

ARTICLE

Fighting a Lost Cause

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This essay claims that the declared war on drugs has failed, it has caused more harm than good, and that a new approach is necessary. The focus of analysis lays especially on the implemented drug policies of Mexico and the United States. The goal is to point out the flaws of the current policy based on prohibition and persecution by analyzing its origins and comparing the current approach with the failures of the alcohol prohibition in the 1920s in the United States. One of the main points therefore discussed is that suppression and prosecution by state authorities create a black market that is too profitable to abandon and as a consequence cause the devastating dynamics of the drug war, leading to destabilization of the region, an undermined state and human losses. In conclusion, any escalation will only lead to a new circle of violence with the local population in the crossfire.

The essay further explains in greater detail the effects of the drug war on the population and how recent economic policies, such as the implementation of the North American Free Trade Agreement, have involuntarily created a new pool of recruits for the cartels and the narcoeconomy, where the income of regular people depends on the cartel's fortune. Furthermore, the cultural effects on the population are described and analyzed. The conclusion is made that the legalization of narcotic drugs could offer a solutions to problems such as violence and corruption by eliminating the black market.

Keywords: Citizen rights; International relations; Intervention policies; Corruption; NAFTA; Drug Policy; Legalization

Fighting a lost cause – why the war against drug needs a new approach

Since 50 years the USA are fighting the war on drugs. Ever since progress has been barely made. Cocaine demand has recovered after a decline in the 2000s throughout Western Europe and the Americas and the market has expanded to Africa and Oceania (UNODC, 2014). The number of users worldwide has increased when comparing the numbers offered by the United Nations Office on Drugs and Crimes (UNODC) in 2010 and 2014 from an estimated 250 Million to 324 Million people aged 15–64 (UNODC, 2010; 2014). Countries at the forefront of the global drug war are confronted with a shattered civil society riven by corruption, violence and uncertainty. Latin America bears the brunt for the prohibitionist policy started by the United States.

Origins

In 1961 the United Nations published the Single Convention on Narcotics, forbidding the trade, production, and sales of drugs, like cannabis, cocaine and heroin (United Nations, 1961) 184 countries have signed the treaty agreeing to collaborate to put an end to the global drug trade and the illegal use of narcotics. A decade later US-President Richard Nixon declared the war on drugs and swore to

act hard on drugs. Domestic policies toughened the legislation on drug-related crimes, while internationally the Drug Enforcement Agency (DEA) started operating in producing countries, such as Colombia, to destroy production facilities, eradicate marihuana and coca fields and chase and arrest the masterminds of the drug trade. The agency started with a budget of \$65 Million and 2,775 employees. In the fiscal year 2014 the DEA's budget and staff blew up to \$2,882,104,000 Million and 11,055 employees (DEA, 2015). What has led to agency's expansion? The money spent every year has been on the rise almost in every year, how come that the situation does not get better? Maybe it is time to take a new approach. It would not be the first time in history.

Lifting the alcohol ban

Prohibition does not solve a problem. Banning the sales and distribution of every kind of alcohol just gave rise to criminal syndicates and smugglers. A black market emerged needing supply, giving rise to a decentralized, uncontrollable structure of supply, demand and consumption. The anti-alcohol movement started in the 1830s led by the middle and upper class that was concerned about the drunkenness of the work force. Supporters saw alcohol as a highly addictive substance that destroys the moral character of a person, similar to the perception of heroine nowadays. Alcohol was used as the scapegoat for all its associated social problems, including poverty, unemployment, crime and violence. Logically, banning alcohol

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from the shelves was the solutions to the issue (Levine & Reinerman, 2004).

In 1920 the efforts of the Anti-Saloon-League paid off. After years of lobbying, congress passed the War Prohibition Act, banning the manufacture of any kind of alcohol with more than 2.5 Percent. Prohibitionist promised paradise on earth, a place with no tears, no poverty, where children laugh and women smile (Kobler, 1973). It is important to mention that the ban of alcohol was never a public health campaign, advocates were moral utopist desperately trying to create a better world, but they were to be disappointed. Smugglers, rum runners, and new shady manufactures filled the gap and provided the population with adulterated and sometimes poisonous alcohol to save costs. Banning alcohol resulted in creating a public health problem. The promise of prosperity and social peace and harmony never came into life, instead the US was hit by the monetary crisis in 1923 and the Big Depression in 1929. Soon public opposition was formed and pressured the government to repeal the law, leading with the argument that the lift would create urgently needed jobs in times of crisis. Between 1933 and 1934 every state dismissed the prohibitionist legislature and formed agencies controlling and regulating the manufacturing and selling process of alcohol (Levine & Reinerman, 2004).

The similarities to the war on drug is alarming. With alcohol being produced underground the government has not only given up any kind of control over the market to the illegal producers, but the ban resulted in the provision of qualitatively worse and harmful alcohol. The brutal crackdown on cocaine and other heroine has led to an increased consumption of methamphetamines or widely known as Chrystal meth what has been referred to as the “poor man’s cocaine”, as the Adam Smith Institute lays out (Feeney, 2011). Chrystal meth is not a new drug, its origin dates back to Nazi Germany where it was used as a stimulant, but now lives a “renaissance” since it can be cooked in somebody’s kitchen with ingredients bought in the local supermarket. The fierceness of the war on drug and the rise of Chrystal meth and other cheap drugs, such as Crocodile, are directly correlated and are a symptom of a failed policy. History repeats itself, but while the anti-alcohol movement was driven by moralism and the desire of an utopist society the question need to be asked: What motivated the ban of all kinds of stimulant substances?

History of the ban on drugs

Until 1909 consumption and distribution of cannabis, opium, and cocaine was legal in the United States and companies such as Bayer sold heroin along with aspirin, readily available in every pharmacy. Opium was the first to get banned from market. The drug was foremost used by Chinese migrants. In 1914 the Harrison Act forbid every non-medical use of substances like cocaine, heroin, or cannabis. On international level US officials pushed other countries with the Geneva Opium Convention in 1925 to punish the cultivation and distributions of substances declared as illegal. Marihuana followed in 1937 being made illicit with the Marihuana Tax Act (Redmon, 2013).

With the distribution of Cannabis and other drugs being prohibited in the US, Mexican drug traffickers filled the gap and provided the American market. Mexico’s border cities developed into a Mecca for drug traffickers and America’s demand was still fulfilled. The ban of marihuana was also enacted in Mexico since 1927 creating the Federal Narcotics Service (FNS) under pressure of US-government. Several years later, despite the ban, the head of the FNS, Doctor Leopoldo Salazar Viniegra, tried a different approach. He believed in harm reduction and in a policy based on public health. “It is impossible to break up the traffic in drugs because of the corruption of the police and special agents and because of the wealth and political influence of some of the traffickers” (Redmon, 2013, para.16).

With his liberal approach he was put on a collision course with his adversary in the United States. Harry J. Anslinger headed the Federal Bureau of Narcotics and was one of the main advocates of a fierce drug policy. He made it his personal crusade to eradicate all kind of drugs. Anslinger’s believes were based on racism and fear against migrants. Drugs users were seen as criminals, which had to be put into jail and not into a clinic. When Mexico opened clinics to help addicts, Anslinger was alarmed. Jose Siurob, Chief of the Public Health Departments, pointed out the success of the program, but Anslinger stayed stubborn. “If drug addiction is an evil habit – and who will say it is not – it should be rooted out and destroyed”, he said to Siurob in a meeting (Redmon, 2013, para. 23). In the end Mexico had to give in, and thereby Anslinger and his views of prohibition would define future drug policies for the upcoming decades.

The human cost of the war on drugs

Anslinger oversaw in his quest to ‘root out an evil habit’ a simple rule of market economics. Where is demand, there is supply. It is nearly impossible to break up the trafficking of drugs. Prohibition has primarily the effect of keeping the prizes high, yielding huge profits for drug cartels. Currently, Mexico is the country most affected by drug violence. Since President Felipe Calderón announced the war on drugs in 2006, sending soldiers, marines and police men to fight a war against the Narcos. For Calderón drugs are not a health problem but an issue of national security problem. Now nine years later the policy can be declared as failure. The population finds itself in the firing line, military and police force are guilty of being involved in committing human rights abuses, as documented in the case of Ayotzinapa where 43 students were disappeared (Oyarvide, 2011).

In six years approximately 70,000 have been killed (some estimate the number even higher), a quarter of a million have been displaced (Redmon, 2013). Sending the military on the streets has had devastating results: human rights have been violated, the balance of power between the state and civil society has been shaken, impunity of crimes, and the rise of paramilitaries to mention a few (Oyarvide, 2011; Kermodé, 2015). President Calderon deployed 36,000 soldiers to nine starts to fight the war on drugs. 7,000 alone to the border city Ciudad de Juarez,

where in 2013 “only” 530 homicides were registered – what is an improvement compared to the 1,900 homicides in 2011 (OSAC, 2014). The politics of repression have been criticized by academics and scholars throughout Latin America. The Latin American Commission on Drugs and Democracy demands a paradigm shift, calling for a change of policies from repressive strategies towards a health-based approach where drug addicts are treated as patients not as criminals (Latin American Commission on Drug and Democracy, 2009).

Narcoeconomics – consequences of a war

Research by Robles, Calderon, and Magaloni (2013) has shown the effect of violence caused by drug trafficking activities and only marginal increases in violence: the Society suffers economically and social life comes to a halt, labor participation declines, and less businesses are being opened. Those who had businesses, those with the capacity to stimulate the local economy and create jobs, have closed out of fear of extortion or kidnapping. The results are not surprising, but nevertheless alarming. What it means to society, to the individual, to live in a constant state of fear and anxiety, with no perspective for a better future can hardly be measured.

In Luis Estrada’s movie “El Infierno (The Hell)” main actor Benjamin “Benny” Garcia returns to his home town after years of absence. Trying to start from scratch, he quickly figures that a lot has changed. The Narcos control everything, the police is on their payroll as well as the mayor. Finally he decided, that the only way to make a living is to work for the same people he detested so much in the beginning. His previous skepticism faded, when the cash started to come in. Deeper and deeper Benny gets involved with the drug trade until he finds himself in a spiral of never-ending violence. The movie captures the reality in rural parts of Mexico. One scene gives a deep insight look in society’s attitude towards the “narcoeconomy”. Benny helps his father-in-law to build up a business. Although he knows where the money comes from, he gladly accepts it. He knows it is morally wrong, but there is no other alternative. Narcos have become the pivotal element to stimulate the local economy of most village communities.

In his investigation McDonald, 2005 affirms, what the movie displays. What he described, could directly derive from the movie’s script. “For now, the narcoeconomy in Buenavista has created a heavy silence, resigned acceptance, and on-going routinization (McDonald, 2005, p. 123). The town receives huge private investments, new jobs in the service sector are created, since Narcos need to have contact with the outer world to do business. Narcos have a very lavish way of life, what causes bewildering among most villagers. Deep inside they fear, that with the Narcos violence will come along. Left alone by the state, their only chance is to peacefully coexist or to become one by themselves.

According to McDonald young men in rural Mexico face three decisions. They can become farmers like their fathers. Living a simple life of modesty, but far away from wealth and prosperity. They can migrate to the United

States, work there and hope to get the citizenship or to make enough money to send remittances and build a secure existence. Another way is to join the Narcos, trying to accumulate huge wealth in a short amount of time. The lucky ones make a fortune and survive the drug war. The unlucky ones fall by the wayside, becoming just another victim, another number, in the reckless whirl of violence seizing Mexico.

NAFTA – creating an endless recruitment pool for cartels

When NAFTA (North American Free Trade Agreement) became effective in 1994, the leaders the US, Mexico and Canada proclaimed consensually that the economy will be stimulated and growth and prosperity will thrive. So far inequality and poverty have been growing throughout Mexico and the country has one of the highest Gini-Index in the American hemisphere with 48,2 in 2012 (OCDE, 2015). The Mexican agricultural sector has been especially hard hit by the reform. A 2003 governmental report came to the conclusion that the indicators, such as unemployment, poverty, malnutrition, and insecurity in the income distribution, have been deteriorating since the reforms were implemented (Sandoval de Escurdia & Muñoz Richard, 2003). The magazine “La Jornada” reported based on a governmental report that from 1991 from 2006 4,9 Million jobs in agriculture or 50 Percent have been eliminated, while at the same time investment in new technologies has been decaying (Garduño, 2008). While trade barriers were lifted and the government allowed the entrance of transnational food corporation, Mexican farmers were made superfluous.

In 1970, it is estimated that 50,000 men worked for the illegality. Nowadays this figure amounts to approximately 500,000 people that directly or indirectly employed, working as farmers, security guards, spies, or drivers (Redmon, 2013). NAFTA caused the privatization of a huge stake of Mexico’s economy and since capital was allowed to flow freely, international companies did not hesitate to make use of Mexico’s lax labor laws. Those who got a job in the new economy, cannot consider themselves the lucky ones. In the notorious “Maquiladoras”, the textile fabrics across the border, workers earn six dollars a day. According to Redmon (2013), they more vegetate than live. Working for the Narcos became an attractive source of income for many wanting to make a decent living.

The dynamics of the drug war

When Felipe Calderon started the war on drugs, the US supported him with the Merida Initiative. With a \$1.9 Billion plan US forces train Mexican units in counterterrorism techniques. Unfortunately, they are fighting a losing battle. With every strike against major drug cartels, whenever a leader of an organization gets killed or arrested, the cartel, previously held together by his authority, splits up into smaller groups that end up fighting for territory and power (Duff & Rygler, 2011). The drug market is too lucrative to let go, estimations range from \$35 Million to \$45 Million annually with a profit margin of 80 Percent. Looking for new sources of income, the cartels

have “expanded” their operating fields. While previously only focused on moving drugs, now they are dedicated to extortion, kidnapping, arms trade, and human trafficking. The Mexican army along with the DEA is fighting a hydra, for every head that gets chopped off, two or even more grow back and soldiers get tired of this never-ending fight.

Cartels have long undermined the state’s power by paying off police officers and government officials. The issue has always existed, but since the intensification of the war, corruption has reached new levels. In 2008, then-president Felipe Calderón’s own drug czar, Noe Ramirez, was charged with receiving monthly \$450,000 in bribes. From the senior officials the chain of corruption cascades down. According to the New York Times, Mexico’s secretary of public security, Genaro García, speculates that the cartels spend more than \$1 Billion yearly to bribe the municipal police, not even the highest ranks of the chain of command (Keefe, 2012). The recent case of “El Chapo” Guzman has repeatedly illustrated the difficulty to hold Narcos accountable. When being recaptured after a ten-year flight, he literally bribed his way out of prison. Viniestra warned the Mexican public 75 years ago, now the monster he tried to stop, happened to control society. The weakness of the public institutions, the susceptibility to take bribes of officials and the devastating political reforms pushing more people into poverty have made it impossible for Mexico to find a way out of the current tragedy.

Conclusion

After 40 years of fighting Nixon’s war on drug the results are devastating. Consumption has not decreased, quality has not worsened, and the tough laws of prohibition have led to the rise of even cheaper and more easily available drugs. In the meanwhile Mexico bears the brunt of a drug policy based on repression, while its society corrodes. The death toll keeps rising and impunity is the rule not the exception. Economic reforms have eliminated jobs, leaving a vast amount of impoverished people. Drug cartels filled the gap the state has left behind.

Unemployment, corruption and crime have given birth to a society, where joining the drug business offers a solution to achieve the dream of living a better life, a life in dignity. Mexico’s youth do not want to put their life on the line. But they cannot change being denied more opportunities. They cannot change being born in a social class, where the one way to escape poverty is to become a Narco. They cannot change their powerlessness in the face of the overwhelming corruption and violence. They cannot change the economic or political system. And to the system they will always remain the same – the poor, the forgotten, the faceless workers in the sweat shop, or just another victim swallowed up by the never-ending war on drugs.

Politics of prohibition have failed. Nothing has been achieved. An old saying says: “If you cannot control it, tax it”. This is what happened in the 30s with the alcohol ban. Legalizing the production, distribution and sales of drugs like cannabis, cocaine and heroin gives control back to the state. Legalization eliminates the business

basis for the cartels. The state will have control over the quality and quantity of the product, fulfilling its obligation to take care of the public’s health. No more extortion, no more kidnapping, no more homicides. Critics point out, that the legalization of drugs would send out a message that drugs are good. To the contrary, it sends out the message that everybody is given the right to make a choice on their own. It sends out the message that the society is capable of dealing with an issue in a civilized way without waging war and wrecking up whole societies. Recently Ex-president Calderon said, that legalizing drugs will not solve the problem. Cartels will strike back with more extortion and more kidnapping in order to make up for the lost revenues. He might have a point. But after years of failure it is on time to try a new, unconventional approach. Because, how much worse can get it get?

Competing Interests

The author declares that they have no competing interests.

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