



# Executive Summary



Strategic Studies Institute and U.S. Army War College

## THE IMPACT OF PRESIDENT FELIPE CALDERÓN'S WAR ON DRUGS ON THE ARMED FORCES: THE PROSPECTS FOR MEXICO'S "MILITARIZATION" AND BILATERAL RELATIONS

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Poet and essayist Javier Sicilia, whose son was captured, tortured, and murdered by thugs in 2011, wrote an open letter "To Mexico's Politicians and Criminals" in which he accused public officials of complicity in the criminal activities. "We cannot cry out," he said, "because this government is the same as members of organized crime and can think only in terms of violence and the wish to militarize the country. . . ." The problem lies in Mexico's seldom if ever having had an effective, uncorrupted, and professional police force whose members knew their communities, could referee barroom fights and other minor disputes, and could gain the confidence of the citizenry to assist in fighting crime. In the 19th century, dictator Porfirio Díaz (1876-1911) relied on the brutal "Rurales" to repress opponents. The Institutional Revolutionary Party (PRI), which dominated the political system from 1929 to 2000, created some 3,000 municipal, state, and federal law-enforcement agencies, according to analyst Benjamin Reames. However, venality, extortion, poor training, incompetence, and low pay characterized most of the 350,000 elements in these units. PRI officials often deployed these policemen to spy on opponents, settle scores with foes, and operate as bagmen for payoffs from narco-traffickers and other denizens of the underworld.

As a result, Presidents Vicente Fox (2000-06) and Felipe Calderón (2006-12) relied heavily on the men and women in uniform to combat the cartels that import, store, process, sell at home, and export drugs. Although involved in drug eradication for 4 decades, soldiers are trained to pursue, capture, and kill—with little experience in urban settings. The violence

associated with these activities had taken more than 47,000 lives by the time Enrique Peña Nieto was inaugurated on December 1, 2012.

This monograph explores whether Mexico's protracted drug war has "militarized" the country. In the United States, when politicians cannot resolve a thorny issue such as teenage pregnancies, drug abuse, obesity, poor nutrition, environmental awareness, latch-key youngsters, etc., they often assign responsibility to the public schools. Such is the case of Mexican leaders with respect to criminality. In many cases, they have either expanded existing functions carried out by the Ministry of National Defense (SEDENA) and the Navy Ministry (SEMAR) or thrust new tasks upon them.

Law enforcement is a case in point. For years, retired officers have served as state and municipal public security officials or police chiefs—typically with the approval of the National Defense Secretary. The number of such appointments has mushroomed in recent years. The number of military men performing these roles in states and major cities has shot up from six in February 2009 to approximately 50 in mid-2012.

Meanwhile, local officials who have purged contaminated police departments recruit military retirees to fill their places. After ousting half of the city's 400 policemen in Santa Catarina, a city in metropolitan Monterrey, the mayor made clear his determination to hire "elements with a military profile" to undertake patrol and surveillance duties. In essence, politicians have more confidence in men and women who have learned discipline, order, and team work in the armed forces.

Formerly, there were limited contacts between civilians and the military except at the highest levels of government and on ceremonial occasions. The fight against drug-inspired criminality has changed this situation. Now in Tijuana and Ensenada, Baja California, the Army and Navy regularly hold sessions with representatives of the state government and the tourism sector. In other areas, so-called “purple groups” have sprung to life to enable political and civic activists to meet regularly members of the Army, Navy, and Federal Police.

Private security firms that have mushroomed in number are increasingly reaching out to the military. In recruiting body guards, skilled drivers, technical experts, and consultants, these outfits often seek former military personnel not only because of their training and discipline, but also because they have the legal right to carry firearms.

The Army and Navy have ever more interaction with civilian functionaries and are vulnerable to being suborned. Recent presidents have sought to mitigate the corruption that flourishes within the Mexico’s Customs Administration—a Herculean challenge in view of princely payoffs. Enter the armed forces. In mid-August 2009, they took over functions of the Fiscal Police in 49 land ports along the northern border. For its part, the Navy began overseeing customs operations in seaports. Two years earlier, the Army assumed the inspection of passengers at the airport in Mexicali, capital of Baja California, because Federal Policemen were suspected of facilitating cocaine shipments by the notorious Sinaloa Cartel to the United States.

Military men have also been drawn into guarding and, in some cases, operating prisons. In mid-August 2009, General Felipe de Jesús Espitia, commander of the Fifth Military Zone, announced that troops would replace civilian administrators and guards at the penitentiary in Aquiles Serdán. Officers also serve as directors of the penal facilities in the three largest cities in Quintana Roo even as they control access to three large Monterrey penitentiaries.

Abuses arising from the pursuit of drug lords may alter a tradition that dates to the Middle Ages; namely, trying Army and Navy personnel accused of crimes against civilians in military courts or *fueros*. Early in Calderón’s term nongovernmental organizations (NGOs) inveighed against the trampling of human rights, homing in on the 200,000-member Army. Mexico’s zealous National Human Rights Commission

claimed to have received 5,055 complaints, many against the military, while asserting that 5,300 people had disappeared amid assaults on crime families.

The drum beat of international outrage finally grabbed the attention of Mexico’s brass, which created the position of General Director for Human Rights in its command structure in what one observer labeled “a milestone that passed relatively unnoticed by most media and analysts.” In response to freedom-of-information petitions, SEDENA has begun to shed light on judicial actions. In February 2012, it reported that 450 members of the Army were behind bars for serious crimes, while others were either standing trial or under arrest. In August 2012, newspapers carried front-page stories of the incarceration of five generals in the Almoloya high-security prison in Mexico State. In mid-2012, Mexico’s Supreme Court (SCJN) was considering what cases, if any, involving members of the armed forces would be heard in civil tribunals.

In light of charges of wrongdoing by their members, SEDENA and the SEMAR have moved into the public relations arena. To herald both positive achievements and attract more volunteers, the Army began running advertisements on television, *Twitter*, and *YouTube*, along with brief recruiting videos before the beginning of motion pictures. Outlays for this advertising soared to 46 million pesos (approximately \$3.5 million) in 2011.

An additional effort to close the chasm between the armed services and the population found Army and Navy personnel mixed with the crowds following the September 16 Independence Day marches. “Look, Papa!” shouted a 9-year-old boy, who sat proudly in an armored vehicle with both hands grasping the controls of an anti-aircraft weapon.

SEDENA has also attempted to broaden its appeal to the citizenry and overcome its *machista* image by opening to females all of its 17 specialized schools, including those for combat instruction, basic and advanced military police training, preparation of sergeants, and the formation of officers for the Heroic War College. Greater chances for women spring from social and international pressure, the presence of more skilled women prepared to enter the armed forces, and the need to recruit more elements in an institution plagued by desertions. One leftist deputy even looked to the not-too-distant future when a woman could become secretary of defense—a will-o’-the-wisp for decades to come.

In a further endeavor to strengthen the esprit de corps and discourage desertions, SEDENA has raised salaries, initiated 21-gun salutes at burials, made certain that military bands were on hand to honor the fallen, provided a memorial flag to the wife, authorized a life pension for widows, and furnished broader insurance coverage. Furthermore, it has erected a monument to soldiers who died while serving their country.

The mayhem afflicting parts of the nation and the death of some 30 mayors has required more military participating in guaranteeing the security of elections. Leonardo Valdés Zurita, president of the Federal Electoral Institute that organizes elections, formally invited the Army to help safeguard the mid-2012 balloting. So narrow was Calderón's 2006 victory that soldiers still guard the ballots cast in that bitter showdown.

Although completely loyal to civilian leaders, key officers have spoken out on political matters—a sign of their greater participation in national life. General Sergio Aponte Polito, a regional commander in northwest Mexico, publically excoriated the ubiquitous involvement of elected and appointed officials in drug trafficking in the Tijuana area. He claimed that the police were cooperating with migrant smugglers, bank robbers, and drug lords. "What he's doing is completely unprecedented," stated Roderic Ai Camp, an expert on the Mexican military at Claremont McKenna College. Aponte Polito's persistent criticism upset the National Action Party administration in Baja California and led to his being transferred to Mexico City.

At the same time, General Galván and his subordinates make no secret of their desire to amend the Code of Military Justice to unambiguously justify the military's profound involvement in the drug war. Generals and admirals want protection against NGOs who have accused senior officers of war crimes before the International Court of Justice and other tribunals. If convicted, these officers would be unlikely to prosper and would prove an embarrassment to services proud of their reputations.

The drug war and new tasks have expanded the Army's budget, size, and stock of equipment. Regrettably, contact with the underworld has corrupted numerous enlistees and officers, and questions have arisen over the acquisition of armaments. Such sensitive questions aside, Washington can assist Mexico's crusade against crime syndicates at the margins—with intelligence, training, equipment, and

monetary oversight. Mutual security concerns will lead to more and closer contacts between the U.S. military and security agencies and their Mexican counterparts even as SEDENA and SEMAR reach out to Canada, Colombia, and other countries for training, specialized arms, intelligence, and instruction in cyber security.

The U.S. Northern Command can also be helpful by furnishing language training, information, radars, night goggles, and other used surveillance equipment to the U.S. Customs and Border Patrol and other organizations such as the Texas Department of Public Security. The accelerated flow of drugs and drug-merchants across the 2,000-mile bi-national frontier and the southward cascade of weapon have multiplied the tasks of both agencies.

Ultimately, the key players have to be our neighbor's political, economic, and social establishment. As things stand now, many of the privileged outside the country's North live cocooned from much of the bloodshed, thanks to sophisticated security systems, trained drivers, skilled bodyguards, the resources to educate their youngsters abroad, and the wherewithal to move their families to Texas and other border states.

The Mexican *nomenklatura* must comprehend that even if a miracle took place and narco-activities disappeared overnight, their nation would still be home to a deadly nether world whose ruthless inhabitants are adept at murder, torture, kidnapping, extortion, money laundering, loan-sharking, prostitution, human smuggling, and a score of other crimes. Above all, U.S. civilian and military decisionmakers must avoid hubris and recognize the severe limitation on ameliorating, much less solving, formidable problems in other countries unless local leaders challenge the miscreants in their midst.

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