

# DRUG TRAFFICKING

## *Mexican Negotiation Strategies*<sup>1</sup>

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In 1978, Albert Hirschman boasted of being the “founding grandfather” of dependency theory, and at the same time, lamented having made such an analytical error in his youth. His main criticism was that this theory was based on the premise that the dependent country had no “margin for maneuver” and that, in the pessimistic world of the dependant supporters, the possibility of falling back on any other strategy in order to gain a certain “degree of autonomy” was not possible.<sup>2</sup> For Hirschman, the very structure of dependency offered a

possibility for the dependent country to concentrate all its attention and energy on freeing itself from domination, a strategy which could only work if the more powerful, dominant country, as one could foresee, permitted itself the luxury of ignoring its dependents.

At almost the same time, the supporters of the interdependence theory contended that if growing economic interaction hopelessly affected international policy and states’ behavior, the dependent countries could create rules and institutions (international regimes) to modify the “patterns of interdependence” to their own advantage.<sup>3</sup>

This could give weaker countries an opportunity to influence international policy, an influence that would be otherwise wielded by the more powerful countries. In the world of so-called “complex interdependence,” the small-

est countries could promote their interests only if they could take advantage of the growing cost to superpowers of using military force to maintain order. They could utilize “the arena of political action,” through appropriate strategies, to gain the support of international organizations, multinational alliances, etc.<sup>4</sup>

Hirschman, as well as Keohane and Nye, all agreed that a country deprived of power could, with an appropriate negotiation strategy, compensate for its weakness, because domination cannot be absolute, and the weak should not accept it as such. Nevertheless, the call for a research program dedicated to scrutinizing the advantages of adversity, or if you will, explaining such behavior—and that would not automatically condemn the many countries in a situation of unimpeded vulnerability to obedience—has been almost ignored.

The powerful theory of political realism, which continues to dominate

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<sup>2</sup> Albert O. Hirschman, “Beyond Asymmetry: Critical Notes on Myself as a Young Man and on Some Other Old Friends,” in *National Power and the Structure of Foreign Trade*, Studies in International Political Economy, Berkeley, University of California Press, 1945, expanded edition 1980, pp. vi-xii.

<sup>3</sup> Robert O. Keohane and Joseph S. Nye, *Power and Interdependence: World Politics in Transition*, Boston, Little, Brown and Company, 1977, p. 5.

<sup>4</sup> *Ibid.*, p. 37.



The fight against drug trafficking must oppose both consumption and distribution in all countries.

the study of international relations, could have contributed partly to this forgetfulness, to this contempt for the study of foreign policies of countries with little power,<sup>5</sup> especially since we are talking about a theory that does not require the researcher to explain the behavior of countries which are not, at least, medium-size powers.

In this paper, I begin with the premise that, when it comes to dealing with drug trafficking, the Mexican government would benefit greatly if the drug trade were regulated differently and if this control, whatever it may be, could be carried out independently.

<sup>5</sup> Mario Ojeda's book on the reaches and limits of Mexican foreign policy is, without a doubt, a pioneer in its desire to establish margins of maneuvering for a country like Mexico to use in its relationships with others, especially with the United States. Mario Ojeda, *Alcances y límites de la política exterior de México*, Mexico College, 1976.

I will attempt to analyze four negotiation strategies that the Mexican government has worked out to confront a situation of almost extreme vulnerability that stems from the prohibition or "over penalization" of activities related to drug trade, and from U.S. policies devised to enforce this prohibition. What has the Mexican government done to deal with this problem? What strategies have they fallen back on to diminish their vulnerability vis-à-vis the United States and to promote their own national interests?

#### A PUBLIC HEALTH PROBLEM MEXICO DOES NOT SHARE

Denying that Mexico had a consumption problem was, perhaps, Mexican diplomacy's first response to the

petitions of its northern neighbor that it ban the export of opium and thus contribute to ending the consumption that the "civilized countries," to a great extent pressured by the United States, had decided to prohibit.<sup>6</sup> Mexico's intention at the beginning of the century, when the U.S. banned the manufacture and trade of opium, heroin and cocaine in its territory to end consumption, was to exclude itself from the list of countries concerned about drug use because it was the one first called upon to participate in the U.S. international crusade. The discourse of Mexican diplomats revolved around their search for a way to escape U.S. scrutiny and refuse to ban the drug trade, which until then was legal in Mexico.

<sup>6</sup> An enormous amount of literature documents the history of U.S. efforts to create what Ethan Nadelmann calls an international regime of drug prohibition. To cite only a few examples: Arnold H. Taylor, *American Diplomacy and the Narcotics Traffic, 1900-1939: A Study in International Humanitarian Reform*, Durham, NC, Duke University Press, 1969. An interesting official version of drug diplomacy is that of the U.S. Department of State, Office of the Historian, "The Role of the Department of State in International Narcotics Control, 1840-1961," Research Project N. 1256-B, December 1981. A more recent version and an original interpretation is that of Ethan A. Nadelmann, "Global Prohibition Regimes: The Evolution of Norms in International Society," in *International Organization*, 44:4, Autumn 1990.



The idea was not a bad one, and it could work without problems as long as the list of countries which had to assume responsibility for reducing the import and export of these drugs did not grow by including countries involved in production and transit, whether they consumed these drugs or not, or if the governments showed concern over this type of consumption.

Even without statistics, which could actually prove that Mexicans did not buy the kind of drugs they wanted to ban, the Mexican government could have refused to participate in the international conventions in favor of prohibition, as did other even weaker countries, such as Peru and Bolivia.<sup>7</sup>

But the government of Mexico did participate, or at least signed the first international convention against opium, invalidating its strategy of not accepting the problem as its own.

This contradictory behavior can be explained: before the ban, opium entered through California easily, but after the ban it began to come in through Mexico by way of Baja California, where the governor decided to organize its export since it had suddenly become big business after

Prohibition.<sup>8</sup> The U.S. police, with or without Mexican authorities' consent,<sup>9</sup> frequently crossed the border looking for criminals, including drug traffickers.

That is why the first trade that Mexico banned was the import of opium as stipulated in the first international conventions. It had nothing to do with smoking opium, but with the consequences that the ban on the sale of opium in the United States had for Mexico. Carranza declared the import of opium illegal in an effort to stop the triangulation of the drug trade through Mexico, as well as to prevent the unauthorized entrance of U.S. police into Mexican territory.

From the very beginning, the problem is described as a displacement to Mexican territory of a trade which, at the moment of prohibition in the United States, had to seek new routes and as a problem of national jurisdictions arising from the so-called "hot pursuit" strategy which the U.S. police use on occasion. This explains why Mexico was the first country in Latin America to adopt a policy against the drug trade, despite the fact that her leaders declared in international forums throughout the world that the consumption of drugs was practically non-existent in Mex-

ico. The original strategy of denying that Mexico was a drug consuming country, in order to avoid scrutiny, continued for many decades.<sup>10</sup>

This argument was frequently made during bilateral negotiations, at least until the 1970s, when the Mexican government agreed to participate in a program of American international aid for the control and investigation of drugs, proposing it be carried out to determine the prevalence of drug use in Mexico, instead of launching a campaign, as the Americans proposed, for eradication of marijuana and amapola crops, which by then had become common throughout most of Mexico.

For many decades, the subtle argument that there was no need to fight against drug addiction in Mexico implied that U. S. drug consumption was the central issue in these debates. The subtlety was discarded around the middle of the 1970s, to bluntly accuse Mexico's northern neighbors of the responsibility for drug trafficking in Mexico and other countries.

The dilemma of sustaining an argument which explained the matter as a public health problem unrelated to Mexico, is not only that it completely ignores that the prohibition policy itself and its consequences for Mexico are at the bottom of the issue. In addition, Mexico had to

<sup>7</sup> The Peruvian and Bolivian governments argued that, at that time, banning the use of coca leaves would have been impossible because they were used for ancient, sacred ritual ceremonies. In fact, the planting of the coca bush is still legal in some regions of Bolivia today. See the history of U.S. diplomacy concerning drugs in the first decades of the twentieth century written by William O. Walker III, *Drug Control in the Americas*, revised edition, University of New Mexico Press, Albuquerque, 1989.

<sup>8</sup> Joseph Richard Werne, "Esteban Cantú y la soberanía mexicana en Baja California," in *Historia Mexicana*, 30:1, July-September 1980; William O. Walker III, *Drug Control in the Americas*, revised edition, University of New Mexico Press, Albuquerque, 1989, pp. 35-36.

<sup>9</sup> Ethan A. Nadelmann, *Cops Across Borders: The Internationalization of U.S. Criminal Law Enforcement*, The Pennsylvania State University Press, University Park, Pennsylvania, 1993.

<sup>10</sup> Many years after the first antinarcotics program was put into effect in Mexico, the Mexican representative to the Conference on Limiting Narcotics Production, held in Geneva in 1932, solemnly declared that the problem of drug production, export and consumption was non-existent in Mexico. See William O. Walker, III, op.cit., p. 70.



only the Americans', and that the policy was designed to influence the behavior of users, real or potential, national or foreign, evading the real problem that illicit drug production and trade represents for Mexico.

#### A POLICY OF COOPERATION WITH THE UNITED STATES

As of 1988, a very obvious change in the defensive strategy vis-à-vis the United States took place. Cooperation and an aggressive policy against participants in the illegal trade was presented to the outside world.

The reasons the Mexican government had for putting greater effort into the fight against drug trafficking in the 1980s were mainly internal. It had to deal with a sudden increase in drug trafficking in Mexico, but also because of important foreign policy questions, such as the need to maintain autonomy in implementing the Mexican campaigns against drugs. That's why the Salinas government incorporated its drug policy into a general strategy on foreign policy based on the idea of cooperation with the United States.

If excluding the Mexican policy on drug trafficking from the agenda of bilateral negotiations was impossible, the idea of moving it from the list of conflicts to the items under cooperation was not easy either.<sup>11</sup>

<sup>11</sup> There was an important precedent, for this: the campaigns against drug trafficking and use in the mid-1970s were interpreted in both countries as a bilateral "example of cooperation."



Cooperation with the United States has been crucial in the war against drugs.

explain its antidrug campaigns in terms which were very difficult to justify to the Mexican public, who believed that Mexico's interest in wanting to contribute to a reduction in U.S. drug consumption had nothing to do with them. As a result, the Mexican policy put forth in 1986-1987 was in "solidarity with other nations" (it actually went as far as to stress that no other country had done as much for American youth as Mexico had). Nevertheless, the argument could no longer be sustained, in light of the fact that the cost of such solidarity heavily outweighed the benefits, if any, in the realm of foreign policy and international prestige.

By refusing to explain its interests, the Mexican government gave credence to the interpretation in the Mexican press, supported by numerous Mexican and U.S. academics, that what

Mexico had done to combat drug trafficking stemmed from government's inability to resist U.S. pressure. Mexican diplomacy breathed life into this interpretation by promoting the antidrug policy as an investment which ought to combat the consumption of marijuana, cocaine and heroin. But where? In Mexico or the United States?

The difficulty persisted even after the president of Mexico [Miguel de la Madrid] declared in 1987 that drug trafficking was also a public health problem (whatever that means) in Mexico, apart from being, obviously, a threat to Mexican internal and national security.

Therefore, throughout the second half of the 1980s, or even worse, in the 1990s, it became impossible to maintain the argument that drug trafficking was not Mexico's problem, but



The idea of cooperation was based analytically on the copious literature about relations between Mexico and the United States which appeared around 1985-1986.<sup>12</sup> This was characterized by an almost universal adherence to the theory of interdependence and by a sense of urgency which sought, very much à la Americana, policies to prevent a deterioration of diplomatic relations between the two countries. The interdependence theory was not very different from the U.S. discourse of repeating, over and over, that the United States government could not unilaterally reduce the planting of drug crops in other countries or prevent their export; in addition, it certainly could not stop the illegal importation of drugs into its territory without the help of countries where they were produced and exported.

For interdependence theory adherents, international cooperation was the only way to deal with drug trafficking, a perverse economic phenomenon that no country could deal with on its own, and, it was assumed, everyone was interested in repressing. The interaction of narcotics supply and demand constituted undeniable proof of the interdependence of national markets, a fact that translated into greater coordination of programs in the fight against drugs. Interdependence explained the Mexican policy as a necessary collaboration with its northern neighbor and, by contributing in this way to solving

a problem of such interest to the Americans, it could pave the way for other negotiations "of greater importance" between the two countries.

Moreover, underlying the policy of collaboration with the Americans was not only this theory, but also the negotiations to set up the North American Free Trade Agreement. Drug trafficking—as Reynolds and Wager thought at the time—could have been the greatest stumbling block in the formalization of economic relations between Mexico and the United States: "a more aggressive Mexican antidrug policy was rapidly becoming a *sine qua non* for any future agreement with Mexico."<sup>13</sup>

In this way, the Mexican government accepted and promoted the idea of cooperation, although as always it insisted on the need to be more equitable: the Mexican government was willing to invest most of its Attorney General's Office budget and enormous military resources in the fight against drug trafficking, but, in



The Mexican government has made an important investment in the war against drug trafficking.

exchange, the U.S. government had to make a commitment to a similar effort on its part to diminish the use of drugs in the United States.

Whatever the reasons for a bilateral policy of more cooperation, the supporters of this strategy—academics and politicians—were obligated to explain why, despite Mexican cooperation efforts, bilateral conflicts were becoming more intense and frequent, and the effects of drug trafficking in Mexico, more and more obvious. Once again they argued that the use of drugs in the United States was the variable which explained the increase in drug production and export, as well as Mexico's inability to do away with the illegal drug market.

<sup>12</sup> Stephen P. Munne, "Policy and Prescription in U.S.-Mexico Relations," *Latin American Research Review*, XXV:3, 1990.

<sup>13</sup> Clark W. Reynolds and Stephen J. Wager, "Integración económica de México y Estados Unidos. Implicaciones para la seguridad de ambos países," in Sergio Aguayo Quezada and Bruce Michael Bagley, comps., *En busca de la seguridad perdida: aproximaciones a la seguridad nacional mexicana, Siglo XXI*, Mexico City, 1990, p. 224. See also Riordan Roett, "Mexico and the United States: Managing the Relationship," in the book edited by the same author, *Mexico and the United States: Managing the Relationship*, Boulder, Westview Press, 1988, p. 13.



The old belief (which the interdependence theory made extremely popular again in the 1980s) that if the Americans could reduce their drug consumption, it would put an end to drug trafficking, has the advantage, as an argument, of appearing to be true, of being sympathetic to the weaker country. Most of all, however, the Americans could accept it easily. But this widespread idea, which definitely accepted the division of labor, came up against an uncomfortable piece of evidence: in the second half of the 1980s drug consumption in the United States dropped 45 percent, as the number of regular users dropped from approximately 23 million in 1985 to about 13 million in 1990.<sup>14</sup> Marijuana consumption reached its highest level at the end of the 1970s and gradually diminished during the 1980s.<sup>15</sup> The relatively small number of heroin addicts did not vary significantly in the last 20 years, and, even the use of cocaine, which caused such concern in the United States in the mid-1980s, began to decline toward the end of the decade.<sup>16</sup> The number of users declined exactly during the years in which both drug trafficking in Mexico and bilateral conflicts intensified.

<sup>14</sup> Peter H. Smith, "The Political Economy of Drugs: Conceptual Issues and Policy Options," in Peter H. Smith (ed.), *Drug Control in the Americas*, Westview Press, Boulder, Colorado, 1992, p. 3.

<sup>15</sup> Blanken, "Changing Patterns of Drug Abuse in the United States," in Guadalupe González and Marta Tienda (eds.), *The Drug Connection in U.S.-Mexican Relations*, Bilateral Commission on the Future of United States-Mexican Relations, UCSD, San Diego, 1989, p. 23.

<sup>16</sup> The real increase in the prevalence of cocaine use occurred in the 1970s, although "crack" consumption in the 1980s led to an alarming increase in the number of medical emergencies and deaths from cocaine abuse (Blanken, *op. cit.*).

## *We are confronting an illegal market which no government can eliminate by simply prohibiting it.*

Unfortunately, we are not confronting consumption (which undoubtedly, we would like to see eradicated), but an illegal market which no government can eliminate by simply prohibiting it.


We are quite aware of the fact that criminalization of this enormous market, which leads to higher drug prices, also definitely leads to more, not less, drug trafficking. The political consequences of this are already immeasurable.

In addition, we cannot expect the Mexican government to contribute to raising drug prices in the United States; its ability to do so is small, when compared with the possibilities that the Americans have of controlling their import prices and, consequently, the final price to the consumer. Drugs destroyed or confiscated in Mexico do not change the price for the American user, which is really the immediate objective of the U.S. policy and its demands on countries involved in production, export and transit.

In light of the fact that substantive cooperation is impossible, it could be argued that the benefits, pointed out by interdependence literature, ought to be

measured in terms of the bilateral relationship as a whole. When analyzing the problem from this point of view, the Mexican interest in combating drug trafficking is reduced to a simple matter of not wanting to negatively affect other negotiations with its powerful neighbor. It is difficult to negate this hypothesis, but what we do know is that the Mexican government has succeeded in concluding such negotiations as the NAFTA, at a time when 60 percent of the cocaine entering the U.S. market travels through Mexico.

In the case of drug trafficking, embarking on cooperation ends up by reducing the Mexican margin for maneuver since the government takes on a commitment to fight against illegal drug trade efficiently, and it cannot be done. It is then practically impossible for the Mexican government to refuse any program that the Americans might propose, including the joint persecution of criminals by both countries, which traditionally, and with good reason, has been rejected before.

Finally, the Mexican cooperation policy was launched at precisely the moment when the U.S. Drug Enforcement Agency (DEA) decided to renounce its traditional guidelines within this so-called collaboration effort between the two countries, and work, whenever possible, on its own. 

More recent figures show the same tendency in Peter Reuter, "The Export Demand for Latin American Drugs," a lecture presented at the seminar Development Strategy After Neoliberal Economic Restructuring in Latin America, North-South Center, University of Miami, March 24 and 25, 1995, *mimeo.*