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MILITARIZING MEXICO'S PUBLIC SECURITY

by Marcos Pablo Moloeznik

Abstract: Just days after assuming office, Mexican President Felipe Calderón Hinojosa committed military forces to “the war against drug-dealing.” His strategy posits the direct action model described by André Beaufre, without defining any objectives or timeframe. This study describes the main threat from organized crime to Mexico’s national security and the state’s response, analyzing the impact sought and possible results of its implementation. Mexico’s history of inefficient government and corrupt bureaucracy pose a formidable obstacle to President Calderón’s objectives.

BACKGROUND: ORGANIZED CRIME IN MEXICO

To understand criminal patterns in Mexico, there is a stable geopolitical absolute to consider: the 3200-km land border with the world’s premier economic and military power. President Calderón’s announcement committing Mexico’s armed forces to the war on drugs should be understood from this perspective, as the country is a land route supplying the United States’ market for psychotropic and narcotic drugs. For Mexico, the security problem stems from the collateral damage caused by organized crime and the drug business, a security and governance problem of immense proportions, given that the land-based corridor used by the drug smugglers is bordered by two maritime corridors, in addition to the increasing production and consumption of illicit narcotics.¹ Organized crime not the only problem, either; representatives of terrorist groups from other countries are present, though not involved in terrorist activities.

Both Mexican Army and Navy leaders acknowledge that the traffic in drugs, people, small arms, as well as more traditional subversive activities from illegal groups threaten the national security. The last two administrations interpreted crime statistics to support that conclusion, because it affects the integrity, stability, and permanence of the state. The violence is similar to that of an insurgency, that is, a non-governmental actor fighting the state for control of a portion of the public polity, a conclusion supported by the high numbers of deaths attributed to organized criminal groups – over 6,500 between 1 December 2006 and 31 December 2008.

The current rise in violence is a direct result of six factors:

- o The emergence of elected local, state, and national government.
- o The failure of President Vicente Fox’s security policy.
- o The militarization of public security as a governmental response.
- o Conflict over territorial control between drug trafficking mafias.
- o Institutional weakness, further exposing the government to corruption.
- o Violence carried out by the mercenary groups known as *Zetas*.

As the Institutional Revolutionary Party (*Partido Revolucionario Institucional*, PRI) lost its seven-decade long monopoly in power, its

influence over the smuggling cartels (imposed through the *Dirección Federal de Seguridad*) was severed. The rise to power of other parties diluted the ‘accommodation agreements’ with organized crime, and during the last eight years of governance by the two different political parties in power, little has been done to resolve the problem or increase the level of expertise of government employees charged with resolving the issue.

One indicator of the Fox administration’s failed security policy is the high number of deserters from the military and turnover rates among mid-ranking officials in the National Defense Department (*Secretaría de Defensa Nacional*, SEDENA).² Active-duty and retired members of the Army’s Special Forces and the airborne fusiliers brigade, trained in anti-drug and anti-terrorist operations, have joined the *Zetas*, an armed group acting as mercenaries for the organized crime mafias, providing a knowledge of sophisticated communications equipment, diversified weapon systems, and the military’s intelligence strategies. The unusual levels of violence in early 2007 are due in part to this group, though the subject is as of yet taboo in Mexico.

This fact underscores the sorry legacy of the Fox administration’s efforts in security issues. The former president cited the arrest of key leaders of seven drug cartels as evidence that the ‘king-pin strategy’ was a success. The statistics on arrests,

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military forces in order to win.¹¹

In exceptional situations, democracies can and do adopt exceptional measures, though historical precedent indicates these should be limited in time and space. Over the mid- and long-term, the federal government should opt for intangible exceptions such as reforming the criminal justice system, broadly understood to include a professionalization and training of the personnel responsible for guarding society and preventing criminals from implementing their predatory and antisocial conduct. Specifically, the government of Mexico should elevate the sanctity of human life as a primary government objective, seeking to overcome the perception that traditional policies and programs are a valid way to govern emergency tactics such as the militarization of police forces, decrees of state alert or martial law, the suspension of human rights and legal processes. The recent trend of engaging the military in police missions requires a major effort to re-train the personnel, modifying the rules of engagement within a framework of the rule of law.

There are no magical or passive solutions. The security of citizens requires the sovereign exercise of the State’s monopoly over the instruments of violent force, and should be adopted as state policy. For that to happen, the institutional components of the government must achieve a new level of expertise and professionalism. In other words, Mexico needs a new, elevated ‘genetic code’ for its security forces, one that matches the new requirements of its citizenry.

ISSUES TO CONSIDER

President Felipe Calderón has reached a crossroads that will determine Mexico’s future national and individual security. Some issues to consider in this regard include the following:

- o The *Secretaría de Gobernación* should assume responsibility for

developing the national security policy. Many of its security experts and decision-makers are hold-overs from the Fox administration, which creates a crisis of leadership and hinders access to new talent. Security policy should focus strategically and tactically on channeling its social energies – for instance through links to state and municipal counterparts – developing clear and measurable indicators and objectives to be achieved over time.

- o Mexico’s “legislative mania,” the belief that new or reformed laws can magically resolve structural problems, is made worse by high levels of impunity. A new culture of law and order must be developed.
- o Qualitative – not quantitative – reforms should emphasize good governance and law in the judicial system. Judicial oversight of the armed forces should emphasize that rules of engagement comply with the rule of law.
- o Security and intelligence entities and the Attorney General’s Office need new blood and talent, to increase effectiveness and efficiency.
- o Congress should provide oversight of the military by, for instance, declaring a state of exception in areas where the armed forces are committed, though only for extreme or infrequent situations.
- o The Supreme Court must assist in abating the high levels of impunity among criminals and officials alike.
- o Local and municipal governments recognizing their basic responsibility as first responders to any threat to individual’s security.
- o The U.S. has historically promoted democracy as a lifestyle and provided support to incipient democracies. *Plan Mérida* is a formidable platform from which to cooperate with Mexico’s reform process; it should, however, seek a gradual demilitarization of public security.

¹¹ García Luna, *op.cit.*, pages 64 and 65.



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however, shows how emphasis on kingpins ignored the lack of impact of such arrests on the flow of drugs and market prices for their goods.

GOVERNMENT RESPONSE AND VIOLENT REACTION

Integral to the government's efforts to reduce violence and enhance security is intelligence, housed in the Center for Research and National Security (*Centro de Investigación y Seguridad Nacional*, CISEN). This agency was designed to protect Mexico's rule of law and public security. Its responsibilities internal include collection and analysis on armed groups, organized crime, terrorism, government transition and reform, social movements, international environment, and threats to public security. Because of this complex agenda, the current administration has sought to "formulate a system of information integration for the interchange, in real time, of audio data, video and text data on crime, criminal statistics, and maintaining records on public security personnel. Unfortunately, in Mexico there are no systems capable of integrating data from the many government entities dealing with these issues."³

Because of its domestic orientation, CISEN does not analyze or warn of threats to national security. Francisco Ramírez Acuña, former Secretary of Government, stated that CISEN's 1000 employees supported only the Preventive Federal Police (*Secretaría de Seguridad Pública Federal*, SSPF) and the Federal Agency of Investigations (*Agencia Federal de Investigaciones*, AFI). The Fox administration drastically cut CISEN, because of a lack of confidence in its capabilities, its role in political and partisan espionage, and the loss of billets to the SSPF and AFI. Key personnel were detailed to other offices and the budget for operations and technology were reduced. The National System of Public Security (*Sistema Nacional de Seguridad Pública*, SNSP) has not achieved expected results, in part because its leadership viewed the state's sovereignty and autonomous city administrations as an obstacle, instead of a capability for law enforcement. There was almost no coordination among the 1,661 police entities in Mexico, a situation that continues today.⁴ During the past eight years, Mexico's security apparatus has been weak; there is a generalized lack of confidence in the government's ability to protect its citizens; a culture of law and order is absent, and law-breakers have almost total impunity.

To confront the threats posed by organized criminal activity, presidents Fox and Calderón opted for a *manu militari* response, which has, paradoxically, led to further human rights violations and a spiral of violence that has converted Mexico into a war zone. The challenge now is to recover the territorial

environment ceded to organized crime, including the drug mafias. President Calderón has developed a two-track strategy: the Integral Strategy to Prevent Crime and Conflict to organize and guide the police forces, and the Crime Prevention and Citizen Participation program seeking to involve society.

MILITARIZATION

Only ten days after assuming office, President Calderón decided to engage the armed forces in a crusade against organized crime, specifically committing the Army to recovering territory ceded to these groups over time.⁵ Organized criminal groups pose a real threat to national security, in many instances surpassing the capabilities and coercive instruments of local governments.

President Calderón has thus committed Mexico to "a timeless war against drug-dealing," emphasizing the timeless component. That exceptional situations require exceptional answers is not in doubt, but an analysis of the space and temporal dimensions require that it not extend *sine die* such a commitment into functions appropriately belonging to public security forces. Using the Army in law enforcement in the domestic arena brings its legitimacy into question.

Furthermore, this commitment falls outside of the military's normal mission, so the budget must be specific and thus temporary. Time now favors the criminals, because they understand that once that budget goal has been reached, the military returns to the barracks, and they will have survived the short-term operation. It is possible to conclude that by committing the state's instrument of war in a high-tempo operation to recover public space, the government puts at risk its national security, as the armed forces neglect their principal mission. The Army's strategic function of defending Mexico will leave the state vulnerable to attacks like that of the Revolutionary Popular Army (*Ejército Popular Revolucionario*, EPR) on PEMEX (the national petroleum company) pipelines in 2007.

QUANTITY OVER QUALITY

The Mexican government has a tendency to prefer quantity over quality, because it is positively measurable. During 2006-7, the total number of police rose by fifteen per cent; SEDENA personnel increased by three per cent between 2003 and 2007.⁶ There is a marked preference for designing hierarchical structures emphasizing quantity over quality: the current Secretary of Public Security has sought to merge diverse federal police forces into one agency, specifically blending AFI and the PFP into the Federal Police Force, combining the investigative and tactical

analytical functions with the capacity for territorial deployment and rapid reaction.⁷ His objective was to "align the capabilities of the Mexican State against crime, focusing on 'integrating the efforts of the different federal police corporations with a unique command over the PFP, the AFI, the Migration National Institute (INM) and the Fiscal and Customs Central Inspection (CIFA)' ... to align the capabilities of the Mexican State in the fight against organized crime, to recover the conditions of security for the society throughout the national territory."⁸

The new model for the police forces seeks to increase their effectiveness and efficiency by unifying all federal police forces under one command, to strengthen inter-institutional coordination, especially cooperation among the police forces at the three levels of government. Specific measures include implementing uniform and systematic processes for police activities, coordinating operations with the Defense and Navy Departments and the

The Attorney General's office reports over 1.5 million crimes take place yearly in Mexico; the National Survey of Insecurity polls reports 4.5 million crimes. Violent crimes increased during 2006-8 by 40% over the same period during the previous government.

DEATHS ATTRIBUTED TO ORGANIZED CRIME:

2001	2002	2003	2004	2005	2006	2006-2008
1,080	1,230	1,290	1,304	1,776	2,221	6,500*

Source: General Attorney's Office, March 2008; <http://www.pgr.gob.mx/>.
(* Approximately 10% of these deaths were of police officers.)

Attorney General's Office. The emphasis is on moving away from a reactive model, toward one based on prevention and the adoption of uniform methods of performance, assuring a State presence in cities and towns with greater criminal indices, protecting the strategic national facilities, and reestablishing conditions of public security within the country. A component of this reform is the Coordination Instance of the Federal Police, created on 25 April 2007.

Despite these structural reforms, the issue of quantity over quality continues, embedded almost like a genetic code within all policy initiatives. For instance, the head of the Security Secretariat reduced the basic course of the Police Academy in San Luis Potosí from a year to three months, in order to increase the number of graduates available to PFP forces, regardless of the impact on the quality of their training.

INTERNATIONAL COOPERATION

The Calderón administration has begun internationalizing the issue of security, despite past cooperation with the United States. His National Development Plan states that "the fight

against terrorism and the organized crime are subjects that are acquiring more relevance in the state's agenda. Mexico will continue cooperating with other countries to promote the security, relying constantly on the respect of international law, the state's free will and the State's sovereignty."¹⁵ He demonstrated this by approving over 200 extradition requests during the first term of his administration (most of them to the United States), and the request for six extraditions for trial in Mexico. Other projects include negotiations for the Mexico-United States Cooperation Program against Organized Crime, the anti-drugs agreement known as *Plan Mérida*, and the effort to seek a seat as a non-permanent member on the United Nation's Security Council of the United Nations for the 2008-2010 session. A former officer of the Secretariat of Foreign Affairs stated that, for the first time, "... United States acknowledges and assumes its joint responsibility in the complex drugs problem within the framework of the bilateral agenda with Mexico, to which is added the commitment to make efforts to diminish the consumption and demand of narcotics in the United States and traffic of weapons towards Mexico ..."⁹

Training and cooperation programs from abroad have increased, especially from the United States – in the Hemisphere, only Colombia and Peru receive more such assistance than does Mexico. The process of creating the AFI depends heavily on support from abroad: "... technical support and training from the police department of Spain, France, Germany, Colombia and the United States. The Federal Bureau of Investigation (FBI) endorsed the agency's design model, ... As part of its contribution, the FBI offered training courses in Quantico, Virginia, to strengthen the AFI's command structure."¹⁰

CONCLUSION

Mexico was unprepared for the wave of violence that began in 2007, in part because of inaction during the previous governments. This lack of readiness led to a loss of public spaces, ceded to the increased power and violence of the organized criminal elements, especially those involved in drug trafficking.

Given this situation, President Calderón had no other choice than resorting to the military to confront these groups to recover the effective exercise of the sovereignty over the national territory. The president has chosen a logical option, though it is not clear how much the decision was forced upon him by the nature of the threat. This decision appears to set aside other components of the national power, which indicates an emphasis on an acceptance of the situation as a threat to national sovereignty and therefore appropriately requires an extended armed conflict. The history of such action, however, demonstrates that when the qualitative factors (personnel and materiel) favor one side in a conflict, it will succeed; therefore, President Calderón apparently has increased his

¹ Navy Department, Decree Approving the Sectorial Program of the Navy, 2007-2010. *Official Journal of the Federation*, Mexico (Monday, 21 January 2008): section 4, p. 3.

² Authorized strength was 191,143; during 2000-2006, there were 123,218 desertions.

³ *The Rule of Law and Security of the National Development Plan, 2007-2012*, at <http://pnd.calderon.presidencia.gob.mx/index.php?page=informacion-e-inteligencia>.

⁴ Genaro García Luna, "Against crime: Why 1,661 police are not enough?" in Marcos Pablo Moloeznik, ed., *Past, Present and Future of the Police Forces in Mexico* (Mexico: 2006), pp. 43, 47, 68; Secretariat of Public Security, "Sectorial Program of Public Security, 2007-2012," *Official Journal of the Federation* (Mexico, 28 November 2007), p. 15.

⁵ Marcos Pablo Moloeznik, "The militarization of the public security in Mexico," *Gaceta of the State Commission of Human Rights Jalisco, Guadalajara*, year XIII (#46 of 6 December 2006), pp. 63-69.

⁶ Police totals increased from 332,874 to 386,043; SEDENA totals increased to 196,767 in FY 2007.

⁷ García Luna, *op.cit.*, page 125.

⁸ Secretariat of Public Security, *Integral Strategy for Crime Prevention and Fight Crime*.

⁹ See <http://pnd.calderon.presidencia.gob.mx/index.php?page=cooperacion-internacional>

¹⁰ Agustín Maciel Padilla, Conference at the Auditorium Adalberto Navarro Sánchez, University Center of Human and Social Sciences, Universidad de Guadalajara, Friday November 9, 2007.