

# No end in sight: a century of drug wars

by Mónica Serrano



*A Mexican drug enforcement agent destroys poppies in a field in the southern state of Guerrero. (MATIAS RECART/AFP/GETTY IMAGES)*

**T**he United States has long played a key role in the set of policies that, for over half a century, have sought to eradicate illicit drug-trafficking and that have long been associated with the notion of the war on drugs. Today, as the governments of the United States and Mexico revisit the terms of their security and counter-narcotics cooperation, the concept of the war on drugs is again at the center of bilateral and regional political debates.

The chain of operations, campaigns, and plans that have been at the heart of successive wars on drugs in Latin America have failed to curb the cultivation, production, trans-shipment, and sale of illicit drugs in the U.S. drug market and increasingly, too, in Latin America. Since 1982, when President Ronald Reagan declared the second U.S. war on drugs and increased

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*U.S. President Donald Trump speaks in the White House press briefing room flanked by Attorney General William Barr (3rd L), Defense Secretary Mark Esper (3rd R), Chairman of the Joint Chiefs of Staff Gen. Mark Milley (2nd R), National Security Adviser Robert O'Brien (2nd L) and Chief of Naval Operations Admiral Michael Gilday (R) April 2020 in Washington, DC. (WIN MCNAMEE/GETTY IMAGES)*

the budget for narcotics control, in turn intensifying interdiction along the U.S. borders and expanding eradication and law enforcement in transit and source countries, a number of ill-fated regional trends became visible. First, throughout the region the military's involvement in drug-control efforts continuously expanded. Second, as interdiction and control at the source tightened, the incentives to bolster supplies multiplied and conflicts surrounding drug trafficking both between criminal actors and state authorities and among criminal organizations intensified. Third is the escalation of drug-related violence, from Colombia and Mexico, to Central America, to the more recent drug-related deaths in the city of Rosario, Argentina—where the drug trade has pushed the homicide rate up and in the first week of September 2021 was behind six assassinations in less than 24 hours. Fourth, the transfer of massive, never-ending illicit rents made possible the growth of powerful criminal organizations with a capacity

to infiltrate and/or dominate government institutions in countries across the region. When drug-related corruption has not guaranteed the conditions needed to conduct illicit business, drug cartels have shown their readiness to resort to ever more violent forms of behavior. Whether in Colombia, Central America, or Mexico, the effects of drug wars on chronic, unbridled violence and

widespread predatory criminality have emerged as important drivers of internal forced displacement, and increasingly of undocumented migration and asylum petitions to the United States.

Although under the Obama presidency there was talk of dropping costly repressive counter-narcotics policies, during the Trump administration the sounds of the war on drugs again resonated. In early April 2020, flanked by Secretary of Defense Mark Esper, the Chairman of the Joint Chiefs of Staff General Mark Milley and Attorney General William Barr, President Trump launched a hemispheric operation aimed at terrorists and drug cartels involving the Southern Command and 22 regional countries. The logic of war was also reaffirmed by those voices within the Trump administration claiming linkages between drug-trafficking and terrorism. More recently, the Biden administration has also made gestures toward moving beyond the war on drugs. Although Mexico's López Obrador government has been a significant force behind these changes, the explanation for the shift goes beyond the U.S. southern neighbor. What is at issue here is the dismal record of five decades of punitive drug control strategies.

## The rise of prohibition and the International Drug Control Regime in the Americas

**T**he cultivation and consumption of narcotic drugs have long been part of the culture and history of some Latin American countries, particularly Bolivia, Mexico, and Peru. But the emergence of these and other regional countries as exporters and significant players in international illicit drug circuits has been closely associated with the rise of the drug prohibition norm and the gradual consolidation of the International Drug Control Regime (IDCR).

The IDCR can be traced back to the 1909 Shanghai Opium Convention, the 1912 Hague Opium Convention, and a set of inter-war treaties and conventions that together established the principle

of international drug restriction. Since then, this principle has sought to demarcate the boundaries between legitimate production and use (i.e. for medical and scientific purposes) from illicit supply and production. As a centralized, uniform, and comprehensive global drug prohibition system, the regime only consolidated in the second half of the 20th century around three main instruments: the UN 1961 Single Convention on Narcotic Drugs (amended in 1971 and 1988), which by amalgamating eight existing international treaties and conventions reaffirmed the restrictive supply control impetus of the inter-war period; the 1971 Vienna Psychotropic Conven-

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tion aimed at expanding restrictions to synthetic drugs, such as amphetamines, barbiturates and psychedelics, and the 1988 Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances.

The consolidation of the IDCR in the postwar period, now backed by U.S. enforcing power, coincided with a more complex context. Drug supplies, trafficking routes and consumption exploded, and powerful and violent drug organizations, soon to be identified as drug cartels, also entered the scene. Although a combination of factors was behind this trend—an upsurge in consumer medical and non-medical drug demand, the spread of fashionable illicit drug cultures, and geopolitical forces associated with both decolonization and Cold War politics—the regime itself proved to be a major factor.

Thus, in the postwar decades, as critics had anticipated, the steady expansion of the illicit drug trade was in no small part the result of the “workings of the regime itself.” Through various mechanisms the regime greatly incentivized actors to participate in the now global illicit trade. As the UN 2008 *World Drug Report* belatedly acknowledged, the presence of international controls unavoidably entailed the emergence of “extremely problematic” illicit markets. Referring to them as “unintended consequences,” the report singled out some of the mechanisms by which the IDCR contributed to the explosion of the global illicit trade. As the report stated, massive price increases “from production to retail” associated with prohibition and its enforcement created powerful incentives for countless criminals to enter and compete in these markets. Although omitted in the report, similar logic lured peasants and socially dislocated sectors into illicit drug economies, and at times also prompted poorer producer countries, desperate for sources of foreign exchange, to relax controls. The report also referred to two displacement effects that have hugely complicated drug control efforts, while simultaneously exposing the resilience of illicit drug markets. The first refers to the

“geographical displacement effect” or “balloon effect” by which tighter controls in one place produce a displacement and, often too, an increase in production elsewhere, even across continents. The second concerns “substance displacement” whereby controls to reduce supply or demand have recurrently pushed consumers and suppliers to alternative, often more powerful, dangerous, and more profitable substances. As the report makes clear, such geographical and substance displacement effects have also been evident in efforts to control chemical precursors. The report was bold in saying that the regime had relegated issues concerning demand and health approaches. And it was tepid in claiming that this was all a matter of member states’ prefer-

ences. With its emphasis on prohibition and supply control, the regime itself favored criminal approaches and remained biased against public health approaches.

The United States played a key role in defining the goals, principles and norms of the regime, ultimately gearing it toward its own vision of drug control. This included the criminalization of psychoactive drugs and of drug users, a fixation with both supply control at source and interdiction, at the expense of demand reduction and public health strategies. During the second phase the U.S. role was no longer solely restricted to the normative development and promotion of prohibition norm and the regime, it also involved acting as a committed guardian and enforcer.

## The onset of the war on drugs: The Nixon and Reagan years

The first U.S. war on drugs and President Richard M. Nixon’s campaign to strengthen the IDCR were deployed in the middle of a heroin epidemic and rising marijuana and synthetic drug consumption in the United States, propelled by the domestic effects of the Vietnam war and the “hip-

pie” culture. Although the hardening of U.S. drug laws had already started with the institution of the first mandatory minimum sentences in 1951, and the criminalization in 1965 of psychedelic drug production and possession, under Nixon repressive drug policy escalated to new heights. With street crime on



President Richard M. Nixon turns to Attorney General John Mitchell, right, after signing a drug bill in Washington, Oct. 27, 1970, as others look on. From left: Secretary of Health, Education and Welfare Elliot L. Richardson, Narcotics Bureau Counsel Michael Sonnenreich and Special Presidential Assistant John Dean III. Others are unidentified. (AP IMAGES)



the rise and an almost doubling of the homicide rate Nixon had run for the U.S. presidency on a “law and order” platform, including a “war on drugs.”

Proclaiming illegal drugs “public enemy number one” and mischievously associating hippies with marijuana, and black Americans with heroin, Nixon declared the first U.S. war on drugs in 1969. The Nixon administration then presided over a quick and massive expansion of the drug-control budget, from \$66.4 million at start of his administration, to \$796.3 million in 1972, to over \$1 billion in the following budget.

Immediately after taking office President Nixon established a *Special Presidential Task Force Relating to Narcotics, Marijuana and Dangerous Drugs* to prepare a two-front assault on Turkish heroin and Mexican marijuana. If the Vietnam war had been a significant factor in the sudden rise in marijuana demand and Mexican supplies to the United States, the escalation of punitive drug-control policies acted as a powerful catalyst for the emergence of thriving illicit drug markets and circuits in the Americas.

Indeed, through the 1970s and 1980s, the two successive wars on drugs played a key role in the constant restructuring and relocation of illicit drug markets in the region. Thus, while the first campaigns of Nixon’s war on drugs helped shift illicit opium production and trafficking from Turkey to Mexico, and marijuana from Mexico to Colombia, the aggressive clampdown on marijuana set the stage for the explosion of illicit cocaine in the region in the 1980s and the rise of powerful criminal organizations, the so called “cartels”. Instead of containing the illicit cocaine boom, the battles of President Reagan’s second war on drugs further fueled the illicit cocaine market. When, as a result of U.S. interdiction policies, the epicenter of cocaine trafficking shifted from Colombia to Mexico, the centrifugal effects of Nixon’s war on drugs had left Mexican criminal organizations in an ideal position to seize control of changing trafficking routes.

The politics of drug control in Latin America became the other side of the coin to the war on drugs in the United States. Internal and external drug-control dynamics had in fact been linked since the early days of the IDCR, but they were significantly reinforced through the two wars on drugs. In the United States, the war on drugs soon led to the spread of mandatory minimum sentences and tough-on-crime policies that swelled the U.S. prison population and hardened the political atmosphere. While in the battle for drug control overseas, Washington sought to bolster the IDCR while increasingly relying on bilateral arm-twisting. Latin America became a key theater of this overseas war.

### Shift to cocaine

Marihuana consumption, which had remained unrivalled in the United States through the 1950s and 1960 would increasingly face cocaine’s competition. But what at first sight appeared as a simple shift in preferences was in fact a product of antidrug policy. The hardening of controls around cocaine followed two parallel if not synchronized routes: the enactment of national laws and controls first in Peru and by the 1960s in Bolivia, and the widening of the IDCR to coca and cocaine. In both settings the United States played a prominent role. With the 1961 Single Convention on Narcotic Drugs, Washington targeted coca leaf and cocaine and sought to criminalize these markets. With the subsequent 1972 Protocol Amending the Single Convention, a U.S. initiative pursued in the context of Nixon’s war on drugs, law enforcement measures, including extradition, were reinforced.

In both the United States and the region, the imposition of controls created powerful incentives for organized illicit trades. The result was the reactivation of illicit cocaine circuits that until then had remained relatively dormant. Their subsequent evolution would more clearly expose the close interaction between tighter controls and their expansion.

Indeed, re-energized and increas-

ingly militarized under the U.S. war on drugs, drug-control restrictions acted as the opposite of a deterrent; they in fact drove and fueled cocaine illicit markets. Through the 1960s not only did the price incentives underpinning prohibition propel dynamic smuggler networks, they increasingly lured peasants into coca cultivation. As the first cocaine shadow circuits connecting Chile, Cuba, and Mexico emerged, Nixon’s targeting of marijuana, amphetamines, and heroin helped induce a shift in preferences toward cocaine. By 1973, when 1–2 metric tons of cocaine entered the United States, illicit cocaine circuits already involved hundreds of skilled smugglers and thousands of peasants. Following General Augusto Pinochet’s coup in Chile in 1973, and the consequent shift in cocaine routes from Chile to Colombia, the conditions were ripe for the birth of the Medellín and Cali cocaine cartels. Colombia, which in the period 1945–60 had only been mentioned once in the Annual Reports of the U.S. Bureau of Narcotics had entered the radar of marijuana and increasingly cocaine control. By 1976, the House Select Committee on Narcotics Abuse and Control had identified Colombia as “the single most important staging point for cocaine destined to the United States.” At that point 20 metric tons supplied U.S. demand, and an increasing number of young Americans, an estimated 10% by 1977, had tried cocaine. As they assessed these trends, customs officials acknowledged that smuggling had become “highly organized” and interdiction “correspondingly more difficult,” while Drug Enforcement Administration (DEA) officials recognized that the “great amount of money involved made it more difficult to control it than ever.”

Within a decade, with cocaine seizures in the United States jumping from 2 to 27 tons in 1986, the illicit cocaine economy literally exploded. By the mid 1980s, when 22 million Americans admitted to having tried this drug, an estimated 75–100 metric tons of cocaine were entering the United States. Between 1982 and 1987 coca cultiva-



tion in the Andes doubled, and the bulk of it was still cultivated in Peru, where production increased from an estimated 33,000 hectares in 1979, to more than 120,000 hectares. By the early 1990s Peru's illicit cocaine economy involved the labor of 175,000–300,000 peasants. At that point not only had processing efficiency boosted cocaine production capacity to nearly 800 metric tons but it was in the process of relocating to Colombia as a centralized vertical industrial complex. As the Medellín and Cali cartels sought to control this industry, from cultivation to importing and processing coca paste and base, to transshipment and distribution in the United States, coca cultivation in Colombia steadily expanded. Between 1988 and 1989, when the Medellín cartel controlled 80% of the cocaine consumed in the United States, coca cultivation in Colombia had already nearly doubled from 27,000 to 49,000 hectares. By then the Mexican illicit drug economy had already bounced back. In the mid 1980s Mexican drug supplies had recovered 40% of the heroin and 30% of the U.S. marijuana markets, and Mexican criminal entrepreneurs were also making significant inroads in the rising U.S. cocaine market. At that point an estimated 30% of the cocaine bound for the United States was already passing through Mexico, a volume that by the turn of the century increased to represent 85–90% of the cocaine destined for the United States. Through the next two decades, Mexico consolidated its position as the main transit route for cocaine bound to the United States.

The third pillar of the IDCR, the 1988 Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, was negotiated in the midst of this visible growth in illicit drug trafficking and massive cocaine consumption in the United States. Rather than offering an opportunity for a change of course, the 1988 Convention was an offshoot of the two Nixon-Reagan drug wars, the latter based on an assessment of global narcotic trafficking as a threat to the national security of the United States.



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### Andean coca cultivation in hectares

YEAR	BOLIVIA	PERU	COLOMBIA	ANDEAN
1989	53,920	119,000	49,000	221,920
1995	48,600	115,300	59,650	223,550
1999	21,800	38,700	122,500	183,000
2001	19,900	34,000	169,800	223,700
2006	25,800	36,000	157,200	219,000
2008	32,000	41,000	119,000	192,000
2012	25,000	50,500	78,000	153,500
2014	35,000	46,500	112,000	193,500
2017	31,000	49,800	209,000	289,800
2019	42,180	72,000	212,000	326,180

SOURCE: U.S. DEPARTMENT OF STATE, INTERNATIONAL NARCOTICS CONTROL STRATEGY REPORTS; VARIOUS YEARS, AVAILABLE AT [HTTPS://WWW.STATE.GOV/INTERNATIONAL-NARCOTICS-CONTROL-STRATEGY-REPORTS/](https://www.state.gov/international-narcotics-control-strategy-reports/); THE WHITE HOUSE, UPDATED, ONDCP RELEASES DATA ON COCA CULTIVATION AND POTENTIAL COCAINE PRODUCTION IN THE ANDEAN REGION, AVAILABLE AT [HTTPS://WWW.WHITEHOUSE.GOV/ONDOP/BRIEFING-ROOM/2021/07/16/ONDOP-RELEASES-DATA-ON-COCA-CULTIVATION-AND-POTENTIAL-COCAINE-PRODUCTION-IN-THE-ANDEAN-REGION/](https://www.whitehouse.gov/ondcp/briefing-room/2021/07/16/ondcp-releases-data-on-coca-cultivation-and-potential-coaine-production-in-the-andean-region/)



As in prior negotiations, Washington set the terms for the 1988 Convention. Various aspects of illicit trafficking were considered serious offences, and provisions which were already part of the U.S. drug-control arsenal were adopted and internationalized. The upshot was the universalization of a penal approach and the widening of penalization resulting from new provisions on money laundering, asset seizure, and the diversion of precursor chemicals. The convention also introduced the potential criminalization of individuals and groups. Thus, in addition to large-scale traffickers, individuals linked to the illicit market chain—from peasants and manufacturers to couriers, dealers, and consumers—were also targeted.

The explosion of the illicit cocaine economy would have profound implications for countries in the region. By and large, illicit drug markets tend to be competitive, organized around flexible networks, and are rarely if ever monopolized. However, the booming of the cocaine industry in Latin America points to some degree of coordination and organization behind production and trafficking operations. Indeed, the capacity to store and move large loads across long distances and continents, often involving dozens of metric tons of cocaine, suggests the presence of

“more durable, bureaucratic, violent and strategic” organizations.

By multiplying the economic stakes in the illicit drug marketplace, in both Colombia and Mexico the cocaine industry helped propel the rise of a new generation of criminal organizations, ready to exploit lax arms markets and to turn drug-trafficking into a global and increasingly violent enterprise. Whether loosely organized around independent entrepreneurs or more centrally coordinated, through their smuggling operations—the sector where great fortunes tend to be made—criminal actors were able to accumulate massive wealth and power and to put governments on the defensive. With justice and security institutions unable to cope with either the massive corruption and/or intimidation and vicious violence that accompanied the cocaine boom, state authorities in the region were confronted with unforeseen and formidable challenges. In Colombia members of the Medellín cartel, most prominently Pablo Escobar, sought out a role in politics, while the Cali cartel endeavored to cultivate solid alliances with the police and politicians. Meanwhile, with the acquisition of vast amounts of rural land, the Medellín cartel propelled the expansion of

violent paramilitary groups. These developments, coupled with the effects of intensified antidrug campaigns, opened wars with multiple fronts and fueled atrocities, while handing over lucrative opportunities to armed actors in both Colombia and Peru. By extending their protection to peasants, guerrilla groups *Sendero Luminoso* (Shining Path) in Peru and the FARC (Fuerzas Armadas Revolucionarias de Colombia) in Colombia were able to extract significant revenues and to lay down valuable political bases. This, ultimately at the price of the stability of both these countries.

In Mexico, the opening and constant shifting of cocaine routes across the territory radically altered the size, value and organization of its illicit drug economy. As in Colombia, not only did the criminal organizations seem more powerful, violent and defiant, but their ability to peacefully co-exist, coordinate and share the spoils of the cocaine transshipment economy waned. As U.S. interdiction efforts pushed the cocaine route deeper into Mexican territory, tighter market competition intensified. Open-ended and violent competition was also exacerbated by Mexican law-enforcement pressures. Then, as now, these pressures would always favor one criminal organization over the other. At an average fee of \$1,250 per kilo of cocaine transported into the United States, estimates of the income accumulated by one single Mexican intermediary between 1985–86 came in at around \$75 million. With such margins, the disputes over turf, routes, and territory became ever more frequent, fuelling in turn systemic drug violence and paving the way to an ever more intractable humanitarian crisis.

In Colombia, in the period 1984–90, a brutal war escalated over political participation and extradition between the government and the Medellín cartel. Five years after the assassination of Colombia’s Minister of Justice Rodrigo Lara Bonilla, and the attack on the Justice Palace, a chain of “narco-terrorist” attacks in 1989 took the lives of presi-



A Colombian paramilitary soldier patrols the streets December 14, 2000, in San Isidro, in the Guamuez Valley, Colombia. (CARLOS VILLALON/GETTY IMAGES)



dential candidates, officials, judges, policemen and over 100 civilians on a commercial flight. By the mid 1990s, when both the Medellín and Cali cartels were finally dismantled, the cocaine industry had been transferred to both the right-wing paramilitary and

the leftist FARC in Colombia, while control over the most profitable part of the business, the smuggling sector, had passed to ever more brutal Mexican drug cartels. As Colombia collapsed into a protracted civil war, Mexico was about to descend into a three-decade

period of escalating drug-related violence and mass atrocities. In Peru, the bulk of coca cultivation relocated to Colombia and the Shining Path was finally defeated, but arms and drug-related corruption scandals also rocked the government at the highest level.

## The war on drugs, here to stay: From Plan Colombia to Mérida Initiative

With their stability lost at the turn of the century Colombia and soon Mexico were left with no option but to escalate their military responses by turning to Washington. The United States stepped up to provide key strategic resources. The Plan Colombia and the Mérida Initiative helped the two countries to recover some of their stability, but this came at the cost of compromising their fragile democracies.

By the turn of the century Mexican drug organizations had internationalized and were actively bidding for greater control of cocaine smuggling operations. This had been partly achieved by extracting from Colombian traffickers an increasing portion of their payment in cocaine rather than cash. Over time, this boosted the profits of the Mexican cartels. By the mid 1990s, their control over the smuggling sector was finally consolidated by the impact of unyielding U.S. anti-drug pressures on the Ernesto Samper administration, which led to the dismantling of the Cali cartel. By then U.S. officials estimated the value of Mexican drug exports at around \$10 bn, whereas Mexican official estimates put the value as high as \$30bn. To these revenues were soon added the profits of a methamphetamine export industry that Mexican criminal organizations readily developed, taking advantage of a regional consumption wave in the United States and the vacuum left by a clampdown on laboratories in California.

The confluence of internal and external pressures radically altered the autonomy of both Colombia and Mexico to choose their own drug-control policies. On the one hand, in both



*A U.S. special forces soldier, rear, helps train a Colombian anti-narcotics battalion, in Larandia, a military base about 235 miles southwest of Bogotá, Colombia, May 4, 2001. The training is part of the U.S.-backed Plan Colombia, a \$1.3 billion aid package that aims to help Colombia eliminate drug production. (SCOTT DALTON/AP IMAGES)*

countries the boom of thriving illicit economies coincided with and helped fuel thorny political pressures and the weakening of state institutions. On the other, the 2001 terrorist attacks on 9/11 transformed the context in which Colombian and Mexican officials calculated their policy options, and their respective drug relations with the United States. In both Colombia and Mexico, the realities of rising and uncontrollable drug-related violence ultimately forced the governments to finally acquiesce to portrayals of problems of narcotics and crime as a "terrorist threat" and to reach out to the United States for help.

In Colombia drug revenues had empowered armed actors, from left and right, providing them with resources to open other illicit outlets, including extortion, and to increasingly control

territory. Whereas the FARC protected coca growers, the paramilitaries, with their connections to the Medellín cartel, while actively participating in the drug trade, extended their protection instead to landowners. As the illicit drug economy became entangled with these actors, it unleashed and fueled new forms of violence, in turn opening a multiple front war and critically weakening the state. The peace plan originally envisaged by the Andrés Basteira government proved unfeasible in a context where the FARC, with nearly 20,000 rebels, was at the peak of its power, and in control of nearly a third of the country, had more incentives to keep their power and profits than to barter for peace. The efforts to draw a line between the war on drugs and war with the FARC and to "denarcotize"





*Revolutionary Armed Forces of Colombia (FARC) guerrillas guard the location of talks between Manuel Marulanda, Marxist rebel chief of the FARC, and Colombian President Andrés Pastrana in Los Pozos, Caqueta, 466 miles south of Bogotá, February 9, 2001. The two began a second day of talks in an attempt to relaunch the fragile peace process in the violence-torn South American country. (LUIS ACOSTA/AFP/GETTY IMAGES)*

relations with the United States came to an end after the assassination in 1999 of three American activists at the hands of the FARC. The prospects of renewed U.S. drug-war pressures prompted the Pastrana administration to turn its “economic program for peace” into a U.S.-funded security initiative: Plan Colombia. In July 2000 the U.S. Congress approved a request by the Clinton administration for \$1.3bn in “emergency” aid to Colombia and its neighbors. Through the next 10 years, additional disbursements approved by successive administrations amounted to \$6.5bn. The logic established by the first package, which allocated 75–80% of the funds to Colombia’s armed forces, prevailed until 2007, when resources started to shift to economic and institutional aid. During 15 years of Plan Colombia (2000–16), U.S. aid to Colombia totaled nearly \$10 bn.

By 2002, with Washington’s active support, the Álvaro Uribe administration in Colombia embarked on a twin strategy that sought to roll back the FARC and also to prepare the ground for the demobilization of the country’s right-wing paramilitary groups. The

FARC were effectively cornered: Colombia’s National Police, with the support of the armed forces, regained control of major roads and reestablished its presence in numerous municipalities that had been lost to armed groups. Between 2003 and 2006 these efforts then coincided with a controversial peace negotiation with the paramilitary. Pressure from human-rights groups and victims would eventually force the Uribe government to revisit its initial unconditional rendition terms, and to replace them with the 2005 Law of Justice and Peace. The new law, which granted minimum dignity to victims, led to the collective demobilization of 31, 671 paramilitary irregulars, and between 2003 and 2009 of 19, 553 insurgents surrendering their arms on an individual basis.

As had been the case with the dismantling of the Medellín and Cali cartels, the strategic cornering of the FARC and the demobilization of the paramilitary proved critical for the survival of the state. There is a broad consensus that the plan—by boosting the moral of Colombian security forces and providing them with cutting edge

military hardware and additional significant financial resources in secret “black-budgets”—marked a turning point in the conflict and helped the government recover its strategic superiority.

Eventually, Plan Colombia, together with Uribe’s 2003 Democratic Defense and Security Policy (DDSP) enabled the Colombian government to regain and maintain significant portions of the territory. Violence, in terms of homicides, massacres, kidnappings or internally displaced population, fell. Whether, however, this can be attributed to the coercive measures of Plan Colombia and the DDSP, or to the demobilization of the paramilitary remains moot. Moreover, these achievements came at significant costs: Colombia experienced increased and sustained militarization; serious human rights violations at the hands of the military went up; and the conflict entered the “gray conflict zone”—in which the lines between the active and post-conflict phases tend to blur. As a counterinsurgent strategy Plan Colombia secured important successes, but its contribution at ending the illicit drug economy can safely be set at zero. As the table below shows, two decades after the start of Plan Colombia coca cultivation in Colombia had in fact doubled.

As with Colombia, Mexico’s decision to reach out to Washington through the Mérida Initiative in 2006 was in no small part motivated by an escalation in criminal violence. The gathering momentum for transition to democracy was accompanied by a chain of vicious criminal wars in cities along the U.S.-Mexico border. In Tijuana, under sustained DEA pressure and criminal competition from the Sinaloa cartel, the hegemony of the Arellano-Félix cartel over the Tijuana-San Diego corridor waned. The decay of the Tijuana cartel was accompanied by marked increases in the homicide rate and episodes of shockingly gruesome violence. In Ciudad Juárez, the sudden and unexpected death of the leader of the Juárez cartel, Amado Carrillo, in 1997 brought to an end a



decade long “narco-peace” there. In the period between 1997 and 2005, internecine strife over the organization’s leadership and criminal competition from the Sinaloa organization resulted in greater instability and violence. As the Juárez and Sinaloa cartels outsourced and mobilized gangs, disappearances, mass killings and feminicides exploded. By 2005 uncontrolled violence in Juárez forced federal authorities to intervene. Meanwhile, in 1999, along the North-East border, the Zetas—14 or so ex-elite military officers—had been recruited by the Gulf cartel as the armed branch of the organization. In 2003, the arrest of Osiel Cárdenas and the ensuing crisis over the leadership of the organization allowed the ascendance of the Zetas. Their violent paramilitary tactics were soon in full display, first in 2001, as they expanded their presence into Michoacán and Guerrero, and then in 2003 as they fiercely resisted the Sinaloa cartel’s challenge for the control of Nuevo Laredo. Following the intervention of federal troops in Nuevo Laredo in 2003 Mexican and U.S. authorities provided evidence of the Zetas’ military capabilities.

Rising levels of drug-related violence provided the Mexican President Felipe Calderón with a powerful justification to consider the use of military force. When Calderón assumed power in December 2006, 2,000 Mexicans had been killed in drug-related violence, doubling the number of deaths attributed to drug violence. Equally alarming were the implications of the proliferation of criminal armies, which had been catalyzed by the Zetas’ paramilitary tactics, for overall levels of violence.

As had been the case with Presidents Pastrana and Uribe in Colombia, for President Calderón the war was not a war of choice, but of necessity, and the requirements of national security made closer cooperation with Washington a top priority. By the end of 2007, Washington and Mexico had agreed to a \$1.4 billion, three-year package in U.S. aid. As in Plan Colombia, 75% of these resources were allocated to bolster the

capacity of the military (mostly the Navy) and police forces.

Although the Calderón administration was at pains to emphasize that the Mérida Initiative was in no way inspired by Plan Colombia, the parallels were striking. As with Plan Colombia, this initiative fell under the broader framework of the war on terror. A first glance at both initiatives reveals a common security paradigm, one in which distinct threats converge in a “lethal nexus” bringing together organized crime, drug-trafficking and terrorism. Both plans also shared a key assumption: to restore stability and state authority coercive force was indispensable.

The definition of drug-trafficking as a national security threat, embodied in President Ronald Reagan’s 1986 National Security Decision 221, had paved the way to the increasing militarization of drug control policies in both Colombia and Mexico. For decades, the governments of these countries had sought to resist this trend, that in their view was partly responsible for exacerbating their drug problem. Yet, the increasing viciousness and escalation of drug violence would force them to reconsider their courses of action and to privilege the military option.

In both Plan Colombia and the Mérida Initiative the initial proportion of funds assigned to the armed forces and the police massively outweighed those allocated to the rule of law and institutional reform. In both countries, the decision to prioritize military responses resulted in a massive injection of national resources to their respective armed institutions. In Colombia strong military action succeeded in rolling back the FARC but hardly offered an answer to the complex challenges associated with a thriving illicit economy. Through peace negotiations, leading first to the demobilization of the paramilitary in 2005 and subsequently in 2016 to the FARC’s disarmament, the Colombian state was able to restore stability. But one of the underlying questions is at what price?

Decades of intensive and costly drug control campaigns had failed to

reduce coca cultivation and production. In 2019 coca cultivation increased by 2% to reach 212,000 hectares and, at 951 metric tons, cocaine production had increased by 8%. It is true that in the period between 2006–10 cocaine use in the United States decreased by 50%, and with a slow steady decline through 2015, the value of the U.S. cocaine market was halved. Nonetheless, at an estimated annual value of \$25bn in 2016 this market remained attractive. To this must be added the relevance of expanding cocaine markets in Latin America.

In Mexico, before long, it became painfully clear that President Calderón’s war on drugs would not close the chapter of illicit drugs, nor offer an effective solution to drug violence. Not only did the aggressive deployment of the military fail to act as a deterrent, the response of criminal organizations was ever more defiant. By the end of 2008, drug-related deaths escalated to 6,000 a year, and an increasing proportion of those killed were police and members of the armed forces. There were also signs indicating the readiness of criminal organizations to inflict casualties on civilians and to increasingly target civilian local authorities and politicians. In the period between 2002 and 2019 an estimated 264 mayoral candidates and former mayors were murdered by criminal organizations.

In the last two decades a rapidly evolving opioid epidemic in the United States and the policy responses adopted by U.S. authorities added to the complexities of Mexico’s drug problems. The tighter opioid prescription rules introduced by the Obama administration had rippling effects in Mexico. Deprived of legally available opioids and treatment, drug users in the United States increasingly shifted to heroin. Between 2006 and 2016, amid the opioid crisis, heroin consumption in the United States increased by 45%, with its chronic use expanding across the nation, and into rural areas, among an estimated 2.3 million Americans. The annual value of the U.S. heroin market was then estimated at \$43bn. Mexico soon replaced Colombia as the main



heroin supplier to the United States. In the years 2011–14 seizures of processed opium and poppy eradication doubled, and two years later Mexico accounted for nearly 50% of the illicit heroin found on U.S. streets. By then, not only had the number of plantations discovered outpaced eradication efforts, but local criminal fragmentation exacerbated violent competition and homicidal violence.

Although Colombia and Mexico have followed different trajectories, they have clearly converged on a number of issues related to illicit drugs. For many decades, both Colombia and Mexico were pressed into criminalizing narcotic drugs and implementing ever more punitive policies. And while public concern over the impact

of these substances among Americans was allegedly a major motivation behind these decisions and pressures, the antidrug crusade also imposed a massive toll on specific sectors of the U.S. population. To mention only one harm, since 1980 drug arrests in the United States tripled and through the next three decades more than 31 million Americans would be arrested for drug offenses.

After the Reagan administration declared a second war on drugs Colombian and Mexican leaders were forced to resort to previously unthinkable uses of force. Yet, the violent evolution of their illicit markets strongly suggested that the logics of international drug prohibition and national stability were clearly at odds. While the imperatives

of stability and state survival have pushed governments in the region to resort to military solutions, these have proved deeply problematic. In Mexico, Colombia, and in many other Latin American countries, decades of punitive and coercive anti-narcotic policies have clearly failed to stem and have most likely fueled the expansion of illicit drug economies. Intensified criminal competition in turn fueled violence in rapidly changing regional illicit markets. With rising levels of criminal violence came atrocities and the signs of humanitarian crises. By the 21st century, the legacy of decades of militarization and military responses to the drug problem has altered civil-military balances as well as the quality of Latin America's fragile democracies.

## UNGASS, and future scenarios

In September 2012, in three consecutive statements delivered at the United Nations General Assembly, the presidents of Colombia, Guatemala, and Mexico called on the UN to lead a far-reaching debate on the scope and limits of drug policy. Identifying illicit drug trafficking and related illicit markets as major drivers of violence and violent deaths in Latin America, the three presidents called for a long-overdue international debate on the drug problem. In requesting the 2016 General Assembly Special Session on the World Drug Problem Colombia, Mexico, and Guatemala sought to address these problems with a view to reform the IDCR and to establish a new basis for drug policy.

In the course of the last decades, campaigns on behalf of drug treatment and harm reduction, together with trends toward decriminalization and marijuana legalization, have driven drug-policy reform in many countries, including the United States. And while some of these airs of change have reached Latin America, it is important not to overestimate the prospects for drug-policy change in the region.

A number of factors point to a continuity with drug prohibition and its pu-

nitive enforcement in this region. Harm reduction—which gained salience with the HIV/AIDS pandemic—may now be an important part of the drug-policy agenda of many advanced countries, and distribution programs are now a feature of drug policy in Europe, Canada, Australia, New Zealand, China, Brazil, Armenia, Kyrgyzstan, and Iran, among others. However, its new standing has not always been reflected in actual drug-policy budgets. Moreover, as both the politics of harm reduction in the United States and the refusal to explicitly refer to it in the UNGASS' final document make clear, in some quarters, the primacy of punitive prohibition remains practically unchallenged.

Although marijuana reform has made advances in Latin America, with many countries moving toward decriminalizing possession of small doses of cannabis, the inertia of punitive criminal justice systems and unruly police agencies prevails. The same views expressed since the 1960s by commissions and reports in the United States, Europe, and Australia that questioned the psychoactive dangers of marijuana and concluded that the costs of criminalization outweigh the benefits have long been present in Latin America.

Yet, the waves that in the 1990s spread from Europe, to Australia and New Zealand in the Pacific, to Israel in the Middle East and that gathered force at the subnational level in the United States—with 35 states approving the use of medical marijuana, 15 states (plus the District of Columbia) allowing recreational adult use, and in Oregon decriminalizing possession of hard drugs—have not made significant inroads in Latin America.

The contrast among various U.S. administrations cannot disguise the fact that at the national level, the U.S. federal government has kept in place its deterrent-law enforcement approach to illicit drugs, based on the threat of arrest and incarceration. It is true that different administrations have handled these subnational decriminalization trends in different ways, but there is little doubt that the bureaucratic interests of law enforcement agencies, including the DEA and the U.S. Immigration and Customs Enforcement (ICE), remain closely attached to their commitment to prohibition and its enforcement at home and abroad.

It is important to reflect on why the economic costs of mass incarceration, or the social and democratic costs of



criminalizing substantial numbers of the population have been overlooked. The same applies to decisions that have led to ignoring the potential benefits to be gained from drawing clear boundaries between relatively harmless and more dangerous drug markets. What is at issue here is the way in which a paradigm that had always been an article of faith—that the evil of illicit drugs lay in their supply from abroad—entrenched itself and developed an elaborate institutional base.

It would be wrong to underestimate the harm caused by drugs, but it would be equally misleading to ignore the difficulties that prohibition has entailed. The long record of drug prohibition suggests that punitive approaches to drug control do not work, and come at a huge cost. In the course of over four decades, the legacy of successive wars on drugs has been abundantly clear. The connections between these legacies within the United States and countries in Latin America appear to be stronger than has sometimes been suggested. They include the diversion of resources and budgets from prevention, education, and treatment to law enforcement; the enlistment, through significant budgetary allocations of local and state police corps in anti-drug operations; DEA training of police forces and their diversion from more pressing crimes; the adoption of ever more punitive legislation involving both the creation of new civil penalties and the expansion of criminal punishment, from mandatory sentences to greater use of the death penalty; erosion of constitutionally protected civil liberties; increasing reliance on irregular practices such as the admission of illegally obtained evidence in drug trials; the dismantling of legal restrictions on policing, the militarization of police forces and greater dependence on the armed forces; massive arrests and mass incarceration propelling in turn the expansion of the prison systems and police forces. This has clearly been the case in the United States despite the fact that by 2005 the great majority of arrests were for possession and of these, the great majority were for marijuana possession.



*April 21, 2016. Bolivian President Evo Morales Ayma displays a leaf from a coca plant while addressing the General Assembly. At the morning session on the final day of the United Nations General Assembly Special Session on the world drug problem, three South American Presidents from Peru, Bolivia, and Columbia addressed the Assembly at UN Headquarters in New York City. (ALBIN LOHR-JONES/PACIFIC PRESS/ALAMY)*

Although the experience of many countries suggests that when it comes to responding to the drug problem there is a spectrum of choice, for reasons related to ideology and to racial politics, prohibition and punitive enforcement, including drug wars, prevailed in the United States. These choices were then exported under duress to Latin America.

Colombia, Guatemala, and Mexico came to UNGASS 2016 in the hope of reforming drug policy and the IDCR. The session revealed that many African countries were ready to admit to facing the same intractable drug control problems as Latin America. It also made clear that Latin American and European countries converged around the themes of drug policy and human rights. Yet, their views did not result in a uniform trend and their perspectives varied. While European countries emphasized the human and health rights of drug users, Latin American representatives called attention to the implications of prohibition and punitive enforcement for violent dynamics and human rights in their countries. As a result, no common front emerged to seriously challenge the regime and punitive drug policies.

Instead in the polarized atmosphere of UNGASS 2016 two realities became

clear. While democratic countries, across regions, reiterated their commitment to human rights, and at minimum acknowledged the need to harmonize drug policy and human rights, autocratic and authoritarian governments lent their unconditional support to punitive enforcement, including through the death penalty. All governments, including authoritarian regimes, may find it impossible to totally suppress consumption, but what these positions appeared to confirm is that authoritarian states, with their intrusive and repressive role in most aspects of daily life, have a greater ability to suppress illicit drug market activity.

The Latin American countries may have failed in their efforts to inspire a true and honest debate about drug policy and drug control. But owing to their experiences we may now know something about the tensions that underpin the relation between drug control and human rights that we did not know decades ago. Addressing this global problem, in a manner consistent with human rights and democratic standards, would require a major and honest restructuring of U.S. and international drug-control policies and of the punitive logic that has long informed the IDCR.



## discussion questions

1. Should the punitive enforcement of drug prohibition continue to be used or is it time to change tactics? Why or why not?
2. From its inception in 1909, the International Drug Control Regime has been dominated by the United States. Why has the United States sought to enforce its desire for punitive enforcement in the regime? Has this been beneficial?
3. Members of the poorer segments of Latin American society have come to rely on the drug trade as a means to financially support themselves, having been denied work in official sectors. Does this reliance justify the presence of the drug trade? Why or why not?
4. To what extent have human rights been sacrificed during the war on drugs?

## suggested readings

Lukasz Kamiński, *Shooting Up. A Short History of Drugs and War*, Oxford, Oxford University Press, 2016. *Shooting Up: A Short History of Drugs and War* examines how intoxicants have been put to the service of states, empires and their armies throughout history.

William B. McAllister, *Drug Diplomacy in the Twentieth Century*, London and New York, Routledge, 2000. *Drug Diplomacy in the Twentieth Century* is the first comprehensive historical account of the evolution of the global drug regime. The book analyses how the rules and regulations that encompass the drug question came to be framed and examines the international historical aspects of this global problem.

William O. Walker III, *Drug Control in the Americas*, Albuquerque, University of New Mexico Press, 1981. Walker examines the origins and development of drug control from WWI to the present. Why drug dealers are undeterred by US policy is the central question addressed in this book.

Mónica Serrano "A Humanitarian Crisis in the Making" in Wil G. Pansters, Benjamin Smith and Peter Watt, eds., *Beyond the Drug War in Mexico. Human Rights, the PublicSphere and Justice*, N.Y. and London, Routledge, 2018. This volume aims to go beyond the

study of developments within Mexico's criminal world and their relationship with the state and law enforcement. It focuses instead on the nature and consequences of what we call the 'totalization of the drug war,' and its projection on other domains which are key to understanding the nature of Mexican democracy.

Marco Palacios "A Historical Perspective on Counterinsurgency and the 'War on Drugs' in Colombia" in Cynthia J. Arnson ed., *In the Wake of War: Democratization and Internal Armed Conflict in Latin America*, Stanford, Stanford University Press, 2012. *In the Wake of War* assesses the consequences of civil war for democratization in Latin America, focusing on questions of state capacity. Contributors focus on seven countries—Colombia, El Salvador, Guatemala, Haiti, Mexico, Nicaragua, and Peru—where state weakness fostered conflict and the task of state reconstruction presents multiple challenges.

Annette Idler and Juan Carlos Garzón eds., *Transforming the War on Drugs: Warriors, Victims and Vulnerable Regions*, Oxford University Press, 2021. The contributors trace the consequences of the war on drugs across vulnerable regions, including South America and Central America, West Africa, the Middle East and the Golden Crescent, the Golden Triangle, and Russia. It demonstrates that these consequences are 'glocal.' The war's local impacts on human rights, security, development, and public health are interdependent with transnational illicit flows.

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