

Why decriminalizing drugs is the only fix for Mexico's 'Murder City'

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Police, Army and paramedics stand next to a pick-up truck with the bodies of two men.

Christiann Davis/AP

Where else in the world do they have a single noun to denote a man who turns up dead in the trunk of a car?

In northern Mexico, they call the wretch *un encajuelado*, and the phenomenon has become a sufficiently frequent feature of the local landscape that it merits a word all its own.

Meanwhile, as if killing were not bad enough, beheadings have become a morbidly common feature in battles among the region's drug gangs, often recorded on video.

In all, more than 20,000 Mexican lives have been sacrificed in drug-related violence since December 2006, in a conflict pitting federal authorities against the drug traders or the drug traders against each other.

Many of the gang leaders have been jailed or killed. But the *narcotraficantes* are definitely still in business, still sporting garish gold jewelry, still driving around in new SUVs, listening to bouncy, polka-like music called *narcorrído*, still supplying 90 per cent of the U.S. market for cocaine, with estimated annual revenues of, by one conservative estimate, somewhere between \$15 billion and \$23 billion.

“This is a war you can’t win,” says Carlos Dade, executive director of an Ottawa-based think tank, the Canadian Foundation for the Americas, or FOCAL. “That’s pretty much the consensus throughout the region.”

Is the war, then, over? Has the time finally come in the international campaign against drugs to put down the guns, admit defeat and simply legalize the lot — cocaine, heroin, marijuana, you-name-it?

The Economist magazine says so. The same goes for Peruvian novelist Mario Vargas Llosa, not to mention University of Toronto Latin America expert Judith Teichman.

“The only way you’re going to reduce the violence and corruption is by legalizing the drugs,” says Teichman. “You can’t conclude anything else if you know what you’re talking about.”

American writer and journalist Charles Bowden agrees. He has recently written a searing account of life and death in Ciudad Juarez. Published last month, *Murder City* portrays a stricken community of 1.3 million people who witnessed 2,600 mostly drug-related homicides last year alone, a place where killers roam freely and everyone else is afraid.

Bowden calls on Washington to legalize narcotics as the only means of reducing the carnage.

Editors of *The Economist* have long taken the same view, albeit with heavy hearts, calling legalization “the least bad” of the mainly dismal choices available.

“It’s absurd to declare a war when the drug cartels have already won,” argues Vargas Llosa in an article originally published this past January in the Lima newspaper *El Comercio*. “(The drug cartels) are here to stay.”

They certainly seem to have taken up something akin to permanent residence in Mexico, where the government of President Felipe Calderon, acting with U.S. encouragement and financial support, has adopted exactly the course Vargas Llosa counsels against, declaring war against the drug traders and unleashing the army along with the federal police in a do-or-die battle.

Now, three years and billions of dollars into the fray, Mexico's drug-related carnage continues to mount, while large swaths of the country have slithered from government control and the once-respected Mexican armed forces have been dragged into disrepute.

"We have failed," says Ricardo Soberon, director of the Drugs and Human Rights Research Centre in Lima. "The war should stop right now."

Increasingly, political leaders in Latin America are coming to the same conclusion. Many of them, if they are not calling for the outright legalization of cocaine and other drugs, are at least pushing for a dramatic shift in strategy, focusing more on reducing the harm drugs do than on prohibiting their supply.

Last year, the Argentine supreme court declared it unconstitutional to prohibit the possession of marijuana for personal use. Ecuador has taken to pardoning small-time drug traffickers. And Mexico has removed criminal penalties in cases involving possession of small amounts of narcotics.

Not long ago, three former Latin American presidents — one each from Brazil, Colombia and Mexico — issued a report saying current drug policies have failed. They called for a new, less hidebound approach.

"You can't stop the drug trade," says Soberon. "You could reduce it. We have decided it is better to talk about decriminalization. The Merida Initiative is not working."

The Merida Initiative is the name given to an agreement signed in 2006 by the Mexican president and George W. Bush, who was then his U.S. counterpart. It was essentially a declaration of war.

Under the plan, Washington committed to supply Mexico with \$1.3-billion worth of helicopters, police training and other assistance in what was to be an all-out assault on the drug trade.

But the initiative paid little attention to reducing demand for drugs, an appetite that is still primarily a Made-in-America phenomenon and one that seems to be all but inexhaustible. According to the United Nations Office on Drugs and Crime, U.S. cocaine consumption represents more than 40 per cent of the global total.

When it comes to illegal intoxicants, it seems, the market trumps helicopters every time — a stubborn asymmetry that imperils both lives and states.

In Mexico, the combined impact of drug-induced bloodshed, corruption and terror has gutted the corridors of government authority in many regions, particularly along the northern border with the United States, leading some U.S. observers to anguish over the likelihood their southern neighbour, or its civic institutions, might essentially collapse.

That's going too far, says Ray Walser, a senior policy analyst at the right-wing Heritage Foundation. "But you can see a degradation, a feudalization, of political structures. The role of the state is being degraded."

The miserable paradox for Mexicans is that their country is being made to suffer mainly on account of a drug — cocaine — that Mexico does not produce. All of the cocaine that transits Mexico en route to the United States (or Canada, or elsewhere) is produced in South America, primarily in Colombia. At the same time, the deadly firearms that have transformed parts of Mexico into a kind of war zone are not of local origin, either. The immense majority of these weapons are smuggled into the country from the United States, mainly because Mexico has strict gun-ownership laws, while many American border states do not.

"White powder flows north," says Dade in Ottawa. "Black powder flows south."

No wonder Vargas Llosa, the great Peruvian writer, has despaired of victory in this conflict.

"It doesn't matter how many kingpins and outlaws die or are imprisoned or how many consignments of cocaine are captured," he argues. "The situation will only get worse."

The only answer, he says, is to legalize the stuff, then tax it and carry on — the same course taken when Prohibition was revoked in the United States in 1933 following more than a decade of failed attempts to ban the consumption of alcohol.

Others do not go quite this far, but there is now broad agreement in Latin America that the war on drugs has been lost, that it cannot be won, and that new and different strategies have to be tried. Washington seems to be taking note.

U.S. Secretary of State Hillary Clinton seemed to acknowledge some of the shortcomings of current U.S. drug policy during a quick visit to Mexico in March, and yet guns, helicopters, and prohibition continue to dominate the U.S response.

Maureen Meyer, a Mexico expert at the Washington Office on Latin America, says making drugs legal won't bankrupt the Mexican cartels. Roughly half their revenues, she says, come from other sources, including kidnapping, prostitution and human trafficking, and would not be affected by changes in drug laws, however extreme.

But the most formidable obstacle to the course favoured by Vargas Llosa, *The Economist* and others, lies in politics.

The question, for Washington, is not whether the legalization of drugs would provide an effective solution to an otherwise intractable problem. The question is: even assuming such a course would work, who is going to promote it?

Given the present poisonous political climate in the United States, it is difficult to imagine a Democratic White House advocating a set of policies that could be depicted by Republicans as serving the interests of crack addicts.

Marijuana is one thing, says Walser. In fact, a California referendum this fall will ask residents whether they want to legalize pot. But harder drugs are a vastly harder sell.

"Politically, you've got a long way to go on cocaine and heroin," he says. "That is beyond the political pale. That is a discussion that is generations away."

Meanwhile, the death toll mounts in Mexico.