



GETTY IMAGES

Arrests of police officers and other officials are a disconcertingly common sight in Mexico. This former federal police officer was arrested in Mexico City earlier this year and charged with leading a gang that committed robberies and kidnappings.

DRUG DEALS

A new president is betting that making peace with the drug cartels is the key to a safer Mexico.

BY STEVEN DUDLEY

By STEVEN DUDLEY

A FEW HOURS BEFORE DAWN ON JULY 15, a Blackhawk helicopter swooped down on a Ford pickup moving quickly along a dirt road about 16 miles south of the Texas border. The chopper's sudden appearance startled the driver, who slammed on the brakes. The truck's three occupants shoved the doors open, and two of the men threw themselves to the ground. The third started running away through the desert brush, but was quickly surrounded by Mexican security forces.

That man was Miguel Ángel Treviño. Known by the alias Z-40, he was one of the most wanted men on the plan-



NEWS.COM

Miguel Ángel Treviño, alias Z-40, was arrested in July. He headed the Zetas criminal organization, which was started by former members of an elite Mexican military unit.

et, accused of multiple crimes in both Mexico and the United States—most notoriously, ordering two massacres in which more than 200 Mexicans were killed, some for refusing to participate in his drug smuggling operations. As the head of the feared Zetas criminal organization, Treviño represents a Mexican underworld that is more violent and fragmented than ever before—and also more diversified, pursuing criminal enterprises beyond drugs.

Treviño's capture was the biggest blow President Enrique Peña Nieto had struck against organized crime since taking office in December 2012. It was followed by another dramatic capture in August, when authorities arrested Gulf Cartel leader Mario Ramírez Treviño (no relation to the Zetas leader), alias X-20. Like Treviño, Ramírez was taken by surprise and captured without a shot being fired.

The arrests represented a slight strategic shift in the fight against large criminal groups in Mexico. It was clear from the outset that Peña Nieto wanted to change the narrative created by his predecessor, Felipe Calderón, whose frontal assault against criminal organizations had yielded some good results but

.....

In many ways, Mexicans have seen a return to the old days when Peña Nieto's PRI ruled with an iron fist and a polite smile.

.....

also a nasty surge in violence. And in targeting the Zetas and the Gulf Cartel, the new president was prioritizing the most violent gangs over the biggest drug traffickers. Peña Nieto has also successfully created a single command center in the Interior Ministry. He has shifted some resources toward the areas hit hardest by drug-related violence, and his administration tightly controls information about homicides and arrests.

In many ways, Mexicans have seen a return to the old days when Peña Nieto's Institutional Revolutionary Party (PRI) ruled the country with an iron fist and a polite smile. The party's discipline represents a welcome change from the chaos of his predecessor's government, but its past entanglements with criminals also worry some observers. And over the longer term, there are reasons to ask if Mexico's crime problem can be solved by another new crime-fighting strategy, or whether that will require a

deeper foray into the institutions that govern Mexican society.

PEÑA NIETO SEEMS AS IF HE WERE made to be president. The handsome, well-spoken former governor of the state of Mexico, which geographically surrounds the Federal District of Mexico City, is not only a PRI stalwart but is married to the popular *telenovela* actress Angélica Rivera.

Once the country's permanent political powerbroker, the PRI ruled Mexico for more than 70 years by holding a near-total lock on the country's various echelons of power through a disciplined and fiercely vindictive political



AP IMAGES

Mario Ramírez Treviño, alias X-20, head of the Gulf Cartel, was known more for his brutality than his business acumen when he was arrested in August.

structure. Its reign ended in 2000 with the election of National Action Party (PAN) candidate Vicente Fox, who was succeeded in 2006 by the right-leaning PAN's Calderón.

It was Calderón who inaugurated the aggressive campaign against the drug cartels that has filled the news media in recent years. Faced with the need to establish his credentials as a strong leader after securing victory in a disputed election, Calderón chose to make security—a term Mexicans use to encapsulate their concerns about the many ills growing out of the power of the drug organizations—the defining issue of his administration. Just over a week after his inauguration, he dispatched the army to his embattled home state of Michoacán, west of Mexico City, where the quasi-religious Michoacán Family, which had fashioned its own bible-styled manual to guide its members and followers, was a deeply entrenched player in the drug trade.

That was only the beginning. Calderón beefed up intelligence and threw the navy into the fight—in part because the army's reputation had been tainted by allegations of corruption and human rights abuses. He worked hard to establish the Fox-created Secretariat for Public Security as the center of control

over the anticartel effort and pushed to put the country's corruption-prone municipal police forces under the control of the states and ultimately the federal government. He began purging the police at every level and dispatched the Federal Police and the military to areas hit hard by the violence.

In some ways, Calderón tried to replicate the strategies of Colombia and other countries that have successfully countered narco-violence. By the middle of his term, Colombian military officers were training Mexican police in jungle warfare and counterinsurgency tactics. Just as Colombia had done, Calderón forged a stronger relationship with the United States. Under the Mérida Initiative of 2008, the United States has provided \$1.9 billion in assistance to the antidrug effort. Calderón's "kingpin strategy" of targeting high-level organized crime figures and extraditing them to the United States for trial also echoed the approach in Colombia, as did the push to begin changing from an inquisitorial judicial system, with its judge-driven courts, to a more open and transparent U.S.-style adversarial system.

But the Colombian comparison cut two ways. The antidrug campaign ratcheted up the level of violence, leading some to recall Colombia's crisis in the late 1980s,

when drug lord Pablo Escobar terrorized the country with bombings. “Cartels are showing more and more indices of insurgencies,” Secretary of State Hillary Clinton declared in 2010. “It’s looking more and more like Colombia looked 20 years ago, where the narcotraffickers controlled certain parts of the country.”

Rhetoric from the presidential palace soon stiffened. “We do not share these findings, as there is a big difference between what Colombia faced and what Mexico is facing today,” Calderón’s top security adviser, Alejandro Poire, announced at a news conference. Calderón began speaking more frequently about

Americans’ drug consumption as well as gun trafficking from the United States as causes of the violence in Mexico.

Poire had a point. The Mexican cartels are capable of controlling territory, but they do not have a political agenda. They aim to co-opt local officials and others who can be useful to them, not to capture national political power. Even more important from the perspective of Mexican officials, Colombia was and is a far more violent place than Mexico. In 1996, Colombia’s murder rate was more than three times higher than Mexico’s is today. And violence against civilians in Mexico does not approximate what happened in Colombia.



REDUX

In the Pacific resort city of Acapulco, family members mourn the 2011 death of 16-year-old Luis Felipe López, an innocent bystander in a clash between rival criminal groups.

Colombia was and is a far more violent place than Mexico.

Calderón could also boast of some tangible results. By the end of his term, his government had killed or captured 25 of the 37 criminals on its “most wanted” list. It had extradited hundreds of criminals to the United States and effectively dismantled one of the country’s premier criminal organizations, the Tijuana Cartel. As of November 2012, it had tested more than 330,000 security personnel for drugs and administered polygraph tests inquiring into their connections to criminal groups, removing 10 percent of them from service. It had pushed the new judicial system into several states, and passed new anti-corruption and anti-money laundering laws. And despite the violence, the Mexican tourist industry enjoyed a record year in 2011.

Yet Calderón was forced to grapple with awkward truths. His team had fully expected that the new security plan would increase the violence for a time, but murder rates kept rising, not just in the traditional trafficking corridors but

throughout the country. Extortion and kidnapping also became more common. The death or capture of kingpins fractured criminal groups, creating a spike in bloodshed as the survivors fought to fill the vacuum. The criminal justice system strained to handle the burden. Eighty percent of murders resulted in no prosecution. Add to this the startling reality that 60,000 people were killed during the Calderón administration, and another 25,000 disappeared.

The carnage devastated communities, and it went on to hurt the national economy. Investors lost confidence in the country, and foreign direct investment fell 34.9 percent in 2012, to its lowest point in 20 years relative to gross domestic product.

DURING HIS PRESIDENTIAL CAMPAIGN, Peña Nieto carefully staked out his positions on the security issue, arguing that the government needed to address the problem of violent crime generally instead of focusing on drug trafficking organizations. Strikingly, however, he mostly avoided the security question, as did the other candidates. The lack of substantive debate reflected a reality: that quick solutions are not possible, and that, in the short term at least, there would be some overlap with Calderón’s strategy.

To be sure, Peña Nieto's security plan for his own state, announced in 2010 while he was a state governor, was a virtual replica of Calderón's.

Instead, Peña Nieto focused on corruption both during and after the campaign. It was not surprising that his administration's first high-profile arrest before Z-40 was corralled in the desert was of Elba Esther Gordillo, the longtime head of Mexico's 1.4-million-member teachers' union, who for many years had been shaking down government officials and union members alike. Gordillo, who had made the mistake of challenging Peña Nieto's authority during a debate over a new education law, has been charged with embezzling \$200 million in a case that has served to affirm that the PRI's swift political discipline is back in force.

The PRI's return to power has brought a distinct change in the political environment. The party's 71 years at the helm before 2000 allowed it to develop a highly centralized form of decision making and information dissemination. True to tradition, Peña Nieto all but ignores uncomfortable issues such as security and tries to keep a lid on publicity about crime and violence. Gone are the perp walks and the press conferences announcing every capture or kill.

Information that was routinely released during the Calderón years is now locked away, including some basic information on the cartels. The government instead talks up its political and economic reforms as "Mexico's Moment," in what is little more than a public-relations effort to brush the continuing violence under the rug.

When the president talks about security, he uses new terminology and keeps his objectives broad. His "Mexico in Peace" plan emphasizes violence prevention and the protection of human rights while promising better coordination of police and other security-related agencies. "The important part is to get results and fulfill our objective of providing peace and tranquility to Mexicans, sensibly reducing the violence," he told the Mexican Congress.

The government talks up its reforms as "Mexico's Moment," in what is little more than a public-relations effort to brush the continuing violence under the rug.

He has channeled more money into prevention programs in high-violence areas and dissolved the PAN-created Secretariat for Public Security, once again centralizing power in the Ministry of the Interior. He has also called for the creation of a new national gendarmerie to replace the military as the country's go-to shock unit to fight organized crime.

But there are also signs that little has really changed. Within his first few months in office, in what seemed like *déjà vu* to many Mexicans, troops were sent to Michoacán to deal with rising insecurity and the emergence of new "self-defense" groups. Still, Peña Nieto has at least slowed Calderón's frontal assault. Most notably, he has all but stopped prosecuting Mexicans for drug-related crimes. During the Calderón years, the government launched a record 6,500 new cases per month for "crimes against health," which mostly involve drug trafficking. Since Peña Nieto took office, the monthly average has dropped to less than 1,000. And in the strategic corridors where violence was the worst during the Calderón years, military and police units have taken down roadblocks and stopped regular search-and-seizure operations. As one army colonel explained to me, the military was told to take its foot off the accelerator and instead pur-

sue more focused operations. Such actions suggest that the government may be seeking an informal accommodation with the traffickers, a sort of narco-pact.

That kind of tacit agreement with the cartels in order to reduce violence would not be new. Before 2000, many members of the old PRI publicly thrived off the largesse of drug traffickers, including some who are now members of Peña Nieto's inner circle. One of them is Jorge Hank Rhon, the flamboyant former mayor of Tijuana, who is one of the country's richest men and widely thought to be an associate of the Tijuana Cartel. In 1988, a member of his security team was convicted of murdering a journalist who was looking into Rhon's activities, and in 2011 Rhon himself was arrested on weapons charges. He was released by a judge on grounds of insufficient evidence even though dozens of unregistered guns were reportedly found in his home, including two that had been used in homicides. Rhon's extensive business interests include casinos, a bank, and the Tijuana soccer team. He strongly supported Peña Nieto's bid for power.

Other parties are not immune to narco-influence. For many years before Calderón took office, the incentives to fight the cartels were relatively low. Violence was not as widespread as it is now,

and campaign contributions and other gifts from drug bosses were plentiful for politicians and security forces alike. Fox, Calderón, and other PAN politicians have been constantly dogged by accusations of ties to the Sinaloa Cartel, and Calderón's government filed charges against a number of mayors from the leftist Party of the Democratic Revolution for colluding with drug traffickers. Although many of these cases were thrown out for lack of evidence, the reality is that local politicians, whatever the party, have little choice but to negotiate the terms of their existence with entrenched criminal groups.

Calderón faced seven major criminal organizations, but Peña Nieto confronts dozens.

Peña Nieto himself is already facing accusations that he is influenced by narcos. In August, a federal court, citing a technical issue in the original trial, abruptly released Guadalajara Cartel cofounder Rafael Caro Quintero after he had served 28 years of his 40-year sentence for the 1985 killing of Enrique Camarena, an agent of the U.S.

Drug Enforcement Agency. After loud protests from the Obama administration, the Mexican government issued a warrant for Caro Quintero's arrest—but he had vanished.

Subsequent statements by the Mexican government on the Caro Quintero affair reveal an administration divided. Even while the attorney general's office admitted irregularities in the release, it also fired back that the United States has given inadequate sentences to drug kingpins who were extradited from Mexico. Both the PAN and the PRI are harsh critics of the United States, regularly blaming it for fostering Mexico's problems by hosting a huge domestic drug economy, failing to battle money laundering with enough vigor, and giving criminals easy access to weapons through its lax gun laws. These criticisms have merit, but they also reveal a readiness to pass the buck.

Even if Peña Nieto chooses to negotiate with the cartels, there is now a question of whom, if anyone, he can negotiate with. In 2006, Calderón faced seven major criminal organizations, but Peña Nieto confronts dozens, with constantly changing leadership. They are smaller in some cases, but they are also better armed and have been emboldened by their formal and not so formal

connections to the larger organizations, which have given them weaponry and access to safe houses and corrupt officials. Their side businesses have proliferated and now include the domestic sale of illegal drugs, extortion, and kidnapping. Preserving the international drug trade is not necessarily their first priority, which makes any parlay with the government vastly more complicated. Indeed, even if powerful cartels call for less violence in their areas of influence, it's not clear their word will be heeded. In Baja California, for example, there are reports that some sub-commanders have ignored orders from leaders of the Sinaloa Cartel to "stop heating the plaza" with murders.

Peña Nieto's focus on reducing the overall level of violence in Mexico is the biggest and most laudable change he has made in the country's security strategy. On the ground, though, it is hard to see exactly what it will entail. So far, the movement of more military and police resources to violence-ridden areas has been the most visible change, and it appears to be paying dividends. Violence is down, although just how much is subject to interpretation.

The outlines of a new approach can also be found in the capture of Treviño and Ramírez, which the government

treated with little fanfare even as the news media feasted on the story. The arrests represented a rare triumph of coordination among the nation's security agencies and effective targeting of the groups causing the most violence. The PRI's disciplined approach stands in sharp contrast to that of the previous, PAN-led, administration. Officials say they aim to dismantle the entire structure of the duo's criminal organizations rather than merely decapitate them, and there have been numerous arrests of cartel members, which could prevent some of the conflict between surviving cartel fragments that has caused so much violence in recent years.

The criminal challenge, however, keeps changing form. Treviño's Zetas remain the principal target. The terrifyingly quick spread of the Zetas, one of the new splinter cartels, has been one of the main drivers of violence in Mexico, and the organization's success has spawned numerous smaller copycats, creating a much more chaotic underworld. These new groups do not appear to fear the government, and much of that government still appears to be for hire, offering criminal organizations of all sizes crooked personnel, weapons, ammunition, protection from prosecution, and political cover. That is why the shifting

strategies of politicians in Mexico City pose only temporary challenges to the underworld. The government's long-term strategy must focus on reforming the institutions that the criminal organizations now often feed on, including the police, the judiciary, and the prisons.

The Peña Nieto administration is moving as slowly on this front as its predecessor did. It has shelved its plan for a national gendarmerie and returned to police reform, seeking to put more easily corruptible municipal forces under the authority of state-run police. But this effort is stalling. Of the 50,000 police who were purged under Calderón, for example, more than 40,000 are still drawing a paycheck because of labor laws and political intransigence. Judicial reform is also moving at a crawl. A new uniform penal code that requires the states to implement a common

system of criminal law is in place, but the government will have to expend all its political capital to get the states to adopt the new adversarial legal system that is the penal code's companion reform by the proposed 2016 deadline.

In order to shift the balance of power permanently against the cartels, Peña Nieto will have to invest more heavily in this kind of unglamorous institutional reform. The challenge may be larger than he and the PRI are ready to accept. But while Mexico has enjoyed some successes, stability will only come when it has solid institutions to rest upon. ■

STEVEN DUDLEY, a former Wilson Center fellow, is the codirector of *InSight Crime*, a think tank devoted to the investigation and analysis of organized crime in the Americas. It has offices at American University in Washington, D.C., and in Medellín, Colombia.