpetrating crimes of high social impact, not the largest or richest ones. By doing this, the state aims at sending a message to criminals about the actions that are not going to be tolerated and tries to –somehow – shape their behaviour.[156] This is said to be the strategy of the US, which, besides being the recipient of most of the drugs that goes through Mexico, manages to keep violence low. The operation 'Fallen Hero' carried out by the DEA last February can be understood in these terms. One week after the assassination of one of its agents in Mexico (Jaime Zapata), a large-scale operation was launched against Mexican drug traffickers in 150 cities across the US. In only three days, 676 persons were arrested and 12 million dollars was seized along with 282 arms, 94 vehicles, 15.9 tons of marijuana, 467 kilos of cocaine, 29 kilos of amphetamines and 9.5 kilos of heroine. According to Eduardo Guerrero's interpretation: "[e]l mensaje fue muy claro: sabemos dónde están, qué hacen y cómo lo hacen. En cualquier momento podemos capturarlos, así que no vuelvan a tocar a nuestros agentes ni aquí ni en México, porque se las van a ver con nosotros".[157]

The strategy is a viable low-cost short-term alternative but its application may be complicated in the current situation. As stated earlier, a considerable part of the rise in the number of homicides is attributed to disputes among criminals; many organisations are involved. In the midst of the fight for control over illegal markets, the target may not be clear. Moreover, if the federal government decides to focus on the organisations involved

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156 Eduardo Guerrero Gutiérrez, 'Cómo reducir la violencia en México', *Nexos*, 3 October 2010.
157 Interview with Eduardo Guerrero in Jésica Zermeño, *Art. cit.*

in high-social-impact crimes (kidnapping, human trafficking, extortion, etc.), the fight around the drug market may continue until a new arrangement among the cartels is reached. Astorga and Shirk provocatively suggest that "[p]erhaps the best hope for a *pax mafiosa* is for traffickers themselves to arrive at some cooperative arrangement – either explicit or implicit – to establish clearly demarcated territories, distinct product lines, pooled resources, or even shared distribution channels". [158] Nevertheless, the question is whether it is desirable that the government remain only as a spectator and leave the solution in the hands of organised crime.

Although there are no clear criteria for assessing the current national security strategy (partly due to the number of factors involved and the persistent lack of information), a further rise in the number of homicides – besides the gravity of the fact in itself – may raise complaints about human right violations, increase the emerging social opposition and reopen the debate on the possible failure of the state. In order to deal with the increasing social pressure, the next government will have to make readjustments and define and implement a different strategy. The options being limited, in spite of the difficulties implied in the second strategy, the reduction of violence may become a priority. Nevertheless, any policy aiming at the mere reduction of violence will not necessarily solve the complex national security problems or improve public security in the long term. As Jorge Chabat asserts: Mexico stands between the bad and the worst.[159]

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[158] Luis Astorga and David A. Shirk, *Art. cit.*, pp.33-34.

[159] Jorge Chabat, 'Las respuesta del gobierno de Felipe Calderón al desafío de narcotráfico: entre lo malo y lo peor', *Op. cit.*

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