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## **Institutional Fragility and Organised Crime. The case of Central America and Mexico**

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### *Institutional Fragility and Organised Crime. The case of Central America and Mexico*

#### *Abstract:*

*The so-called ‘war against drug trafficking’ launched in the countries of the region tries to respond to a problem of Public Health and Safety that has reached pandemic dimensions. It is related to the situation of institutional fragility of the States in the area. However, the word ‘war’ is not an adequate term since it implies as part of a civil conflict the most vulnerable sector of society itself. On the other hand, the fact that the States decisively tackle this problem is a sign of precisely the opposite: their growing strength.*

#### *Keywords:*

*Central America, Mexico, organized crime, drug trafficking, institutional weakness.*

**\*NOTE:** The ideas contained in the **Analysis Papers** are the responsibility of their authors. They do not necessarily reflect the thinking of the IEEE or the Ministry of Defence.

## Fragilidad institucional y delincuencia organizada. El caso de América Central y México

### Resumen:

La llamada «guerra contra el narcotráfico» emprendida en los países de la región trata de responder a un problema simultáneamente de Seguridad y Salud Pública que ha alcanzado dimensiones pandémicas que se encuentra en relación con la situación de fragilidad institucional de los Estados de la zona. Con todo, la palabra «guerra» no es un término adecuado toda vez implica como parte de una contienda civil al sector más vulnerable de la propia sociedad. Por otro lado, que los Estados acometan decididamente esta problemática es signo de su fortaleza creciente.

### Palabras clave:

Centroamérica, México, crimen organizado, narcotráfico, debilidad institucional.

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“The prison makes the prisoner... In vain do we carve as well as we can that mysterious trunk which is our life... What is said of men, true or false, occupies as much place in their destiny, and above all in their life, as what they do.”

*Les Misérables*, Victor Hugo

## Introduction

Chomsky wondered<sup>1</sup> whether Hurricane Mitch, which hit Nicaragua in 1998, had some kind of class bias due to its devastating consequences being felt especially by the poorest. His conclusion is that there was no divine bias or curse, but that it was the result of the confluence of very specific and interrelated social, economic and environmental elements, as much as security and development, two factors that cannot exist in isolation.

The same explanation can be given for crime which, if it exceeds a certain threshold, also becomes a risk to National Security, like any other Public Health problem. This dual nature serves to underline the different approaches to a political and thus multifaceted problem. The dichotomous and plastic simplism that differentiates between good and bad, just and unjust, or only one of their dimensions, is not operational. We are not dealing with law, criminality or ethics; we are dealing with politics, but also with a specific social group.

However, the existence of organised crime is in itself a challenge to the state as it competes with its power. Indeed, the definition of the state implies a monopoly of legitimate violence. Moreover, tolerance questions the capacity of institutions by damaging their credibility: the perception of power is power, and its absence the opposite. Therefore, fighting this phenomenon with no chance of success is an even worse option than not fighting it at all.

## State, society and organised crime

Ibero-America is the region with the highest rate of inequality in the world; and in Central America, this is particularly accentuated given that the decline in poverty and inequality has been slower than in the rest of the continent. The health crisis caused by COVID-19

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<sup>1</sup> CHOMSKY, Noam. *Estados canallas*. Editorial Paidós, Barcelona 2002, p. 143.

is accompanied in this region by an economic and social decline unparalleled in the developing world. In fact, the pandemic is triggering the first setback in human development indicators since 1990<sup>2</sup>.

It is also worth highlighting how, during the pandemic, criminal organisations have carried out important assistance and support work for the population, replacing the state. The *maras* in El Salvador helped to enforce national quarantine and social distancing measures. In addition, during the first half of 2020, there was a 33% reduction in the number of homicides in Central America and the Dominican Republic<sup>3</sup>.

And all concurrently with the business: Mexican narcotics traffickers have increased their drug trafficking in this period, overcoming the border closures and travel restrictions imposed by the pandemic. As a result, by the end of 2020, drug availability in many regions reached record highs; while, in all of 2019, the United States had 72,000 overdose deaths, by May 2020 there were already 80,000<sup>4</sup>.

The relationship between institutional strength and organised crime is also ambivalent. State fragility is key to the expansion of such dynamic phenomena as organised crime. Thus, regions with high poverty rates and weak state structures offer ideal conditions for alternative formulas for enrichment. Organised crime has the capacity to parasitise their structures, undermining their legitimacy and perpetuating the situation. A symbiotic relationship is thus established between poverty, illegal economies and the weakness of an eroded state. In addition, violence is normalised by being installed in the community as an ordinary resource.

The social dimension of the issue is undeniable either because it permeates the social body or because it serves as a structural basis for criminal operations of scope. Thus the *maras* or gangs are linked to organised crime, arms trafficking and drug trafficking<sup>5</sup>. The small-scale trafficking and offences practised by these marginalised groups in an environment of poverty and inequality contribute to the trivialisation of crime and disregard

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<sup>2</sup> UNDP; USAID. "Análisis sobre la situación de violencia y seguridad ciudadana 1er. semestre 2020 (1s-2020)".

<sup>3</sup> HERNÁNDEZ, Anabel. "Informe de EE. UU.: crece el poder de narcos durante el gobierno de AMLO". Available at: <https://www.dw.com/es/informe-de-eeuu-crece-el-poder-de-narcos-durante-el-gobierno-de-amlo/a-56950410>

<sup>4</sup> Ibidem.

<sup>5</sup> MEJÍA MEDINA, Hernando.

"Las Fuerzas Armadas de Honduras ante las amenazas del siglo XXI". Monografía del X Curso de Estado Mayor de las FAS, *Documento de trabajo del Departamento de Estrategia de la ESFAS*, 2009.

for the law. This ultimately affects the state's legitimacy and credibility.

It is the same as in the Sahel: the caravanning concurrence of licit and illicit activities is a school of thought that makes it possible to break down the barriers between the two. Moreover, there is a powerful link between drug trafficking and other crimes such as extortion, human trafficking or terrorism, as they are carried out with the same means, are practised by people who are used to breaking the law and converge on the black market, just like terrorism. A regional example would be La Bestia, the name of a network of freight railways that transports illegal migrants and drugs from Central America to the US border itself.

The state is a reflection of the fragility of the society that hosts it. Therefore, the state must be strengthened in order to strengthen society. In some countries this is so much the case that it has been obligatory to integrate these leaders into the power structures, so that the power they hold is not a challenge but, at least formally, adds their legitimacy to that of the regime and contributes to its effectiveness and recognition. But in the long run this generates –if not redirects– a centrifugal tendency towards polyarchy. In any case, as we shall see, conflict, however much it is postponed, is inevitable.

Organised crime, moreover, acts like parasites –nesting– and needs to rely on the structures of the state to do so. Organised crime and institutional weakness are two sides of the same coin. Companies, national and international financial institutions and public officials are inevitably linked to these illicit organisations. However, while corruption functions through the same mechanisms as drug trafficking, it is not presented as part of organised crime.

Corruption is the nexus between politics and criminal organisations. Organised crime can only survive if it is able to hang on to the structures of the state, which it thus simultaneously weakens and delegitimises. Corruption, like rust, hollows out the state and renders it inconsistent. Moreover, it creates imbalances that allow its best organised parts –traditionally, armies– to assume an overweight role and can even lead to the militarisation of public life.

The systematisation of corruption creates a powerful, feedback and resilient vicious circle that keeps the state structurally weak, making it vulnerable to both internal threats and external action by other actors.

Organised crime is also presented in a different way and is alien to the state, even if it is linked to it through corruption. But this means that organised crime is also supported by state structures. In this way, the state simultaneously attacks and supports organised crime. The result of such an arabesque is that the prosecution of corrupt activities is ineffective without reforming the institutional foundations that protect and sustain them<sup>6</sup>.

In the case of Ibero-America, the perception of corruption in state institutions is significantly high. The armed forces are more highly valued than the police, being the only institution with a territorial presence and, not infrequently, the cornerstone of the political system as a whole.

Getting involved in this fight in a context of peace contributes to legitimising its existence at the cost, on the one hand, of redefining its role and, on the other, of prioritising a security rather than a public health vision. Moreover, the idea of “war”, predominant in public discourse and also underlined in 2008 with the Merida Initiative –an international security treaty established by the United States in agreement with Mexico and the countries of Central America to combat drug trafficking and organised crime– is consubstantial with the armed forces and poses the dispute in symmetrically violent and unrestrained terms, when the *raison d'être* of the armed forces is to protect the entire population. This explains the spirals of violence experienced in some regions in line with the principle of reciprocal action and the rise of Clausewitzian extremes.

Focusing the fight against drugs on external supply, and not on internal demand, is to prioritise a short-term, security-based approach over a public health approach; it means transferring to Central Americans the burden of a fight for the benefit of the US and not for their own. Therefore, the undoubted social and developmental aspect that it also raises and which lies at its root must be addressed. Moreover, both the phenomenon and the fight against it simultaneously undermine the political and economic independence of these states<sup>7</sup>.

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<sup>6</sup> For a more in-depth analysis of the specific problem of corruption, we recommend AZNAR FERNÁNDEZ-MONTESINOS, Federico; PUIG SOLER, Sebastián. “La corrupción y seguridad internacional” in PIZARRO, Manuel (Dir.). *Economía y geopolítica en un mundo globalizado. CESEDEN Monograph No. 174*. Ministry of Defence, 2015.

<sup>7</sup> CORTÉS, Ernesto. “Cómo comprender y abordar el crimen organizado en los estudios sobre el mercado ilícito de drogas” in VV.AA. *Repensando el tráfico ilícito de drogas en Centroamérica: un enfoque desde las ciencias sociales*. FLACSO, October 2020.

Believing that demand can be eliminated by prohibiting and repressing supply ignores basic criteria of economics, but also incorporates relevant political tolls, as it attacks the fundamental rights of populations without even offering tangible results or improvements. The logic of war additionally incorporates the risk of favouring social control by establishing the precise mechanisms for it<sup>8</sup>.

States are called upon to make a restrictive use of violence, as it incorporates a toll in terms of legitimacy and undermines their very essence. The state does not and cannot make war on its society or any part of it. In fact, the “war on drugs” may *de facto* entail a criminalisation of the poorest and most vulnerable social sectors, who are the ones who, in practice, are the ones who commit the crime.

Thus, in addition to the weakness of the state, the pact between state and society is fractured. During the Cold War, this already gave rise to non-state armed groups that were financed by drug trafficking. We are also facing a kind of narco-guerrilla, or a re-edition of it, insofar as it makes use of a peasant class that cannot find alternative crops to improve their living conditions and social advancement.

For example, after the Cold War, the FARC in Colombia entered the drug trade, using its military capabilities to protect the airstrips of those who transported drugs. But they soon realised that they could integrate their efforts vertically, in other areas of logistics and production up to the complete chain<sup>9</sup>. This delegitimisation of the cause for operational reasons (funding) led to a growing neglect of its political-ideological objectives –already touched by the implosion of the USSR– and the consequent military drift that eventually led to the inevitable collapse of the organisation.

### Organised crime and globalisation

Organised crime is not just a problem of weak states that suffer from it. To begin with, it harms neighbouring states by spreading instability beyond their borders, providing a sanctuary for such organisations that makes the problem regional or global in nature, intermingling with other conflicts such as the FARC in Colombia.

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<sup>8</sup> Ibidem.

<sup>9</sup> CROWTHER, Alex. “Crimen organizado transnacional y el cibercrimen” in BARTOLOME, Mariano. Transnational organized crime workshop. *La visión de la Organización de los Estados Americanos (OEA) sobre la criminalidad organizada en el hemisferio occidental*. Inter-American Defence College, 2020.



Weak states become “captive states” that serve as a base, under the cover of international law, for markets that are often in the developed world<sup>10</sup>. Moreover, it is a mixed system. Colombia is three times the size of Central America and has a strong state in the main cities (Bogotá, Medellín, Cali), but this is diluted as it moves away from the developed urban centres, which explains the prolongation of guerrilla processes in its territory. Even within these same cities, the presence and quality of the service provided by the state implicitly responds to a stratified social system<sup>11</sup>.

Moreover, the current fragility of societies and the state leaves all of them deeply exposed to the consequences of any disruption in their neighbourhood. If there is a simile that gives us an idea of this situation, it is that of a large balloon filled with water, where when one of its edges is pressed, the bulge is transferred to the opposite end.

The result is the spread of drug trafficking to neighbouring countries. As an example, the destruction of plantations in Colombia led to a proliferation of cultivation in Bolivia and Peru. But also, the violence generated since 2006 by the “war on drugs” has led to an increase in violence in Central America, mainly in Guatemala, Honduras and El Salvador, a phenomenon known as the “cockroach effect”<sup>12</sup>.

Organised crime has even led to the “narcotisation”<sup>13</sup> of relations with the West by introducing the problem into security agendas and affecting or conditioning such relations, for example, and significantly, development aid policy. In this way, a sort of “geopolitics of drug trafficking” is being generated, with countries being classified according to their attitude towards this process. Moreover, their independence is being modulated or conditioned by making the granting of aid contingent on attitude and sensitivity.

Finally, with globalisation, new spaces and quasi-symbiotic relationships with smaller regional actors gave rise to new organisations that merged with the old ones or absorbed their members and broadened the range of activities. These organisations diversified their location and activities by trying to take comparative advantage of the territories in which they were installed, but also of the territorial and material fragmentation of their activity.

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<sup>10</sup> VV.AA. “La era de la globalización: Estados bajo presión”, FRIDE Foundation, 2008, p. 12.

<sup>11</sup> ARGUETA, Otto. “El narcotráfico es un asunto político en Centroamérica” in VV.AA. “Repensando el tráfico ilícito de drogas en Centroamérica: un enfoque desde las ciencias sociales” *Op. Cit.*

<sup>12</sup> *Ibidem.*

<sup>13</sup> RODRÍGUEZ PINZÓN, Erika María. “Los cambios discursivos sobre el conflicto colombiano en la postguerra fría: su impacto en la actuación de los actores locales” in Cairo Carou Heriberto and Pastor Verdú, Jaime (comp.) *Geopolíticas, Guerras y resistencias*. Trama Editorial, Madrid 2006, p. 72.



Thus, for example, the *maras* with the largest number of members in Honduras are Mara 18 (MS18) and Mara 13 (MS13 or Mara Salvatrucha); together they had around 36,000 members in 2011<sup>14</sup>. These spread to the United States of America, El Salvador and Guatemala. Some Mexican cartels, for their part, have extended the scope of their activity from the United States to Colombia. And the Colombian cartels did the same by moving northwards.

In Brazil, we have the case of the Primeiro Comando da Capital, probably the largest criminal organisation in Latin America. It has great power in Paraguay and Bolivia, is present in Colombia, Peru, Uruguay, Venezuela and even seems to have moved its activity to Europe<sup>15</sup>. On a global scale, there are other groups such as the *Latin King*, the *Ñetas* or the *Dominican don't play* which, although they are not as dangerous, nevertheless, as we pointed out earlier, trivialise crime –from the power of the group they legitimise it–, insert it into the organisational culture and hinder the social integration of their members.

Indeed, globalisation has brought local organised crime into its logic by projecting it into global keys, causing local criminal groups to simultaneously broaden the spectrum of their activities, interacting with the black markets of the West and thereby increasing their economic entity and power.

International organised crime is a dynamic phenomenon articulated in the form of trafficking (heroin, cocaine, prostitution, counterfeit goods, weapons, resources, people, etc.) which often occur simultaneously and affect many regions of the world.

Money laundering, together with corruption, tax evasion and tax fraud, is part of the so-called shadow economy, which is very difficult to quantify. It has reached global dimensions as it already ranked among the world's top 20 economies in 2012 with a volume of USD 870 billion per year, equivalent to 1.5 % of the world's GDP. Meanwhile, according to UN data from 2020, it is estimated that 10% of global GDP is cross-border financial assets, of which money laundering from illicit sources amounts to 1,370 billion euros –equivalent to the GDP of Spain– and 2.7% of global wealth; the volume of bribes

<sup>14</sup> UN, “Informe de 2007 de la Oficina Contra la Droga y el Delito, Crimen y Desarrollo en Centroamérica “Atrapados en una Encrucijada”.

<sup>15</sup> SCHULMEISTER, Gastón H. “La Visión de la Organización de los Estados Americanos (OEA) Sobre la Criminalidad Organizada en el Hemisferio Occidental” in BARTOLOME, Mariano *Op. Cit.*

is estimated at 35 billion euros per year. Following illicit money inexorably leads to power, financial centres and politics. And all this in a globalised environment with flows in all directions. For example, much of the precursor chemicals used to manufacture drugs in Mexico were shipped by some companies from China. To evade control in this country, some laboratories have been transferred to India; from there, they are sent to Mexico via Africa without COVID-19 having altered such flows<sup>16</sup>. The governments of countries in the region, for their part, frequently complain that drug traffickers obtain their weapons from the United States.

We are dealing with a business and those who engage in it are businesses, illegal businesses, which are businesses with their own business culture, which in turn is violent, but a culture nonetheless. These are products that are sold in a market, an illegal one, but a market nonetheless. And that market is located in the West, whose policy towards this phenomenon largely determines business strategy. Indeed, illegal economies have been implicated in much of the internal conflicts of the countries that ravaged the globe after the Cold War.

Thus, for example, the business model of drug trafficking has been the same since its origins. Its keys are: high profitability that justifies the risks; a criminal structure based on family networks –the family is a source of trust, which is particularly important in such businesses– and community networks; and, therefore, due to its telluric nature, with important roots in the society from which it emerged and which would end up becoming the economic base of some regions of the country; violence as an instrument for controlling companies, resolving internal problems and discipline, as well as for the dialectic with other organisations<sup>17</sup>.

There are criminal actors that operate as consultants or independent contractors providing specialised and unconnected services such as money laundering; cybercrime tools; personal security; precursor chemicals; arms trafficking; drug transportation; kidnapping; and even public relations and propaganda<sup>18</sup>.

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<sup>16</sup> HERNÁNDEZ, Anabel. *Op. Cit.*

<sup>17</sup> VALDÉS CASTELLANOS, Guillermo. *Historia del narcotráfico en México*. Editorial Aguilar.

<sup>18</sup> SCHULMEISTER, Gastón H. "La Visión de la Organización de los Estados Americanos (OEA) Sobre la Criminalidad Organizada en el Hemisferio Occidental". *Op.Cit.*

The result has been various cultural movements –gangs are also cultural movements– among which the "narcoculture" stands out in particular. They are also endowed with their own codes of conduct: dress, appearance, behaviour and even a religious sentiment with its own characteristics. All of this has been collected –with a touch of glorification– in the series known as “*narconovelas*” or “*narcoliteratura*”; it even has its own music: the “*narcocorridos*”.

This is no small matter as it lends a certain romanticism to their actions, *operates de facto* as a legitimising element and serves to reaffirm the culture of violence. It has become a dignified *modus vivendi* and a legitimate route to social advancement for which no preparation, education or training is required. In fact, inter-organisational clashes are more akin to those between warlords in the High Middle Ages than between criminal groups.

These groups operate with the opposition of the state in a complex criminal ecosystem of rivalries, (temporary) alliances with extra-regional criminal groups such as the *Ndrangheta* or the Chinese Triads<sup>19</sup>. These are highly resilient and territorially embedded organisations that have successfully overcome the stress of the capture of their leaders and use their significant operational capabilities to carry out a wide range of activities around the world from their regional quasi-sanctuaries, and which also have links with other criminal and terrorist groups.

### Central America and organised crime

As Mariano Bartolomé emphasises in his always interesting work, crime is a major problem on a continent that is often described as a “zone of peace”, where inter-state disputes are channelled through diplomacy, where there are no arms races and where military spending is lower than in other parts of the world.

This is particularly true for Central America, a drug transit and storage area, as consumption indicators are relatively low compared to the rest of the continent. It is worth noting the intertwined trajectory of drug trafficking and the region's political history, for

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<sup>19</sup> HERNÁNDEZ, Anabel. “Informe de EE. UU.: crece el poder de narcos durante el gobierno de AMLO”, DW. Available at: <https://www.dw.com/es/informe-de-eeuu-crece-el-poder-de-narcos-durante-el-gobierno-de-amlo/a-56950410>

which this is an opportunity<sup>20</sup>.

In terms of the evolution of drug trafficking, the attitude of the United States is of the utmost importance. Its shift towards prohibitionism with regard to both opiates and marijuana in the first decades of the 20th century is of the utmost significance; by focusing on supply rather than consumption and preventive policies, it shifted its problem to Mexico and Central America, even though it has eventually generated indigenous markets.

The Cold War spilled over into the region in the form of proxy conflicts in the 1980s and continued into the 1990s with deadly results. Hundreds of thousands of people were killed, whether by leftist guerrillas in El Salvador and Guatemala or the anti-Sandinista *contra* in Nicaragua, contributing to a culture of death.

Armed conflicts were mixed with drug trafficking: territory was left in the hands of the armed forces, institutions of control and justice were disabled, violence imposed an order based on fear, and the ideological “cause” served to justify any excess<sup>21</sup>. The US also used the justification offered by the “fight against drug trafficking” to increase its geopolitical weight in the region. It is this moment of singular anomie that Colombian drug traffickers are also using to relocate in the region. This is picked up in films such as *American Made*.

War brings with it an increase in crime. However, for organised crime, violence is a last resort because its public dimension runs counter to the discretion it seeks. The armed conflict thus provided an ideal scenario: violence that was not associated with their activities and served as a cover-up, but also very weakened states.

As a result, crime in Central America today has the characteristics of a pandemic. Vulnerable borders, weak state institutions and impunity explain the growth of organised crime in the region. This is a cocktail of drug trafficking, arms (in 2007, there were an estimated 4.5 million small arms) and gangs. As a result, it is estimated that in 2011, 90% of the cocaine arriving in the US –which accounts for around 86% of the world total– came through the Central American corridor, leaving approximately 5.3 billion euros in

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<sup>20</sup> CORTES, Ernesto. “Cómo comprender y abordar el crimen organizado en los estudios sobre el mercado ilícito de drogas” in VV.AA. *Repensando el tráfico ilícito de drogas en Centroamérica: un enfoque desde las ciencias sociales*. Op. Cit.

<sup>21</sup> VILLEGAS HERRRERA, César. “Las fronteras borrosas de la economía ilícita: Impactos del tráfico ilícito de drogas en los flujos de la economía legal en Centroamérica” in VV.AA. “Repensando el tráfico ilícito de drogas en Centroamérica: un enfoque desde las ciencias sociales” Op. Cit.

illegal profits in the region. This was equivalent to 5% of regional GDP.

The publication of the so-called *Panama Papers* highlighted the importance of drug trafficking in Central America, which is the main criminal economy and the financial engine of organised crime on a regional scale.

To do so, they use the social environment. The gangs act as a cohesive element for all their members, although their existence has a disintegrating effect on the community. Their territorial dominance clashes head-on with the normalisation and socialisation that would occur in a less violent environment. Organised crime, on the other hand, acts in the opposite way to street gangs. But the two are mutually reinforcing: they act with extreme violence, supported by an important social environment that covers them up, while organised crime corrupts the state. Both weaken the state-society binomial<sup>22</sup>.

In fact, in 2011, there were more than 900 *maras* with around 70 000 members in the region. However, there are indications that they were in fact responsible for only a minimal part of the violence: around 15 per cent of the homicides were related to the *maras*, the rest being mostly organised crime and, in particular, drug trafficking.

The homicide rate in the Americas as a whole in 2020, according to UNODC, was 17.2 per 100,000 inhabitants, compared to 0.7 in Spain. Ibero-America has only 8% of the world's population, but 33% of the world's homicides. And one out of every 10 lives lost is from Central America and the Dominican Republic<sup>23</sup>.

Homicide rates in some countries in the region are close to wartime levels. El Salvador, Guatemala and Honduras, countries that make up the so-called Northern Triangle, accounted for around 4.5% of homicides worldwide in 2017 despite having only around 0.4% of the world's population. In this sub-region, with a population equivalent to that of Spain, the homicide rate is 24 per 100,000 inhabitants<sup>24</sup>. In Honduras, the rate was 60 in 2016, and even higher before that.

As a result, the 2020 Failed States Index ranks Guatemala 58th, Honduras 64th. However, El Salvador and Mexico rank 93rd and 98th respectively. This is a security problem, but also a public health problem.

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<sup>22</sup> MAYDEU-OLIVARES, Sergio. "La violencia, el talón de Aquiles de Centroamérica", *CIDOB*, 02/2016.

<sup>23</sup> UNDP; USAID. "Análisis sobre la situación de violencia y seguridad ciudadana 1er. semestre 2020 (1s-2020)"

<sup>24</sup> Ibidem.

The costs of this violence are put at 16% of GDP according to a 2020 IMF report. It is further estimated in a 2012 World Bank report that a 5% reduction in the murder rate would result in a 1% improvement in regional GDP. And it has consequences of all kinds: drug trafficking is responsible for 30% of the deforestation resulting from the conversion of rich forests into agricultural land.

But if violence is what characterises the Northern Triangle states, it is the countries of the Southern Triangle –Nicaragua, Costa Rica and Panama– that seem to be most closely linked to the activity that makes this phenomenon truly profitable, namely the legalisation of capital through “money laundering”<sup>25</sup>.

Drug trafficking is not limited to criminal organisations; in order to properly assess the phenomenon, it is also important to consider these organisations in their relationship with other licit organisations and even with the state apparatus. Through this process, not only is the economic reproduction of drug trafficking profits achieved –increasing its social and economic trail of power within the purest financial logic– but also by hiding its finances within the legal economy, of which it also becomes the driving force<sup>26</sup>. “Vicios privados, virtudes públicas.”

But there are not only economic aspects, but also cultural ones. The fight against drug addiction has meant generating a strong tendency towards securitisation and even militarisation of the region. In fact, the so-called “war on drugs” may have allowed or legitimised, in the name of security, the implementation of exceptional measures contrary to human rights. In Guatemala, El Salvador and Honduras, it has meant the *de facto* militarisation of public security. And, in Costa Rica, a country known for not having armies, it has developed a significant militarised security force.

All of this strengthens a simplifying discourse of “good guys and bad guys”, obviating the great and complex reality that results from this phenomenon and avoiding talking about its causes and structural reasons, as well as criminalising the most disadvantaged sectors.

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<sup>25</sup> SCHULMEISTER, Gastón H. “La Visión de la Organización de los Estados Americanos (OEA) Sobre la Criminalidad Organizada en el Hemisferio Occidental” in BARTOLOME, Mariano. *Op. Cit.*

<sup>26</sup> *Ibidem.*



### The example of Mexico<sup>27</sup>

The case of Mexico provides food for thought. Indeed, President Manuel López Obrador himself, who sees corruption as the cause of the problem, has even described his country as a narco-state in the past when referring to events such as the arrest of Genaro García Luna, the former security secretary until 2012.

All in all, it is a long story. World War II saw an increase in its production of Mexican opiates to meet US demand for morphine. Its demise led to an excess on the black market, which was joined after the 1950s by marijuana, which became increasingly in demand from 1967 onwards. In 1969, President Nixon launched the war on drugs as successive US administrations grew increasingly intolerant of the drug trade. This would place the burden of the fight on Mexico, as is the case with illegal immigration from Central America.

The lack of a comprehensive global policy combined with the closure of supply markets such as Turkey and the dismantling of laboratories in France where heroin was produced (the plot of the famous film *French connection*) catapulted the Mexican opiate market, to which marijuana, a product in growing demand, was added. And from marijuana it evolved, through existing networks, to cocaine, which was added to the existing distribution channels when the United States began to put pressure on Colombia. The *narcos* then diverted the direct Caribbean routes to others via Mexico. The penetration of institutions, paradoxically, became much greater and the groups grew in size as the state had no resources with which to oppose them.

Partial state capture took place, with agents inhibiting and even leading groups or gangs. This explains why the Mexican “cartels”, unlike the American mafia organisations, were not small groups but large and powerful to the extent that they took over the spaces that the state was unable to control by exercising its functions in them.

In this struggle, which led to the definitive consolidation of the large drug cartels, they turned their particular interests into those of the societies in which they were implanted. The cartels went so far as to supplant the role of the state that they even supplanted the

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<sup>27</sup> VALDÉS CASTELLANOS, Guillermo. *Historia del narcotráfico en México*. Editorial Aguilar.

police in the prosecution of other crimes. Drug trafficking thus became both a challenge and a problem of governability and national security.

From the 1980s onwards, the institutional strengthening of the Mexican state made this *de facto* situation unacceptable. This led the drug cartels, unable to sustain themselves at the central level, to move back to the periphery to capture local powers, and in regions where they held relative superiority over the state.

From 2006 onwards, there was a decline in drug consumption in the North American market as Mexico moved forward with its institutional development and tried to recover its periphery. This altered the *status quo* at the local level, with the conflict that this entails. But criminal organisations also clashed with each other as the available market was reduced. President Peña Nieto initiated what was called the “war on drug trafficking”, which made it necessary for the Armed Forces to be involved both for operational reasons and because they were less infiltrated by drug trafficking than the federal and local police.

The cartels reacted by expanding and diversifying their business, and with military weapons they involved the whole of society, which had previously remained on the sidelines. Simultaneously, as mentioned above, they moved their operations to other countries such as Colombia, entering into competition with the organisations established there, which had also moved their activities to Central America.

Homicides increased from 2,819 in 2008 to 17,000 in 2011, although 85% of these were due to fighting between the cartels themselves. 2019, the first year of López Obrador's presidency, in which he wanted to put an end to the “war on drugs” policy and replace it with other ways of addressing its underlying reasons, ended with 34,608 homicides and 1012 murders of women. Some sources estimate the number of homicides at more than 275,000 in 2019 and since 2006, with impunity for such crimes at 98%.

The problem faced by the government of President Felipe Calderón was the problem of the drug cartels, whose strength was a challenge to the state, which did not have effective institutions, especially in terms of security and justice, to face a challenge that could not be postponed. Mexican society could not wait another 20 years for adequate institutional development.

It is paradoxical that the debate over whether or not Mexico was a failed state came to a head when it had achieved an institutional development that allowed it to face the challenges it had hitherto postponed: political logic is paradoxical. President López

Obrador's desire to end the spiral of violence by placing the fight in the hands of a National Guard, a newly created body to replace an infiltrated police force and armies whose usual role is different and with an organisational culture other than policing, is logical given the levels of violence that had been reached.

The problem, like any public health issue, requires above all time and education. It implies moving from a punitive-criminal approach to a more complex one that involves addressing the causes of exclusion and inequality that are its breeding ground, without neglecting public security issues.

## Conclusions

Organised crime, and significantly drug trafficking, is deeply embedded in a region characterised by fragile states, whose shortcomings they have complemented and made up for. Its weakness is the result of the political, social and economic structure of societies with high levels of poverty and inequality, and sometimes with political systems that are often clientelistic and ripe with false political claims, supported by political parties with ideological rhetoric, but without an effective party programme.

Drug trafficking, which is the most relevant form of organised crime in the region, is not an ideological phenomenon, has hierarchical structures that are as efficient as or more efficient than the Armed Forces, has permanence and continuity, uses violence as its main instrument, and is an illegal enterprise that penetrates legal businesses<sup>28</sup>.

Corruption is fundamental for organised crime to thrive, as it allows the establishment of criminal groups hanging off the structures of the state they parasitise, as it also serves to link illegal activities to the formal economy. Fighting it is not only a police and reactive issue, it is first and foremost a major political issue with regional dimensions. We are dealing with Human Security.

For almost 40 years, these organisations have been increasing their military, economic and social clout. In the case of Mexico, the result was the penetration of drug trafficking into the structures of the state, its progressive parasitic colonisation, starting with its local structures (always the most penetrable) and then federal ones. In order to do so, it

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<sup>28</sup> ARGUETA, Otto. "El narcotráfico es un asunto político en Centroamérica" in VV.AA. "Repensando el tráfico ilícito de drogas en Centroamérica: un enfoque desde las ciencias sociales" FLACSO, *Op. Cit.*

entered politics, generating global pacts that allowed society to remain on the margins, at the price, of course, of the legitimacy of the system as a whole. The *narcos* made a journey from the local to the state level, and back in parallel to the country's institutional development.

The problem is not so much the strength of these criminal organisations as the weakness of the state. In order to put an end to this situation, it is necessary to strengthen it by putting an end to impunity, in the knowledge that the weakness of the system is consigned to the weakest link –which are the marginalised classes and groups, and at the state level, the municipalities– and that this requires both comprehensive policies seeking to change the cultural keys of society and supporting the agents who will make this possible. In any case, states cannot embark on any kind of war against a part of their own society: it goes against their very essence; but neither can they allow private actors to run wild.

Finally, Charles-François-Bienvenu Myriel, Bishop of Digne, is a secondary character from the brilliant pen of Victor Hugo whose actions –those silver candlesticks he gives to the ex-convict Jean Valjean, buying his soul for God– are at the root of the inspiring story of redemption and justice that is *Les Misérables*. It should not be far off.

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