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**FIGHTING NARCOTRAFFIC IN LATIN AMERICA:
MEXICO AND EL SALVADOR—A COMPARATIVE
APPROACH**

by

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March 2015

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**FIGHTING NARCOTRAFFIC IN LATIN AMERICA: MEXICO
AND EL SALVADOR—A COMPARATIVE APPROACH**

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ABSTRACT

Mexico and El Salvador have been fighting organized crime for decades. While Mexico has fought drug cartels with the support of the U.S. government, El Salvador has struggled to lower high crime rates mostly with its own resources. Mexico, which has a different government structure from El Salvador's, has not been able to control drug trafficking despite the use of armed forces.

Although Mexico's approach to fighting drug cartels differs from El Salvador's approach, neither country has been able to control organized crime in its own territory. While both countries have used armed forces, the outcomes vary. Mexico achieved partial success by incarcerating drug cartel leaders and seizing drugs; however, drug trafficking continued. El Salvador's use of armed forces has been limited, and the strategy did not lower high crime rates. Human rights issues have aroused negative attention to both countries. The magnitude of the criminal activity in both countries requires a more comprehensive approach, rather than the use of armed forces to counter criminal organized crime.

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LIST OF ACRONYMS AND ABBREVIATIONS

ARENA	Nationalist Republican Alliance Party (El Salvador)
CBP	Customs Border Protection (USA)
CISEN	Center for Research on National Security (Mexico)
CNSCC	National Council for Citizen Security (El Salvador)
DEA	Drug Enforcement Administration (USA)
FBI	Federal Bureau of Investigation (USA)
FGR	General Attorney Office (El Salvador)
FMS	Foreign Military Sales (USA)
FMLN	Farabundo Martí National Liberation Front (El Salvador)
GAFES	Special Operations Airborne Group (Mexico)
GN	Gendarmeria Nacional (Mexico)
ISSS	Salvadorean Institute for Social Security (El Salvador)
IVU	Urban House Institute (El Salvador)
IUDOP	Public Opinion University Institute (El Salvador)
MS	Salvatrucha Gangs (El Salvador)
M18	Calle 18 Gang (El Salvador)
PAN	Partido Accion Nacional (Mexico)
PGR	General Attorney Office (Mexico)
PNC	National Civilian Police of El Salvador
PRI	Partido Revolucionario Institucional (Mexico)
OAS	American States Organization
SEDENA	National Defense Secretary (Mexico)
SEGOB	Secretary of Interior (Mexico)
SEMAR	Secretary of the Navy (Mexico)
SIEDO	Deputy General for Specialized Investigation of Organized Crime (Mexico)
SNSP	Secretary of National Public Security (Mexico)
SSP	Secretary of Public Security (Mexico)
TCO	Transnational Criminal Organization
UCA	Central American University (El Salvador)

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I. INTRODUCTION

Mexico and Central American countries have attempted to counteract narcotraffic activities in their region. As organized crime has overcome the capacity of public security institutions (mainly the police), politicians have put into practice new strategies. Some of these strategies, including the use of armed forces in support of security institutions, have aroused critical debate.

This thesis examines how Mexico's approach to counter organized crime differs from El Salvador's approach. Taking into account El Salvador's significantly smaller size and its different political and administrative structure, a survey of Mexico's approaches to counter narcotics can help us determine which political decisions might work in the case of El Salvador. One of the assumptions for this comparative case is that narcotraffic activities are harder to control in a larger territory such as Mexico. Second, armed forces in Mexico have been given more autonomy to act like a public security body, which has brought concerns about human rights abuses and civilian control of the military. Still, Salvadoran and Mexican armed forces are institutions with high levels of credibility. According to a Pew Research Center report, the population in Mexico and El Salvador have a positive opinion of the military, which reached 75% and 77%, respectively.¹ These are relatively high levels of credibility if compared to other institutions such as media, civil, and judiciary institutions.

A. THE RESEARCH QUESTION

The security situation in Mexico differs from that of Central American countries. El Salvador went through a civil war in the 1980s. After the peace accords of 1992, public security responsibility was transferred to civil authorities. During the civil war, the military management of public security institutions and the deployment of battalions all over the country allowed the government to control criminal activity in El Salvador. However, when the armed forces transferred the responsibility of public safety to the new

¹ Pew Research Center, "Crime and Corruption Top Problems in Emerging and Developing Countries," November 7, 2014, <https://www.travel-impact-newswire.com/2014/11/pew-research-crime-corruption-top-problems-in-emerging-and-developing-countries/>.

civilian police, the demobilization process created a vacuum that allowed criminal groups to diversify and grow stronger. During the early 1990s, gang activity was limited to petty crimes, soliciting money from pedestrians, small fights, and the use of drugs.² However, after the peace accords of 1992, gang members coming back from the United States joined the local gangs. The new leadership reorganized and strengthened gangs; these organizations began to participate in more complex activities such as robbery, murder-for-hire, extortion, and drug trafficking.

The sudden reduction of Salvadoran armed forces in 1992 undermined state control over criminal activity; public security, which was under the responsibility of the armed forces, was transferred to the National Civilian Police as part of the peace accords. The new civilian police lacked trained personnel and the experience to take control over public security. El Salvador's 12-year civil war, the serious economic situation, the lack of education, and the lack of job opportunities set the stage for gangs to evolve and become a major threat to public and national security. This was due to the gangs' territorial control, their ability to penetrate the police and judiciary system, and their increased capacity to get involved in transnational criminal activities. As Aguilar stated, "In the last years, the transformation of the phenomenon and the transnational links that governmental authorities attribute to gangs, is increasingly being associated with organized crime and narcotraffic."³ The gangs' capacity to challenge government authority and alter the normal life of society was evident when in September 2010, gangs called for a public transportation strike, aimed to prevent the government from passing a law against gangs.

Despite the fact that the Salvadoran government has authorized the use of armed forces since 2005, the success of this strategy is debatable. Homicide rates have been high, even with the joint operations developed by the national police and the armed

² Jeanette Aguilar, "Las Maras o Pandillas Juveniles en el Triángulo Norte de Centro America [The Maras or Young Gangs in the Central America Triangle] (University Institute of Public Opinion, 2007), 11, https://www.oas.org/dsp/documentos/pandillas/2sesion_especial/IUDOP/Las%20maras%20o%20pandillas%20juveniles%20en%20el%20tri%C3%A1ngulo%20norte%20de%20Centroam%C3%A9rica....pdf.

³ Aguilar, "Las Maras o Pandillas," 25.

forces. The only period during which crime rates were lowered was between May 2012 and February 2013 when a “truce” between the two main gangs promoted by the Ministry of Security reduced the daily homicides (from 13–15 a day to 6–8 a day). This reduction of nearly 50% is questionable. According to the police, the number of disappeared individuals increased during the same period. Oscar Torres, the chief of the Anti-Gang Unit of the National Civilian Police, stated that between January 1 and December 1, 2014, 1,070 persons were reported as disappeared, 525 more than the 545 that were reported during the same period in 2013.⁴

Mexico’s political experience is very different. The one-party system lasted from the 1920s until 2000, and provided great political stability. Even so, weak political institutions including the judiciary and the legislative branches have not been able to appropriately address the crime problem; for example, an expert, Cecilia Martínez Gallardo, affirms that lack of consensus in approving important reforms to the police prevents the state from reforming a corrupted police.⁵

Some scholars argue that the use of armed forces undermines civilian control, and that the use of the military apparatus has not improved control over organized crime. As Arturo Sotomayor states, “The side effects of these processes have been devastating. Security institutions have been undermined and weakened and civilian oversight eroded, while crime rates increase or, when they appear to decrease, they cannot remove the generalized sense of insecurity.”⁶ Sotomayor further argues that despite the population’s approval of using armed forces in Mexico (as in the case of El Salvador), unintended consequences such as an increase in human rights abuses, weak civilian oversight, and spread of “iron fist” policies towards Central American countries are the result of the militarization of public security.⁷

⁴ *La Opinion* (Blog), December 16, 2014, <http://www.laopinion.com/noticiaslatinoamerica/article/20131216/Desaparecidos-crean-duda-en-El-Salvador>.

⁵ Cecilia Martínez Gallardo, “Mexico,” in *Case Studies in Comparative Politics*, ed. David J. Samuels, (Boston: Pearson, 2013), 273.

⁶ Arturo Sotomayor, “Militarization in Mexico and Its Implications,” in *The State and Security in Mexico, Transformation and Crisis in Regional Perspective*, eds. Brian Bow and Arturo Santa-Cruz (New York: Routledge, 2013), 55, 56.

⁷ Sotomayor, “Militarization,” 48, 49.

Even so, the argument here is that Mexico's approach of interdiction, radication, enforcement, and the use of armed forces has had relative success. In some cases, well-trained units such as the Special Operations Airborne Group (GAFES) carried out successful operations during President Fox's administration (2000–2006). The capture of important narcotraffickers such as Alcides Ramón Magaña, Benjamín Arellano Félix, and Miguel Angel Caro Quintero are examples of the effectiveness of the GAFES's operations.⁸ However, El Salvador faces a different threat: gangs. El Salvador's approach has also relied on armed forces in counteracting gang activity, but in this case armed forces autonomy has been limited.

Despite the geographical, territorial, and political differences between Mexico and El Salvador, understanding the different approaches of the Salvadoran and Mexican armed forces towards fighting narcotraffic activities can be useful in finding new strategies to counteract criminal organizations in El Salvador. Additionally, it can be determined whether the use of armed forces has had a positive impact in the efforts to counter organized crime in El Salvador.

B. SIGNIFICANCE OF THE COMPARATIVE ANALYSIS BETWEEN MEXICO AND EL SALVADOR

In the last decade, Central American countries experienced a significant increase in crime rates. In El Salvador, homicide rates of approximately 69 per 100,000 inhabitants in 2012⁹ have encouraged politicians to use armed forces in support of public security institutions. Since Central America is geographically located between drug producing and consuming countries, the violence and narcotraffic activities generated by Mexican cartels have promoted the expansion of gangs in El Salvador. As Sonja Wolf stated, "The gangs are heavily armed and have developed a sophisticated structure. ... More controversially, they have been linked to Colombian Rebels and Mexican cartels,

⁸ Luis Astorga, *Security, Traffickers and the Military* (Mexico: Tusque Editors 2007), 89.

⁹ *El Salvador 2013 Crime and Safety Report* (Washington, DC: U.S. Department of State, Bureau of Diplomatic Security), accessed March 1, 2014, <https://www.osac.gov/pages/ContentReportDetails.aspx?cid=13875>.

and they have been accused of participation in extortion, *sicariato*, contract killing, and the trafficking of drugs, weapons, and humans.”¹⁰

The two main gangs, *Mara Salvatrucha* and *Calle 18*, control many communities within the Salvadoran territory. Their activities include, but are not limited to, extortion, murder, kidnapping, rape, drug trafficking, human trafficking, and smuggling. Criminal activity in El Salvador has undermined economic growth, impaired external investment, and created fear within society. According to a Pew Research Center report, people consider crime “a very big problem” in Mexico and El Salvador. The report concluded that 90% of people in El Salvador and 79% in Mexico think that criminality stands over other problems such as health, corruption, poor schooling, water and air pollution, food safety, and electrical shortages.¹¹

While there is no certainty about the number of gang members in El Salvador, according to the National Civilian Police, the number of gang members is nearly 28,000.¹² There is a well-organized social network that is composed of the gang members’ families who support their activities; these family members are assigned different tasks like being forward observers, transporting arms and ammunition, cashing the money from extortions, and taking supplies to the prison where gang members are jailed.

Although some scholars argue that many governments overestimate the power of criminal organizations, the United States has regarded transnational organized crime as a security challenge in the western hemisphere.¹³ Most Latin American countries have also regarded transnational crime organizations as a real threat to national security. In a conference held in Mexico in October 2003, the American States Organization (OAS)

¹⁰ Sonja Wolf, “Street Gangs of El Salvador,” in *Maras, Gangs Violence and Security In Central America*, eds. Thomas Bruneau, Lucia Dammert, and Elizabeth Skinner (University of Texas Press, 2011), 43.

¹¹ Pew Research Center, “Crime and Corruption.”

¹² La Prensa Grafica de El Salvador, May 25, 2013, <http://www.laprensagrafica.com/470-264-personas-afines-a-pandillas>.

¹³ Department of Defense, “Quadrennial Defense Review” (Washington, DC: Department of Defense, 2013), 6.

declared organized crime to be an emerging threat to the regional security.¹⁴ In Mexico, the National Defense Secretary (SEDENA) sent a report to the Defense Committee declaring narcotraffic as the highest threat to security.¹⁵ Considering this phenomenon as a national security threat allows Latin American politicians to legally use armed forces in support of public security institutions. While the degree of autonomy given to armed forces in Latin America varies, in El Salvador, violence and high crime rates have encouraged presidents to use armed forces in a limited way.

El Salvador's constitution, in article 168, number 12, states that the president can use armed forces to maintain the sovereignty, order, security, and tranquility of the republic. That is how, since 2006, armed forces have been ordered to support public security institutions. Three executive decrees (60, 70, and 371) submitted in September 2009, October 2009, and May 2010 created three new commands: "Zeus Command," where soldiers work with police officers in the most violent communities; "San Carlos Command," which took control of prisons; and "Zumpul Command," which deals with the borders.¹⁶ The success of armed forces in this new mission was temporary. Crime organizations began to evolve and adapt to the new circumstances. Criminals also began to accuse the armed forces of violating human rights. Armed forces were put on the defensive.

In contrast to the phenomena of gang activity in El Salvador, Mexican criminal organizations have penetrated public security institutions and municipal, state, and federal offices. These criminal organizations have taken advantage of political instability, have adapted well to the new political environment since 2000, and have taken control of cities and territory within Mexico. The new role given to armed forces has provoked drug cartels to react more violently. Mexican institutions still suffer from inadequate policies, and worse, lack the power to reinforce them. This shows us that even though Mexico has

¹⁴ American States Organization (OAS), "Declaration about Security in the Americas" (Organization of American States, Mexico, October 2003), <https://www.oas.org/es/ssm/CE00339S03.pdf>

¹⁵ "Narcotraffic, The Highest Threat to Security," *La Jornada*, 2008, <http://www.jornada.unam.mx/2008/09/30/index.php?section=politica&article=007n1pol>.

¹⁶ Junta Interamericana de Defensa, "The Involvement of Armed Forces from the American Continent in Public Security Activities" (Washington, DC, June 2012), http://www.oas.org/dsp/documents/Informe_FA_Emp_Seg_Publica_JID_6-29-12.pdf.

addressed the problem from different perspectives, the “balloon effect,” an analogy that scholars use to describe efforts to eradicate a problem while creating another, brings new forms of operating for criminal organizations, requiring a more comprehensive approach.

Financial constraints are a constant problem in Mexico and El Salvador. Through the Mérida and Colombia plans, the United States has committed billions of dollars to counteract the problem in Latin America. The Mérida plan, which was signed in June 2008, was envisioned to provide three years of funding for Mexico, Central America, Haiti, and Dominican Republic. The four pillars are the following: (a) disrupt capacity of organized crime to operate, (b) institutionalize capacity to sustain rule of law, (c) create a 21st century border structure, and (d) build strong and resilient communities. The \$1.6 billion initiative included security and non-security assistance. Some security assistance included port activities for law, enforcement, border security, firearms interdiction assistance, prosecutor capacity building, vetted police units, and information exchange programs¹⁷ (see Table 1).

Table 1. FY2008–FY2015 Mérida Funding for Mexico
(\$ in millions)

Account	FY2008	FY2009	FY2010	FY2011	FY2012	FY2013	FY2014 (est.)	Account Totals	FY2015 Request
ESF	20.0	15.0	15.0 ^a	18.0	33.3	32.1	46.1	179.5	35.0
INCLE	263.5	406.0	365.0	117.0	248.5	195.1	148.1	1,743.2	80.0
FMF	116.5	299.0	5.3	8.0	N/A ^b	N/A	N/A	428.8	N/A
Total	400.0	720.0	385.3	143.0	281.8	227.2	194.2	2,351.5	115.0

Table 1. Mérida Funding for Mexico¹⁸

In El Salvador, through Central Americas Regional Security initiative (CARSI) and Foreign Military Sales (FMS) funds, the United States has provided resources to the

¹⁷ “U.S. Embassy in Mexico, Mérida Initiative” (Web page), accessed November 2014, <http://mexico.usembassy.gov/eng/ata glance/merida-initiative.html>.

¹⁸ Congressional Research Service. *U.S.–Mexican Security Cooperation: The Mérida Initiative and Beyond*, <https://www.google.com/#q=merida+funding+for+mexico+fy2008-fy2015>.

Salvadoran armed forces, but these funds seem to be insufficient due to the complexity of the problem (see Table 2).

. U.S. Assistance to the El Salvador: FY2011-FY2013			
(millions of dollars)			
Account	FY2011 (Actual)	FY2012 (Estimate)	FY2013 (Request)
DA	23.9	23.9	39.0
ESF	0.0	2.0	0.0
FMF	1.3	1.3	1.8
GHP	3.1	0.0	0.0
IMET	1.5	0.0	0.0
NADR	0.0	1.0	0.0
TOTAL	29.8	29.2	41.8

Data from Congressional Research Service

Table 2. U.S. Assistance to El Salvador

Understanding how the approaches of the Salvadoran and Mexican armed forces towards fighting narcotraffic activities differ can help us to find, and consider, new strategies and operational activities aimed at reducing the high crime rates. The balloon effect of Mexico's strategy shows us that a more comprehensive strategy might be necessary to achieve goals effectively. By impairing the activities of drug cartels and gangs in El Salvador, lower crime rates can be expected. Furthermore, the comparison of Mexican and Salvadoran approaches to fighting criminal organizations might help us find new forms of financial and intelligence cooperation among countries in Central America.

C. LITERATURE REVIEW

There is a considerable amount of literature about the background, strategies, and operations of Mexico's war on drugs. A wide range of these materials focuses on the relationship of Mexico and the United States at different levels (strategic and operative).

Phil Williams and Dimitri Vlassis provide information, concepts, definitions, networks, markets of transnational crime, the activities these organizations perform, and

the markets available.¹⁹ Their work also includes information about responses and/or different approaches to counteract transnational crime. These writings will be helpful when recommending new approaches for the case of El Salvador.

Maria Celia Toro, in *Mexico's "War" on Drugs: Causes and Consequences*, explains that Mexico's antidrug policy of prohibition, eradication, and even the use of armed forces through the early 1900s until the 1980s, has brought limited results, as drug cartels have been able to adapt to the new enforcement environment,²⁰ Mexico's drug market, and the socioeconomic consequences. Toro also claims that a U.S. campaign in the 1980s that took place in Florida rerouted the Colombian cocaine to Mexico.²¹

Luis Astorga provides a good background of Mexican and U.S. relations in the fight against narcotraffic activities along the Mexican border. He also criticizes the lack of coordination among the federal, state, and municipal systems of Mexico, and how different institutions coordinate efforts and carry out the strategies imposed by the government. This analysis helps us to assess which strategies have been more successful in the fight against criminal organizations.

George W. Grayson argues that the weakness of Mexican institutions has brought the opportunity for drug leaders to trade drugs with impunity.²² Grayson also criticizes President Calderon's 2006 strategies; new narcotic groups such as the Zetas have emerged despite the Mexican government's effort to apply new approaches.²³ Calderon's strategy has also caused the expansion and territorial control within Mexico and Guatemala. Grayson also addresses the militarization of Calderon's war on drugs from 2006. His writings provide a scope on armed force's contribution in dealing with drug cartels. Although a good degree of success is attributed to the empowering of the armed

¹⁹ Phil Williams and Dimitri Vlasiss, *Combating Transnational Crime: Concepts, Activities and Responses* (London: Frank Cass, 2001), 14, 15.

²⁰ Maria Celia Toro, *Mexico's War on Drugs: Causes and Consequences* (Boulder, CO: Lynne Rienner Publishers, 1995), 27.

²¹ *Ibid.*, 31.

²² George W. Grayson, *Mexico, Narco-Violence and a Failed State?* (New Brunswick, NJ: Transaction Publishers, 2011), 3.

²³ *Ibid.*

forces, it is also argued that the more power is given to the military, and the more time it performs as a public security institution, the higher the chances are that it will be corrupted. As Jesus Alberto Lopez Gonzalez stated, “Molina (a PAN senator in 1997) argued that there were no evidence to assure that the military had been more effective or less corrupt than the civilian police in such tasks ... more than 150 officers had been found to be linked to criminal organizations.”²⁴

A Naval Postgraduate School (NPS) thesis, “State Capacity and Effectiveness in Combating Crime: A comparative Study of El Salvador and Guatemala” by Berthea G. Hampton, surveys the capacities and effectiveness of institutions in responding to organized crime, government policy, and its influence on the effectiveness of institutions. This thesis examines the opportunities available as well as the challenges that Central American countries face in their efforts to counteract criminal organizations. Hampton exposes the weakness of political institutions, which prevents policies from being effective.²⁵ Hampton also emphasizes that corruption is one of the factors that impairs success in the fight against criminal activity; furthermore, she evaluates the capacity of El Salvador and Guatemala in fighting criminal activity, as well as the impact of weak institutions on public security.

Max G. Manwaring, in his monograph, “Gangs and Other Illicit Transnational Criminal Organizations (TCOs) in Central America, El Salvador, Mexico, Jamaica and Brazil,” describes criminal organizations as a threat to national, international, and global security and addresses the political effects of crime and the challenge to state sovereignty and stability. Because of the complexity and coercive force of TCOs, states are prone to fail.²⁶ Understanding how criminal organizations evolve and the threat they represent will help in determining the cost and benefits of empowering armed forces to counter this phenomenon.

²⁴ Jose Alberto Lopez Gonzalez, *The Politics of Civil-Military Relations in Mexico: A Historical and Institutional Approach* (Saarbrücken, Germany: VDM Verlag, 2009), 224.

²⁵ Berthea G. Hampton, “State Capacity in Combating Crime: A Comparative Study of El Salvador and Guatemala” (master’s thesis, Naval Postgraduate School, 2012).

²⁶ Max G. Manwaring, “A Contemporary Challenge to State Sovereignty: Gangs and Other Illicit Transnational Criminal Organizations in Central America, El Salvador, Mexico, Jamaica, and Brazil” (monograph, Carlisle, PA: U.S. Army War College, Strategic Studies Institute, December 2007).

Thomas Bruneau, in “Pandillas in Central America,” assesses the impact of criminality in the region. He affirms that the common problems of Latin American countries, such as demography and judiciary, social, and economic vulnerability play a key role in the security situation in Central America. He further evaluates the impact of failed policies against gangs in the area.²⁷ The writings differentiate organized crime from gangs, and how they interconnect internally and externally. This provides knowledge on the political culture of Central American countries, which can be valuable when assessing the Salvadoran strategy in dealing with gangs.

The Woodrow Wilson International Center for Scholars provides a wide range of strategies on security cooperation among countries. Eric E. Olson outlines new strategies to confront organized crime in Mexico. He also provides statistics of the increase in criminal activity during the last decade. Olson proposes a new approach to security and cooperation, based on what he calls the four pillars, which include disrupting and dismantling criminal organizations, institutionalizing the rule of law, building the 21st century border, and building strong and resilient communities.²⁸ Peter Router provides lesson learned from other countries that can be applied to Latin American countries. The case of Italy and the United States provides information on government actions that have helped in weakening criminal organizations. Some of these actions include increased power of federal government, the growth of federal law enforcement, and new legal powers.²⁹

Philip Williams and Knut Walter’s writings on militarization and demilitarization in El Salvador explain how Central American countries that have had a long history of military rulers have evolved into a new democracy. The transferring of public security forces to civilian control in El Salvador came as a result of the 1992 peace accords. Armed forces were reduced, and privileges were cut down to a minimum. Williams

²⁷ Thomas C. Bruneau, “Pandillas in Central America,” *Latin America Research Review* 49, no. 2. (2014).

²⁸ Eric Olson and Christopher Wilson, “Beyond Mérida,” in *The Evolving Approach to U.S.–Mexico Security Cooperation* (University of San Diego: Woodrow Wilson International Center for Scholars, May 2010), 4.

²⁹ Peter Reuter, “What Can Mexico Learn from Other Countries’ Successes in Limiting Organized Crime?” (Woodrow Wilson Center, December 12, 2011).

explains that even though new institutions were created and others were transformed, there was still a lot to do to consolidate democratization in El Salvador. The dissolution of former public security institutions created a vacuum during the transition to democracy, and criminal organizations took advantage of this opportunity to evolve into new, efficient, and violent organizations.

Miguel Salazar and Eric Olson write on Mexico's major organized crime groups, analyzing the advances in counteracting crime organizations in 2010. As they state, "2010 was also characterized by a number of significant government inflicted blows against major cartel leadership."³⁰ They also address organized criminal groups in Mexico, which provides an insight into how the groups evolve, find new alliances, and fight their enemies. Olson also addresses the effectiveness of employing the military to fight organized crime. As he states, "Military deployments have been the backbone of the Calderon Administration's battle against organized crime ... the logic is that the military is less corrupt and more disciplined than the police, and thus benefits from greater legitimacy and acceptance from public."³¹

The use of Mexican armed forces has also been a topic for debate within the country. Non-governmental institutions have complained about the use of armed forces. As Grayson states, "The National Front against Repression, demanded the removal of armed forces from the streets because of their harsh treatment of citizens."³² Eric Olson believes that the use of the military in Mexico has been beneficial in some cases. He maintains that the military is less corrupt than other security institutions, and also more disciplined.³³ This should bring more legitimacy to the participation of armed forces in counteracting organized crime. Furthermore, he argues that the use of military has led to more effective coordination with police forces, such as in Tijuana.³⁴

³⁰ Miguel Salazar and Eric Olson, *A Profile of Mexico's Major Organized Crime Groups* (University of San Diego: Woodrow Wilson International Center for Scholars, 2011), 2, 3.

³¹ Eric L. Olson, *Shattered Dreams and Restoring Hope: Organized Crime on the US-Mexico Border* (Mexico Institute: Woodrow Wilson Institute, February 2010), 5.

³² Grayson, *Mexico, Narco-Violence*, 155.

³³ Olson, *Shattered Dreams*.

³⁴ Ibid.

A critic is Arturo Sotomayor. In his writings about *Militarization in Mexico and Its Implications*, he provides an insight on the disadvantages of using armed forces in missions regarding public security. Sotomayor claims that the increasing preference for the use of armed forces is based on politics rather than the perception of a threat to security.³⁵ Political choices then are the result of external and internal pressure that have been put onto the Mexican government.³⁶ Additionally, Sotomayor brings to attention the human rights issues, which are the result of eroding civilian supervision and the lack of coordination among public security institutions.³⁷ He challenges the effectiveness and convenience of the enrollment of the military in fighting organized crime.

Steven David Brown in his book *Combating International Crime, The Longer Arm of the Law*, provides recommendations on judicial cooperation, tools and techniques, information exchange, and the role of national institutions in fighting transnational crime. This is useful for drawing conclusions and making recommendations at the end of the thesis.

The literature listed in this section allows the researcher to survey Mexico's approach to countering drug trafficking. The literature provides tools for the analysis of Mexico's success or failure in using armed forces to counteract organized crime in its territory. The interaction among political institutions, police forces, and armed forces helps us determine lessons learned from Mexico's experience. The research approach is focused on finding the best practices and lessons derived from Mexico's strategy in fighting narcotics, analyzing the institutions and the role of the armed forces and their effectiveness. A survey of El Salvador's fight against organized crime also helps to determine an applicable strategy to deal with criminality in the country.

³⁵ Sotomayor, *Militarization*, 42.

³⁶ Ibid., 42, 43.

³⁷ Ibid., 43.

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II. BACKGROUND ON CRIME ACTIVITY IN MEXICO AND EL SALVADOR

This chapter surveys the background of crime activity in Mexico and El Salvador. While there is a common agreement on what constitutes criminal activity and how it undermines the security of societies, the phenomena affects countries differently. Crime activity in Mexico differs from the crime activity El Salvador has experienced. To better understand the security situation of both countries, it is necessary to start with some basic definitions. Scholars provide different definitions of organized crime, transnational organized crime, and gangs. While some experts believe that gangs are not part of organized crime, others closely associate both terms.

By analyzing the definitions, one can affirm that the concepts of organized crime, transnational organized crime, and gangs are interconnected. Salvadoran gangs are engaged in criminal activities that have traditionally been carried out by organized crime; these activities include extortion, murders, drug trafficking, kidnapping, smuggling, robbery, and more. The highly organized feature attributed to organized criminal organizations can also be found in the structure of gangs in El Salvador. These structures are clearly defined, and responsibilities are specifically assigned for each gang member.

A. DEFINITIONS

While there is common consent on what organized crime and transnational crime represents to public security, few agreements have been reached when defining gangs. The evolution of gangs and their activities have evolved and become so complex that the line between organized crime, gangs, and their transnational character is often blurred.

According to the *Black Law's Dictionary*, a *gang* is “a company of persons who go about together or act in concert, especially for antisocial or criminal purposes.”³⁸ Stephen L. Mallory cites other definitions: “Gangs are organized entrepreneurs who reinvest profits into the gang. They are structured organizations that market their illicit

³⁸ *Black Law's Dictionary*, ed. Bryan Garner (St. Paul, MN: West Group, 2004), s.v. “gang,” 700.

goods and services to make huge profits.”³⁹ Other authors view gangs as “disorganized individuals who form alliances to make money for each member.”⁴⁰

Stephen L. Mallory affirms that organized crime has a wide range of definitions which depend upon the organization, or the perspective of the writer.⁴¹ He refers to The Omnibus Crime Control and Safe Streets Act, 1968, which states that “Organized crime means the unlawful activities of the member of a highly organized, disciplined association engaged in supplying illegal goods and services including, but not limited to, gambling, prostitution, loan sharking, narcotics, labor racketeering and other activities of members of organizations.”⁴²

The definition of transnational organized crime is also necessary to analyze if gangs in El Salvador can also be considered part of transnational criminal organizations. “Transnational organized crime refers to those self-perpetuating associations of individuals who operate transnationally for the purpose of obtaining power, influence, monetary and/or commercial gains, wholly or in part by illegal means, while protecting their activities through a pattern of corruption and/ or violence, or while protecting their illegal activities through a transnational organizational structure and the exploitation of transnational commerce or communication mechanisms.”⁴³

The transnational characteristic of gangs is demonstrated by the international linkage of the *Salvatrucha* gang (MS) in Central America and the United States. One of the main criminal activities, extortion, is in many cases coordinated between gangs in the United States and El Salvador. There are cases in which Salvadoran residents in the United States have been threatened that a family member will be assassinated if money is not given to the gang in the United States, or money was not sent to the gang in El

³⁹ Stephen L. Mallory, *Understanding Organized Crime* (Boston, MA: Jones and Barlett Publishers, 2007), 4.

⁴⁰ Ibid.

⁴¹ Mallory, *Understanding Organized Crime*, 5.

⁴² The Omnibus Crime Control and Safe Streets Act, Public Law 90-351, 82 STAT. 197, June 19, 1968.

⁴³ The White House, National Security Council, *Transnational Organized Crime: A Growing Threat to National and International Security*, <http://www.whitehouse.gov/administration/eop/nsc/transnational-crime/threat>.

Salvador. Additionally, gang members who defect from the gang are given a “green light” nationally and overseas, which means that wherever the deserter is found, he will be killed. The national and international connections allow gangs to impose these punishments to deserters.

El Salvador’s history of gangs is not new. According to Sonja Wolf, gangs might have emerged by 1963. She affirms that a gang study conducted in 1991 by a group of students from the Central America University (UCA) included interviews with 116 members from 25 gangs.⁴⁴ The gangs belonged to marginal communities of the capital San Salvador. The members, who came from lower classes and lacked education, were between 7 and 31 years old, but the majority ranged from 15 to 22 years old. The gangs’ activities included some remunerated work, training members in the use of weapons, and theft.⁴⁵ Their entertainment options included hanging out, consuming drugs and alcohol, and fighting other gangs’ members.⁴⁶

Wolf also explains that by 1991, the *Mara Salvatrucha* and the 18th street gangs were already established in El Salvador; however, these gangs had improved the organization structure, established identification codes and new norms, and gotten better weapons.⁴⁷

B. MEXICO

Mexico has a long history of drug trafficking activities. While contraband is an older issue, drug trafficking began to take place along the U.S.–Mexican border in the 1900s. According to Maria Celia Toro, the 1909 Opium Exclusion Act changed the normal activities along the U.S.–Mexican border.⁴⁸ She further implies that the

⁴⁴ Sonja Wolf, “Street Gangs of El Salvador,” in *Maras, Gang Violence and Security in Central America*, eds. Thomas Bruneau, Lucia Dammert, and Elizabeth Skinner (Austin, TX: University of Texas Press, 2011), 44.

⁴⁵ Ibid.

⁴⁶ Wolf, “Street Gangs,” 44, 45.

⁴⁷ Ibid., 45.

⁴⁸ Toro, *Mexico’s War on Drugs*, 7.

prohibition strategy implemented in the United States created incentives for drug dealers to enter the new market.⁴⁹

Mexico's fight on drugs has been marked by its relationship with the United States and the nexus between drug dealers and the Mexican state itself. According to Stanley A. Pimentel, Mexico's official party, Partido Revolucionario Institucional (PRI), developed a patron–client relationship in which the state provided patronage to criminal organizations while obtaining revenues from criminal activity.⁵⁰ This relationship provides a basic understanding of drug trafficking in Mexico. Furthermore, it explains the failure of different approaches in countering the phenomenon.

1. The Period from 1916 to 1970

The origins of organized crime and narcotraffic in Mexico can be traced to the early years of the 20th century. In the early 1900s, the U.S.–Mexican border had little or no attention from both governments. People and merchandise were able to move freely along the border, and security forces in Mexico focused on controlling Chinese immigration into the United States.⁵¹ At that time, opium, marijuana, and heroin were legal drugs in the United States and Mexico, and Chinese immigrants were the ones supplying drugs to the United States.⁵² As drug prohibition laws such as the Harrison Narcotic Act in 1914 were passed in the United States, the Mexican government began to coordinate with its American partners and create strategies and operations to control drug trafficking along the U.S.–Mexico border. From the beginning of Mexico's fight to counter narcotraffic, Mexican officials were involved in this activity.

In 1916, the governor of Baja California, Coronel Esteban Cantú, was selling leases to smuggle opium into the United States for a \$45,000 down payment and monthly

⁴⁹ Ibid.

⁵⁰ Stanley A. Pimentel, "The Nexus of Organized Crime and Politics in Mexico," in *Organized Crime and Democratic Governability, Mexico and the US–Mexico Borderlands*, eds. John Bailey and Roy Godson (Pittsburgh: University of Pittsburgh Press, 2000), 33, 34.

⁵¹ Joe C. Shipley, "What Have We Learned from the War on Drugs? An Assessment of Mexico's Counternarcotics Strategy" (master's thesis, Naval Postgraduate School, June 2011), 11.

⁵² Paul Kenney and Mónica Serrano with Arturo Sotomayor, *Mexico's Security Failure. Collapse into Criminal Violence* (New York: Routledge, 2012), 30.

payments of \$10,000.⁵³ After Cantú left office, the governors who followed him continued their involvement with drugs, even after the federal government of Mexico banned marijuana in 1920 and opium in 1926. According to Luis Astorga, the problem with drug trafficking, dating back to the beginning in the early 1900s, was that politicians at different levels have been involved in this phenomena. As Astorga stated, “There is evidence that a pattern of control by politicians over criminals is more accurate than the contrary thesis that posits the traffickers’ penetration of the clean, transparent, and virginal field of politics.”⁵⁴

In 1944, U.S. and Mexican authorities began to have closer coordination to control drug trafficking. During this year, the Commander of the Second Military Zone General Juan Felipe Rico, who was the Governor of Baja California, met with Rae V. Vader, a U.S. agent of the U.S. Treasury Department, who proposed Rico to select Mexican agents that he could trust. The new agents would be the chiefs of police of Tijuana, Ensenada, and Tecate. U.S. Council Moers denied the proposal to avoid comments that the U.S. government was intervening in Mexico’s internal affairs.⁵⁵

Cooperation between the United States and Mexican authorities brought good results between 1945 and 1946. The chief of police, Colonel Escudero, announced that 106 had been arrested, including the American drug dealer Max Coss. However, other high ranking officers were accused of being involved in narcotraffic activities. Harry Aslinger, who was the head of the U.S. Federal Bureau of Narcotics, affirmed in 1947 that high level Mexican state authorities were involved in the drug business. This was confirmed when journalists from the newspapers *Excelsior*, *El Universal*, and *Ultimas Noticias* accused the Secretary of War and the Navy, later governor of Sinaloa, General Pablo Macías Valenzuela of controlling and protecting the traffic of opium while in

⁵³ Luis Astorga, *Drugs without Frontiers* (Mexico: Grijalbo, 2013), 17.

⁵⁴ Luis Astorga, “Organized Crime and the Organization of Crime,” in *Organized Crime and Democratic Governability, Mexico and the US-Mexican Borderlands*, eds. John Bailey and Roy Godson (Pittsburgh: University of Pittsburgh, 2000), 69.

⁵⁵ Astorga, *Organized Crime*, 42.

office.⁵⁶ The weaknesses of the Mexican security institutions were evident when Max Coss escaped in 1950 and was recaptured in 1951.

U.S.–Mexican cooperation continued through the 1960s and 1970s. In 1969, the head of the U.S. Treasury Department, David M. Kennedy, sent a report to Mexico, stating that nearly 80% of heroin coming into the United States was produced in France with Turkish opium, and that most of that drug was seized at the Mexican border.⁵⁷ The drug was sent to the United States by minor smugglers who illegally crossed the border. The Mexican states that were mentioned in the report included Sinaloa, Sonora, Jalisco, Morelos, Durango, and Nuevo León. On the other side, Mexican authorities affirmed that between 1965 and 1969, 94k of *Adormidera* (a plant used to produce opium), 328k of opium, and 189 tons of marijuana had been burned.⁵⁸

A change in Mexico strategy came along with a change in U.S. policy towards narcotrafficking activities. In September 1969, President Nixon began to put more pressure on Mexican authorities. The United States initiated Operation Intercept, which was aimed to stop the flow of marijuana by eliminating drug plantations. The success of this operation has been debatable. According to Astorga, the operation was later considered as a major political failure. Operation Intercept was then replaced by Operation Cooperation, which included the use of technology and the use of herbicides to prevent the traffic of cocaine and heroin, to enhance security along the border, and to revise extradition accords.⁵⁹ The strategy reflected the same policies that had been used for decades with some modifications, but drug traffic became a major concern for both countries. This elevated concern would be the grounds for a higher commitment from the United States to counteract drug trafficking in the next decades.

⁵⁶ Astorga, *Organized Crime*, 70.

⁵⁷ Astorga, *Drugs Without Frontiers*, 346.

⁵⁸ Ibid.

⁵⁹ Astorga, *Drugs without Frontiers*, 350.

2. The Period from 1970 to 2013

With the signing of the U.S. Controlled Substances Act of 1970, President Nixon laid the foundation for the new “War on Drugs.”⁶⁰ This law created the Drug Enforcement Administration (DEA) in 1973. Since authorities in the United States had thwarted the transit of morphine into the U.S., cultivation and traffic of opium poppy in Mexico expanded (see Figure 1).

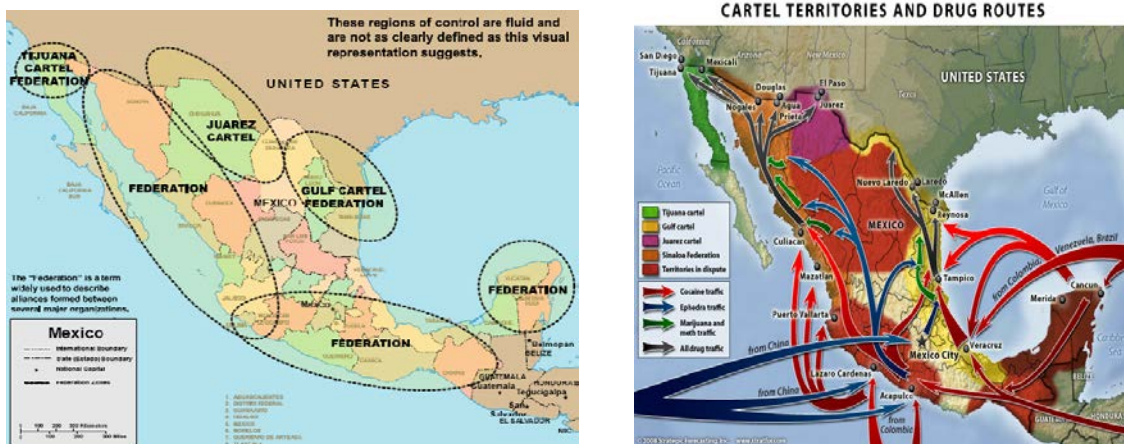


Figure 1. Cartel's Territories and Routes⁶¹

In 1976, the Mexican government carried out Operation Condor, aimed to eradicate plantations in the Sinaloa-Durango-Chihuahua triangle. This operation involved 10,000 soldiers commanded by General Jose Hernandez Toledo, defoliating drug plantations. This is one of the first times that the military was formally accused of human rights abuses. As Grayson stated, “At the same time, reports of abuses proliferated as human rights attorneys denounced the Mexican military’s shocking people with electric pods, gouging their eyes, shoving their heads into excrement toilets, and forcing soft drinks and gasoline up prisoner’s noses.”⁶²

⁶⁰ Grayson, *Mexico, Narco-Violence*, 28.

⁶¹ Map Copyright 2008 Strategic Forecasting Inc., STRATFOR www.stratfor.com.

⁶² Ibid., 31.

The dynamics of drug trafficking in Mexico changed in the 1980s. Crude oil prices fell. This weakened Mexico's economy, and the *peso* was devalued up to 60%; the struggling economy, together with the beginning of Colombian drug cartels smuggling drugs through Mexico's border, increased drug trafficking in the area.⁶³ Drug cartels began to consolidate (see the appendix). According to Maria Celia Toro, the United States increased expenditures between 1981 and 1989. The South Florida Task Force was able to reroute the flow of drugs in Florida that came from Colombia through the Caribbean.⁶⁴

Mexico's war on drugs was marked during this period by the assassination in 1985 of the U.S. agent Enrique "Kiki" Camarena and his pilot; he was investigating marijuana plantations owned by Rafael Caro Quintero. The killings of the two U.S. citizens encouraged the U.S. government to name drug trafficking as a threat to national security. As Joe C. Shipley stated, "Reacting to the murder, U.S. President Ronald Reagan (1981–1989) took a momentous step in 1986, declaring drug trafficking a threat to national security. The fairly innocuous-sounding step created an opening in the United States for involvement of the U.S. military."⁶⁵

As a result of these killings, the U.S. government initiated a drug certification process in 1986, which evaluated the efforts on drug-producing countries.⁶⁶ The certification process brought changes to both U.S. and Mexican institutions in order to be more effective in controlling organized crime activity. The U.S. reaction increased the historical distrust between the two countries. As Freeman and Sierra stated, "Twice, in 1969 and 1985, the U.S. government essentially shut down the U.S.–Mexico Border in counter drug-related actions. ... Mexico refused to receive U.S. drug assistance for several years during the 1990s."⁶⁷ This was due to the lack of trust between the countries

⁶³ John Bailey and Roy Godson, *Organized Crime and Democratic Governability, Mexico and the U.S. Mexican Border* (Pittsburgh: University of Pittsburgh Press, 2000).

⁶⁴ Toro, *Mexico's War on Drugs*, 31.

⁶⁵ Shipley, "What Have We Learned," 34.

⁶⁶ Kenney and Serrano, "Mexico's Security Failure," 37.

⁶⁷ Laurie Freeman and Jorge Luis Sierra, "Mexico, the Militarization Trap," in *Drugs and Democracy in Latin America*, eds. Coletta A. Youngers and Eileen Rosin (Boulder, CO: Lynne Rienner, 2005), 265.

and the frustration derived from Mexico's inability to control the flow of drugs into the United States.

As the drug marketing changed, new cartels arose during the 1990s. In 1996, Mexico's General Attorney Office (PGR) identified a new group composed of ex-military members known as the Zetas. The group consisted of 40 ex-military, among them second lieutenants, lieutenants, and former members of the Special Operations Airborne Group (GAFES). The Zetas sought to confront the highest levels of law authorities.⁶⁸ This new group began to operate in Jalisco, Tamaulipas, and along the border with Guatemala.

President Vicente Fox, who took the presidency in 2000, improved U.S.–Mexico relationships regarding the war on drugs. This brought considerably good results; according to Laurie Freeman and Jorge Luis Sierra, during the first three years of Fox's presidency, nearly 22,000 people were arrested and among them, the Tijuana cartel leader Benjamin Arellano Felix, who had been arrested in 2002 by special forces.⁶⁹ Additionally, the terrorist attacks on U.S. soil on September 11, 2001, encouraged the U.S. government to review its security agenda.

The DEA took advantage of the terrorist attack to associate terrorism with drug trafficking.⁷⁰ The reinforcement of security along the U.S.–Mexico border presupposed that narcotraffickers would have more difficulties smuggling drugs into the United States. This proved to be false. As Astorga stated, "According to the official statistics (Mexican) that measure the fight on drugs, there have been advances, but in reality, the situation has worsened because there have been more drug seizures and captures simply because production has increased, and there are more people on the business."⁷¹

Since Felipe Calderon won the Presidency in 2006, his policy against narcotraffic mostly consisted of making the armed forces the tip of the spear to counteract the

⁶⁸ Astorga, *Security, Drugs, Traffickers*, 164.

⁶⁹ Freeman and Sierra, "Mexico, the Militarization Trap," 265.

⁷⁰ Astorga, *Security, Drugs, Traffickers*, 23.

⁷¹ *Ibid.*, 25.

phenomenon of narcotraffic. Armed forces were by then considered the most reliable force for the job. Additionally, according to Sylvia Longmire, the Mexican military had more manpower and firepower than police forces. Furthermore, they had been more successful in capturing major drugs kingpins in the last years.⁷² President Calderon employed nearly 45,000 troops, which temporarily brought good results but also increased violence (see Table 3).

Year	Number of drug-war-related deaths
2006	2,119
2007	2,275
2008	5,207
2009	6,587
2010	11,583
2011	12,366
2012	9,158
2013	6,150 (Through October 4)
TOTAL	47,268

Table 3. Drug-Related Deaths in Mexico⁷³

President Calderon claimed that as long as there was no reduction in demand from the United States, the supply from Mexico would be difficult to stop, posing shared responsibility for the flow of drug into the United States. The Mérida initiative signed in December 2008, covered Mexico, Central America, Dominican Republic, and Haiti.⁷⁴ The initial aid consisted of \$1.4 billion for the training, equipment, and intelligence from

⁷² Sylvia Longmire, *Cartel, The Coming Invasion of Mexico's Drug Wars* (Palgrave Macmillan, New York, 2011), 113.

⁷³ George W. Grayson, *The Cartels. The Story of Mexico's Most Dangerous Criminal Organizations and Their Impact on U.S. Security*, 2014. (Santa Barbara, CA: Praeger, 2014), 90.

⁷⁴ *Ibid.*, 93.

which the armed forces benefited. The Mérida initiative consisted of four main lines: (1) disrupting the capacity of organized crime to operate, (2) developing the capacity of judicial and security institutions to sustain the rule of law, (3) building a 21st-century border that facilitates legitimate trade and flow of people, while thwarting the flow of drugs, arms, and cash, and (4) building strong and resilient communities.⁷⁵

In December 2009, Arturo Beltrán Leyva, who was allied with el Chapo Guzmán from the Sinaloa Cartel, died after marines surrounded his place in Cuernavaca; Ignacio “Nacho” Coronel, the second of the Sinaloa cartel, was shot while trying to escape.⁷⁶ The army also killed or arrested other cartel members and seized tons of drugs.

In 2010, new, bizarre alliances and conflicts took place among the drug cartels. The Gulf cartel and the Zetas began an open war which led to alliances with old enemies; the Gulf cartel allied with La Familia, while the Sinaloa cartel allied with the Zetas. Significant captures during 2010 were made, as Miguel Salazar and Eric. L. Olson explained:

2010 was also characterized by a number of significant government-inflicted blows against major cartel leadership. The *Beltrán Leyva Organization* suffered the most serious setbacks with the death of its principle leader, Arturo Beltrán Leyva, in December 2009 and the subsequent arrest of two other leaders including Carlos Beltrán Leyva in January and U.S.-born Edgar “La Barbie” Valdez Villarreal in August. Government operations variously led by the Mexican Marines, Army, and Federal Police resulted in the deaths of organized crime leaders from the *Gulf*—Antonio Ezequiel Cárdenas Guillén AKA *Tony Tormenta*; *Sinaloa*—Ignacio “Nacho” Coronel; *La Familia Michoacana*—Nazario Moreno; and the arrest of Eduardo Teodoro “El Teo” García Simental amongst others.⁷⁷

Despite the relative success of 2010, murder rates increased by 60% compared to 2009. Efforts to counteract drug trafficking in Mexico continued through 2012 and 2013. In 2012, the Navy and Federal Police Support forces captured José Inés Medina Rodríguez, leader of the Gulf cartel, in Cadereyta, Nuevo León; then in early 2013, U.S.

⁷⁵ Grayson, *The Cartels*, 94.

⁷⁶ *Ibid.*, 114.

⁷⁷ Salazar and Olson, *A Profile of Mexico's*.

authorities captured another Gulf cartel leader, Jose Luis Zuñiga Hernandez “El Wicho,” which weakened the organization.

President Enrique Peña Nieto, elected in December 2012, has shown the willingness to continue to rely on armed forces to fight organized crime. He announced the creation of a Gendarmería Nacional (GN), a similar model to Spain’s Guardia Civil.⁷⁸ As he stated, “This corps would form part of a territorial control body that allows the exercise of the sovereignty of the Mexican State.”⁷⁹ The military police was the unit in charge of training the Gendarmerie; however, the government would not allow law enforcement officers in order to avoid the new unit to be corrupted. The Gendarmerie was to be assigned five zones to quickly respond and prevent crime such as robbery, murder, extortion, rape, and kidnapping.⁸⁰ The project did not succeed. According to Grayson, the Gendarmerie was seen as campaign rather than a serious project, and the GN initiative was taken from the National Development Plan (PND) which was supposed to be implemented between 2013 and 2018.⁸¹

With the capture of Gordillo (a corrupted union leader), President Peña Nieto gained political support to pass a constitutional amendment to reform the national communications law. This would give power to a regulatory agency to break up phone and TV networks, which was supposed to strengthen the central government.⁸² In February 2014, Joaquin “El Chapo” Guzman was captured in Sinaloa; he had been captured in June 1993 and had escaped in January 2001.

In conclusion, Mexico has continued to rely on armed forces to counter drug trafficking during the last two presidential periods (Fox, 2000–2006, and Calderon, (2006–2012). Despite the efforts in changing laws, coordinating operations with the U.S. agencies, and using armed forces, narcotraffic activity continues. While the use of armed

⁷⁸ Grayson, *The Cartels*, 172.

⁷⁹ Alejandro Hope, “Is It Worth Creating a Gendarmerie in Mexico?” *InSight Crime*, December 10, 2012.

⁸⁰ Grayson, *The Cartels*, 173.

⁸¹ *Ibid.*, 174.

⁸² *Ibid.*, 164.

forces has had good results, cartels continue to operate within the Mexican territory. Furthermore, weak political institutions and weak public security institutions have prevented Mexico from reducing drug trafficking in the country.

C. EL SALVADOR

El Salvador's history of violence differs from Mexico. From the early 1900s, El Salvador has had two sources of violence: (1) the violence usually originated in the poor sectors of society such as robberies, street fights, homicides, and bodily injuries; and (2) the violence originating with social inequality and authoritarianism. While El Salvador has had high crime rates, most of the violence experienced by Salvadoran society from 1900 to 1980 comes from political and social unrest. El Salvador has had a long history of military rule. From 1932 to 1979, the country was ruled by presidents with military backgrounds. An "under the table" alliance with the oligarchy allowed them to stay in power for such a long time. The land and wealth in the hands of few provoked the emergence of unions and the communist party in the 1900s.

The exclusion and repression towards social organizations brought violence and instability to the country. Despite the long period in which the military was in power, governments were able to develop the infrastructure of the country through the revenues coming from the growth of cotton and coffee. Social instability continued throughout the 1970s; this instability, coupled with the influence of the Cold War, erupted in the 12-year insurgency that ended with a United Nations-supported peace accord in 1992. Increased criminal activity that developed after the peace accords, mostly originated by gangs, has challenged Salvadoran public security institutions that have not been able to control the phenomena. A survey of El Salvador's history of violence provides an understanding of the ongoing security situation in the country.

1. The Period from the 1900s to 1940s

During this period, Salvadoran society began to experience the effects of criminality. Since the early 1900s, the media has published articles which described the day-to-day felonies and crimes that individuals committed in El Salvador. The felonies

included street fights, robberies, murders, prostitution, and alcohol abusers.⁸³ The media that played a key role in society argued that criminality was the result of alcohol consumption. According to Carlos Moreno Martinez, by 1929, most of the 2,171 crimes committed against individuals were caused by people who had consumed alcohol.⁸⁴

In 1932, Vicente Navarrete, a Congress member, proposed a law to regulate the use of weapons and machetes.⁸⁵ The law, approved in 1939, affected peasants who used machetes for their daily work. Congress drew another law against vagabonds and malefactors in 1940.⁸⁶ The object of this law was to bring vagabonds to justice because the government perceived that this class of people was prone to commit crimes. This shows that the state segregated and repressed poor people, instead of seeing them as subjects who needed support and attention.⁸⁷

El Salvador also used the death penalty to try to repress criminal offenders. Between 1913 and 1949, 14 people were executed.⁸⁸ Those sentenced to death were executed publicly as warning to future law breakers. It is important to note that in 1939, article 36 of the Salvadoran Constitution modified the death penalty. The death penalty would be applied for crimes committed by military members such as espionage, sabotage, sedition, or conspiracy to commit them. Additionally, the death penalty would be applied to whoever committed homicides against parents, and robbery followed by murder.⁸⁹ Nonetheless, homicide rates kept constant from the 1920s through the 1940s (see Table 4).

⁸³ Carlos Moreno Martinez, "Criminality and Death Penalty in El Salvador from the XX Century (1900–1983)" (bachelor's thesis, University of El Salvador, 2011), 71.

⁸⁴ Ibid., 73.

⁸⁵ Ibid., 78.

⁸⁶ Martinez, "Criminality and Death Penalty," 9.

⁸⁷ Ibid., 80, 81.

⁸⁸ Ibid., 102, 103.

⁸⁹ Ibid., 94.

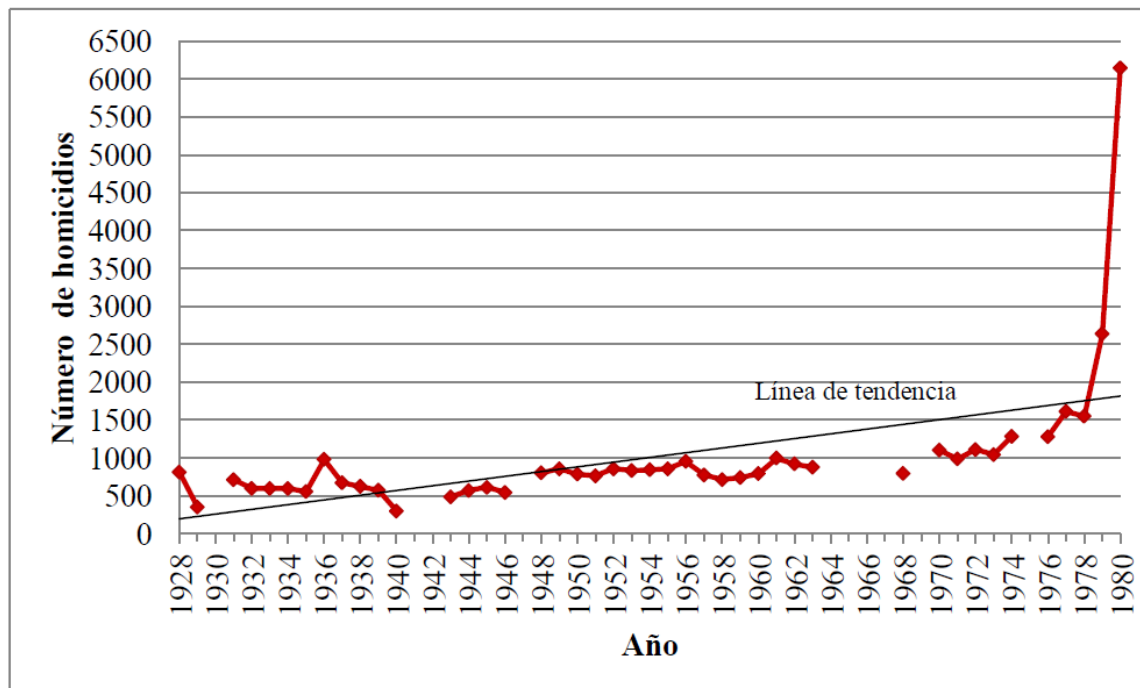


Table 4. Homicides per Year in El Salvador 1928–1980⁹⁰

On the other hand, El Salvador’s heritage of colonial rule shaped the relationships within society. Over time, class struggle has marked the relationships within the Salvadoran society. As Thomas Skidmore and Peter Smith stated, “Three centuries of imperial rule inflicted deep and painful wounds on cultures of the region, imposing hierarchical relationships of subordination and dependency.”⁹¹ This hierarchical relationship has been a constant feature in the political, social, and economic life of El Salvador.

The unequal distribution of land to grow indigo and coffee brought economic inequalities and ethnic/class antagonism. The wealth in the hands of few people encouraged society to organize and establish labor organizations. In 1904, the Union of Workers Society was founded; the Union and another worker organization, “La Concordia,” had well organized structures. In 1911, in San Salvador, communist organizations celebrated the first Central American Workers Congress, and by 1912,

⁹⁰ Martinez, “Criminality and Death Penalty,” 117.

⁹¹ Thomas E. Skidmore, Peter H. Smith, and James N. Green, *Modern Latin America* (Oxford: Oxford University Press, 2010), 14.

there were nearly 40 union organizations. With the Soviet revolution of 1917, union organizations became stronger and communist ideas were propagated in Latin America. Marxist literature came to El Salvador from New York, Mexico, Panama, and Argentina.⁹²

By 1930, while the Communist Party arranged meetings throughout El Salvador, the government pursued and incarcerated people who were sympathetic to Marxist ideas. The government repression continued and protests became common as communists asked for the liberation of those that had been captured. Communists constantly protested against exploitation of peasants who worked the land. An insurrection in January 1932, led by the secretary of the Communist Party, Farabundo Martí, protested against the government on the west side of the country. The government sent the National Guard (a public security unit from the armed forces) to contain the insurrection. The revolt resulted in approximately 30,000 people dead, and Farabundo Martí received the death penalty.

In addition to social and economic inequality, a political alliance between the oligarchy and the military allowed the latter to stay in power from 1932–1980 (see Table 5).

⁹² “History of the Communist Party,” *Social Communist Party of El Salvador* (blog), http://partidocomunistadeelsalvador.blogspot.com/2010/11/historia-pcs_7326.html.

General Maximiliano Hernández Martínez	1932-1934
General Andrés Ignacio Menéndez	1934-1935
General Maximiliano Hernández Martínez	1935-1944
Coronel Osmin Aguirre y Salinas	1945-1945
General Salvador Castaneda Castro	1945-1948
Revolutionary Council	1948-1950
Lieutenant Colonel Oscar Osorio	1950-1956
Lieutenant Colonel José María Lemus.	1956-1960
Lieutenant Colonel Julio Adalberto Rivera	1962-1967
General Fidel Sánchez Hernández	1967-1972
Colonel Arturo Armando Molina	1972-1977
General Carlos Humberto Romero	1977-1979
First Revolutionary Board	1979-1980
Second Revolutionary Board	1980
Third Revolutionary Board	1980-1982

Table 5. Authoritarian Presidents of El Salvador⁹³

The authoritarian regimes that protected elites' interests were subject to coups d'état. The first took place in 1931, when President Arturo Araujo (a wealthy land owner) was replaced by Vice President General Maximiliano Hernandez Martinez.

2. The Period from the 1940s to 1979

The rule of military regimes continued through the 1940s up to 1979. General Martinez continued his presidency, but in April 1944, a coup d'état took place. Finally, resigning in May 1944, Martinez was replaced through elections by Colonel Osmin Aguirre in October 1944. Colonel Aguirre was then quickly replaced in March 1945 by General Salvador Castañeda Castro. During Osorio's presidency (1950–56), he aimed to implement new reforms. Enrique Baloyra stated that “Osorio's reform concerned some aspects of the social situation, primarily the problem of agriculture and the creation of a Social Security Institute (ISSS), the Urban House Institute (IVU), and the Rural Settlement Institute (ICR).”⁹⁴ The Oligarchy approved the intentions of developing the

⁹³ “Presidentes de El Salvador”, *monografias.com*, accessed September 18, 2014, <http://www.monografias.com/trabajos34/presidentes-el-salvador/presidentes-el-salvador.shtml>.

⁹⁴ Enrique Baloyra, *El Salvador in Transition* (Chapel Hill, NC: University of North Carolina Press, 1982), 37.

infrastructure of the country. President Jose Maria Lemus (1956–60) resorted again to repression to deal with the unrest caused by the deterioration of the economy due to the fall of coffee prices in 1958.⁹⁵

A coup d'état on March 1972, originated by young military officers, instigated military units in San Salvador to revolt. "Led by Colonel Benjamin Mejía, the rebels quickly gained control of San Salvador and captured President General Sánchez Hernández and his daughter ... although he had the solid support of the army, the air force and all security forces remained loyal to the government."⁹⁶ The government settled the dispute and punished the instigators.

3. The Period from 1979 to 1992

A coup d'état took place in 1979; the Young military, led by Col. Gutierrez, managed to get control of the country and President Romero was sent to Guatemala. The purpose of this coup d'état was to settle population unrest and prevent the war; a "Junta" (a revolutionary board) was set up but was not able to stop the revolutionary insurrection. "More people died in the first three weeks after the coup than had died in any equivalent period during the Romero Regime."⁹⁷ The social unrest, poverty, inequality, and wealth in the hands of privileged classes caused demonstrations which gave birth to the civil war in 1980. It is fair to say that in addition to the internal conditions of El Salvador, external conditions also contributed to the war that lasted twelve years.

El Salvador was caught in the middle of the Cold War. Communist ideas were spreading to Central American countries. They found in the poor countries of the region the perfect ground to call for civil unrest. By 1979, Communist ideas had already changed the regime in Nicaragua, and Marxists needed El Salvador to continue the spread of their ideology to Central America. New countries that turned to communism provided perfect sanctuaries for the USSR in its fight with the United States. The civil war started in 1980,

⁹⁵ Ibid., 38.

⁹⁶ Tommie Sue Montgomery, *Revolution in el Salvador: From Civil Strife to Civil Peace* (West View Press, San Francisco, 1992), 64.

⁹⁷ Montgomery, *Revolution*, 64, 65.

and the USSR began to send weapons to El Salvador via Cuba, then Nicaragua to support the guerrillas; additionally, the USSR trained guerrillas to efficiently fight Salvadoran armed forces efficiently. Salvadoran armed forces, who were not trained to fight an irregular war, were supported by the United States. The United States provided aircraft, equipment, weapons, and training so that the government could be prepared to fight the insurgency.

The long period of military rule in El Salvador ended with the presidential elections in 1984. The new rightist party Alianza Republicana Nacionalista (ARENA) competed in the elections with the Christian Democratic Party. After Napoleón Duarte won the presidency, he initiated talks and meetings with the guerrillas in order to negotiate a peace agreement between the government and the FMLN (Farabundo Martí National Liberation Front). The first meeting aimed to draw a peace accord took place on October 25, 1984, in La Palma, Chalatenango, a small town located north of the capital, but the parties could not come up with any agreement.

As the war came to a stalemate in 1989, none of the parties involved in the conflict foresaw the chances for a military victory. With the fall of the Berlin Wall, the USSR reduced the support to the FMLN, and the guerrillas leaders were forced to negotiate. Alfredo Cristiani from the right hand party won the presidential elections in 1989; under U.S. pressure, he looked for UN and international support to find a peaceful agreement to end the 12-year insurgency war.

The peace agreement signed in Chapultepec, Mexico, in January 1992 included the creation of a truth commission to determine who was responsible for violating human rights during the war period. While both sides had committed human rights abuses, left hand politicians blamed armed forces. As Montgomery stated, “The commission found that 95 percent of human right violations were attributable to the Armed Forces of El Salvador or paramilitary death squads; the FMLN was responsible for the remainder.”⁹⁸ Military members and right hand political parties challenged the numbers of human rights

⁹⁸ Montgomery, *Revolution in El Salvador*, 242.

abuses perpetrated by armed forces, as they stated that there were not sufficient evidence of those abuses.

The bloody civil war in El Salvador encouraged thousands of people to look for better opportunities and security outside the country. As Sara Gammage stated, “It is estimated that more than 25 percent of its population migrated or fled during the country’s civil war, which began in 1979 and ended in 1992. Approximately 1.5 million Salvadorans now live and work in the United States; 39,000 are in Canada according to Statistics Canada, with about 20,000 in Australia and another 12,000 in Italy according to the Salvadoran Ministry of Foreign Relations.”⁹⁹

ICE, Customs and Border Protection (CBP), and the U.S. Citizenship and Immigration Services (USCIS) are the agencies responsible for enforcing the U.S. civil immigration laws. In executing its enforcement duties, ICE focuses on two core missions: (1) identifying and apprehending public safety threats—including criminal aliens and national security targets—and other removable individuals within the United States; and (2) detaining and removing individuals apprehended by ICE and CBP officers and agents patrolling our Nation’s borders.¹⁰⁰

Some of the people who migrated to the United States became gang members. These members went back to El Salvador after the civil war ended in 1992. According to Sonja Wolf, the end of insurgency and anti-immigrant feeling in the United States spurred American agencies to be more determined to repatriate illegal immigrants.¹⁰¹ “The Illegal Immigration Reform and Immigration Responsibility Act of 1996, which expanded the definition of deportable aggravated felonies to include a range of lesser offenders, further facilitated the process.”¹⁰² The new gang leaders redefined the gang’s

⁹⁹ Sara Gammage, “El Salvador: Despite End to Civil War, Emigration Continues,” *Migration Information Source*, July 26, 2007, <http://www.migrationpolicy.org/article/el-salvador-despite-end-civil-war-emigration-continues>.

¹⁰⁰ U.S. Immigration and Customs Enforcement, “FY 2014 ICE Immigration Removals,” accessed January 18, 2015, <http://www.ice.gov/removal-statistics>.

¹⁰¹ Wolf, “Street Gangs,” 48.

¹⁰² James Diego Vigil, *A Rainbow of Gangs: Street Culture in the Mega-City* (Austin, TX: University of Texas Press, 2002), 144–145.

organization and *modus operandi*, and changed their objectives and strategies. Before 1992, gangs were limited to petty crimes, soliciting money, and committing small robberies.

During the war period, Salvadoran armed forces managed public security institutions, and the security situation seemed to be controlled. The spread of the armed forces all over the territory of El Salvador allowed them to have presence everywhere, which provided some deterrence of criminality. The transfer of public security responsibilities from armed forces to the new National Civilian Police (PNC) created a vacuum that allowed gangs to reorganize, spread, and control some territory. Lack of resources for the new police prevented them from controlling the territory left by the armed forces. As Montgomery stated, “The most serious problems for the PNC in the field were threefold: A lack of resources, poor working conditions, and politicization ... complaints about insufficient vehicles, radios, arms, and uniforms were heard in every police post.”¹⁰³

The perception of the new National Civilian Police is well stated by an officer deployed in San Vicente: “When we arrived there was great publicity and the gangs disappeared. But when they discovered there were no vehicles or arms, they reappeared.”¹⁰⁴ The transfer of responsibility from armed forces to the new National Civilian Police was carried out without the required resources which resulted in the emergence and consolidation of gangs all over the country.

4. The Period from 1992 to 2014

After the peace accords that ended a 12-year insurgency in El Salvador, the population had a genuine desire to end violence. A successful UN mission helped to terminate the bloody war by which Salvadorans had killed themselves for years, but history would dictate otherwise. El Salvador’s destroyed infrastructure and economy undermined the possibility of bringing economic and social progress for the society.

¹⁰³ Montgomery, *Revolution in El Salvador*, 240.

¹⁰⁴ Ibid.

An inadequate demobilization progress did not allow revolutionaries and demobilized troops to integrate into society. This left a vacuum which criminal organizations took advantage of. El Salvador is currently one of the most violent countries in the world, with a rate of approximately 69 murders per 100,000 inhabitants. The problem has encouraged the government to regard gangs as a threat to public security. Their activities include extortion, murder-for-hire, sexual violence, assault, carjacking, drug trafficking, and human trafficking.¹⁰⁵

The high crime rate has forced the Salvadoran government to use armed forces in support of public security institutions. This policy, enforced by the *Mano Dura* (Hard hand policy) under the presidency of Francisco Flores in 2003, brought unintended results. Prisons were overpopulated, and only a small percentage of prisoners were sentenced. Furthermore, the incarceration of gang members strengthened the criminal organization. Massive incarcerating of gang members under the *Mano Dura* policy allowed the gangs to establish better coordination and control of criminal activities outside prisons. As Thomas Bruneau stated, “Analysts demonstrate that the *Mano Dura* policies actually facilitated gang organization and recruitment, due to the simultaneous incarceration of thousands of youth gang members and ‘wannabes.’”¹⁰⁶ From 2006, under the “Zeus Command,” armed forces were deployed to accompany the National Civilian Police in patrolling the most dangerous communities in El Salvador. The support included security for prisons and security for the border.

In May 2012, the government attempted a new approach to deal with the high crime rates. Although at the beginning, the government denied any involvement, the “truce” supported by public security authorities brought the two main gangs, *Mara Salvatrucha* and *Calle 18*, to a negotiating table. Fabio Colindres, the armed forces archbishop and Raul Mijango (an FMLN member) mediated between the two gangs. The government conceded some prerogatives to the heads of the two gangs. These

¹⁰⁵ *El Salvador 2013 Crime and Safety Report*.

¹⁰⁶ Thomas Bruneau, “Pandillas and Security in Central America,” *Latin America Research Review* (June 2014), 163.

prerogatives included the transfer of gang members from maximum to minimum security prisons, the use of cell phones and televisions; and the change of visiting rules.

The truce had good results temporarily; murders diminished from 13–15 per day to 7–8 in 2012, but increased again in 2014. Most of the population disapproved of the government's concessions to gangs. The elected Salvadoran President Salvador Sanchez Ceren created in 2014 a National Council for Citizen Security (CNSCC) which is composed of political, civil, and societal forces as well as international organizations. The members of this Council have denied further negotiations with gangs. According to Insight Crime, “With Attorney General Luis Martinez—a fierce critic of the truce—sitting on the council, the rejection of the proposal to open dialogues was less surprising than the proposal itself, and another sign that not only is the gang truce dead, but so are any short-term prospects of renewed negotiations.”¹⁰⁷

In summary, a long history of violence in El Salvador has set the ground for today's violence and high crime rates. Other factors such as inequality, poverty, lack of job opportunities, an insurgency war, and economic stagnation have also contributed to the phenomenon. The migration caused by the factors above mentioned not only ended in the disruption of families, but it exposed young migrants to gangs in the United States. The return of young gang members to El Salvador allowed gangs to evolve, reorganize, and challenge the authority of the government. Weak political and public security institutions have not been able to control the situation. While the limited use of armed forces has been debated, high crime rate remains one of the main problems for society and government.

¹⁰⁷ David Gagne, “Organized Crime in the Americas” (Web), *Insight Crime*, November 6, 2014, accessed January 18, 2014, <http://www.insightcrime.org/news-briefs/el-salvador-squashes-talk-of-dialogue-with-gangs>.

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III. PUBLIC SECURITY CAPACITY AND STRATEGY TO RESPOND TO CRIMINAL ACTIVITY

Institutions within a state are created to reach national objectives, maintain internal security, defend the state from external aggression, and provide for the well-being of its population. Scholars agree that building strong political institutions should lead to development, stability, and social order. This chapter analyses Mexico's and El Salvador's institutional capacities. As public security institutions are the organizations in charge of preventing crime and enforcing law, a survey of institutions in both countries will help in assessing to what degree these institutions have the capacity to counter organized crime.

Mexico and El Salvador differ in government structure and capacity but both countries have engaged in strategies which have brought different outcomes. Armed forces in Mexico and El Salvador also differ in capacity, manpower, fire power, and equipment, but both have been used to support public security institutions. While a different degree of autonomy has been given to both armed forces, the evidence suggests that none of them have reached the desired result for which they were intended.

A. MEXICO

Throughout the 20th century, Mexico's political system was dominated by the Partido Revolucionario Institucional (PRI). The president was given absolute power; he controlled all governmental agencies, the legislative branch, and the judiciary. According to Stanley Pimentel, other societal actors such as the church and the media were manipulated and eventually became part of the political system.¹⁰⁸

Pimentel explains that because the Mexican political system gave absolute power to the president, institutions could not act professionally and that the lack of a check and balance system allowed corruption to penetrate the system without any accountability of any governmental organization.¹⁰⁹

¹⁰⁸ Pimentel, "The Nexus," 37.

¹⁰⁹ Ibid., 38.

The Mexican political system changed in 2000 with the defeat of the PRI for presidential elections, but this did not translate into effective governance. Broader political participation provoked deadlock in the legislative system, and the government has been slow to advance on economic and social reforms.

1. Political Institutions and Public Security

Political institutions in Mexico are similar to those in the United States. The president is elected by a direct vote, it has a bicameral legislature, an independent judiciary, and a federal system.¹¹⁰ The country is divided into 31 states and one federal district where the Executive (Governor) is elected by popular vote. At the local level, the states are divided in municipalities; each of the 2,430 municipalities has a municipal president and a municipal council.

Mexico's security cabinet consists of an Attorney General, a Deputy Attorney General for Judicial and International affairs, a Deputy General for Specialized Investigation of Organized Crime (SIEDO), the Secretary of Public Security (SSP) and his Sub secretary for Police Intelligence and Strategy, a Coordinator for Regional Security (PFP), a Coordinator of the Federal Support Forces, the secretary of national defense (SEDENA), Secretary of the Navy (SEMAR), the Secretary of Interior (SEGOB), the director of Center for Research on National Security (CISEN), the Executive Secretary of Mexico's National Public Security (SNSP), and the Technical Secretary of National Public Security (CNSP).

Mexico has been regarded as a country with a political system that has had close connections with organized crime. According to Peter A. Lupsha, there are two basic patterns of criminal-political relationship; the "stage-evolutionary model" and the "elite-exploitation model." The first one describes the relationship between organized crime and political systems based on three stages: a predatory, a parasitical, and a symbiotic stage. The second one, the "elite-exploitation model," refers to the pressure exerted on criminal organizations by social control agents.¹¹¹

¹¹⁰ David Samuels, *Case Studies in Comparative Politics* (Boston: Pearson, 2013), 250.

¹¹¹ Pimentel, "The Nexus," 39, 40.

According to Pimentel, the “elite-exploitation model is the one that represents the case of Mexico.” As he states, “Political authorities used social control agents to organize and regulate drug trafficking. Traffickers were manipulated and disposed of to suit the need of political officials.”¹¹² This problem, has been endemic in Mexico since the early 1900s, when governors such as Colonel Esteban Cantú facilitated opium trade in Baja California, in exchange for money. Pimentel further claims that family-run businesses smuggled into the United States the greatest amount of drugs, and that it was these families that had raised drug cartel leaders such as Miguel Angel Felix Gallardo, Rafael Caro Quintero, Amado Carrillo Fuentes, and the Arellano brothers, among others.¹¹³

Pimentel also explains that the PGR (Federal Prosecutor) was usually the intermediary between drug traffickers and the higher level politicians. The arrangement was normally coordinated through a lawyer who worked with criminal organizations. Suitcases with huge quantities of money were sent to high-level politicians through subordinate members of the PGR.

The relationships between politicians and criminal organizations are well explained by Pimentel’s quote from Lupsha:

The trafficker was expected to assist the police and the political system by providing grist for the judicial mill (i.e., pinpoint or inform on rival traffickers) as well as public relations materials to give the U.S.: drug enforcers. Thus, while the trafficker could gain protection and warning information, the police could gain credit, praise, and promotions; the political system gained campaign monies and control; and the U.S. obtained statistics, to justify a job well done.¹¹⁴

The involvement of political institutions in drug trafficking activities undermines the capacity of political and public security institutions in countering organized crime. So, the question remains how could organized crime could be prevented if the political institutions themselves are involved in the problem and live off it?

¹¹² Ibid.

¹¹³ Pimentel, “The Nexus,” 41.

¹¹⁴ Ibid., 50.

2. Police Forces

The capacity of Mexico's law enforcement agencies continues to be challenged. Eric L. Olson states that questions about the capacity of Mexican institutions in countering drug trafficking include corruption, investigation processes of the police forces, and a legacy of abusive police practices with the use of torture to get confessions.¹¹⁵ According to the Pew Report 2014 on Crime and Corruption, the police is one of the least trusted public institutions.¹¹⁶ Additionally, and according to Pimentel, the Mexican Ministry of Treasury does not provide sufficient resources to government institutions like the Attorney General's Office (PGR) and the Federal Judicial Police. He further explains that government agencies send their officers to perform public security activities without resources, encouraging them to earn money by arresting organized crime leaders and seizing their goods.¹¹⁷

Mexico has an estimated 2,600 local police forces, 400,000 of the police officers operate at the municipal, state, and federal levels.¹¹⁸ The federal police is responsible for counter narcotics efforts, which require a close coordination with state and local police. Police forces are divided into two levels: preventive and investigative forces. The Mexican government has made efforts to reorganize the police in order to coordinate operations, such as the creation of the Federal Preventive Police (PFP) in 1998, under the Public Security Ministry. Additionally, in 2001 under the presidency of Vicente Fox, the government created the Federal Investigation Agency (AFI) which was put under control of the Attorney General Office (PGR).

The lack of effectiveness on the part of police forces has encouraged the Mexican government to increase the use of their armed forces. According to Olson, "the military has greater firepower and operational capacity than the police, and is generally perceived

¹¹⁵ Eric L. Olson, *Six Key Issues in U.S.–Mexico Security Cooperation* (Mexico Institute, Woodrow Wilson Center, 2008), 4.

¹¹⁶ Pew Research Center, "Crime and Corruption."

¹¹⁷ Pimentel, "The Nexus," 42.

¹¹⁸ Olson, *Six Key Issues*, 4.

as less corrupt.”¹¹⁹ The Pew Report on Crime and Corruption from 2014 showed that the military is the one of the most trusted institutions in Mexico; nonetheless, questions about its strategy, vulnerability to corruption, and human rights abuses have been raised.

The impact of using the military in counter-narcotics efforts is well stated by Olson:

In the immediate term, it would appear that the Mexican Military has succeeded in reestablishing order in areas hard-hit by drug related violence and intra cartel feuds such in Michoacán, Guerrero, and Nuevo Laredo. There is also evidence that the military presence has merely displaced the violence, and, in some instances, such as in Nuevo Laredo, has resulted a stalemate with the cartels, reducing the levels of horrific violence, but not completely rooting out organized crime, which continues to have stronghold on the city.¹²⁰

The use of military institutions and their involvement in counter narcotrafic activities has had mixed results. On one hand, the military has increased public acceptance for its capacity to restore order in some areas where the cartels operate; on the other, the institution has been exposed to the negative effects of corruption and drug money, such as the case of dozen of GAFES who now are part of the Zetas.¹²¹

External cooperation has played a key role in Mexico’s war against drug trafficking (see Table 6).

¹¹⁹ Olson, *Six Key Issues*, 4.

¹²⁰ Olson, *Six Key Issues*, 8.

¹²¹ Olson, *Six Key issues*, 7, 8.

(thousands of dollars)	FY2009 Actual	FY2010 Estimate	FY 2011 Request	FY 2012	FY 2013 CR	FY 2014 Request
Total	432,799	582,658	346,562	329,680		205,490
Development Assistance	11,200	10,000	26,304	33,350		10,000
Economic Support Fund	15,000	15,000	10,000	33,260		35,000
Foreign Military Financing	39,000	262,250	8,000	7,000		7,000
Global Health and Child Survival— USAID	2,900	3,458	3,458	1,000		
International Military Education and Training	834	1,050	1,100	1,190		1,449
International Narcotics Control and Law Enforcement	360,000	284,000	292,000	248,500		148,131
Nonproliferation, Antiterrorism, Demining, and Related Programs	3,845	3,900	5,700	5,380		3,910

Table 6. U.S. Assistance to Mexico¹²²

3. Armed Forces

Despite Mexico's history of military subordination to civilian control, a great degree of autonomy has been given to the military. The military decides the size of the organization, the purchase of armament, equipment, and contracts, and the Ministry of Defense is run by the military.¹²³ According to Laurie Freeman and Jorge Luis Sierra, Mexican presidents have officially given the military a role in public security since 1955. The institution's discipline and reputation is supported by polls that show that 53% of Mexicans have confidence in the army, in contrast to 32% who have confidence in the police.¹²⁴

Freeman and Sierra affirm that the militarization of efforts against narcotraffic involves two interrelated dimensions: (1) the expanding of the military institution into

¹²² Department of State, Congressional Budget Justification: Foreign Operations, Annex: Regional Perspectives, Fiscal year 2011/2014. <http://www.state.gov/documents/organization/137937.pdf>.

¹²³ Freeman and Sierra, "Mexico, the Militarization Trap," 268.

¹²⁴ Ibid., 269.

internal law enforcement responsibilities, and (2) the appointment of military personnel to posts inside civilian law enforcement institutions.¹²⁵ They further argue that the United States encouraged Mexico's government to use armed forces, due to their manpower and equipment to fight powerful drug cartels. Additionally, Mexican law enforcement agencies have already been known as corrupted institutions that worked in compliance with drug cartels.

4. Strategy

Mexico's strategy in countering narcotraffic has been variable throughout time. Most of the time, Mexico's policy has been influenced by the U.S. policy. Documents from the U.S. State and the Treasury Department provide information on drug related affairs from 1916 up to 1970.¹²⁶ For more than 30 years, the Federal Bureau of Narcotics (FBN), directed until 1962 by Herry J. Anslinger, constituted the center of the U.S. policy towards narcotraffic activity. This organization changed its name in 1973 to the Drug Enforcement Administration (DEA). Most of the DEA strategy has been based on prohibition, crop eradication, interdiction, and the increased use of armed forces since the 1980s.

Instead of controlling drugs and alcohol, Prohibition which initiated in the early 1900s promoted the smuggling of it. As Maria Celia Toro stated, "In the case of Mexico, the prohibition of both alcohol and drugs in the United States became an incentive to exporters, who could take advantage of the prices that resulted from newly formed clandestine markets."¹²⁷

Eradication campaigns initiated in the 1940s did not bring good results. Despite the use of the military in the eradication strategy, Toro affirms that drug growers seemed to have more efficient intelligence networks than the military itself. In many cases, growers would burn the crops before the military could arrive.¹²⁸ The capacity of

¹²⁵ Freeman and Sierra, "Mexico, the Militarization Trap," 277.

¹²⁶ Astorga, *Drugs without Frontiers*, 11.

¹²⁷ Toro, *Mexico's War on Drugs*, 7.

¹²⁸ *Ibid.*, 13.

growers to adapt to the new situation by moving to other areas shows that this strategy did not reduce the spread of drug production; growers looked for other alternatives to continue their activities.

Interdiction, seizures, and eradication efforts have been strengthened with the use of armed forces. As the U.S. government increased expenditures in countering drug trafficking during the 1980s, Mexican authorities relied more on military forces. Toro affirms that based on Mexican statistics, the police and the military reported a significant increase in cocaine seizures, from 4,907 kg in 1985 to 33,029 kg in 1991.¹²⁹

Mexico has also increased cooperation with the United States to extradite criminals. According to Grayson, Mexico extradited 178 criminals to the United States during the first years of President Calderon.¹³⁰

5. Effectiveness of Policy

The effectiveness of using armed forces to counter organized crime in Mexico is debatable. According to George Grayson, Mexican military forces have focused on interdiction, crop eradication, and intelligence gathering; additionally, during Fox's presidency, the number of cartel members that were extradited to the United States rose from 17 in 2001 to 63 in 2006.¹³¹

While the Mexican government had indeed achieved some success in using the military, such as the capture of cartel leaders and important seizures of drugs, violence and drug trafficking continues to the present. Drug-related deaths in Mexico rose from 1,000 in 2001 to more than 12,000 in 2011.¹³² The relative effectiveness of the military in counteracting drug trafficking is lessened with the increase of human rights complaints from the population.

¹²⁹ Ibid., 31.

¹³⁰ Grayson, *Mexico*, 107.

¹³¹ George W. Grayson, *Mexico's Struggle with 'Drugs and Thugs,'* Headline Series (Foreign Policy Association no. 331, Winter 2009), 47.

¹³² Samuels, *Case Studies*, 253.

6. Impact on Civil-Military Relations

Experts in civil–military relations consider that when armed forces are focused on solving internal affairs, civilian control becomes more difficult to attain. As Michael C. Desh stated, “a state facing low external and high internal threats should experience the weakest civilian control of the military.”¹³³

President Felipe Calderon’s use of armed forces in countering drug trafficking has been criticized. According to George G. Grayson, Calderon’s strategy to fight cartels involved the militarization of the nation, at a time when society was not asking for the involvement of the armed forces.¹³⁴ He further affirms that many cities have contracted ex-military members to fulfill posts that have traditionally been held by civilians such as the Secretaries of Public Security, Municipal, and Preventive Police. This policy has provoked clashes between the retired officials and police forces.¹³⁵

Grayson also affirms that despite Mexican society’s past support of the use of armed forces, that support has slowly reduced. As he states, “Even though the populace backs its fight against DTOs, the army suffered a slight decline in support for this role; this support fell from 83% in 2009 to 80% in 2010. In early 2012, 70% of respondents to a consultant Mitofsky survey favored the military’s continuing to pursue criminal organizations.”¹³⁶

Human rights issues have also been on the debate. The use of armed forces has resulted in thousands of complaints of human rights violations. As Grayson states, “National Human Rights Commission (CNDH) claimed to have 5,055 complaints, many against the military, during Calderon’s tenure. The same group asserted that 5,300 people have disappeared in this period.”¹³⁷

¹³³ Michael C. Desh, *Civilian Control of the Military* (Baltimore: Johns Hopkins University Press, 1999), 14.

¹³⁴ Grayson, *The Cartels*, 117.

¹³⁵ Ibid., 119, 127.

¹³⁶ Grayson, *The Cartels*, 137.

¹³⁷ Ibid., 136, 137.

B. EL SALVADOR

El Salvador's long history of military rule prevented the government from building effective institutions. A centralized government that stayed in power for most of the 20th century was able to control legislative and judiciary powers. After the civil war ended in 1992, the government built up new institutions and transferred public security from the military to the National Civilian Police.

El Salvador's political system became more democratic as new political players were allowed to participate. The FMLN, once a guerrilla movement, became a political party. With the FMLN's incorporation to the political system, other institutions such as the National Civilian Police, human rights, and NGOs became important players in the new-born democracy. But democracy did not bring the economic and social progress that most had expected. Poverty, social inequality, lack of job opportunities, and wealth in the hand of few continue to increase the gap among social classes.

1. Public Security Institutions

Weak public security institutions have not been able to control criminal activity in El Salvador. Despite the National Civilian Police's effort in countering gangs, high crime rate, extortions, robberies, kidnap, and drug trafficking continue to be normal events in the lives of Salvadorans. A weak judiciary, an uncontrolled prison system, and an unequipped, undermanned police has encouraged the government to use armed forces; it is necessary to survey the role of the Ministry of Justice and Public Security to understand why armed forces have been given the role of supporting police forces. Some scholars like Juan Carlos Gomez say that the use of armed forces in democratic states is viable and necessary, but that it is paramount to know when and how these forces will use force. He adds that the limitation should come from the rules established in the human rights and international human laws.¹³⁸

The Ministry of Justice and Public Security is the entity in charge of public security in El Salvador. The main components are divided in directories. The Directory of

¹³⁸ Juan Carlos Gomez, "Twenty-First-Century Challenges: The Use of Military Forces to Combat Criminal Threats," *International Law Studies* 88 (2012).

Migration and Foreigners, the Directory of Prisons, the Directory of Prevention of Social Violence, and Ant-Drug National Commission, and the National Civilian Police. The prison system and the National Civilian Police are two main organizations in charge of public security in El Salvador.

A weak prison system prevents the Ministry of Security from maintaining control inside prisons. The director of prisons from 2004 has assigned exclusive jails to the two main gangs (*Mara Salvatrucha* and *Calle 18*) in order to prevent violence inside the prisons. As Roberto Valencia stated, “That Thursday morning, close to 1,100 prisoners—almost 10% of the entire population were moved between four of the country’s prisons: Santa Ana, Sonsonate, Quezaltepeque and Ciudad Barrios.”¹³⁹ This division of gangs inside prison continues up to date. Valencia sustains that this measure has facilitated the evolution of gangs. Furthermore, prisons in El Salvador are one of the most overcrowded prisons in Latin America. With a 300% of overcrowding, the system is unable to control prisoners. (See Figure 2).

¹³⁹ Roberto Valencia, “How El Salvador Handed Its Prisons to the Mara Street Gangs,” *Insight Crime* (September 2014), <http://www.insightcrime.org/news-analysis/how-el-salvador-handed-its-prisons-to-the-gangs>.

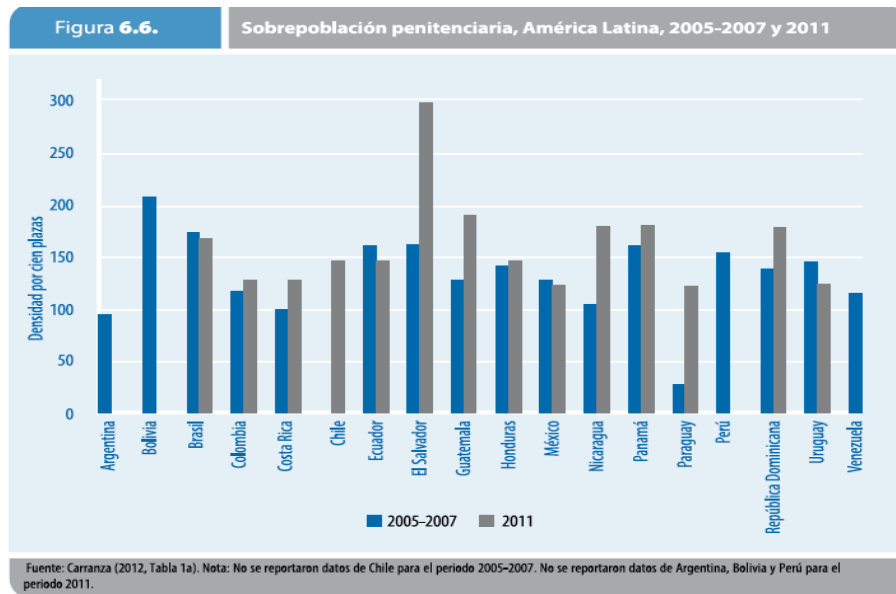


Figure 2. Overpopulated Prisons in Latin America¹⁴⁰

According to the U.S. Department of State's *Country Reports on Human Rights Practices for 2013*, "As of September 3, the Prison Directorate reported 26,672 prisoners held in 23 correctional facilities and one secure hospital ward that had a combined appropriate capacity of 8,328."¹⁴¹ This explains why prisons are so difficult to control and why criminals continue to order criminal activity, even from inside the prison.

2. Police Forces

The National Civilian Police (PNC) has a hierarchical structure and organization. It is responsible to the President of the Republic through the Minister of Justice and Public Security (Bentito Lara), whose department is assigned public security functions; under no circumstances will this be the Ministry of National Defense. Ordinary command of the PNC is exercised by the Director General, who is the senior administrative authority and legal representative.¹⁴²

¹⁴⁰ PNUD, 2012.

¹⁴¹ U.S. Department of State, *Country Reports on Human Rights Practices for 2013, El Salvador*, <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2013&dliid=220442>

¹⁴² National Civilian Police of El Salvador, Organic Law, art. 6.

According to the U.S. Department of State's *Country Reports on Human Rights Practices for 2013*, "Inadequate training, lack of enforcement of the administrative police career law, arbitrary promotions, insufficient government funding, failure to effectively enforce evidentiary rules, and instances of corruption and criminality limited the PNC's effectiveness."¹⁴³ Despite the government's effort in increasing the strength of the National Civilian Police, criminal activity in El Salvador has overcome the police capacity (see Table 7).

	2006	2007	2008	2009	2010	2011
Policemen	16,737	17,228	17,631	19,491	19,699	21,315
Policemen per 100,000 inhabitants	275.5	282.4	287.8	316.7	337.7	340.02

Table 7. National Civilian Police's Strength¹⁴⁴

The National Civilian Police strategy is composed of 5 pillars: (a) control and repression of crime, (b) social prevention of violence and crime, (c) execution of measures, penalties, rehabilitation and social incorporation, (c) attention to victims, and (d) legal and institutional reforms.¹⁴⁵ With the execution of hard hand policies, the police has mostly focused on repression of crime by incarcerating gang members. This not only overcrowded prisons, but also strengthened the organization and operation of gangs. Another feature of the National Police is the participation of its members in criminal activity.

Despite the National Civilian Police efforts to prevent the organization from being penetrated by organized crime, 1,456 police members were investigated in 2009 by the

¹⁴³ U.S. Department of State, *Country Reports*.

¹⁴⁴ National Civilian Police of El Salvador.

¹⁴⁵ *The Situation of Security and Justice 2009–2014* [*La Situación de la Seguridad y La Justicia 2009–2014*], ed. Jeanette Aguilar (San Salvador: Central American University [UCA], University Institute of Public Opinion, September 2014), 194 (Appendix), http://www.uca.edu.sv/iudop/wp-content/uploads/libro_la_situaci%C3%B3n_de_la_seguridad.pdf.

General Inspector of the Police (IGP). Of those investigated, 216 were officers and 14 were high level officers.¹⁴⁶ These cases were handed over to the General Attorney Office (*Fiscalía General de la Republica* [FGR]) and the officers were temporarily suspended, but the results of that investigation are unknown up to date. High level officer were involved in this investigation, such as the case of the ex-Police Director Ricardo Meneses, commissioner Pedro Gonzalez, Godofredo Miranda, and Douglas Omar García who had been accused of collaborating and favored a group of narcotraffickers who operated in the western part of the country known as *Los Perrones* (The Dogs).¹⁴⁷ The case brought public attention. A demand against Police General Inspector Navas came as result of the investigation and the high level police officers accused her of political harassment.

The University Institute of Public Opinion (IUDOP) believes that some politicians made arrangements to protect the accused as one of the Legislative members Colonel Antonio Almendariz created a special commission to investigate the case.¹⁴⁸ The process did not advance; due to the failure of police and the General Attorney authorities to investigate, the accused were re-assigned to their posts and the cases were filed.

3. Armed Forces

a. Decrees that Allowed the Executive to Use Armed Forces

High crime rates and insecurity in El Salvador have encouraged the Executive to use armed forces in support of public security institutions. According to El Salvador's constitution, in article 168, number 12, the President can use armed forces to maintain the sovereignty, the order, the security, and tranquility of the republic. That is how, since 2006, armed forces have been ordered to support public security institutions. The government later made this policy official through three executive decrees (60, 70, and 371) submitted in September 2009, October 2009, and May 2010. These decrees were aimed to organize three new commands: "Zeus Command," where soldiers work with

¹⁴⁶ Ibid., 82.

¹⁴⁷ *The Situation of Security and Justice*, 83.

¹⁴⁸ Ibid.

police officers in the most violent communities; “San Carlos Command,” which took control of prisons; and “Zumpul Command,” which deals with the borders.¹⁴⁹

b. The Role of the Armed Forces, Its Responsibilities, and Its Strategy to Use Troops in Counteracting Criminal Activity

The role of armed forces in support of public institutions has been limited. Zeus Command, which was created to provide support in the most dangerous areas of the country consists of army units designated to work with the police with joint task forces. These joint task forces are usually composed of two policemen and three to four soldiers (the size of the task forces varies depending on the task and place) who carry out patrols, vehicle searching, pedestrian searching, captures, and drug seizures. During these activities, it is the police who do the captures while soldiers provide security so that the police can do their work. In some cases, armed forces operate independently and, if they arrest someone, the person is handed over to the police with the due paper work.

The Armed Forces have a presence in the 14 states; six Brigades, one Military Police Command, an Engineering Command, and an Artillery Command provide troops to support the national police. Troops are replaced every 10 days and rotated every six months. Rotating troops every six months requires on-the-job training for the incoming troops and for the officers in charge. As there is not a permanent command (officers and troops) dedicated to public security activities, situational awareness is lost, and by the time officers are acquainted to the situation, they are rotated out.

The use of the military in support of public security has increased throughout the 2000s and 2010s (see Table 8). However, this strategy did not translate into a reduction of homicides between 2010 and 2011: the crime rate rose from 64.8 to 70.3 per 100,000 inhabitants, with an average of 13 daily deaths.¹⁵⁰

¹⁴⁹ Junta Interamericana de Defensa, “The Involvement of Armed Forces.”

¹⁵⁰ *The Situation of Security and Justice*, 94.

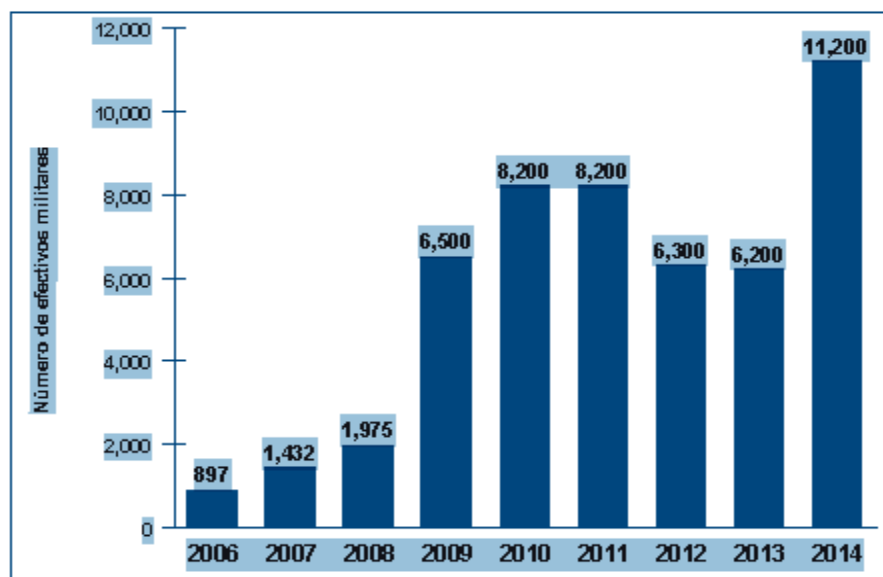


Table 8. El Salvador's Military Forces in Support of Public Security.¹⁵¹

4. Strategy

Criminal activity in El Salvador has encouraged the government to regard gangs as a threat to national security; their activities include extortion, murder-for-hire, sexual violence, assault, carjacking, drug trafficking, and human trafficking.¹⁵² El Salvador has implemented repression policies to counter gangs. This policy, enforced by the plan *Mano dura* (Hard hand policy) under the presidency of Francisco Flores in 2003, brought unintended results. Prisons were overpopulated, and only a small percentage were sentenced. Furthermore, the incarceration of gangs strengthen them. As Thomas Bruneau stated, “Analysts demonstrate that the *Mano Dura* policies actually facilitated gang organization and recruitment, due to the simultaneous incarceration of thousands of youth gang members and “wannabes.”¹⁵³ From 2006, under the Zeus Command, armed forces were deployed to accompany the National Civilian Police in patrolling the most dangerous communities in El Salvador. The support included security for prisons and security for the border.

¹⁵¹ *The Situation of Security and Justice*.

¹⁵² *El Salvador 2013 Crime and Safety Report*.

¹⁵³ Bruneau, “Pandillas and Security,” 163.

The government attempted in May 2012 a new approach to deal with the high crime rates. Although at the beginning, the government denied any involvement, the “truce” supported by public security authorities brought the two main gangs *Mara Salvatrucha and Calle 18* to a negotiating table. The armed forces Archbishop Fabio Colindres and ex-FMLN combatant Raul Mijango mediated between the two gangs. The heads of the two gangs were conceded some prerogatives such as the transfer of gang members from maximum to minimum security prisons. The truce had a temporary result; murders diminished nearly 50% in 2012, but it increased again in 2014. Most of the population disapproved this strategy.

El Salvador’s strategies to fight organized crime have failed. *Mano dura* and *Super Mano Dura* plans did not bring the desired results. Other debatable measures such as the so called “Truce” in 2010 lowered the crime rate temporarily; however, this decision was mostly disapproved by the Salvadoran society. It seems that while the country does not provide solid economic opportunities and overcomes social inequality to reduce poverty and class struggle, it will be difficult to achieve success when implementing individual policies. The approach has to be a comprehensive one.

5. Effectiveness of the Use of Armed Forces in Gangs and Criminal Activity

Despite the government policy, new laws and the use of armed forces, high crime rates and insecurity remain in El Salvador. Statistics show that the use of armed forces has not lowered the historical high crime rates, as can be seen in Figure 5; from 2003, there has been a tendency to increase, with the exception of 2012 and 2013 when the “truce” was in effect. Although the truce has not officially ended, gangs continue to increasingly use murder as a strategy to force the government to continue negotiating benefits for jailed gangs members. This shows the inefficacy of using armed forces and reflects the fragility of the pact (see Table 9).

Year	Homicides
1999	3,845
2000	3,551
2001	3,590
2002	2,346
2003	3,536
2004	2,933
2005	3,812
2006	3,928
2007	3,491
2008	3,179
2009	4,367
2010	4,005
2011	4,362
2012	2,571 During the “truce” period
2013	2,492
2014	3,565 (Dec. 10, 2014)

Table 9. Homicides in El Salvador¹⁵⁴

Since 2006, the armed forces have constantly increased the number of officers and troops in support of public security institutions. The number of officers and troops engaged in public security operations went from 897 in 2006 up to 11,200 in 2014.¹⁵⁵ Once again, neither the use of armed forces nor the increase in the number of troops in support of public security institutions has dropped high crime rates. According to the Institute of Public Opinion from the Central America University (UCA), “these strategies have not dropped homicides, nor has there been a reduction in the feeling of insecurity among the population. Between 2010 and 2011, the homicide rate went from 64.8 to 70.3 per 100,000 in habitants, an average of 13 homicides a day”¹⁵⁶ Furthermore, complaints about human rights violations have been increasing—57 in 2009, 215 in 2010, 363 in 2011, and 263 in 2012.

6. Impact on Civil-Military Relations

The use of armed forces in countering organized crime in El Salvador has the approval of the public. According to the Pew Research Center, 77% of people think that

¹⁵⁴ Ministry of Justice and Public Security, National Civilian Police, PNUD

¹⁵⁵ *The Situation of Security and Justice*, 90.

¹⁵⁶ *Ibid*, 94.

the military is a good influence in the country.¹⁵⁷ While most of the population accepts the participation of armed forces in support of public security institutions, debates about this strategy have arose among other sectors of societies. When a former military leader, General Munguia Payes, was assigned to be the head of the Ministry of Justice and Public Security at the end of 2011, agreements on how the problem of criminality should be approached were difficult to attain. The new Ministry of Security proposed to give more power to armed forces to counter criminality, while the Security Cabinet asked the military to handover the garrisons to the police.¹⁵⁸

The tension between the Ministry of Security and civil society reached its peak in May 2013, when the Supreme Court determined that the assignment of General Munguia Payes as the head of the Ministry of Security was unconstitutional, based on the fact that he has not lost his military nature. The complaint had been initiated by 30 citizens who demanded the Supreme Court to declare that the assignment was against the constitution. The General was then re-assigned to the Ministry of Defense. This case demonstrates that institutions worked, and reflects the state of civil–military relations in El Salvador.

C. COMPARING POLITICAL AND INSTITUTIONAL CAPACITY AND STRATEGY OF MEXICO AND EL SALVADOR

1. Comparing Institutions' Capacity

Mexican and Salvadoran institutions have not been able to provide effective governance. In Mexico, the Partido Revolucionario Institucional (PRI) centralized power during the 20th century. This allowed Mexico to have political stability but did not promote limited government in practice.¹⁵⁹ According to Cecilia Martinez, legislative elections in 1997 changed the story because the opposition gained the majority of seats.¹⁶⁰ The new balance of power allowed Mexico to practice a checks and balances system and broader political participation. Martinez explains that the change in the

¹⁵⁷ Pew Research Center, "Crime and Corruption."

¹⁵⁸ *The Situation of Security and Justice*, 66, 67.

¹⁵⁹ Cecilia Martínez Gallardo, "Mexico," 250.

¹⁶⁰ *Ibid.*, 251.

dynamics of politics has not translated into economic and social reforms due to internal divisions in the legislative branch. Furthermore, the judicial system has continued to be plagued of corruption, preventing the government from practicing horizontal cooperation.¹⁶¹ Corruption, indeed, has undermined the state's capacity to counter criminality. As Martinez stated, "The legal system is marked by impunity for criminals ... corruption has been an obstacle in the government's effort to fight drug cartels and to control the spread of violence related to organized crime."¹⁶²

In El Salvador, the long term alliance between the military and the oligarchy in El Salvador prevented the government from providing the necessary benefits to the population. Poverty, lack of job opportunities, a weak education, and health system set the ground for violence in the 20th and 21st century. After the signing of the peace accords in 1992, El Salvador began to develop democratic institutions. The public security institutions which were in the hands of the military were transferred to the new National Civilian Police. The new which was undermanned, lacked education, training, and experience. Lack of equipment and transportation and a poor logistic system prevented the National Police from controlling crime from the very beginning of its creation.

When comparing the weaknesses of politics and institutions of Mexico and El Salvador, it is noticeable that the nexus between political institutions and organized crime is more evident in the case of Mexico. The long history of corruption and political involvement in criminal activity has caused the failure in every attempt to counter narcotraffic. This has prevented Mexico from effectively enforce law and reduce drug trafficking. The political system in Mexico also prevents the government from coordinating policies among public security institution to effectively combat crime. Lack of resources of government agencies undermines the authority of Mexican local authorities in enforcing law.

¹⁶¹ Martinez, "Mexico," 251.

¹⁶² Ibid., 252.

In the case of El Salvador, although one cannot find a clear nexus between political institutions and organized crime, public security institutions lack the capacity and resources to effectively enforce law. A weak judiciary, a poor prison system and an under manned police force has prevented the government from providing security to the Salvadorean society. In both cases, the use of armed forces are seen as an institution that has the capacity, the equipment and training to help in combating organized crime. Furthermore, both armed forces have relative high level of acceptance and credibility among society. However, experience suggest that the strategy of using armed forces in counteracting criminality as an isolated approach brings few or none results when trying to reduce criminal activity.

2. Comparing Mexico's and El Salvador's Strategies

Mexico's strategy to fight drug trafficking encompasses a wider range than those employed by El Salvador authorities. The long term drug trafficking phenomena that Mexico has faced obligated the government to use a variety of strategies, ranging from prohibition, combined operations with the United States, eradication, seizing, and the use of armed forces. Drug traffickers' capacity to adapt to Mexico's strategy resembles the gangs' capacity in El Salvador to evolve and also adapt and respond to the governments' effort in countering criminality. When comparing Mexico's and El Salvador strategies, one can note that in the case of Mexico, armed forces have been given more autonomy than the one given to El Salvador's armed forces. This has allowed Mexican armed forces to perform independent operations, and has brought some success in the fighting against organized crime; nevertheless, the used of armed forces has not stopped drug trafficking.

In El Salvador, iron fist or hard hand policies aimed to repress criminals. The incarceration of thousands of gang members did not lower the high crime rates. As the judiciary did not find hard evidence of the crimes committed by gang members detained as result of hard hand policies, gangs were strengthened. While El Salvador faces the threat of gangs, the limited used of armed forces has not brought the same results as in the case of Mexico.

In both cases, the prolonged use of armed forces has brought up human rights issues, but the problem seems to be more serious in the case of Mexico. The use of armed forces without putting proper attention to the human rights issues creates a problem while trying to solve another. As Sotomayor states, “From the outset of the Calderon administration, it was clear that upholding human rights was not an important concern in the design of the security approach.”¹⁶³

The effectiveness of using armed forces is closely related to the political will, institutional capacity, and human and material resources that are not available in Mexico and El Salvador. The strategy of using armed forces in El Salvador to counter criminal activity has had no impact on high crime rates and criminality, while Mexican military have captured important cartel leaders, intercepted drugs, and eliminated drug crops.

¹⁶³ Kenny, Serrano, and Sotomayor, *Mexico's Security Failure*, 131.

IV. CONCLUSIONS AND RECOMMENDATIONS

A. CONCLUSIONS

1. El Salvador's approach to counter criminal activity includes the use of armed forces in joint task forces with the police, support with the vigilance and security of prisons, and joint task forces to patrol the borders. In my opinion, the limited participation of armed forces is due to the state of civil–military relations in El Salvador. Politicians and the Ministry of Justice and Public Security have limited the role of the armed forces because they recognize that giving additional power to armed forces can be counterproductive. Society and politicians know the risk of letting armed forces conduct public security operations, a lesson learned from the insurgency.

2. The impact of using armed forces is debatable. High crime rates are still an issue in both countries. In the case of El Salvador, while some politicians on the right have proposed giving the armed forces increased power to enforce criminal law in order to be more effective, the government has authorized only a limited range of operations to be performed.

3. Other approaches, such as the implementation of a “truce” between the two main gangs in El Salvador, temporarily lowered high crime rate, but the truce was not sustainable. Criminals have neither the intention nor the credibility to be reliable in such pacts, which made the truce fail as gangs have no real compromise to integrate into society. The truce promoted by the government strengthened gangs in El Salvador. By giving criminals power to negotiate, the gangs were able to obtain benefits for jailed leaders, including the transfer of leaders from maximum to lower security level prisons, permissions to obtain commodities within the prisons, and others.

4. Concerns about human rights violations are an ongoing issue in Mexico and El Salvador. The use of armed forces has increased the number of complaints of human rights violations. While there is no clear evidence of these violations in the case of El Salvador, family gang members have used the complaints to diminish the punishment

of gang members, while at the same time, complaints of human rights violations discourage armed forces from working efficiently.

B. RECOMMENDATIONS

1. The complexity of criminality in El Salvador and the impact of using armed forces shows that a more comprehensive approach is necessary to effectively counter gangs in El Salvador. By uniting efforts from the government, NGOs, and civil society, policies aimed to prevent youth from getting involved in gangs could be more effective. Strengthening the judiciary and police forces could favor the prosecution of criminals, and last, the reconstruction of the Salvadoran social work net can be valuable in countering violence in El Salvador.

2. Regional efforts to control organized crime should be better coordinated. The exchange of intelligence, information sharing, and coercive measures could improve law enforcement activities in the area. Regional and international organizations such as INTERPOL and NGOs are already there but it requires political will and integration to coordinate policies that can enable the Central American region to reduce criminality.

3. As experience has shown that, in the long term, the use of armed forces might be counterproductive, it is recommended that armed forces in El Salvador be withdrawn from public security missions. Reforms to the judiciary, the police force, and the prison system would yield better results, as it is a more comprehensive approach than the use of armed forces.

4. One can conclude that in many cases, the use of armed forces is a desperate measure to show the population that political institutions are doing something about the problem. This clearly has electoral purposes. Until the problem is addressed without the influence of political interest, the problem is likely to continue. Political forces in El Salvador should sit together, setting apart party interest and setting up achievable goals to at least reduce criminality in the country.

APPENDIX. DRUG CARTELS, FOUNDERS, AND LEADERS

Cartel	Founders	Current leaders	Area and Type of Operations
Sinaloa, 1970s The need for Colombians to ship cocaine through Mexico greatly increased its power and wealth.	Jaime Herrera Nevares “Don Neto” Fonseca Carrillo (captured 1985) Pedro Aviles Pérez (killed 1978) Angel Felix Gallardo (captured 1989) Hector Luis Palma (captured 1995) and extradited to the U.S.	Joaquin el Chapo Guzman and Ismael “El Mayo” Zambada García Arturo Beltran Leyva and his brother have broken with El Chapo to align with Los Zetas in Guerrero and other areas. Juan Jose Esparragoza Moreno nicknamed “El Azul,” enjoys productive linkages with the Sinaloa cartel. Chapo Guzman captured in 2014.	North West Mexico, Sinaloa, Durango, Chihuahua, Baja California (Mexicalli), Sonora (Nogales, Agua Prieta, and San Luis Rio Colorado), Nuevo Leon (Monterrey), Michoacan Acapulco, and Guerrero, move cocaine, heroin , and marihuana into U.S..
Millenio (allied with Sinaloa) Michoacan, December 1997, worked with Colombian Guillermo Moreno Ríos in the meth trade.	Armando “Juanito” Valencia Cornelio was the top dog until his arrest in mid-2003; Calderon’s Joint operation Michoacan” (Dec2006) succeeded in jailing four Valencia Lieutenants	Luis and Juan Valencia operate a crippled organization; destabilization in Michoacan has furtherer weakened their power, as La Familia and Los Zetas have expanded their activities in Michoacan neighboring states.	Early in the decade, the DEA claimed that it supplied one third of cocaine to U.S., with distribution focused on California, Texas, Chicago, and New York. Its home state is Michoacan, along with Jalisco, Colima and Nayarit, provide entry points for cocaine and precursor drugs
Sonora (allied with Sinaloa) Sonora 1970s Cultivated enormous and sophisticated marihuana farms in Sonora and Chihuahua, including El Bufalo, which was discovered by DEA agent “Kiki Camanera”	Badiraguato natives Rafael Angel Caro Quintero (arrested Apr, 1985) and Miguel Caro Quintero (arrested Dic2001); the cartel aligned with the Sinaloa Cartel because of the Caro Quintero ties to Feliz Gallardo and Ernesto Fonseca.	Miguel Caro Quintero’s siblings (Genaro, Jorge, María del Carmen, Blanca Lili, Melinda and Maria) are struggling to hold the cartel together; Genaro who is missing from sight, is the presumed leader	In his heyday, it exported marihuana, cocaine and heroin to the U.S., using small, low flying aircraft; scene of confrontations between the Sinaloa and Gulf cartels; Governor Eduardo Bours cracked down on police following the May 16, 2007, shoot out in an near Cananea, which took the lives of 23 criminals; the assassination of State Police Commander Juan Manuel Pavón Félix in November 2008 indicates continued bloodshed.
Colima, 1980s (allied with Sinaloa Cartel) Began as an alien smuggling ring.	Amezcua Contreras brothers (José de Jesus, Ignacio, Adan, and Ventura); all are dead or behind bars.	Imprisonment of brothers has left the organization in shambles with day-to-day management having passed to two sisters of the Amezcua Contreras clan- one of whom, Patricia, is married to Tijuana Cartel	Imported precursor drugs from Thailand and India via Veracruz and Manzanillo to produce methamphetamine and “ecstasy” which were exported to the U.S.; supplied meth to AFO and

		member Jaime Ladino Avila.	trafficked in cocaine in association with Cali Cartel.
Oaxaca, 1970s Launch grow and sell marihuana.	Pedro Díaz Parada and his Family	Arrest of Diaz Parada in 2007 emasculated the organization; Los Zetas seek to gain control of areas the cartel once dominated.	In its salad days, the syndicate moved marijuana and cocaine throughout the Isthmus of Tehuantepec, a half dozen other states, and Texas cities; it cooperated with Sinaloa Cartel and, later, with the Tijuana Cartel.
The Beltran Leyva Brothers	Sinaloans who for years worked with El Chapo and El Mayo.	Arturo “El Barbas,” Héctor Alfredo “El H,” Mario Alberto “El General,” and Carlos Beltran Leyva.	Sinaloa, Mexico state, Jalisco, Durango, D.F., Morelos, certain municipalities in the Tierra Caliente; Mexico City and Monterrey airports; cooperate with Los Zetas in Guerrero and, possibly in the D.F.; Stratfor reported that, since the arrest of their Colombian drug supplier Villafane Martinez, the Beltran Leyvas have courted Victor and Dario Espinosa, leader of Colombia’s Norte del Valle Cartel.
Gulf Tamaulipas, 1930s Juan Nepomuceno was a bootlegger in the 1930s. His nephew persuaded him to move into drugs in the 1960s; the need for Colombians to ship cocaine through Mexico greatly increased its power and wealth in the mid.1980s.	Juan Nepomuceno Guerra (died 2001); Juan García Abrego (closet o Raúl Salinas) was jailed and extradited to U.S. in 1996 by Zedillo; Salvador “El Chava” Gómez (killed 1999) lost battle with Osiel Cárdenas Guillen (extradited to U.S. in Jan. 2007)	Power struggle among: Eduardo “El Coss” Costilla Sánchez; Zeta leader Heriberto “El Verdugo” Lazcano Lazcano; and Antonio Ezequiel “Tony Tormenta” Cárdenas Guillén	Tamaulipas, Nuevo Laredo, Nuevo León, Gulf Coast to Quintana Roo, Oaxaca, Guerrero, and Michoacán; moves Colombian cocaine into U.S.; practices extreme violence via Zetas, which have branched into other criminal activities.
Los Zetas Tamaulipas, early in first decade of 21st century; ex GAFES.	GAFES recruited by Osiel Cárdenas Guillén as protectors and enforcers; while occasionally cooperating with Gulf Cartel, Los Zetas now act on their own; in addition to drug smuggling, they have taken up murder-for hire, kidnapping, the sale of protection, extortion, human smuggling, loan-sharking, and wholesale contraband commerce.	Heriberto “El Verdugo” Lazcano Lazcano; and Miguel “40” Treviño Morales; and, in November 2008, authorities arrested Jaime “El Hummer” González Durán, the third ranking member of the paramilitaries.	Cellular organizations in Tamaulipas, Veracruz, Villahermosa (Tabasco), Quintana Roo, Guerrero, Oaxaca, Michoacán, Aguascalientes, Durango, san Luis Potosí, Jalisco, Hidalgo, Mexico State, and D.F., the U.S. (Atlanta, Dallas and Los Angeles), and Guatemala.
Tijuana/Arellano Félix Organization or AFO (allied with Gulf Cartel) Baja California 1980s Launched after 1989 arrest	After the arrest of Felix Gallardo, (1) Javier Caro Payán, who (2) was displaced by Jesus el Chuy Labra, (3) whose capture	Weak leadership at the top has found the loyalist of Benjamin, the only family member who could enforce discipline, staking out their	Tijuana BC., parts of Sinaloa, Sonora, Jalisco, and Tamaulipas; difficulty obtaining Colombian cocaine, although it has

of Felix Gallardo, who distributed plazas to maintain order; the need for Colombians to ship cocaine greatly increased its power and wealth in the 1980s.	placed control in the hands of Arellano Felix brothers; authorities apprehended the group's CEO Ismael "El Mayel" Higuera Guerrero (2000); killed Ramón A/F (2002), arrested Benjamin A/F (2002)Javier A/F (2006) and Eduardo A/F (200(¿8)	own plazas: Jorge "El Cholo" Briseño Lopez (rosarito); and Eduardo "EL Teo" Garcia Simental. In March 2008 authorities arrested Eduardo Gustavo Rivera Martinez, who had held sway in Ensenada; Enedinas's nephew, Luis Fernando "The Aligner" Sanchez Arellano and her son, Fernando "The Engineer" Zamora Arellano together are competing for control of Tijuana against El Teo.	increased marijuana production and handles meth, severely weakened by deaths and arrests of several brothers; recruits youngsters from well-to-do area families and uses these pampered hoodlums to practice tortures and dismember foes; once nurtured ties with Colombian FARC.
La Familia Michoacán, early part of first decade of twenty first century	Sprang to life as La Empresa, which worked with the Golf Cartel to expel Los Valencias from Michoacán; evolved into LA Familia, which sought both to curb Los Zetas's activities in the state and to fight the sale of methamphetamines to youngsters; now involved in murder-for hire, extortion, human smuggling, kidnapping, and the wholesale distribution of contraband; some elements of La Familia exhibit a strong messianic religious orientation; extraordinary violent, including the beheading of foes; hurt in the May 26, 2009 arrest of 29 public officers.	Jose de Jesús " El Chango" Méndez, Nazario "El Chayo"/"El Mas Loco" Moreno Gonzalez Antonio "El Toñon" Arcos, Servando "El Profe" Gomez Martinez, and Dionisio "The Uncle" Loya Plancarte; on July 11 2009, Federal Police captured Arnold "La Minsa" Rueda Medina, the syndicate's number three operative; major sectors of the organization show intense messianic zeal.	Aguascalientes,Colima, D.F. Guanajuato, Jalisco, Mexico State, Michoacan San Luis Potosi, part of Guatemala and the U.S.:

Source: George W. Grayson, *Mexico Narco-Violence and a failed State?* Transaction Publishers, NewBrunswick,2011.

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