

ABRAZOS NO BALAZOS?

THE MEXICAN STATE-CARTEL NEXUS



Edited by Joshua Treviño

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Publication note: *Given the subject matter contained herein, and the reality that Mexico is an unfortunately dangerous country for researchers and writers, the Texas Public Policy Foundation has taken the unusual decision to publish this research anonymously. It is not our preferred practice, but we trust it illuminates the severity and urgency of the topic at hand. The following research and narrative are fully backed by the Foundation and represent its views.*

Abrazos no Balazos?

The Mexican State-Cartel Nexus

Edited by Joshua Treviño

Executive Summary

In the decades since the 1971 inauguration of President Richard Nixon’s “War on Drugs,” successive Mexican presidencies have—until recently—sought to cast themselves as partners of the United States in the fight against criminal cartels and trafficking. Mexican officials have used high-profile arrests as evidence of their fight against organized crime ([Smith, 2014](#)). Yet, despite these efforts—often sincere, sometimes not—the intersection between Mexican state power at every level and Mexican criminal organizations broadened and deepened. The formal state’s oscillation between (secret) support and (overt) repression across decades introduced a profound ambiguity into the cooperative relationship with the United States.

From 2006 to 2012, Felipe Calderón’s presidency marks the inflection point at which the tension between the Mexican state’s desire to defeat its own criminal elements (likely sincere in Calderón’s case) and the complicity of that same state with those same elements (marked by, for example, his secretary of public security, presently awaiting trial for alleged cooperation with the Sinaloa Cartel) became increasingly untenable. Calderón militarized law enforcement, took the fight to a new level of intensity and violence, and inadvertently plunged the country into its present era of quasi-militarized violence. Calderón’s desire to win the fight against the Mexican cartels was stymied by a combination of cartel resistance and willingness of prominent elements of the Mexican state to cooperate with those cartels.

Enrique Peña Nieto’s 2012 to 2018 administration was marked by a noticeable decline in meaningful cooperation with U.S. law enforcement to curb cartel activity. (For example, Peña Nieto discontinued U.S.–Mexico cooperation in vetting senior personnel for corruption.) Peña Nieto wanted to turn the Mexicans toward economic transformation through a suite of structural reforms. He treated crime and violence as essentially a public-relations problem and turned a blind eye to human-rights abuses purportedly committed by his army ([Feuer, 2019a](#); [Goldman, 2018](#)).

The current presidency of Andrés Manuel López Obrador (commonly known as AMLO), who was elected in 2018, has seen Mexican-state cooperation with the United States against criminal cartels descend to a new low. The optics of his *abrazos no balazos* campaign—“hugs not bullets”—offers a sense of passivity toward security threats rather than a serious plan. His administration’s insouciance in combating cartel activity is coupled with a curtailing of U.S.–Mexico law-enforcement liaison—for example, in effectively hampering several decades of Drug Enforcement Agency (DEA) operations in Mexico. The unwillingness to work with the United States is paired with gestures of Mexican presidential sympathy toward particular criminal cartels and a chronic unwillingness to confront or even rhetorically condemn their activities. The AMLO administration, more than any of its predecessors, has labored to foster a distinct

Key Points

- The Mexican drug trade has seen an increase in both activity and violence used by Mexican drug cartels over the past 50 years.
- The Mexican government has a mixed history of dealing with the cartels, alternating between nonchalance, inefficiency, or even more recently, collusion.
- Although the United States has invested money and manpower to help the Mexican government fight the cartels and eliminate the drug trade, the cooperation has largely depended on the inclination of the administration in power.
- Numerous reports and evidence of corruption at all levels of the Mexican government, including bribes received by high-ranking officials, point to collusion.

impression of persistent Mexican state-cartel collusion—sanctioned at the highest level of that state. Officially, López Obrador denies any suggestion of cartel collusion, calling such claims “vulgar” ([Hernández, 2022](#)).

This paper examines the extent to which the Mexican state may be complicit in cartel activities and operations. The case made is necessarily circumstantial, but given the subject matter, it must suffice.

Introduction

Mexico—a country with historically close trade, cultural, and demographic ties to the United States—is plunged into the abyss of intensifying criminal-cartel violence. Though the criminal organizations are commonly referred to as “drug cartels”—illegal drugs being the foundational product for many of them—their reach extends into nearly every facet of social and economic life. Whether it is in avocado production, poppy cultivation, port operations, human trafficking, or beyond, the cartels are present.

The illicit drug trade has occupied part of Mexico’s history for a long time, and this has led to more criminal organizations vying for dominance over regional drug markets and smuggling routes into the U.S. As cartels continue to fight among each other and wrestle with local law enforcement for territorial hegemony, a more sinister struggle is taking place: a Sisyphean internal battle to purge the government of corrupt officials quietly working with (or active members of) the drug organizations they piously pledge to eliminate. The recent disintegration of cooperation between Mexico and the U.S. amid a relentless war on drugs reflects that conflict in greater detail and serves as the focus of this research.

Felipe Calderón’s militarized anti-cartel efforts beginning in 2006 have been pursued with diminishing ardor by his successors, Enrique Peña Nieto in 2012 and Andrés Manuel López Obrador (AMLO) in 2018. Both Peña Nieto and AMLO have cast the crackdown on drug trafficking organizations (DTOs) as, effectively, “Calderón’s war.” Peña Nieto pursued an agenda of structural reforms in energy, telecommunications, and labor regulations—while staying silent on security. AMLO promised to tackle what he considered the root causes of crime: poverty and corruption. Both incoming presidents proposed overhauls of the security institutions established by their predecessors; Peña Nieto created a gendarmerie, which was introduced as a unit of the Federal Police in 2014 but disbanded in 2019 ([Presidencia de la República EPN, 2014](#); [“Gendarmería desaparece,” 2019](#)). AMLO proposed the creation of a

National Guard, which would comprise soldiers and Federal Police officers—while effectively disbanding the Federal Police, which he considered irredeemably corrupt, and voiced suspicions over due to its origins under the command of García Luna ([López & Díaz, 2019](#)). AMLO has subsequently spoken of plans to introduce a reform to place the National Guard under the command of the Defense Secretariat. Consequentially, the Mexican government appears unwilling to address the systemic complicity of state actors with drug trafficking organizations and deliberately destabilizes the mechanisms in place to uphold law and order.

Judicial incompetence and political powerlessness breed societal cynicism toward the government. Police who solicit bribes; soldiers, who commit human rights abuses; and high-ranking political figures, who collude with and protect drug kingpins, are hallmarks of a state gone awry. The post-2006 violence has cost Mexico at least 125,000 lives ([Beittel, 2020](#))—including more than 60 journalists ([Committee to Protect Journalists, n.d.](#)) and left more than 100,000 people missing ([“At least 100,000 people,” 2022](#)). The nature of the violence, which began as a sincere effort to defeat the cartels, now mostly reflects a fluctuating system of patronage and competing sovereignties—sometimes with state complicity.

Cartels and their bosses have come and gone since the 1960s, and the Mexican government typically responds in the time-honored fashion: Organized-crime groups function as *de facto* government actors while top officials often ignore underground criminal activity. Modern Mexico, in 2022, is no exception, but several factors make the current era uniquely dangerous:

- An extraordinary level of violence, including but not limited to a persistently high homicide rate. By some estimates, close to two thirds of all Mexican homicides are cartel-related ([Calderon et al., 2019](#)).
- A *de facto* loss of Mexican-state sovereignty over its own territory, with credible estimates suggesting that about 35% to 40% of Mexican territory is under direct cartel rule ([Davidson, 2021](#)).
- An overt disinterest from the Mexican president—unprecedented in the past century—in combating criminal cartels, and a concurrent shutdown of cooperation with the United States in that sphere.

The unfortunate reality is that criminal cartels have burrowed their way into the government—and vice versa. Well-meaning public servants, of whom Mexico has many, are powerless against a nexus of senior officeholders, societal elites, and criminal cartels. The lens through which to understand the modern Mexican state, then, is not through the manifest virtues of ordinary Mexicans—who possess a cultural richness and a capacity for industry that is properly the envy of the world—but through the chosen vices of Mexican elites.

Disillusioned Politics: An Overture (1968–2005)

Mexico's antidrug agenda was born amid the aftermath of the 1968 Tlatelolco massacre, which destroyed public consensus around the Institutional Revolutionary Party (PRI)—a political party that enjoyed 71 consecutive years in power ([Walker, 2013](#); [Flaherty, 2016](#); [Doyle, 2003](#)). The student protest that ended in a storm of bullets from the military took place during a broader rebellion against Mexico's authoritarian regime. In an attempt to appear more politically transparent and stable than his predecessor, President Luis Echeverría (1970–1976) superficially embraced a U.S.-imported antidrug campaign to reconcile PRI's political challenges and public image ([Teague, 2019](#)). While there is scant evidence of U.S. agents instigating the PRI's manipulation of the war on drugs to suppress internal dissent, the White House did not outwardly oppose the PRI's actions either because—although means were questionable—the ends were politically consistent with America's contemporaneous war on communism ([Cedillo, 2021](#)).

Echeverría's perfunctory anti-cartel efforts were short-lived. His questionable friendship with Mexico City's drug-smuggling police chief Arturo “El Negro” Durazo Moreno ([Beezley & Maclachlan, 2016](#)) and Tijuana-based cocaine boss Alberto Sicilia Falcón ([Redmond, 2017](#)) represented the kind of implicitly acceptable narco-government alliance that continued to pervade later administrations. If that weak commitment to the war was not evidence enough, amid the lenient anti-narco policies, the Guadalajara Cartel, founded by Miguel Angel Felix Gallardo and Rafael Caro Quintero, began to flourish during Echeverría's administration.

Mexico's Operation Condor campaign, launched in 1975 and later overseen by President José López Portillo (1976–1982), replaced independent local police agencies with military control over the population on the pretext of attacking the illegal drug trade ([Cedillo, 2021, p. 4](#)). Although the

Well-meaning public servants, of whom Mexico has many, are powerless against a nexus of senior officeholders, societal elites, and criminal cartels.

government used Operation Condor to attack some cartel activity, its actual effect was to reorganize and subsume drug-trade networks by subjecting cartel leadership to PRI clientelism—a system of protection and impunity in exchange for political loyalty and bribes ([Smith, 2013](#)). This mechanism has encased certain Mexican authoritarian proclivities in amber. The victory of Portillo's federal police after killing Pedro Aviles Pérez, the founding father of modern drug trafficking and Sinaloa Cartel kingpin, was quickly eclipsed by headlines about the corrupt and now-defunct federal ministry of security (DFS) smuggling countless drug shipments on behalf of the Guadalajara Cartel ([Scott, 2000](#)).

In the 1980s, as U.S. President Ronald Reagan escalated the American war on drugs, Mexico struggled to maintain an autonomous drug policy. The 1985 kidnapping, torture, and murder of U.S. DEA agent Enrique “Kiki” Camarena catapulted President Miguel de la Madrid's (1982–1988) administration and the U.S. into a major diplomatic storm ([Grant, 2012](#)). Several DFS agents along with Rafael Caro Quintero of the Guadalajara Cartel were accused of Kiki's death, leading to their eventual arrest. To the dismay of the head of the DEA, Mexico refused to extradite the suspects to the U.S. The bungled investigation and extradition left many U.S. law enforcement agents incensed and asking more questions than when they began ([Baker & Archibold, 2013](#)). In 2013, a Mexican federal judge made the controversial decision to free Caro Quintero on a technicality ([Archibold & Zabudovsky, 2013](#)). Since then, Interpol has designated Caro Quintero as an international fugitive. The laconic response from Mexico's attorney general at the time, Jesus Murillo Karam, was that “lo teníamos y se nos fue” (“We had him and then he escaped [our grasp]”); ([Araizaga, 2013](#)).

Later, in 1987, de la Madrid's declaration that drug trafficking posed a threat to national security led to the expansion of the Mexican military's counterdrug mission ([Chillier & Freeman, 2005](#)).

In 2000, the victory of National Action Party (PAN) presidential candidate Vicente Fox (2000–2006) finally broke PRI's 71-year grip on power.

To show Mexico's fitness as a partner in NAFTA, President Carlos Salinas de Gortari (1988–1992) oversaw the capture and incarceration of Guadalajara kingpin Miguel Ángel Félix Gallardo ([Rohter, 1989](#)). Salinas navigated a strained relationship with the U.S. throughout his tenure. The Mexican president worked closely with the George H.W. Bush administration to fight drug trafficking and sanctioned 39 DEA agents to operate in Mexico—a bold move requiring the Mexican government to relinquish some of its sovereignty. However, in an effort to reinforce U.S. security operations in Mexico, the U.S. Supreme Court ruled in 1992 that the unilateral abduction of another Mexican national by American federal agents did not violate the U.S.-Mexico extradition treaty or U.S. Constitution. The move was derided as “arrogant” and “dangerous” by Mexican figures. The indignant reaction sparked American suspicions that Mexico was not behaving as a trustworthy partner in the battle against cartels ([Miller, 1992](#)).

Salinas did enjoy a brief celebration for his NAFTA accomplishments, but reports later revealed his fraudulent profiteering from several immediate family members' drug-smuggling operations ([Golden, 1998](#)). Like nearly every Mexican president, Salinas leveraged public enthusiasm for highly anticipated diplomatic coordination and the arrest of one prominent kingpin to shift—whether out of intent or mere organic consequence—administrative support and clientelism to a different cartel offstage ([Lupsha, 1995](#)).

The authenticity of President Ernesto Zedillo's antidrug efforts (1994–2000) mirrored that of his predecessors. Two years into his administration, Zedillo successfully arrested and extradited Gulf Cartel head Juan García Abrego to the U.S. in 1996 ([“Arrest not seen,” 2005](#)). Just one year later, however, Jesús Gutiérrez Rebollo, a top Mexican army brigadier general appointed by Zedillo, was convicted of drug and firearm trafficking, racketeering, and corruption. He was promptly sentenced to 40 years in prison, although, two presidential administrations later, a court would reduce Gutiérrez Rebollo's prison sentence and reinstate his

military title—a result of disintegrating anti-narcotic policies and a desperate desire to rescue the military's damaged reputation. ([Gómez Licón, 2013](#)). A month later, in 1997, Brigadier General Alfredo Navarro Lara became the second highest ranking military officer to be jailed on drug charges and attempting to buy off authorities ([Preston, 1997](#)). Zedillo followed a familiar procedure indeed: a humble collection of successes followed by the same pattern of predictable and “scandalous” arrests of some important right-hand men.

During the Zedillo administration, a leaked document ([Farah, 1999](#)) from the National Drug Intelligence Center described one of Mexico's most prominent political families as posing “a significant criminal threat to the United States” ([para. 13](#)). The document, first published by the Mexican newspaper *El Financiero*, alleged Carlos Hank González—a former Mexico City mayor and federal cabinet member under Salinas—along with his sons Carlos Hank Rohn and Jorge Hank Rohn used his businesses to move cocaine into the United States and laundered drug money. Carlos Hank Rohn was cited as a shareholder in Laredo National Bancshares (purchased by BBVA in 2008), while Jorge Hank Rohn held an important gambling concession in Tijuana and would later become PRI mayor of Tijuana.

“Several years of investigative information strongly support the conclusion that the Hank family has laundered money on a massive scale, assisted drug trafficking organizations in transporting drug shipments, and engaged in large-scale public corruption,” read the document, according to the *Washington Post* in its June 2, 1999, story ([Farah, 1999, para. 12](#)). The family “has begun to extend its interests from Mexico to the United States,” the document also said. “[It] has purchased or exercises control over several U.S. banks, investment firms, transportation companies and real estate properties” ([para. 3](#)).

The family—known as Grupo Hank—vigorously denied the accusations, which they said were politically motivated. Carlos Hank González cut a controversial course through Mexican politics. He became a billionaire while rising through the PRI ranks—starting as a schoolteacher and explaining his fortune with the infamous Mexican political maxim, “A politician who is poor is a poor politician.” The family actively fought the drug accusations. They hired lawyers ([Bergman, 2000](#)), including former New Hampshire Sen. Warren Rudman to lobby for the document's withdrawal. Eventually, then-Attorney General Janet Reno disavowed the document, saying in a March 21, 2000, letter to the Hanks' lawyers that the document “was beyond

the substantive expertise and area of responsibility of the NDIC [National Drug Intelligence Center],” according to the Associated Press ([Briscoe, 2000](#)).

In 2000, the victory of National Action Party (PAN) presidential candidate Vicente Fox (2000–2006) finally broke PRI’s 71-year grip on power. Fox’s election generated an ephemeral optimism about the government’s efforts to professionalize the police and military ([Chabat, 2010](#)). However, none of the several important drug arrests he supervised could counteract Fox’s image of institutional weakness nor vindicate him from rumors that PAN helped notorious drug boss Joaquín Guzmán Loera, commonly known as “El Chapo,” escape from prison ([McKinley Jr., 2005](#)). Suspicion surrounding the Fox administration continued to compound when the public learned that nearly a month after El Chapo’s great escape, Fox began to buy property and remodel his ranch despite starting his presidency with just “\$1,000 in the bank” ([Grillo, 2014](#)). Fox allegedly turned the proverbial cheek while the infamous Sinaloan cartel chieftain escaped in exchange for \$20 million in bribes ([Beith, 2011](#)).

Despite the efforts and achievements of these six presidential administrations, neither the volume of illegal drug shipments nor the power and influence of DTOs decreased ([Chabat, 2010, p. 5](#)).

Felipe Calderón: *Fragmenta y Controla* (2006–2012)

By the time PAN presidential candidate Felipe Calderón took power in 2006, drug traffickers were already controlling large territories across Mexico, increasing instability, and openly challenging the government’s authority ([Chabat, 2010, p. 6](#)). The 2,700 people who had been killed in DTO violence in 2007 more than doubled to 5,600 deaths in 2008, with no sign of slowing down ([Beittel, 2009](#)). In response to public pressure from his constituents, as well as persistent demands from the U.S. to take a harder stance against the violence, Calderón elevated the effort on the now-simmering war on drug cartels by launching Operation Clean House. This historic decision marked the last time the Mexican government took such drastic actions to eradicate drug cartels ([Brookes, 2009](#)).

The 2007 extradition of 15 major drug defendants, including Gulf Cartel boss Osiel Cárdenas ([Federal Bureau of Investigation, 2010](#)), and the 2008 arrest of kingpin Alfredo Beltrán Leyva of the Beltrán Leyva Organization (BLO; “[Former top cop nabbed](#),” 2008) were Calderón’s way of



Bush and Calderón commit to the Merida Initiative.

Source: *Hands Across the Border*, Politico, May 15, 2008 (<https://www.politico.com/story/2008/05/hands-across-the-border-010350>).

demonstrating that he would not tolerate DTO activity the way his predecessors had.

Calderón also accomplished what Salinas, Zedillo, and Fox never could in their polarized political environments—a profound reform of the Mexican judicial system that expanded the purview of preexisting law enforcement statutes ([Felbab-Brown, 2011](#)). These new proposals were especially crucial because, knowing that the legal structure left something to be desired, the existing laws that declared drug trafficking a crime worth prosecuting were near impossible to enforce ([Chabat, 2010, p. 10](#)). By strengthening existing state institutions and improving Mexico’s ability to enforce the law, Calderón provided an alternative solution to idly tolerating trafficking or combating the phenomenon with insufficient forces.

In 2008, U.S. President George W. Bush launched the Mérida Law Enforcement Initiative in response to Calderón’s request for more American security assistance in fighting transnational cartel operations ([Congressional Research Service, 2021](#)). The agreement represented a substantial diplomatic pivot for Mexico, which had long been wary of U.S. intervention in its affairs ([Sheridan & Sieff, 2021](#)). With U.S. backing, Calderón deployed the Mexican military against the cartels to an unprecedented degree.

Calderón’s “fragment and control” strategy of targeting kingpins, reforming the law, and partnering with the U.S. ultimately led to fractured cartels seeking to regroup and reorganize in the power vacuum left behind ([Miroff & Booth, 2012](#)). His militarized approach spurred violence

that resulted in 40,000 deaths toward the end of his term—leaving many American leaders wondering whether the strategy was not making matters worse. Representative Michael McCaul of Texas commented that he admired Calderón “for taking them head on, which is a very dangerous thing to do. He is the first president to ... do something about it ... [but it] seems to keep getting worse” ([Archibold et al., 2011, para. 11](#)). As a response to mounting skepticism, Calderón doubled down on his tactics in an impassioned speech in September 2011, declaring that “the only way to really put an end to this cancer is to persevere with this strategy” ([Hughes & Graham, 2011, para. 4](#))—“this” being his army-backed offensive.

The Mérida Initiative would end up costing the United States \$3.5 billion to date ([Congressional Research Service, 2021, p. 1](#)). The militarized anti-cartel initiative produced no effective return on investment in its primary aim to reduce violence in the streets. Although the Mérida Initiative was not expressly designed to fight institutionalized corruption, that phenomenon has not decreased since its launch, suggesting that the approach and implementation of the program were flawed since the beginning.

Operation Clean House struck at many figures close to Calderón. In November 2008, Calderón’s own drug czar, Noé Ramírez Mandujano, was arrested for taking \$450,000 in *monthly* bribes from BLO in exchange for leaking information on government drug enforcement operations (“[High-ranking officials accused](#),” 2013; [Malkin, 2008](#)). Mandujano’s arrest was an embarrassment to his own special investigations on organized crime unit. Calderón’s reputation also suffered, as he promised to distinguish his cartel-combating efforts from his predecessors by engaging in meticulous interventions with cartel criminals, but not necessarily members of his own government and law enforcement wing ([McKinley, 2007](#)). That same month, two high-ranking Mexican liaisons with Interpol were placed under arrest amid reports of information leaks to cartels (“[In drug inquiry](#),” 2008). Rodolfo de la Guardia and Ricardo Gutiérrez Vargas were part of a string of detained public officials in Operation Clean House ([Justice in Mexico, 2009](#)). In reaction to the surprise scandal, Calderón shifted his antidrug operations to his home state of Michoacán in 2009. There, his security forces arrested 27 mayors and other government officials for having ties to La Familia Michoacana ([Wilkinson, 2009](#)). The Michoacanazo occurred on the eve of the 2009 midterm election, drawing accusations it was politically motivated and targeting the political left. Detainees were eventually released within two years ([Ferreyra, 2015](#)).

Yet, such activity led some individuals, including Mexican law professor and organized crime expert Edgardo Buscaglia, to speculate that Calderón was selectively fighting the cartels. A 2010 analysis from NPR revealed that his government fought organized crime syndicates all over the republic *except* for the state of Sinaloa, which is home to El Chapo and the largest cartel of the state’s namesake in Mexico ([Burnett et al., 2010](#)). Concurrent leaked documents also revealed that El Chapo had informants at various levels of law enforcement and that the government was aware of El Chapo’s counterintelligence scheme ([Lacey, 2010](#)). Calderón denied the accusations of cartel favoritism, according to a *New York Times* article: “It’s absolutely false. I can state clearly that the government has attacked without favor all criminal groups in Mexico” ([para. 10](#)). Calderón’s detractors have pointed out, however, that of the countless arrests, other cartels have faced far more detentions than those associated with the Sinaloa Cartel. Later in 2012, two former army generals, a retired lieutenant colonel, and an active general were all charged with providing protection to the BLO cartel (“[Mexico hits 3 generals](#),” 2012). Thus, Sinaloa was not the only cartel that received protection after all.

Still, the most damaging act of the Calderón administration took place within a few weeks of Calderón assuming his role as president. Toward the beginning, Calderón assigned Juan Camilo Mouriño the responsibility of selecting the members of his presidential cabinet. As part of his diligent research to appoint a new secretary of defense for Calderón, Mouriño was informed by several Mexican army generals that Genaro García Luna—who was Mexico’s director of the Federal Investigative Agency at the time—had amassed an incriminating portfolio of corruption practices ([Murataya et al., 2013](#)). The generals warned Mouriño and wanted Calderón to be aware that García Luna protected a number of DTOs during the Fox administration. Despite the tips, Calderón appointed García Luna to the Public Security Secretariat, where he took on the title of “architect” of Calderón’s militarized approach to battling DTOs. Mouriño later died in a plane crash in 2008, which many speculated was an act of vengeance on the part of El Chapo because Mouriño was putting too much pressure on DTOs (Beith, 2010). However, the reason for the crash remains a mystery. To this day, the nature of the relationship between García Luna and Mouriño remains unclear, but where Mouriño allegedly stopped cooperating with cartels, García Luna continued.

Over the course of his decades-long career (including six years at a cabinet-level position), García Luna accrued a personal fortune that was “inconsistent with the salary of a civil servant in Mexico,” according to prosecutors who obtained his financial records ([Feuer, 2019b, para. 10](#)). He allegedly received millions in bribes from the Sinaloa Cartel and awaits what will likely be a historic trial in the U.S. in late 2022 ([Devereaux, 2021](#)).

Though it will be addressed in greater detail later in the paper, García Luna’s dramatic arrest in Texas exposed the vulnerability in Mexico’s legal system and compounded a growing resentment about what Mexico perceived as American overreach in their bilateral relationship. As the *New York Times* succinctly describes it, “what looked like justice to American prosecutors was perceived in Mexico as undermining an ally” ([Sheridan, 2020, para. 5](#)).

Calderón entered office with a bang and left with a whimper. The Calderón administration launched the modern war on drugs but relapsed into the timeworn government tactic of secretly protecting one cartel while cracking down on the others. With Mexico still in a state of drug warfare, Calderón handed off the presidency to Enrique Peña Nieto.

Enrique Peña Nieto: *Investigación Interrumpida* (2012–2018)

Upon taking office in 2012, Enrique Peña Nieto vowed to reduce violence but significantly curtailed Mexican cooperation with the United States almost immediately upon taking office. Where Calderón at least sought to combat police corruption by enhancing vetting protocols ([Congressional Research Service, 2013](#)), Peña Nieto’s law enforcement let 14,100 of 134,000 municipal police who failed their vetting exams keep their jobs ([Seelke & Finklea, 2017](#)). That number does not include the many senior officials who outright refused to participate in the same vetting procedures and polygraph tests since Peña Nieto entered office ([Center for U.S.-Mexican Studies, 2018](#)). By not honoring U.S. vetting requests for those involved in U.S.-Mexican joint task forces, the new president signaled a disinterest in basic mechanisms, and fundamental relationships, for combatting rising crime.

Peña Nieto’s big security promise was to create a gendarmerie to fight organized crime. But it was never properly supported by his administration and became part of the Guardia Nacional, under the succeeding administration, in 2019 ([“Se extingue la Policía Federal,” 2019](#)). Peña Nieto prioritized economic reforms that had stalled for more than



Demonstrators burn a photo of Peña Nieto at a protest to demand justice for the 43 missing Ayotzinapa students.

Source: Will Obama Press Mexico’s President for Answers on the Disappearance of 43 Students? Slate, January 6, 2015 (<https://slate.com/news-and-politics/2015/01/enrique-pena-nieto-will-obama-press-mexico-s-president-for-answers-on-the-disappearance-of-43-students.html>).

a decade, seeking to change the narrative from bloodletting and cartel conflicts to unleashing Mexico’s vast economic potential. His agenda won plaudits—and he was personally portrayed as a transformative figure, with *Time* magazine infamously publishing a cover story titled, “Saving Mexico” ([Moreno, 2017](#)). On the issue of security, Peña Nieto pursued a policy of silence—out of sight, out of mind. It seemed to work in the first year of his administration. But the silence was shattered by the rise of the *autodefensas*—self-defense groups in Michoacán ([Agren, 2014](#))—who armed themselves to fight off the predatory Knights Templar cartel.

While Peña Nieto faced similar basic levels of endemic corruption as his predecessors, his administration’s record is stained with two major events, both of which signaled a concrete end to meaningful governmental accountability—both toward ordinary Mexican citizens and toward the Mexican state’s putative partner in the United States.

The first event was the now-infamous 2014 Ayotzinapa massacre. In the middle of the night on September 26, a group of university students entered the city of Iguala to commandeer a convoy of buses for transportation to an upcoming protest in Mexico City. Unbeknownst to the students, those buses were carrying huge loads of heroin as part of a drug-smuggling operation—and the students unwittingly hijacked the cargo ([Kryt, 2021](#)). Later reports

According to Mexico’s National Search Commission, more than 99,000 people have gone missing since 2006. More than 80% of the disappearances occurred between 2006 and 2022 and “more than one quarter in the last three years.”

concluded that it was the municipal police and members of the military—at the direction of a local drug gang—who opened fire on the students, killing five and “enforceably disappearing” 43 more students ([Tuckman, 2015](#); [“Mexican president confirms,” 2021](#)).

Two separate teams of international forensic experts were “invited to leave the country” in the middle of their investigations upon independently verifying a catalog of failures by Mexican authorities during and immediately after the massacre ([“Two years on,” 2021](#)). For example, local law enforcement knew about the attack in real-time and deliberately chose not to act ([Tuckman, 2014](#)). As a result, there is no mechanism in place to ensure that those responsible are brought to justice. Peña Nieto’s official response to the international scandal signaled a downward turn in the government’s efforts to combat crime spawned by cartels. The botched investigation generated suspicion that Peña Nieto was trying to cover for the government’s lengthy record of human rights abuses ([“Mexican president confirms,” 2021](#)). The Peña Nieto administration naively relied on the Mexican public’s short-term memory to erase the scandal—but the Mexican public did not forget, and the administration eventually paid the price in the form of protest and plummeting public trust.

The Americas director of Human Rights Watch called the Ayotzinapa case the worst humanitarian crisis since the 1968 Tlatelolco massacre ([“Ayotzinapa: A Timeline,” 2015](#)). The similarity between the two tragedies is in the glaring lack of a proper investigation and allowing politically connected figures impunity. The Ayotzinapa massacre is widely considered to be emblematic of the country’s broader (and

oft-neglected) disappearance crisis closely associated with cartel violence ([Segovia, 2015](#); [Goldman, 2016](#)).

Although disappearances are not a new phenomenon in Mexico, they have risen exponentially in the context of the cartel war. According to Mexico’s National Search Commission ([2022](#)), more than 99,000 people have gone missing since 2006 ([Blust, 2022](#)). More than 80% of the disappearances occurred between 2006 and 2022 and “more than one quarter in the last three years” ([Brewer, 2022](#), [“When were Mexico’s 100,000 disappeared”](#)). Disappearances in Mexico differ from the traditional image of “enforced” disappearances perpetrated by a state against political opponents. Mexico’s version of this brutality is characterized by the combined intervention of both state and non-state actors—especially DTOs ([Guercke, 2022](#)). What compounds the severity of nearly all disappearance cases in the country, especially that of Ayotzinapa, is the persistence of impunity. Existing evidence and public and scholarly opinion converge to regard the state as guilty of attempting to hide the causes of the Ayotzinapa atrocity in part to protect the armed forces—the alleged antagonists working alongside the cartel ([Frausto & Castellanos, 2021](#)).

The Peña Nieto administration’s troubles compounded El Chapo’s escape from a federal maximum-security prison in 2015. The Sinaloan cartel leader had been in custody only since 2014. With public skepticism at an all-time high, a new reoccurring question in the media became whether top law enforcement knew about El Chapo’s conveniently well-lit and ventilated mile-long tunnel leading out of his cell ([Shoichet et al., 2015](#)). U.S. officials, too, did not contain their criticism, especially since they had demanded his extradition since his first escape in 2001—again, another squandered bilateral opportunity ([Perez & Gaynor, 2015](#)). One would think that El Chapo was the most closely watched criminal in the world. The prison warden was fired, and scores of Mexican prison officials were arrested ([“El Chapo’ Guzman escape,” 2015](#)), but Peña Nieto’s administration could not recover from the embarrassment of losing track of Mexico’s largest crime boss. It was doubly embarrassing that the then-attorney general refused to extradite El Chapo to face drug trafficking charges in a U.S. court, saying it might occur “about 300 or 400 years later” ([Associated Press in Mexico City, 2015, para. 3](#)).

El Chapo’s recapture in 2016 provided no political relief for Peña Nieto. After he was finally extradited to the U.S. in 2017, El Chapo’s 2019 trial proved one of the most damaging moments of Peña Nieto’s presidency. A key witness

testified that Peña Nieto himself accepted a \$100 million bribe from El Chapo. The bombshell testimony stunned the courtroom and the country, because it implied that corruption by drug cartels had reached the highest echelons of Mexico's political establishment ([Feuer, 2019a](#)). The veracity of the claim has yet to be confirmed, and the president vehemently denied any actions of corruption, but the rumors of Mexico's political elite and extreme criminal kingpins swept the country ([Grillo, 2018](#)).

The penultimate case of botched law and order under Peña Nieto surrounded the case of Ivan Reyes Arzate, a high-ranking commander in the Mexican Federal Police, who was found guilty of obstructing a DEA investigation on international drug trafficking and money laundering ([Northern District of Illinois, 2018](#)). Such damning reports came out just before Peña Nieto left office and represented the first time a high-level foreign law enforcement officer was held criminally accountable in a U.S. courtroom for interfering with a transnational organized crime investigation.

The *coup de grace* for Peña Nieto's administration came as part of the investigation of Emilio Lozoya, the former head of state-run oil company *Petróleos Mexicanos*, and his ties to the 2012 presidential campaign trail ([Montes & de Cordoba, 2020](#)). The new National Anti-Corruption System, originally inaugurated by the president himself in part as a response to Ayotzinapa, started as an earnest anticorruption campaign to conduct probes into government activity. Yet, the landmark anticorruption drive was deliberately blocked by the government's refusal to cooperate on some of the largest cases facing the nation ([Ahmed, 2017](#)). It was not until 2020, when Peña Nieto had already sheepishly exited the office, that Mexico decided to launch an investigation into any bribery scandal related to him. Lozoya was only put in pre-trial detention after being spotted dining in a posh restaurant ([Murray, 2021](#)).

The Lozoya investigation is still ongoing, and Peña Nieto awaits a verdict. Peña Nieto's infamous track record of stifling any government-backed investigations and perceptions of personally profiting from the presidency left him with an abysmal 18% approval rating and a heavily strained public presence ([Ortega, 2018](#)). Low public trust in the government's ability to conduct genuine investigations for the sake of public security (much less stable diplomacy) set the stage for Andrés Manuel López Obrador.

Andrés Manuel López Obrador: *Abrazos no Balazos* (2018–2024)

Synthesizing an objective analysis of Andrés Manuel López Obrador, the sitting Mexican president, is not straightforward. He is in year four of a six-year term. Between the stubbornly high homicide rate, sympathetic gestures to the Sinaloa Cartel, and the shocking arrests of General Salvador Cienfuegos and Genaro García Luna, more than enough evidence has already been provided to distill a clear and convincing pattern of political complicity, at best, with criminal-cartel operations.

In 2018, AMLO, as he is known, ran on a platform of amnesty for people involved in the drug war—delivering the promise in Mexico's heroin-producing heartland of Guerrero state. It was a step toward abandoning the Mérida Initiative and further promoting a famously soft-on-crime policy known as *abrazos no balazos*: “hugs, not bullets.” AMLO has doubled down on “hugs, not bullets” and rejected calls to change his security strategy. “No, we're not going to modify the strategy. The human being is not bad by nature: circumstances lead them to take the path to antisocial behavior,” he said ([Presidente de México, 2022](#)) on June 23, 2022, after the slayings of two Jesuit priests in their parish in the Sierra Tarahumara of Chihuahua state. “We believe in rehabilitation, and we do not think that people have no other destiny than to be eliminated.”

On October 8, 2021, Mexico and the United States agreed to the Action Plan for U.S.-Mexico Bicentennial Framework for Security, Public Health, and Safe Communities ([Bureau of International Narcotics, 2022](#)), which was promoted as a revised version of the Mérida Initiative. The action plan proposes “transforming our cooperation to better protect the health and safety of our citizens and promote the development of the most vulnerable communities in both countries, prevent criminal organizations from harming our countries, and pursue and bring criminals to justice” ([para. 1](#)). The action plan took effect in December.

Upon entering office, AMLO decided to send soldiers “back to the barracks” ([Sheridan, 2020](#)). But López Obrador has increasingly depended on the military and tasked soldiers and sailors with everything from building a new airport for Mexico City to public security tasks to running the country's seaports. Analysts say the number of confrontations between security forces and drug cartels has diminished since AMLO took office. The most



President Lopez-Obrador shaking hands with El Chapo's mother.

Source: *AMLO Defends Meeting El Chapo's Mother Amid Quarantine*, Mexico Today, March 30, 2020 (<https://mexicotoday.com/2020/03/30/amlo-defends-meeting-el-chapos-mother-amid-quarantine/>).

notorious example was soldiers being forced to release Ovidio Guzmán, son of El Chapo, after he was captured in Culiacán in October 2019. Sinaloa Cartel gunmen mobilized after the younger Guzmán's detention, taking soldiers hostage and threatening the families of military personnel (Tuckman, 2019). The Mexican president personally intervened to order Guzmán's release to the cartel.

AMLO says he ordered Guzmán's release in the interest of peace and preventing loss of life. One observer, Bishop Salvador Rangel of Chilpancingo-Chilapa in Guerrero state—who regularly dialogues with cartel bosses—said in a March 2022 interview with Catholic News Service that drug cartel leaders have interpreted the president's passivity as “a sign of weakness” (Agren, 2022, para. 16).

As a rough metric for the success of this measure, the homicide rate—a function of cartel turf battles—jumped from 33,000 in 2018 to 36,000 in 2020 (Maxouris & Gallon, 2019; “Mexico homicides remained,” 2021). In an attempt to increase centralization of AMLO's MORENA political party and reassert the impression that he could maintain control over domestic security, AMLO deployed a revamped 60,000-strong national guard to confront organized crime. Drug-related violence did not decrease (Semple & Villegas, 2019). Even AMLO's senior aides did not tiptoe around the phenomenon. As the aids described it in a bleak analysis, Mexico had been “transformed into a cemetery” (Sheridan, 2020).

AMLO's rhetoric and actions suggest a tacit accommodation, if not allyship, between the Mexican president and the Sinaloa Cartel. AMLO fails to condemn cartels in public—a notable omission given the vehemence of his language against his political enemies and groups raising complaints such as doctors, scientists, and artists—and he has made various gestures of sympathy toward El Chapo. In previous speeches, he doled out rhetorical air hugs to El Chapo and his family by decrying El Chapo's prison conditions as “inhuman” (Eschenbacher & Gutierrez, 2019). Other sycophantic signs toward the high-profile criminal include a curious public stunt where AMLO shook hands with El Chapo's mother and promised to help her visit her son in prison (Linthicum, 2020). While the rest of Mexico was instructed to adhere to strict public health COVID-19 protocols, AMLO's greeting failed to socially distance in more ways than one.

AMLO's approach to what is arguably his country's number-one predicament—and therefore his own number-one responsibility—was underscored by his reaction to the 2019 arrest of Calderón-era Secretary of Public Security Genaro García Luna on cartel-related corruption charges. According to the current Mexican president, the arrest signified not any enduring problem endemic to the Mexican state but a simple example of the corruption of his political rival. Calderón, of course, defeated AMLO in the close 2006 presidential election.

Ten months after García Luna's arrest, Mexico's former defense minister, retired General Salvador Cienfuegos, was arrested by the DEA at the Los Angeles International Airport for taking bribes in exchange for protecting cartels (Lopez, 2021). Cienfuegos, who served as secretary of defense under Peña Nieto, was accused of assisting the nascent H-2 Cartel in moving thousands of kilograms of cocaine, marijuana, heroin, and methamphetamines into the U.S. The evidence put forth by American prosecutors included confirmation that he was indeed the shadowy, powerful “El Padrino” figure and key H-2 contact whom the DEA had been trying to identify for months (Ahmed & Feuer, 2020). Other sources added that Cienfuegos ensured “military operations were not conducted against the H-2 Cartel” and “initiating military operations against its rival drug trafficking organizations” (Janowitz, 2020). The Nayarit state prosecutor at the time, Edgar Veytía, was arrested on drug trafficking charges upon entering the United States in 2017 (Agren, 2017). He presided over an astonishing drop in crime, which appeared promising on paper but was proven fictitious. Veytía, a dual U.S.-Mexican

citizen, was convicted in 2019. Prosecutors said at the time, “Veytia used his position as the top law enforcement officer in the State of Nayarit to assist and sanction the [H-2] cartel’s operations in Mexico, in exchange for bribes on a monthly basis” ([U.S. Attorney’s Office Eastern District of New York, 2019, para. 8](#)).

Mexico and AMLO himself demanded that the U.S. hand back the general. The U.S. begrudgingly complied, reasoning that “sensitive and important foreign policy considerations outweigh the government’s interest in pursuing the prosecution of [Cienfuegos]” ([de Cordoba & Luhnnow, 2020](#)). Upon Cienfuegos’ return, the Mexican government dropped all drug-trafficking and corruption charges against him. The Mexican state’s—and the Mexican president’s—deliberate blind eye to the body of evidence collected by U.S. agents on Cienfuegos is a textbook case of government complicity in cartel-related corruption.

Mexico’s federal prosecutor decided against charging Cienfuegos, saying the case lacked evidence and that the general never met with the cartel he was alleged to have been protecting ([Fiscalía General de la República, 2021](#)). Analysts say the AMLO administration’s quick actions in defense of Cienfuegos showed its dependence on the Mexican military for carrying out its political agenda ([Montes & Luhnnow, 2020](#)). AMLO has tasked the defense secretariat (SEDENA) with everything from building and operating airports to overseeing the Guardia Nacional to distributing gasoline. He’s asked the Navy Secretariat (SEMAR) to operate ports and customs and even organize tourist expeditions to the Islas Marías, a former prison island ([Rodríguez, 2022](#)). He refers to the army as the “pueblo uniformado”—the people in uniform—and speaks of soldiers as a synonym for honesty.

In the aftermath of Cienfuegos’ escape from justice, Mexican lawmakers passed legislation to curb the operations of foreign agents—targeting specifically the DEA—within Mexico as retaliation for American anti-cartel and anti-corruption efforts ([de Cordoba & Perez, 2020](#)). The new law mandates that “all Mexican officials [at every level] report to the federal government every phone call, meeting,

Criminal organizations continue to commit brazen acts of violence, threaten citizen security, and undermine governance in both Mexico and, increasingly, the United States.

or any other communication with foreign law enforcement” ([Felbab-Brown, 2020](#)). It sends a not-so-subtle message to the U.S. that the Mexican government intends to curtail bilateral cooperation. Reuters ([Jorgic, 2022](#)) later reported in April 2022 that AMLO shut down an elite anti-narcotics unit, which worked closely with the DEA for 25 years. AMLO later insisted the unit, which helped capture El Chapo, was infiltrated by drug cartels.

Conclusion

The actions and inactions of the Calderón, Peña Nieto, and López Obrador administrations demonstrate that the Mexican state is plagued by a perennial problem of, at best, ineffectiveness against criminal cartels—and at worst outright complicity with them.

Criminal organizations continue to commit brazen acts of violence, threaten citizen security, and undermine governance in both Mexico and, increasingly, the United States. Moreover, they increasingly supplant the legitimate sovereignty of the Mexican state with their own—often in cooperation with major elements of that state. The qualitative difference since 2018 has been the near-open role of the current Mexican president in allowing, and *perhaps even participating in*, that cooperation. It is a new scenario that demands new solutions from U.S.-side policymakers, who must understand that the Mexican state as a meaningful partner against criminal cartels is likely a thing of the past. Those solutions and ideas will be subjects of other Texas Public Policy Foundation research publications. ★

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