

UNIVERZITA KARLOVA V PRAZE

FAKULTA SOCIÁLNÍCH VĚD

Institut mezinárodních studií

**Immigrants or Refugees: A New Type of
Exodus from Mexico to the United States**

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Tereza Kamal

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Diplomová práce

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Abstrakt

Vztahy mezi Spojenými státy americkými a Mexikem jsou ovlivněny především ekonomickými zájmy, drogovou kontrolou a imigrací. Mexická migrace do USA je výjimečná, svým rozměrem, vytrvalostí a množstvím ilegálních přistěhovalců, kteří tuto vlnu dominovali. Migrace byla vždy ekonomicky motivována. Vyhlídka vyšších mezd a lepších životních podmínek, byli hlavními motivátory, až doposud. Od roku 2007/2008 se charakter mexické migrace proměnil. Může to být způsobeno více faktory najednou, ale hlavním důvodem této transformace je eskalace násilí způsobená násilnou válkou mezi mexickými drogovými kartely. Předmětem této práce je prozkoumat tuto proměnu migračních trendů od roku 2007/2008. Tyto roky se staly zlomovými body ze dvou důvodů. Roku 2007 Spojené státy vstoupily do největší ekonomické recese od 30. let 20. století a od roku 2008 se určité oblasti Mexika zmítají v brutální drogové válce. Tyto události měly zásadní negativní vliv na ilegální imigraci, která zaznamenala největší úbytek za posledních desítek let, a naopak povzbudila legální imigraci. Socioekonomický charakter se rovněž proměnil, a nyní USA přijímají legální, vzdělané a bohaté Mexičany, kteří prchají na sever v důsledku ohrožení.

Abstract

Apart from trade and drug control, immigration is one of the three major issues affecting U.S. - Mexican relations. The U.S. today has more immigrants from Mexico alone than any other country in the world has from all other countries of the world. The scale of this human movement, the persistence and the large proportion of the unauthorized low skilled migrants, which dominated this flow for decades, make Mexican migration unique. The decision to migrate *North* has always been driven by economic motives; the prospect of higher wages and a better living standard have been the main push factors, until recently. Since 2007/2008 there has been a significant change in the character of Mexican migration. This can be attributed to several factors

influencing the process at once, but the primary reason is the escalation of drug related violence on the Mexican side of the border. The focus of my thesis is to analyze the transformation of Mexican migration since 2007/2008. I argue these years have been a turning point in the dynamics of migration for two reasons. Firstly, in 2007 the American economy turned into recession, which significantly affected the flow of unauthorized migration. Secondly, in 2008 the drug related violence in Mexico spiked dramatically. This had a deterrent effect on the unauthorized migration but also encouraged a new wave of primarily legal, wealthier migrants fleeing the violence from Mexico.

Klíčová slova

imigrace, migrační trendy, drogové kartely, Mexiko, Spojené Státy, push faktory, pull faktory

Keywords

immigration, migration, cartels, drug war, „narcorefugees“, Mexico, United States, push factors, pull factors

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Prohlášení

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3. Souhlasím s tím, aby práce byla zpřístupněna pro studijní a výzkumné účely.

V Praze dne 31. 7. 2013

Bc. Tereza Kamal

Poděkování

Ráda bych poděkovala své rodině, za bezmeznou podporu, bez které by tato práce nevznikla. Svým přátelům, kteří mi dodávali motivaci a cenné rady. V neposlední řadě, bych chtěla poděkovat Kryštofu Kozákovi, PhD. za trpělivost, ochotu, a rozšíření obzorů po celou dobu mého studia na katedře amerických studií.

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V čem se oproti původnímu zadání změnil cíl práce?

Původně jsem se chtěla věnovat výzkumu dvou otázek. První, zdali drogová válka v Mexiku vytvořila nový typ imigranta. Druhá, zdali by měl mít nárok na získání politického azylu v USA. V konečné práci se věnuji pouze první otázce. Zároveň se mi tímto i proměnila výzkumná otázka, a zkoumám, jakým způsobem drogová válka a násilí proměnily charakter Mexické migrace do Spojených Států.

Jaké změny nastaly v časovém, teritoriálním a věcném vymezení tématu?

Vzhledem k tomu, že toto není historická práce, ale velmi aktuální, statistiky a data se proměňovala každý měsíc. Státy, které byly zasaženy boji mezi kartely se měnily a nakonec jsem analyzovala více mexických států, než jsem původně zamýšlela. Také neustále rostl počet nucených migrantů i počet mrtvých.

Zároveň jsem změnila metodologii práce, a přešla jsem ke komparaci dat a charakteru mexické migrace před rokem 2007/2008 a poté.

Jak se proměnila struktura práce (vyjádřete stručným obsahem)?

Od těchto skutečností se také proměnila struktura práce. Původně byla práce rovněž rozdělena do tří kapitol. První se měla věnovat eskalaci násilí v Mexiku. Druhá kapitola se věnovala právní otázce, zdali by měli mít Mexičané nárok na politický azyl. Třetí kapitola se měla věnovat predikci, jaký vliv by měl příval Mexických azylantů na Spojené Státy. V konečné verzi se první kapitola věnuje analýze literatury a zasazuje problematiku do kontextu. V druhé kapitole se věnuji analýze a porovnání migračních trendů před a po 2007/2008. Ve třetí kapitole se věnuji eskalaci násilí v Mexiku, a jaký vliv mělo na migraci.

Jakým vývojem prošla metodologická koncepce práce?

V původní verzi metodologie zavisela na získání detailní údajů o Mexických azylantech, v průběhu výzkumu jsem zjistila, že se téměř nezveřejňují. Tudíž i na základě toho objevu jsem přeformulovala otázku a předělala metodologii.

Které nové prameny a sekundární literatura byly zpracovány a jak tato skutečnost ovlivnila celek práce?

Publikace Viridiana Rios *“Unexpected Consequences of Mexico's Drug War for US National Security: More Mexican Immigrants.”* Je to první kvantitativní analýza, která se týká množství mexického obyvatelstva, která uprchla před násilí.

Charakterizujte základní proměny práce v době od zadání projektu do odevzdání tezí a pokuste se vyhodnotit, jaký pokrok na práce jste během semestru zaznamenali (v bodech):

- Hlavní výzkumná otázka
- Struktura

V původním zadání chyběla jednotná linka práce a metodologie nebyla jasná. Věřím, že tyto nedostatky se mi podařilo odstranit.

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Introduction

*“Pobre México. Tan lejos de Dios;
tan cerca de los Estados Unidos.”¹*

Apart from trade and drug control, immigration is one of the three major issues affecting U.S. - Mexican relations. In recent years, the topic has been greatly debated in American politics and consequently became highly politicized. Despite legislative efforts there are several roadblocks ahead before a comprehensive immigration reform would pass. Even though the U.S. Senate passed a comprehensive immigration reform in June 2013, the House of Representatives controlled by the Republicans, vowed to make their own bill.² The House is divided especially on the question of legalization of the undocumented immigrants living in the United States.

As of 2012 there were 40 million immigrants residing in the United States, of which 11 million were in the country illegally. More than 60 percent of the unauthorized population is Mexican- born. The question of what to do with these *illegales* produces tensions not only within U.S. Congress but also between the United States and Mexico. Given the geographic proximity of the United States and Mexico, migration has always been a natural process. Especially in the border region, which has its own special identity, where communities on both the American and Mexican side cooperate and coexist. The legislators often do not take into account the mutual interdependence of these communities, and rather concentrate on the numbers of how many migrants cross the border.³

After more than four decades of massive migration, Mexican migrants represent 30percent of the overall immigrant population, stabilizing at 12 million.⁴ To put this

¹ „Poor Mexico. So far from God; so close the United States.“ A common Mexican saying.

² Richard Cowan, Thomas Ferraro, „Senate passes sweeping immigration legislation,“ *Reuters*, June 27, 2013, available at: <http://www.reuters.com/article/2013/06/27/us-usa-immigration-senate-idUSBRE95Q10X20130627>

³ Michael Dear, Interview on what inspired his book *Why Wall Won't Work*, *UC Berkeley Events*, Youtube, January 22, 2013, available at: <https://www.youtube.com/watch?v=bxPIXMQvvi4>

⁴ Jeffrey Passel, D'Vera Cohn, Ana Gonzalez-Barrera, „Net Migration from Mexico Falls to Zero and Perhaps Less,“ *Pew Hispanic Center*, May 3, 2012, available at: <http://www.pewhispanic.org/2012/04/23/net-migration-from-mexico-falls-to-zero-and-perhaps-less/>

figure into some context, the next largest sending country, China accounts for just 5percent of the nation’s current stock of immigrants.⁵

The scale of this human movement, the persistence and the large proportion of the unauthorized low skilled migrants, which dominated this flow for decades, make Mexican migration unique. The flow to the U.S. began early in the 20th century and has not stopped since. The U.S. today has more immigrants from Mexico alone than any other country in the world has from all other countries of the world.⁶

The decision to migrate *North* has always been driven by economic motives; the prospect of higher wages and a better living standard have been the main push factors, until recently. Since 2007/2008 there has been a significant change in the character of Mexican migration. This can be attributed to several factors influencing the process at once, but the primary reason is the escalation of drug related violence on the Mexican side of the border. On the basis of my research, supported by the central issue of the concept of human security, I suggest the primary push factors for relocation today are security concerns. Based on the human security concept, the state centered approach to security should be complemented by a focus on the security of individuals who at first seek “freedom from want” and later – once the internal security situation deteriorates, they seek “freedom from fear”, i.e. freedom from direct violence.⁷ Outbreaks of violence are a much stronger push factor than underdevelopment and may cause migration flows to turn into mass migration.

There have been various data presented on the exact number of Mexicans fleeing the drug violence. It is important to note that these numbers are ambiguous. The estimates range from 30,000 to 400,000 “*narcorefugees*.” According to Viridian Rios, there have been 264, 693 displaced persons due to the drug war in Mexico. In her paper “*Unexpected consequences of Mexico’s drug war for U.S. National Security: More Mexican Immigrants*,” Rios presents the first quantitative evidence supporting the claim that Mexican migration flows are being driven by security concerns. Even though Rios’

⁵Passel, Cohn, Gonzalez-Barrera, „Net Migration from Mexico Falls to Zero and Perhaps Less,“ *Pew Hispanic Center*.

⁶Ibid.

⁷ Pauline Kerr, „Human Security,“in *Contemporary security studies*, ed. Alan Collins (New York : Oxford University Press, 2007) 94-95.

method of research is quite sophisticated, it does not provide sufficient evidence as to where the “*narcorefugees*” migrate. The International Displacement Monitoring Center estimates that as many as 115,000 “*narcorefugees*” fled to the United States. Cities close to the border such as Tijuana, Ciudad Juárez, Monterrey or Nuevo Laredo have registered a significant outflow of inhabitants, whereas cities on the American side of the border, San Diego, El Paso, San Antonio, or Brownsville, experienced a large population increase, which suggests that inhabitants of the most violent towns seek refuge on the American side of the border. As already stated, it is much more natural for people living by the border to seek protection in the U.S. rather than in other parts of Mexico.

The focus of my thesis is to analyze the transformation of Mexican migration since 2007/2008. I argue these years have been a turning point in the dynamics of migration for two reasons. Firstly, in 2007 the American economy turned into recession, which significantly affected the flow of unauthorized migration. Secondly, in 2008 the drug related violence in Mexico spiked dramatically. This had a deterrent effect on the unauthorized migration but also encouraged a new wave of primarily legal, wealthier migrants fleeing the violence from Mexico.

Research Question and Methodology

The overall objective of this thesis is to demonstrate that the drug related violence in Mexico had a significant influence on the nature and character of Mexican migration to the United States. The thesis has been guided in its structure and methodology by the main research question:

How has the drug war changed the dynamics of Mexican migration to the U.S.?

In order to address this question, I compare the dynamics of legal and illegal immigration before and after 2007/2008, and demonstrate the shift from unauthorized to legal migration. I do this by analyzing the data of unauthorized migration and the data of different forms of legal admission to the United States, including the number of Legal Permanent Residents, asylum claims, business investor visas, and nonimmigrant visas. Secondly, I thoroughly examine the security situation in Mexico in order to

present the push factor for this new type of migration. By combining these two approaches, I demonstrate the effect drug related violence has on traditional migration dynamics, and how they transformed the nature of Mexican migration in the past six years.

Structure

The thesis is organized into three chapters. First chapter provides an overview of the debate on the phenomenon of “*narcorefugees*” and addresses the concept of human security. Second chapter demonstrates the recent change of Mexican migration dynamics since 2007/2008. It elaborates not only on the shift from unauthorized to legal migration, but also on the transformation of the main push factor, from economically to security driven motives. Third chapter analyzes the overall sentiment in Mexican society and concentrates on the escalation of violence, the most violent areas in Mexico and the primary targets of drug related violence. In the conclusion I present answers to the research question and summarize the main findings of my thesis. I also elaborate on wider consequences and discuss possible solutions on how to prevent more “*narcorefugees*”.

CHAPTER 1: Research on Immigration Has Generated Contrasting Perspectives

In 2008 General Barry McCaffrey published an after action report after his visit to Mexico in December. He predicted that if the Mexican government would fail to curtail the violence, then a surge of millions of refugees would cross the border and seek security in the United States. “*Mexico is not confronting dangerous criminality- it is fighting for survival against narcoterrorism.*”⁸ He also warned about the possibility that Mexico would become a failed state: “*Before the next eight years are past, the violent, warring collection of criminal drug cartels could overwhelm the institutions of the state and establish de facto control over broad regions of northern Mexico.*”⁹

Paul Rexton Kan, author of the book *Cartels at War*, also predicts a wave of “*narcorefugees*” from Mexico. This wave would be a strategic shock for the U.S. policymakers and would, like many refugee waves in other places in the World, transfer the grievances to the host country. The battlefields of the cartel violence would shift to the United States and eventually, the border region would become a type of “*Warizistan*,” which exists in northwest Pakistan, and provide a sanctuary for nonstate armed groups.¹⁰ Kan also mentions that the ones who seek the protection in the United States are cartel bosses themselves, and the further north from the border they resettle, the more the United States experience drug related violence. Kan is also the author of the monograph, prepared for the U.S. Army, *Mexico's "Narco-Refugees": The Looming Challenge for U.S. National Security*, where he primarily concentrates on the phenomenon of “*narcorefugees*” from Mexico. In the recommendations for the U.S. government he warns that if the U.S. is too open to refugee requests, there could be a floodgate effect, but if the U.S. shuts down on this matter and ignores the issue, it would

⁸ Paul Rexton Kan, *Cartels at War* (Washington, D.C.: Potomac Books, 2012) 2.

⁹ Gen. Barry McCaffrey, „ *Narco-Violence in Mexico: A Growing Threat to U.S. Security*,” *American Diplomacy*, January 2009, available at:

http://www.unc.edu/depts/diplomat/item/2009/0103/comm/mccaffery_mexico.html

¹⁰ Kan, *Cartels at War*, 127-129.

be in violation of international law. He estimates a number of 200,000 people have fled only from Ciudad Juárez alone because of the drug related violence.¹¹

Based on the numbers available, the threat of a massive exodus of Mexicans does not seem likely. Yet, it is important to note that the numbers are ambiguous. The estimates range from 30,000 to 400,000 “*narcorefugees*.” However, according to a private consultancy company approximately 1.6 million people has been displaced.¹² This number has not been published officially and the methodology is not clear. The lack of statistical evidence is definitely something that requires further research.

Viridiana Rios presents in her paper “*Unexpected Consequences of Mexico's Drug War for US National Security: More Mexican Immigrants*,” the first quantitative evidence supporting the theory that Mexican migration flows are being driven by security concerns. Rios’s method of research is quite sophisticated. She uses a linear regression model, with White- Huber corrected standard errors, with the dependent variable: the number of Mexicans unexpectedly leaving their country from 2005 to 2010. In order to measure the unexpected migration outflows she compares population predictions¹³ to real population figures¹⁴ and adds three independent variables: homicides linked to drug trafficking, extortion and kidnappings. She does so in all Mexican counties.¹⁵ Her research revealed that as many as 264, 693 Mexicans have migrated due to drug related violence. Even though her research is thorough, it does not provide sufficient evidence as to where the “*narcorefugees*” migrate. This is also an area that needs to be addressed further.

¹¹ Paul Rexton Kan, „Mexico's "Narco-Refugees": The Looming Challenge for U.S. National Security“ (Monograph: SSI, United States Army War College, 2001) 1-40, 2. Available at: <http://www.strategicstudiesinstitute.army.mil/pubs/display.cfm?pubID=1083>

¹² International Displacement Monitoring Center, “Mexico: Displacement due to criminal and communal violence”, *Norwegian Refugee Council*, 2011, available at: [http://www.internaldisplacement.org/8025708F004BE3B1/percent28httpInfoFilespercent29/677BB8CB_A2F6DAB9C1257953004A18BE/\\$file/mexico-overview-nov2011.pdf](http://www.internaldisplacement.org/8025708F004BE3B1/percent28httpInfoFilespercent29/677BB8CB_A2F6DAB9C1257953004A18BE/$file/mexico-overview-nov2011.pdf)

¹³ CONAPO 2008

¹⁴ INEGI 2010

¹⁵ Viridiana Rios, “Unexpected Consequences of Mexico's Drug War for US National Security: More Mexican Immigrants” (Working Paper, Weatherhead Center for International Affairs, Harvard University, February 13, 2012) 9-12, available at: http://www.wcfia.harvard.edu/sites/default/files/Rios2012_SecurityIssuesAndImmigration3.pdf

There is no hard statistical evidence on the regional distribution of “*narcorefugees*” in the U.S. According to Amy Isackson, it is possible to follow this phenomenon only anecdotally. Isackson is a freelance journalist who, for the past 8 years, has covered California's U.S.-Mexico border, Tijuana and immigration stories. Her insight on the “*narcorefugee*” issue was especially helpful. She confirms the wave of Mexican migrants fleeing from drug related violence, and pinpoints a new trend in migration. This wave is predominantly legal. They use their border crossing cards, nonimmigrant visas, business visas and other forms of legal entry.¹⁶

The Pew Hispanic Center, a project of the Pew Research Center, released a report *Net Migration from Mexico Falls to Zero—and Perhaps Less* written by Jeffrey Passel, D’Vera Cohn and Ana Gonzalez-Barrera, where they analyze this surprising new trend of legal migration. According to this report the reasons are attributed mainly to the Great Recession in the United States, demographic changes in Mexico, and enforcement policies on the border. It does not take into account the dangers and cartel activities on the border to be a deterrent of unauthorized migration. Interviews conducted by Wayne Cornelius and his research team in migrant communities in Mexico reveal the opposite. Fear of drug related violence is very high among potential unauthorized migrants. The violent activities of the cartels and their involvement in human smuggling do have a deterrent effect on the unauthorized flow. Drug related violence is the no.1 fear of illegal border crosser ahead of heat, lack of water in the desert, or Border Patrol.¹⁷

Viridiana Rios supports these findings of the shift from illegal to legal migration, and elaborates further on the social class of the new wave of Mexican migrants. “*These new Mexican immigrants have little in common with the traditional Mexican immigrants. The new Mexicans are investors and relatively wealthy businessmen that used to live at the Mexican border cities and have recently changed their residency to the U.S.*”¹⁸ One of the means to track this development is to follow statistics on the

¹⁶ Ginger Jacobson, „The Effects of Violence in Mexico on Migration and Immigration Policy“ (Panel Discussion, USD Trans-Border Institute, University of San Diego, CA,USA, November 8, 2011), available at: <https://www.youtube.com/watch?v=T0gKK4ocz9c>

¹⁷ Amy Isackson, „The Effects of Violence in Mexico on Migration and Immigration Policy“ (Panel Discussion, USD Trans-Border Institute, University of San Diego, CA,USA, November 8, 2011)

¹⁸ Rios, “Unexpected Consequences of Mexico's Drug War for US National Security: More Mexican Immigrants” 2-3, available at: <http://www.gov.harvard.edu/people/viridiana-rios-contreras>

number of EB -5 investor visas and other business related visas by nationality. These statistics were near to impossible to find. The USCIS responsible for presenting this data does so very scarcely, and releases only the top 5 countries obtaining investor visas, and Mexico is not among them. In order to get a sense of what is going on in the border communities I have followed local periodicals. *The El Paso Times*, *El Diario*, *The Dallas Star*, *The Huston Chronicle* and *L.A. Times*. National periodical, *Time Magazine* has also studied this new phenomenon. The article by J.K. Nickell, *The New — and Rich — Immigrants from Mexico: How Their Money is Changing Texas*, provides a good analysis of this recent trend, and also article by Molly Hennessy-Fiske, in *Los Angeles Times*, addresses thoroughly this issue.

Rios suggests that the primary group, who is fleeing drug related violence, are wealthy Mexicans. *Mexodus*, a project of *Borderzine*, supports this hypothesis. *Mexodus* is an unprecedented bilingual student-reporting project that documents the flight of middle class families, professionals and businesses to the U.S. and safer areas of México because of the drug related violence. During the course of the drug war it has reported on everyday tragedies of Mexicans, which revealed that the effected groups are not only cartel members, and public officials, but also ordinary citizens. Contrary, David Shirk the director of the Trans-Border Institute argues the target groups are very specific and involve primarily cartel members, police and some politicians. I found the *Mexodus* project very helpful to understand the dynamics of the border region, and to address the questions who are the target groups of this drug war.

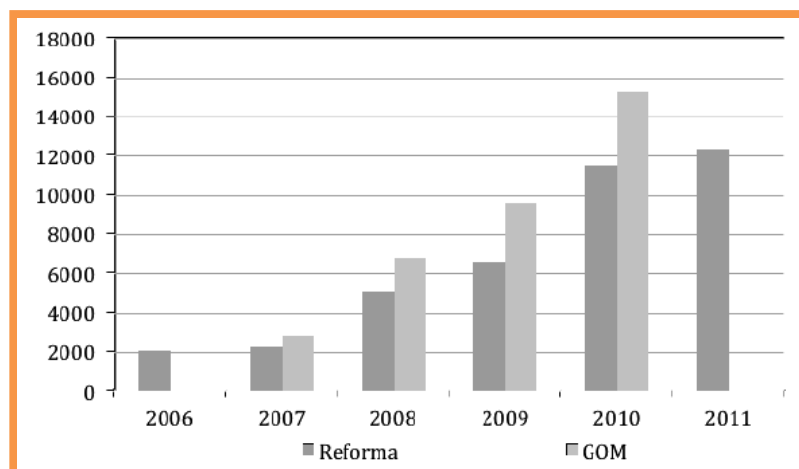
A significant part of sources used in this thesis are primary sources: such as Congressional Reports, Bi -national Studies of the U.S. and Mexican government, publications of the Migration Policy Institute and the Trans- Border Institute, or studies by the Pew Hispanic Center.

1.1. Limitations

One of the limitations I encountered during my research was the gap and evolution of the data. The data on the drug war change on a monthly basis, including the number of casualties and the dispersion of affected states in Mexico. As in the case

of “*narcorefugee*” statistics, there was a statistical gap. I primarily relied on the data and reports published by the Trans- Border Institute (TBI). TBI uses data from the newspaper *La Reforma* in combination with data from the Justice in Mexico Project and other sources of government agencies, civic groups, and watchdog agencies. If we would rely strictly on government data, the numbers would not be accurate. The statistics released by the Mexican government have been incomplete and missing key figures.

Figure 1. Comparison of Data on Drug Related Homicides: Government of Mexico (GOM) vs. *La Reforma*



Source: Drug Violence in Mexico: Data and Analysis Through 2011, TBI, 2011.

This topic deserves to be studied much more extensively. The number of scholarly works published, to address this new phenomenon, is quite scarce. I suggest the reason behind this is the changing nature of the data, making the topic somewhat elusive. In addition, there has not been a tool developed to empirically capture these related questions:

- The destination of Mexican immigrants fleeing drug related violence
- The main fears (extortion, kidnapping, assassination...)
- The duration; whether this new wave is rather temporary or permanent. It would be interesting to know the proportion of people that would return back to Mexico, once they would feel safe enough to do so.

Despite these limitations, I hope my thesis provides insight into the problem of security driven migration from Mexico and provides a basis for understanding the new migration trends from Mexico.

1.2. Human Security Concept

I also would like to mention the concept of human security for a broader understanding of push factors for human migration. The concept proposes that people ought to be secure in their daily lives. Within this theory there are two different interpretations as what are the dangers in daily life of an individual. The broad school argues that human security means more than a concern with the threat of violence. It does not include only freedom from fear, but also freedom from want, which means people, should be not only protected from violence but also poverty. The broad interpretation focuses on prevention of root causes that eventually lead to the spike of violence. The narrow school argues that the proper focus of human security should be on political violence by the state or any other organized actor, simplified as freedom from fear.¹⁹ Applying this concept to the Mexican case, it is possible to understand the dynamics of Mexican migration in other terms, than previously.

¹⁹ Pauline Kerr, „Human Security,“in *Contemporary security studies*, 94-95.

CHAPTER 2: Head *North* for Opportunity or Safety?

Human migration is a natural, very complex and dynamic process. It depends on a combination of structural factors and on the policy environment in which migration decision making takes place.²⁰ The structural factors include push and pull factors as well as social networks. Push factors are present in sending countries and encourage outflows such as limited economic opportunities, low wages, poor investment opportunities, authoritarian or corrupt regimes, wars or natural disasters. Pull factors of receiving states that encourage inflows include economic opportunities, safety, limited government, equality before the law, or prospects of an improved living standard.²¹

The asymmetrical relationship between the United States and Mexico facilitated such a large scale migration and represents an excellent example of pull and push factors in practice, when America is seen as a “land of opportunity” and Mexico as a somewhat “dodgy”, less fortunate neighbor flooding the U.S. with “*wetbacks*” or “*mojados*”.²² Yet recent historical experience shows us that the nature and character of Mexican migration has transformed in the last few years. The recent trends suggest that illegal immigration of Mexican nationals is at an all time low and the legal immigration of Mexicans is modestly increasing. The Mexican migration is much more sophisticated than it was in the last decade. The circumstances have changed and today the profile of migrants is far different than from the last generation of Mexican immigrants.²³

This transformation cannot be attributed to just one factor. It is a combination of demographic changes in Mexico, an increase in the number of Mexicans earning college degrees, a constant increase in the costs and dangers associated with crossing the border, the escalation of violence on the Mexican side of the border and the recession

²⁰ Marc R. Rosenblum, Kate Brick, „US Immigration Policy and Mexican/Central American Migration Flows“ (Report, *Migration Policy Institute*, Washington D.C., 2011) 2. available at: <http://www.migrationpolicy.org/pubs/rmsg-regionalflows.pdf>

²¹ Ibid.

²² Derogatory term referring to illegal Mexican immigrants, based on their wet backs while crossing the river to the U.S.

that the U.S. economy has been facing since late 2007. In order to put this into some context we must compare current migration trends with those prior to 2007/2008. I suggest this year is a turning point of the character of Mexican migration for two main reasons. Firstly, the economic opportunities - seen as the primary pull factor for all Mexican immigrants (both legal and illegal) - , have decreased significantly since 2007, when the American economy entered into recession. Secondly, Mexico has been experiencing high levels of violence that spiked in 2008, and has continued to plague large areas of the country and its populous. Despite the slow recovery of the American economy, illegal immigration remains low, whereas forms of legal migration continue to rise steadily.

Immigration in general is motivated by push and pull factors of receiving and sending states. It could not be more evident than in the case of Mexican migration to the United States. Despite the fact that the economies of these two countries have grown increasingly interdependent, especially after the implementation of NAFTA, the issue of migration has not been seriously addressed on a bilateral level since the Bracero program. The history of Mexican migration to the United States suggests that the flow of migration reflects the performance of the U.S. economy, and migration is simply a question of supply and demand. If we examine the history of Mexican migration through an economic perspective we will reach the conclusion that the primary push factor for Mexican migration has always been economically driven, until recently.

2.1. A Question of Supply and Demand: History of Mexican Migration to the United States

Due to the historical background, economic interests and geographic proximity, Mexicans moved freely across the border between 1848 and 1929. This was a time without border patrol officers, modern sensor techniques or *coyotes*.²⁴ It was not illegal

²³ Alfredo Corchado, „High-end migrants from Mexico lead new wave to Dallas area,“ *The Dallas News*, November 25, 2012, available at: <http://www.dallasnews.com/news/community-news/dallas/headlines/20121124-high-end-migrants-from-mexico-lead-new-wave-to-dallas-area.ece>

²⁴ *Coyotes* or *polleros* specialize in human smuggling, bringing people across the United States border from Mexico. Illegal border crossings are often extremely dangerous, and many *coyotes* command a high fee as a result; often, this fee must be paid up front, in case a immigrant does not make it across. The cost can come up to \$7000.

to cross the border without documents. The only border patrol officer in 1893 in Texas was Leonidas B. Giles stationed in El Paso, who patrolled the border on horseback.²⁵ The first significant wave of Mexican migration can be dated to the beginning of the 20th century, when cheap Asian labor started to fade out and the void of low skilled workers was filled by the Mexican labor force. Another factor encouraging the flow was the unstable political situation in Mexico between 1910 and 1921. The need for Mexican labor increased sharply during the First World War, and allowed American soldiers to participate fully in the war efforts. Shortly after WWI, with the return of American soldiers, the United States Department of Labor founded the Border Patrol agency in 1924, which was aimed to curtail the flow of Mexican migrants.²⁶

The U.S. Congress passed three restrictive immigration laws in the 1920s, which set numerical limits and national origins quotas.²⁷ These quotas gave preference to Northern Europeans and were aimed to decrease immigration from Southern and Eastern Europe, and re-establish the dominance of the white Anglo-Saxon Protestant ethnicity. Due to the strong efforts of agricultural lobby groups, Mexicans were exempt from the quotas and border stations were established to formally admit Mexican workers, and to collect a tax on each person entering.²⁸ During the second half of the 20th century, Mexican migration started to reach new highs but was reduced significantly with the adoption of the 1929 Immigration Act which emphasized tougher enforcement on the border.

These legislative restrictions on immigration were enforced during the Great Depression, especially against any unauthorized migration. Mexicans started to be accused of “taking jobs away from Americans” and “living off public relief” which remains a popular rhetoric even today.²⁹ Mass deportations were used to stop illegal immigration from Mexico, and for the first time in history the U.S. - Mexican migration

²⁵ Thomas Payan, *The Three U.S. – Mexico Border Wars: Drugs, Immigration, and Homeland Security*, (London: Praeger Security International, 2006), 6.

²⁶ „Mexican Immigrant Labor History, The Border History“ official website of PBS, <http://www.pbs.org/kpbs/theborder/history/timeline/17.htm> (accessed May 5, 2013)

²⁷ Emergency Immigration Act of 1921, Immigration Act of 1924, The National Origins Act of 1929

²⁸ Mexican Immigrant Labor History, The Border History“ official website of PBS, <http://www.pbs.org/kpbs/theborder/history/timeline/17.htm> (accessed May 5, 2013)

²⁹ Harvard Magazine, „Uneasy Neighbors: A Brief History of Mexican-U.S. Migration,“ *Harvard Magazine*, May- June, 2007, available at: <http://harvardmagazine.com/2007/05/uneasy-neighbors-a-brief-html>

saw a net outflow of Mexican immigrants. The number of deportations at that time can be compared to the numbers of today.

With the beginning of WWII, the United States experienced labor shortages - especially in the agricultural sector - and the demand for Mexican labor rose sharply again. This opened up an incentive for a new wave of temporary immigrants. In 1942 the United States and Mexican governments signed a guest worker program that was highly beneficial for the Mexican workers. The initial agreement guaranteed minimum wage, as well as transportation, housing and health benefits. It was a one of a kind bilateral deal, which was modified several times after. The Bracero program was intended as a wartime arrangement but as a result of pressure from U.S. growers, the program was prolonged until 1964 when it was finally terminated. During the program Mexico not only supplied more than 4.5 million workers, reaching an annual flow of 450,000 temporary laborers in 1950, but also established migration networks, which laid the foundations for sustaining Mexican migration into the future.³⁰ One of the problems of the Bracero program was that it did not provide a sufficient number of visas and the demand for braceros outstripped the supply of visas, leading to the creation of an illegal black market in labor.

In the 1950s after the Korean War, public sentiment towards Mexican immigration once again turned sour and further restrictive policies were set in place. In 1954 Operation Wetback was launched under the supervision of new commissioner of the Immigration and Nationalization Service, Gen. Joseph Swing, resulting in more than 1.3 million apprehensions.³¹ With growing pressure from the U.S. growers the INS reprocessed the apprehended and returned them to the fields as legal *braceros*. After the end of the Bracero program the demand for Mexican labor continued. However, as Congress had failed to adopt sufficient legal provisions that would have addressed the labor demand of the U.S. market, the black market labor began to flourish and become increasingly dominant.

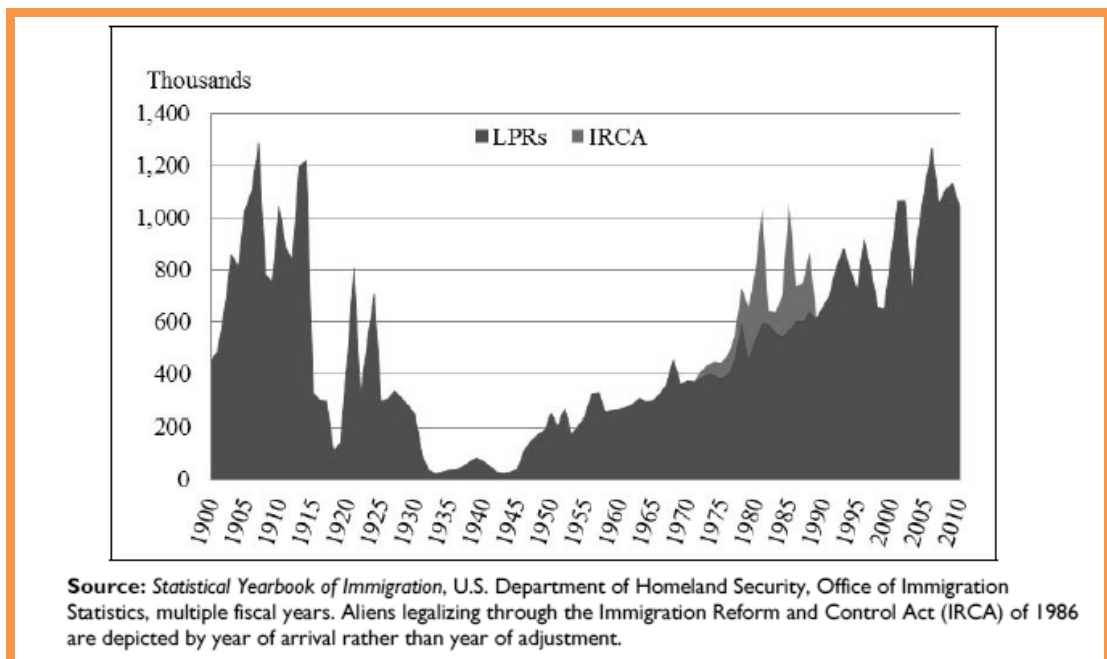
³⁰ Rosenblum, Brick, „US Immigration Policy and Mexican/Central American Migration Flows“ 2.

³¹ Mexican Immigrant Labor History, The Border History“ official website of PBS, <http://www.pbs.org/kpbs/theborder/history/timeline/17.htm> (accessed May 5, 2013)

The Immigration reform Act of 1965 abolished the national origins and set up a preference system focusing on high skilled workers and family ties. It set a cap at 170,000 visas per year with a per-country –of – origin quota.³² The Mexican workers now had to compete with other nationalities for visas. The demand for Mexican labor in American agriculture and services remained higher than the artificially set cap, causing a massive influx of illegal immigration. As a result, illegal immigration soared and since the 1970s we can still speak of a relatively steady increase in migration to the *North*.

Despite Mexico experiencing a population boom throughout the 1970s and an economic crisis in 1976, it was not until the 1980s when Mexican migration became truly massive. In the last three decades, unauthorized and legal migration from Mexico has continued to grow. In particular, the size of the legal population in the U.S. increased dramatically during the late 1980s and early 1990s, in part due to the legalization provisions of the 1986 Immigration Reform and Control Act (IRCA).³³

Figure 2. Annual LPR Admissions and Status Adjustments, 1900-2010



Source: U.S. Immigration Policy: Chart Book of Key Trends, Congressional Research Service(CRS),2013

³² Ruth, E., Wasem, “U.S. Immigration Policy: Chart Book of Key Trends” (Report, Congressional Research Service, Washington D.C., 2013) 7.

The Simpson – Rodino Act (IRCA) was quite remarkable in its nature. It granted amnesty to nearly 3 million undocumented migrants already in the United States, most of them of Mexican origin.³⁴ Mexicans who were eligible to obtain permanent residency had to be working in the United States in the agriculture sector or had to be living in the United States prior to 1982. Besides legalizing the migrants' status, the Act also concentrated on penalizing employers in the United States who hired illegal immigrants, as well as enforcing Border Patrol. Even though IRCA was seen as beneficial to the U.S. economy because of the increased tax revenues and consumer purchasing power of the newly legalized immigrants, it failed to create flexible limits on future immigration that would be necessary to meet the growing labor need of the U.S. economy in the 1990s.³⁵ This factor offset the dramatic increase in the illegal immigrant population in the U.S.

In the period between 1965 and 1985 around 85percent of undocumented entries from Mexico were somewhat matched by departures so the net rate of undocumented workers was relatively small. There were some 27.9 million undocumented Mexicans that entered the United States between 1965 and 1986. Over the same period of time 23.3 million returned back to Mexico, yielding a net increase of just 4.6 million people.³⁶ The net rate of migration represents the difference between people entering the United State and people departing the United States (As shown, this number is made up overwhelmingly by returning migrants).

The immigration flows coincide closely with a similar pattern in the performance of the U.S. economy, and the correlation is particularly strong with the flow from Mexico. During the period of increased migration prior to the peak, U.S. employment increased by 1.59 million in 1993, the first full year of recovery after the 1991 recession; even greater increases in U.S. employment followed and 1.85 million jobs were added in 1998. The annual number of migrants coming from Mexico

³³ Mexico-United States Binational Migration Study, 1998, Vol. 1, 8. available at: <http://www.utexas.edu/lbj/uscir/binpap-v.html>.

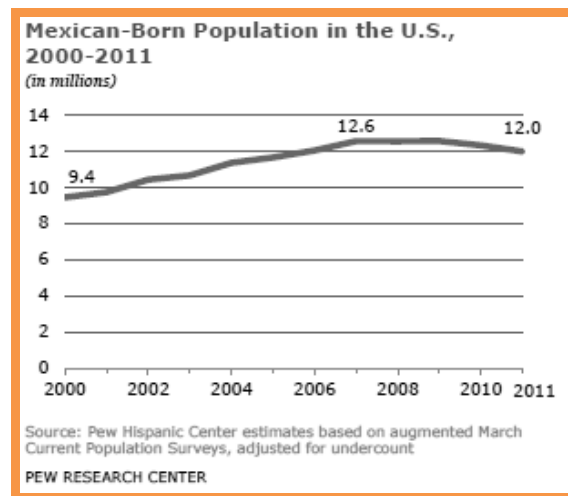
³⁴ T. Payan: *The Three U.S. – Mexico Border Wars: Drugs, Immigration, and Homeland Security*, Praeger Security International, London, 2006, p. 56.

³⁵ Hinjosa- Ojeda, Raul, „The Economic Benefits of Comprehensive Immigration Reform,“ *Cato Journal*, Winter 2012, p. 189.

increased from about 332,000 to 507,000 over the same period.³⁷ In 2000, both the U.S. expansion and the growth of Mexican migration reached a peak. That year the U.S. economy added nearly 3.4 million jobs and migration from Mexico crested at an estimated 530,000 new arrivals. In the decline phase, the U.S. economy lost 415,000 jobs in 2002 and, while migration from Mexico continued, it dropped to 378,000.³⁸ Another factor that fuelled these large numbers of immigrants was the population boom in Mexico in the 1960s and 1970s when the fertility rate was 7.3 children per woman.³⁹ At the end of the 1990s the Mexican labor market was not capable of absorbing such a huge labor force. In addition the Mexican economy experienced a major financial crisis in 1994, when the peso lost 50 percent of its value. Consequently many Mexicans headed *North* for opportunity.

The U.S. Congress did try to address the labor demand of the U.S. market by passing the 1990 Immigration Act, which increased the limits on legal migration and created new visa categories. The goal of this Act was to encourage high skilled legal immigrants, but it did not focus on the problem of illegal immigration especially from Mexico.

Figure 3. Mexican- Born Population in the U.S., 2000-2011



Source: Net Migration from Mexico Falls to Zero – and Perhaps Less, Pew Hispanic Center, 2012.

³⁶ Jorge Durand, Douglas S. Massey, Emilio A. Parrado, „The New Era of Mexican Migration to the United States,“ *Journal of American History*, (Vol. 86, No. 2, 1999) available at:

<http://www.journalofamericanhistory.org/projects/mexico/jdurand.html>

³⁷ Jeffrey Passel, Roberto Suro, „Rise, Peak and Decline: Trends in U.S. Immigration 1992 – 2004“ (Report, Pew Hispanic Center, September 27, 2005) available at:

<http://www.pewhispanic.org/2005/09/27/vi-mexico-u-s-migration-and-related-factors/>

³⁸ Jeffrey Passel, Roberto Suro, „Rise, Peak and Decline: Trends in U.S. Immigration 1992 – 2004“ (Report, Pew Hispanic Center, September 27, 2005)

³⁹ Passel Jeffrey, Cohn D’Vera, Gonzalez-Barrera Ana, „Net Migration from Mexico Falls to Zero—and Perhaps Less “ (Report, Pew Hispanic Center, May 3, 2012).

The flow of Mexican immigration was stemmed not only due to the economic recession 2000-2001, but also due to strict border enforcement policies enacted after 9/11. In 2002 Congress passed the Homeland Security Act, which created the Department of Homeland Security (DHS). Immigration policies were previously under the Immigration and Naturalization Service within the Department of Justice, now they belonged under the agenda of DHS.⁴⁰ In 2001 the American economy recovered and so too did the need for Mexican labor. Instead of meeting these demands by passing adequate legislation, Congress focused on “enforcement - only policies.” In addition the motivation of much higher wages available in the United States, outweighed the increasing difficulties and dangers Mexican migrants faced on their way *North*, and the net flow of Mexican migration did not slow down until the first signs of new struggles in the American economy.

After more than two decades of massive migration from Mexico, predominantly unauthorized, the net migration has stopped and may have reversed, according to a new analysis by the Pew Hispanic Center. The sharp downward trend in net migration from Mexico began in 2007 and can be attributed mainly to the beginning of the Great Recession in the United States. Whilst the unemployment rate in the U.S. was hovering a little above 4 percent in 2006, it skyrocketed in January 2008 and peaked at around 10 percent in January 2010. The latest statistics available show figures of approximately 7.6 percent unemployment in the U.S.⁴¹ Hispanics are among the most affected groups. Their unemployment rate still reaches above 9 percent. This fact suggests that the primary push factor for millions of migrants - economic opportunity - is becoming less appealing. In addition to the economic factors, tough border security and the increasing security challenges on the Mexican territory, has causes the net migration from Mexico to fall to zero, and reach negative numbers.

The supply/demand character of Mexican migration clearly demonstrates the primary pull/push factor. The prospects of a better life and improved living standards

⁴⁰ Georgetown Law Library, „Immigration Law (U.S.) Research Guide,“ Georgetown Law Library, available at:<http://www.law.georgetown.edu/library/research/guides/ImmigrationLaw.cfm> (accessed May 26,2013)

⁴¹ „United States Unemployment Rate, Released by Trading Economics Website,“ Official Website of Trading economics: <http://www.tradingeconomics.com/united-states/unemployment-rate> (accessed June 20, 2013)

for Mexicans and their families have been the main motivators for Mexican migration. The illegal immigration, which was dominant, reduced significantly with the Great Recession. Since 2007/2008 there has been a clear shift from massive unauthorized migration towards steady legal migration of Mexican nationals. This suggests that a new motivator surfaced and helped transform the character of Mexican migration.

2.2. From Mojados to Fresas

When discussing migration, we must recognize different types of migration, legal/illegal and temporary/permanent. Among circular migrants we can include undocumented migrants, legal temporary workers, and other legal temporary residents, including workers with H-1 visas, students, and tourists. The permanent Mexican-born population includes legal temporary residents and unauthorized migrants who spend long periods of time in the United States, as well as legal permanent resident aliens, some of whom are naturalized citizens. Both of these groups are diverse, ranging from agricultural workers to college degree absolvent working in high managerial positions.⁴²

In 1970, fewer than 1 million Mexican immigrants lived in the U.S. By 2000, that number had grown to 9.8 million, and by 2007 it reached a peak of 12.5 million. In 2012 the total number stabilized at 12 million.⁴³ Illegal immigrants from Mexico residing in the U.S. still outnumber their legal counterparts, but the proportion has shifted. As of 2011, some 6.1 million unauthorized Mexican immigrants were living in the U.S., down from a peak of nearly 7 million in 2007. Over the same period of time the population of authorized immigrants from Mexico rose modestly, from 5.6 million in 2007 to 5.8 million in 2011.⁴⁴ In order to understand the complexity of Mexican migration we should address the question of how it reached such proportions.

I am not afraid to say that the shortsighted immigration policies of the U.S. Congress led to the construction of a huge illegal labor market. As demonstrated earlier, immigration is a question of supply and demand. The United States Congress

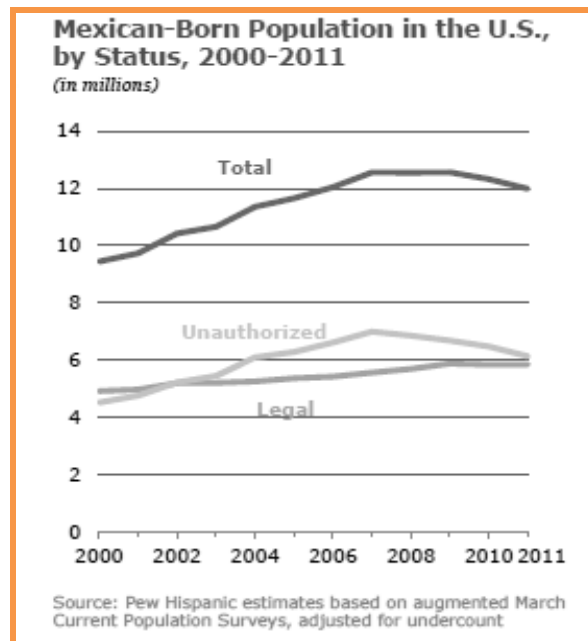
⁴² Mexico-United States Binational Migration Study 1998, Vol. 1, p. 94, available at: <http://www.utexas.edu/lbj/uscir/binpap-v.html>

⁴³ Ana Gonzalez- Barrera, Mark Hugo Lopez, „A Demographic Portrait of Mexican- Origin Hispanics in the United States Pew“ (Report Pew Hispanic Center, May 1, 2013) 5.

⁴⁴ Passel Jeffrey, Cohn D’Vera, Gonzalez-Barrera Ana, „Net Migration from Mexico Falls to Zero—and Perhaps Less “ (Report, Pew Hispanic Center, May 3, 2012).

continuously fails to recognize this fact. Despite the recommendations of immigration experts, Congress developed a set of laws that are incoherent and somewhat schizophrenic. Some scholars go further and refer to the immigration system as broken or a “non-system.”⁴⁵

Figure 4. Unauthorized vs. Legal Immigration, 2000- 2011



Source: Net Migration from Mexico Falls to Zero – and Perhaps Less, Pew Hispanic Center, 2012.

2.3. Constructing the Illegal Regime

First of all the immigration system does not reflect the dynamics of the market and the business cycle. The situation for low skilled workers is probably the most alarming and needs to be addressed within the comprehensive immigration reform. The current system has no visa category for low skilled workers filling in the year round jobs such as construction, jobs in hotels, landscaping.⁴⁶ There is the H-2A visa for agricultural workers and the H-2B for seasonal/intermittent workers with a 66,000 cap, which is grossly insufficient. These visas are very scarcely used by the employers due to the high costs and administrative burden it imposes on them. Congress continues to

⁴⁵ Ilya Shapiro, “Is Immigration Good for America- Panel 2: Assessments of the Current U.S. Immigration System,” (Panel Discussion, Cato Institute, April 26, 2012) available at: <http://www.cato.org/multimedia/events/is-immigration-good-america-panel-2-assessments-current-us-immigration-system>

introduce new regulations and sets an inflexible cap on the number of temporary worker visas. These low quotas do not respond to the supply and demand of the labor market. Therefore a black labor market emerged resulting in the millions of unauthorized migrants. The immigration trends follow a simple supply-demand rule. When the US economy was booming all the H-1B visas for temporary workers were gone in the first day. When the US economy was in recession these visas were gone within the first week.⁴⁷

Secondly, there is very little emphasis on employment visas. The current immigration system favors family relationships, so two thirds of green cards go to immediate relatives and other family members. 16 percent of the green cards go to refugees and asylum seekers. Only 13 percent of green cards are employment based and nearly half of these go to accompanying family members.⁴⁸ This is painfully true in the case of Mexican born applicants, when about 89 percent of green cards are granted on the base of family ties.⁴⁹ There is a huge disproportion between family based admissions and employment based admissions. Taking into account the large stock of Mexican laborers, the construction of an illegal market was inevitable.

Thirdly, the enforcement policies had caused temporary migrants to settle in the United States permanently. After 25 years of robust enforcement, statistics are not flattering. It did not stop Mexican migrants from entering the United States; it prevented them from returning home. Temporary seasonal migrants who were used to coming back and forth were suddenly forced to settle in the United States. The longer you stay, the more probable it is for you to settle permanently in destination country. This end of circularity caused the unauthorized population to triple.

The overall number of Hispanics of Mexican origin reached a record high in 2012, peaking at 33.7 million.⁵⁰ This estimate includes 11.4 million immigrants born in

⁴⁶ Anderson Stuart, „Is Immigration Good for America- Panel 2: Assessments of the Current U.S. Immigration System,“ (Panel Discussion,Cato Institute, April 26, 2012)

⁴⁷ Zavodny Madeline, „Is Immigration Good for America- Panel 2: Assessments of the Current U.S. Immigration System,“

⁴⁸ Ibid.

⁴⁹ Sierra Stoney, Jeanne Batalova, „Mexican Immigrants in the United States“ (Report, Migration Policy Institute, February, 2013), available at: <http://www.migrationinformation.org/usfocus/display.cfm?ID=935>

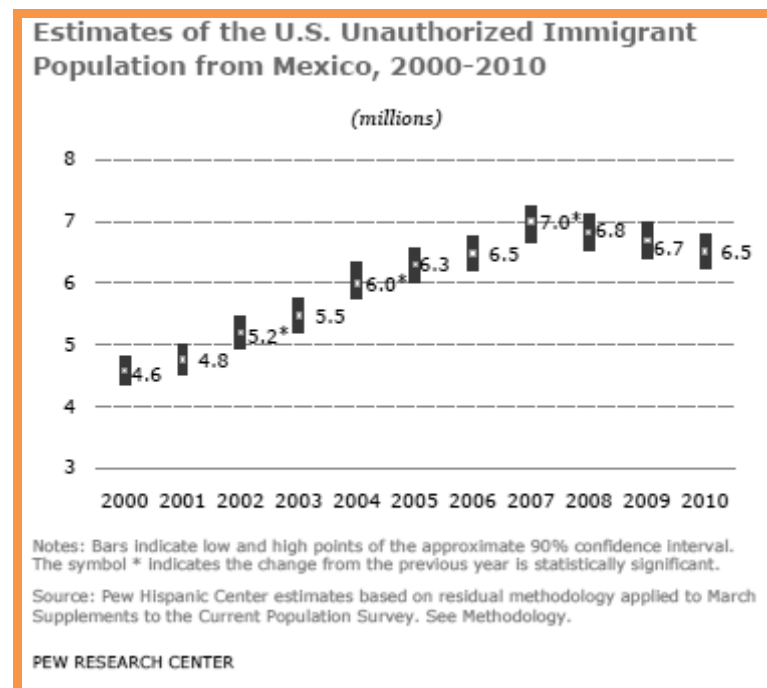
⁵⁰ Ana Gonzalez- Barrera, Mark Hugo Lopez, „A Demographic Portrait of Mexican- Origin Hispanics in the United States Pew“ (Report Pew Hispanic Center, May 1, 2013) , available at:

Mexico and 22.3 million born in the U.S. who self – identified as Hispanics of Mexican origin.

2.4. Illegal Immigration, Enforcement and its Detrimental Effects

Unauthorized low skilled immigration is the main trademark of Mexican migration. It has been increasing constantly, peaking at 7 million in 2007, and has been declining since. As of 2011 there is an estimated 6.7 million undocumented immigrants from Mexico.

Figure 5. Estimated Number of Unauthorized Mexican Immigrants, 2000- 2010



Source: Unauthorized Immigrant Population: National and State Trends, Pew Hispanic Center, 2011

About two-thirds of immigrants from Mexico (65 percent) arrived in the U.S. in 1990 or later, a vast majority illegally.⁵¹ Between one-half and two-thirds of unauthorized aliens enter without inspection. In other words they cross the border between ports of entry or are smuggled through a port. Another way is to enter illegally by using fraudulent documents. The remainder enter legally as non immigrants but then

<http://www.pewhispanic.org/2013/05/01/a-demographic-portrait-of-mexican-origin-hispanics-in-the-united-states/>

⁵¹ Ibid.

remain past the visa expiration date or otherwise violate the terms of their nonimmigrant visa.⁵²

Most unauthorized immigrant adults reside with immediate family members and about half of undocumented adults live with their own children under 18. In numerical terms, 47 percent of all unauthorized immigrant households consist of a couple with children. In comparison to the households of U.S. born residents and legal residents this figure is much higher. It is related to the demographic profile of unauthorized population which is relatively youthful in composition. As of 2008, 73 percent of children of unauthorized immigrants are U.S. citizens by birth. The number of U.S.-born children in mixed-status families, meaning a household of unauthorized immigrant parents and citizen children has expanded rapidly in recent years, to 4 million in 2008 from 2.7 million in 2003.⁵³ Congress addressed the issue of illegal immigrants by enforcing tougher border policies, including deportations. These policies have had detrimental effects on communities on both sides of the border.

Border enforcement and migration control received special attention after the 9/11 attacks, with Congress passing five more laws related to immigration control in 2002-2006. Overall, U.S. spending on migration control and related activities increased from about \$1.2 billion in 1986 to about \$17.4 billion in FY2012.⁵⁴ In 2006 Congress passed the Secure Fence Act, which approved 700 miles of fencing along the U.S. - Mexican border. In addition it authorized more vehicle barriers, checkpoints, and lighting to help prevent people from entering the country illegally. Building a fence on the U.S. - Mexican border does not offer a solution to illegal immigration. A Report issued by the Congressional Research Service in May 2009 found strong indications that illegal workers found different ways of crossing.⁵⁵ The fence and other border enforcement strategies drove illegal immigrants to more dangerous terrains of the Sonora desert, which resulted in an increased number of deaths.

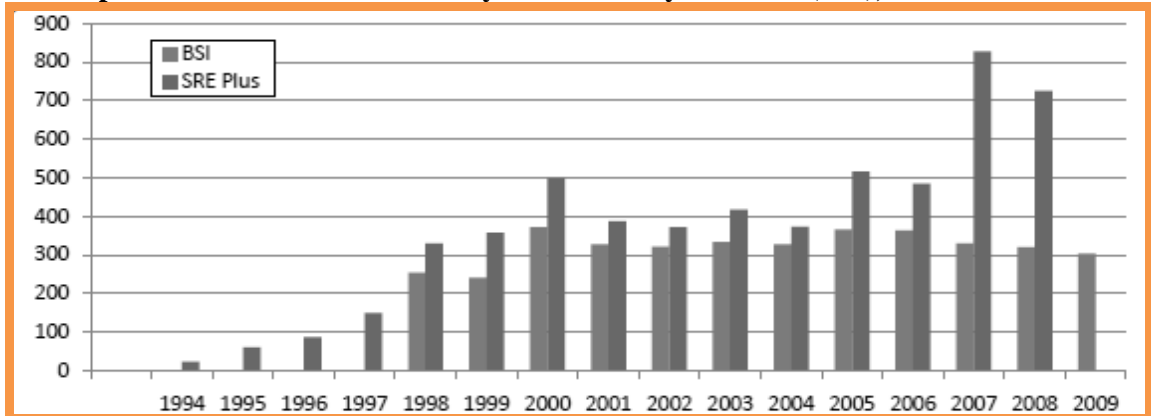
⁵² Marc R., Rosenblum, ed. „Mexican Migration to the United States:Policy and Trends“ (CRS Report for Congress, Congressional Report Service, Washington D.C., June 7, 2012) 4.

⁵³ Jeffrey S. Passel, D'Vera Cohn, „A Portrait of Unauthorized Immigrants in the United States“ (Report, Pew Hispanic Center, April 14, 2009) available at: <http://www.pewhispanic.org/files/reports/107.pdf>

⁵⁴ Marc R., Rosenblum, ed. „Mexican Migration to the United States:Policy and Trends“ p. 7.

⁵⁵ Haddal Chad, C., „ Border Security: The Role of the U.S. Border Patrol“ (CRS Report for Congress, Congressional Research Service,May 2009) available at: <http://www.fas.org/sgp/crs/homesecc/RL32562.pdf>

Figure 6. Estimated death toll by Mexico’s Secretariat of Foreign Relations (SRE) and U.S. Department of Homeland Security Border Safety Initiative (BSI), 1994- 2009



Source: Humanitarian Crisis: Migrant Deaths at the U.S- Mexico border, The American Civil Liberties Union of San Diego and Imperial Counties, 2009⁵⁶

Another negative consequence is the number of forcefully separated families due to removals by DHS officials. The total deportation rate of the Obama administration reached a record high in FY2012, resulting in more than 400,000 removals.⁵⁷ Unfortunately the subjects of the deportations are not only criminals as the administration claims. In fact only a small portion of the people removed had a criminal background, but it affects primarily the mixed-status families, people that live, work and have children in the United States. Some scholars estimate that as many as 13,000 American children had experienced deportation of at least one parent.⁵⁸ According to Jorge Bustamante, Special Rapporteur on the Human Rights of Migrants for the UN, the execution of deportation raids by U.S. government officials can be compared to raids by the German Gestapo when searching for Jews in the 1930s and 1940s.⁵⁹ Based on interviews he conducted in affected communities in the United States, he concludes there have been severe violations of human rights during these deportation raids.⁶⁰ A

⁵⁶ Jiminez Maria, “Humanitarian Crisis: Migrant Deaths at the U.S.- Mexico Border,” *The American Civil Liberties Union of San Diego and Imperial Counties*, October 2009, available at:

<http://www.aclu.org/files/pdfs/immigrants/humanitariancrisisreport.pdf>

⁵⁷ Elise Foley, „Obama Deportation Toll Could Pass 2 Million At Current Rates,” *The Huffington Post*, January 31, 2013, available at: http://www.huffingtonpost.com/2013/01/31/obama-deportation_n_2594012.html

⁵⁸ Cindy Juby, Laura E. Kaplan, „Postville: The Effects of an Immigration Raid”, *Families in Society*, (v. 92, no. 2.,2011) available at: <http://www.familiesinsociety.org/ShowAbstract.asp?docid=4096>

⁵⁹ Jorge A. Bustamante, „Mexicans Look at Mexico Lecture Series - Immigration, Security and Human Rights” (Lecture at the Baker Institute, USA, Nov. 29, 2007) available at: https://www.youtube.com/watch?v=tGd_-V8Hzmc

⁶⁰ Jorge A. Bustamante, „Mexicans Look at Mexico Lecture Series - Immigration, Security and Human Rights” (Lecture at the Baker Institute, USA, Nov. 29, 2007)

negative externality of the deportation actions is the disrupted psychology of the children. Often they are left behind after both their parents are arrested. If the child is a U.S. citizen but still a minor, he leaves with his parents.⁶¹ It is a major problem because of the long term psychological and emotional effect such a traumatic experience can cause. The child can have a feeling of abandonment, lack of trust that his parent can ensure his safety, mental health problems which can result in psychological distress, behavior problems, depression, anxiety or PTSD.⁶²

Unfortunately, I believe that the reasons behind such large scale deportations, which are to be blamed for many personal tragedies of the migrants, are of immoral reasons. The DHS, responsible for executing these deportations, has a huge amount of resources and must justify its enormous budget. The removal of an unauthorized immigrant consumes a large portion of it. The other probable reason is that President Obama is trying to set the path for the comprehensive immigration reform to pass through Congress. The comprehensive immigration reform should offer a pathway toward legalization of the unauthorized immigrants in the U.S. and more importantly significantly modify the current system.

The unauthorized immigration has been stemmed after 2007/2008. The annual flow of unauthorized immigrants from Mexico has declined from about 500,000 per year between March 2000 and March 2005 to about 325,000 per year between March 2005 and March 2007 and to about 150,000 per year between March 2007 and March 2009.⁶³ This is a result of economic reasons and security concerns. . Most of the illegal immigrants today are deportees, trying to get back to their families in the United States.⁶⁴ Many are stuck in border towns, without any resources and often they start to work for the cartels.⁶⁵

⁶¹ Ibid.

⁶² Ibid.

⁶³ Emma Britz and Jeanne Batalova, „Frequently Requested Statistics on Immigrants and Immigration in the United States“ (Report, Migration Policy Institute, January 2013) available at: <http://www.migrationinformation.org/USfocus/display.cfm?id=931#12>

⁶⁴ Rob Harris, „Trapped in Tijuana,“ *The New York Times*, October 3, 2011 (Documentary) available at: <http://www.nytimes.com/video/2011/10/03/world/americas/100000001017408/trapped-in-tijuana.html>

⁶⁵ Ibid.

The increased violence in Mexico related to cartel activities presents new dangers for unauthorized migrants crossing the border. There is no hard statistical evidence as to what the quantity would be, but a study conducted by Professor Wayne Cornelius and his team indicated that the primary fear of unauthorized migrants became drug related crime and cartel activities, rather than the traditional fears of unauthorized border crossers such as the heat, lack of water or U.S. border control.⁶⁶ It is estimated that more than 20,000 illegal Mexican migrants, including trans-migrants from Central America had been snatched by the cartels.⁶⁷ The migrants are involved in human smuggling or are forced to work for the cartels. They are also subject to kidnappings. The cartels contact the relatives in the United States and demand a ransom.

Mexican authorities have found several mass graves in the states of Tamaulipas and Chiapas. Many of them are believed to have been migrants. Cartel activities and drug related violence have deterred migrant flow from Mexico to the United States. This violence is one of the factors for the lower levels of illegal migration but it also became one of the push factors. Since 2007/2008 there is a clear shift of the nature of Mexican migration. Today there are more and more Mexicans entering the United States legally on their border crossing cards, tourist visas, green cards and investor visas.

2.5. Legal Migration

Under the current immigration law there are two main categories of U.S. visas, Nonimmigrant (temporary) visa and Immigrant (permanent) visa. A Nonimmigrant visa is designed for temporary visits such as for tourism, business, work or studying. There are 24 major nonimmigrant visa categories, and over 70 specific types of nonimmigrant visas are currently issued.⁶⁸ The H visa is the most commonly used and also the most discussed in the immigration reform debate. There are different types of H visas:

- H-1A professional workers
- H-1B specialty workers

⁶⁶ Amy Isackson, „The Effects of Violence in Mexico on Migration and Immigration Policy“ (Panel Discussion, USD Trans-Border Institute, University of San Diego, CA,USA, November 8, 2011)

⁶⁷ Ibid.

- H- 1C nurses
- H-2A temporary seasonal workers in agriculture (i.e. agricultural guest workers)
- H-2B temporary seasonal/intermittent workers

H-2A and H- 2B visas are designed for unskilled workers. The demand for these visas highly exceeds the supply. Other visa types include the B-2 tourists, E-2 treaty investors, F-1 foreign students, and J-1 cultural exchange participants.⁶⁹

An Immigrant visa applies to people who intend to migrate to the United States. If one wants to live and work in the United States legally he must obtain Legal Permanent Residency (LPR). Legal Permanent Residents are provided with a Green Card as proof of their permanent status. There are numerical limits and preference categories that give priorities for permanent immigration based on familial relationships, employment connections, protection of refugees, and diversity of admissions by country of origin.⁷⁰

According to the CRS Report for Congress 1.1 million aliens became LPRs in the fiscal year 2011. A majority (65percent) entered on the basis of family ties, 13percent on the basis of employment, 16percent as refugees and asylees and 5percent diversity migrants.⁷¹ The majority of granted LPRs were an adjustment of a non-immigrant status to a permanent status, rather than accepting more immigrants to the country. Due to the per country quotas, some countries have a very long waiting time to obtain LPR status, including Mexico. A U.S. citizen wishing to sponsor an unmarried adult child from Mexico, must wait about 20 years before the application will be processed.⁷²

⁶⁸Ruth, E., Wasem, "U.S. Immigration Policy: Chart Book of Key Trends" (Report, Congressional Research Service, Washington D.C., 2013) 1.

⁶⁹ Ruth, E., Wasem, "U.S. Immigration Policy: Chart Book of Key Trends," 8.

⁷⁰Ibid. 1.

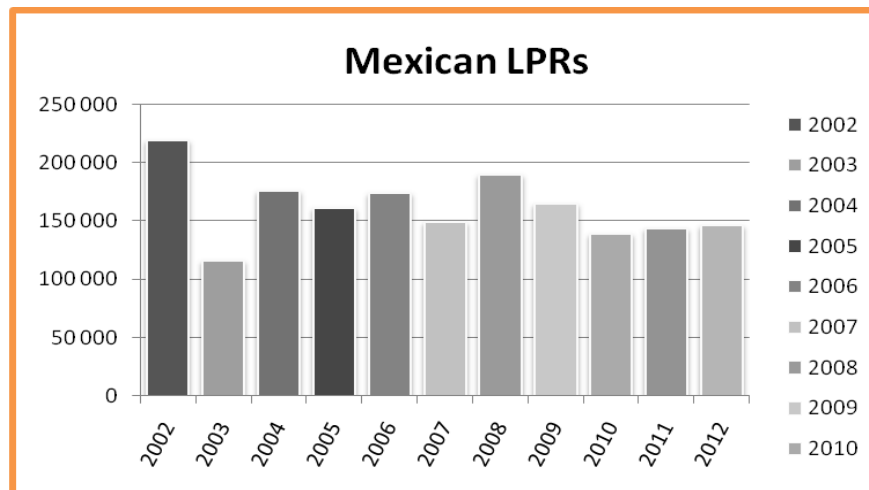
⁷¹ Ibid. 3.

⁷² Emma Britz and Jeanne Batalova, „Frequently Requested Statistics on Immigrants and Immigration in the United States“ (Report, Migration Policy Insitute,January 2013)

2.5.1. Legal Permanent Residents

In 2011, 143,446 Mexican immigrants obtained green cards, accounting for 14 percent of the 1.1 million immigrants granted LPR status. The foreign born from Mexico gained LPR status mostly through family reunification. About 89 percent obtained green cards through family relationships, 6 percent through employment, and 5 percent through other routes, including a small number of refugees or asylees.⁷³ The most recent statistics available suggests that as many as 146,406 Mexicans received LPR status in 2012.⁷⁴ This confirms the recent trend in a modest increase of permanent legal migration from Mexico.

Figure 7. Mexican- Born LPRs by Year, 2002- 2012



Source: 2012 Yearbook of Immigration Statistics, USCIS, 2012

2.5.2. Mexican Asylees

Another form of permanent legal settlement is through asylum. We can follow a recent phenomenon where the number of asylum claims of Mexican nationals skyrocketed as a result of brutal violence throughout the Mexican territory. The number of asylum claims remains disproportionate to the number granted by the U.S. Mexican nationals are much less likely to be granted asylum for a couple of reasons. If the United States began to grant Mexican nationals asylum in large amounts, it would imply that Mexico is not capable of protecting its citizens and the government of Mexico is

⁷³ Mexican Immigrants in the United States” (Report, Migration Policy Institute, February, 2013),

⁷⁴ 2012 Yearbook of Immigration Statistics, USCIS, 2012

complicit in the abuse, which would negatively affect U.S. - Mexican relations.⁷⁵ Also the U.S. law does not recognize drug related violence as a rationale for asylum.⁷⁶ Very explicit criteria must be met for one to be granted asylum. It is intended for people that are fleeing a specific type of violence and not generalized violence.

First, the petitioner must apply in the United States or at the point of entry and declare that he is unwilling or unable to return back to Mexico on the basis of well founded fear of persecution, on the grounds of race, religion, nationality or membership of a particular group or political opinion. The problem that most applicants from Mexico meet is proving the “well founded fear” criteria and “on the count of grounds” criteria. The claimant also has to demonstrate that the government is unwilling or unable to protect them. All in all it takes a very specific case to meet all legal requirements in order to obtain asylum.

To draw a clearer picture of how difficult this process actually is, I would like to include a quote by Ginger Jacobson, an immigration lawyer in San Diego: *“If I had an individual calling me from Mexico saying, I can’t stand the violence anymore, I am scared. I would ask him if he wanted to start a business in the United States and get a business visa quite frankly, because it would be next to impossible for that person to get asylum. Even amongst us that practice asylum law and are very passionate about it, you will often here us say, let us try any other remedy first. Do you have an employer in the United States, do you have a grandparent in the United States... you go through every possible means of legal migration. If your client has any other legal ways to get into the United States, you would not encourage him to apply for asylum.”*⁷⁷

Despite the difficulties in obtaining asylum, the number of requests has gone up. According to the statistics of the Executive Office for Immigration Review, of the Department of Justice as of FY 2012 the number of asylum requests reached 9206. The

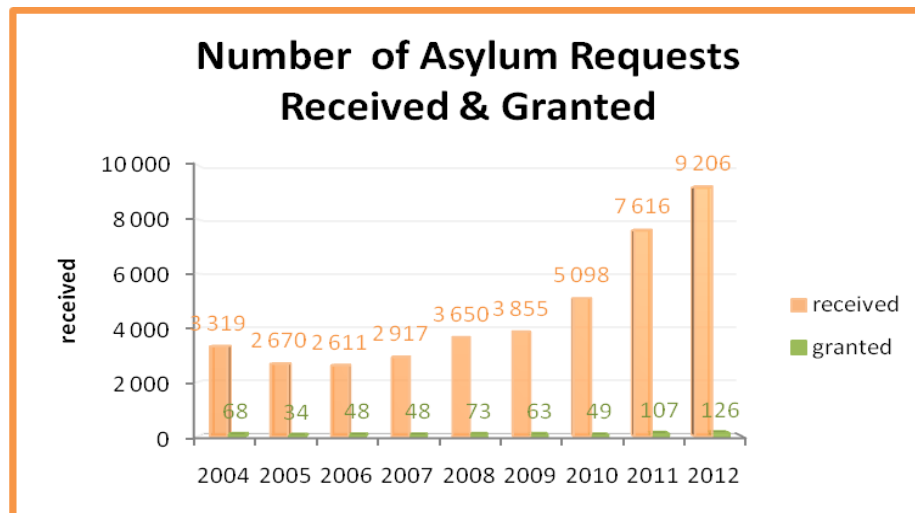
⁷⁵ Amy Isackson, „The Effects of Violence in Mexico on Migration and Immigration Policy“ (Panel Discussion, USD Trans-Border Institute, University of San Diego, CA,USA, November 8, 2011)

⁷⁶ David Shirk, „Dean's Roundtable Breakfast: Special Update: The War on Drugs in Mexico (Panel Discussion, IR/PS, San Diego, USA, 14. 12. 2011) available at: <https://www.youtube.com/watch?v=qQG6HKfGeFU>

⁷⁷ Ginger Jacobson, „The Effects of Violence in Mexico on Migration and Immigration Policy“ (Panel Discussion, USD Trans-Border Institute, University of San Diego, CA,USA, November 8, 2011)

number of granted request was much lower, at just 126.⁷⁸ The exact number of asylums granted due to security concerns of Mexicans is very difficult to establish. Immigration proceedings are confidential and federal officials do not release this type of information to the public.

Figure 8. Number of Asylum Requests, Mexican-Born, 2004- 2012



Source: Asylum Statistics by Nationality, Executive Office for Immigration Review, DOJ, 2004- 2012.

2.5.3. Investor Visas EB- 5 and Business Related Visas

The investor visas are a relatively new way of permanently settling in the United States. The USCIS reserves 10,000 visas for EB-5 applicants each year. To obtain this type of visa an individual must invest \$ 1,000,000 or at least \$ 500,000 in a high unemployment or rural area and create at least 10 jobs for U.S. workers excluding the investor and his immediate family.⁷⁹ Since February 2010 Mexican investors have poured nearly \$45 million into Dallas via the EB-5.⁸⁰ Texas in particular has seen a new wave of wealthy Mexican migrants that decided to relocate because of security concerns

⁷⁸ „FY 2012 Asylum Statistics, U.S. Department of Justice Executive Office for Immigration Review Immigration Courts,“ official website of Department of Justice, available at: <http://www.justice.gov/eoir/efoia/FY12AsyStats-Current.pdf> (accessed April 24, 2013)

⁷⁹ „U.S. Citizenship and Immigration Services, EB-5 , Immigrant Investor Private Program,“ Official website of the USCIS, available at: <http://www.uscis.gov/USCIS/Resources/Resourcespercent20forpercent20Congress/Congressionalpercent20Reports/EB-5percent20Investorpercent20Pilotpercent20Program.pdf> (accessed June 13, 2013)

⁸⁰ J.K. Nickell, „The New — and Rich — Immigrants from Mexico: How Their Money is Changing Texas,“ *Time*, January 14, 2013, available at: <http://nation.time.com/2013/01/14/the-new-and-rich-immigrants-from-mexico-how-their-money-is-changing-texas/>

connected to the large scale violence on the border. They have regrouped in gated developments and their growing influence has been compared to the impact of well-heeled Cuban refugees who arrived in Miami decades ago.⁸¹

More than 50,000 Mexican nationals now live permanently in San Antonio in a small enclave known as "Sonterrey" or "Little Monterrey". The area of these new developments is the city's second-fastest growing ZIP code.⁸² According to Ana Sarabia, a real estate agent in San Antonio, the new *fresas*⁸³ migrants are reshaping the city. *"I can see it transitioning. This has always been a bicultural city. Parts of it have now become a new Mexico,"* she explained for an interview for the L.A. Times.⁸⁴ Also El Paso has seen a large influx of wealthy Mexican businessmen, fleeing the violence. It has also been nicknamed "Little Juarez." Housing, schooling, business associations and many other spheres have changed significantly over the past couple of years to adapt to new migration patterns.⁸⁵ These entrepreneurs have started to organize themselves in self support groups, and provide new comers advice on how to relocate their business from Mexico.⁸⁶ Investment from Mexico to the United States has increased 11 percent in the past year and is currently at \$ 27.9 billion. Almost 4,000 investor visas were issued to Mexicans last year, which is more than from all other countries except Japan and Germany.⁸⁷

2.5.4. Nonimmigrant Visas

Non-immigrants, characterized by law, are foreign nationals who are admitted to the United States for a temporary period of time and for a specific purpose, including

⁸¹ Molly Hennessy-Fiske, „Wealthy, business-savvy Mexican immigrants transform Texas city“ *Los Angeles Times*, March 24, 2013, available at: <http://articles.latimes.com/2013/mar/24/nation/la-na-sonterrey-20130324>

⁸² Ibid.

⁸³ Fresas (strawberry), or Migrantes fresas refers to high- end/ wealthy immigrants

⁸⁴ Molly Hennessy-Fiske, „Wealthy, business-savvy Mexican immigrants transform Texas city“

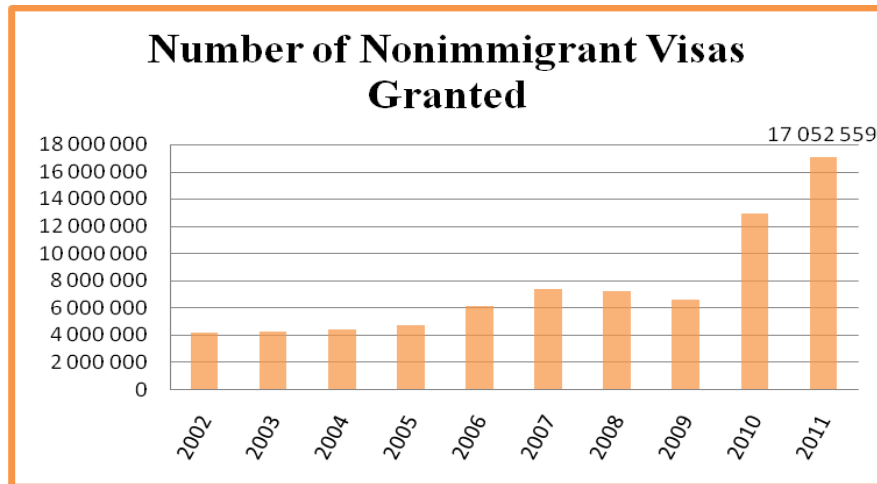
⁸⁵ Rios, "Unexpected Consequences of Mexico's Drug War for US National Security: More Mexican Immigrants" 17.

⁸⁶ Ibid. 18

⁸⁷ „Mexican Investment in the United States Up 11%: U.S. Embassy Organizes Events to Promote Investment,“ Press Releases & Statements of the U.S. Embassy in Mexico, Official website of U.S. Embassy in Mexico, available at: <http://mexico.usembassy.gov/press-releases/mexican-investment-in-the-united-states-up-11-us-embassy-organizes-events-to-promote-investment.html> accessed May 29, 2013)

tourists, students, and temporary workers.⁸⁸ Mexico has been the top sending country of non immigrants for decades. Since 2007 there has been a dramatic increase in granted non-immigrant visas for Mexican nationals, peaking at 17, 052,559 in FY 2011.⁸⁹

Figure 9. Number of Granted Nonimmigrant Visas to Mexican Nationals, 2002- 2011.



Source: 2012 Yearbook of Immigration Statistics, USCIS, 2012

The number of Mexicans fleeing drug related violence using non-immigrant visas and border crossing cards has increased. There is no real systematic count to determine the exact number of people that have used their non-immigrant visas and border crossing card to escape the violence in Mexico, only anecdotally. It is possible to study this new trend only based on casual observations or indications. For example, in Baja California people have begun fleeing since 2006 because of the increased number of kidnappings in the region. The majority came to San Diego and lived on their non-immigrant visas and border crossing cards.⁹⁰ A large number of these “visa abusers” have now voluntarily returned to Baja California because of the improved security situation in Tijuana. The violence is still high, but much lower than in previous years. The number of non-immigrant visas issued since the rise of violence in Mexico has radically increased. The economy in the U.S. is recovering only slowly, which suggests that the main motivation for Mexican migration today is not economic, but based on security concerns.

⁸⁸ Ruth, E., Wasem, “U.S. Immigration Policy: Chart Book of Key Trends” 7.

⁸⁹ „Data tables, nonimmigrant admissions, 2011 Yearbook of Immigration Statistics Homeland security,“ Official website of Department of Homeland Security, available at: <http://www.dhs.gov/yearbook-immigration-statistics-2011-2> (accessed May 20, 2013)

⁹⁰ Amy Isackson, „The Effects of Violence in Mexico on Migration and Immigration Policy“

2.6. Summary

The character of Mexican Migration has changed. The shift from massive unauthorized migration towards steady legal migration cannot be contributed to just one factor. It is a combination of demographic changes in Mexico, an increase in the number of Mexicans earning college degrees, a constant increase in the costs and dangers associated with crossing the border, the escalation of violence on the Mexican side of the border and the Great Recession in the United States. All these factors led to the significant decline in illegal immigration.

Mexico has also been hit by the economic recession but had managed to recover much faster than the American economy. The Mexican economy grew by nearly 4 percent, whereas the United States economy experienced only a modest growth close to 2 percent in the past two years.⁹¹ The Mexican population is not growing as rapidly as in the 1960s and 1970s when the Mexican fertility rate reached 7.3 children per woman. By 2009 the fertility rate declined to 2.4 children per woman and continues to fall.⁹² This suggests that the Mexican labor market should be able to absorb the labor demand. In addition, the performance of the American economy and the high unemployment rate, do not attract as many illegal immigrants.

Another deterrent on the unauthorized migration is the significant danger waiting for potential migrants on the border. Due to enforcement policies of the DHS, unauthorized migrants must cross through more dangerous terrains that often result in deaths. Aside from this threat, illegal immigrants are often exploited and killed by drug cartels operating on the border.

The escalation of violence in Mexico not only served as a deterrent on potential illegal border crossers, but also encouraged predominantly legal migration to the United States. This new wave of Mexican immigrants are fleeing from the drug related violence, extortion and kidnapping threats. Since 2007/2008 the number of non immigrant visas, business investor visas, and asylum claims increased significantly. The

⁹¹ „Annual GDP Growth by Country, Released by The World Bank,“ Official website of The World Bank, available at <http://data.worldbank.org/indicator/NY.GDP.MKTP.KD.ZG> (accessed June 27, 2013)

⁹² Passel Jeffrey, Cohn D’Vera, Gonzalez-Barrera Ana, „Net Migration from Mexico Falls to Zero—and Perhaps Less .“

number of LPRs is steadily increasing since 2010. It has become more common to see the new “*migrantes fresas*” driving Mercedes and wearing Prada, than seeing unauthorized low skilled “*mojados*.” The new migrants have the finances to apply for investor visas and start or relocate their business from Mexico. The Mexicans that do not have the finances use their nonimmigrant visa and border crossing card and live on them in the United States to escape the violence. Many of these quasi legal/illegal migrants return back to Mexico when they feel safe enough to do so. The number of asylum claims is increasing quite steeply, but the numbers granted remain disproportionately low. In the beginning of this new exodus it seemed as the bulk of people asking for asylum were mayors, public officials, police officers and journalists. Now it appears they have diversified and it is ordinary people that seek asylum to flee the violence.

The number of Mexican immigrants to the United States due to drug related violence seems marginal to the numbers of economic migrants. These economically driven migrants have been dominating the flow of Mexican migration for decades until recently. In order to understand the context of this new wave of Mexican migration, it is necessary to analyze the domestic developments and security situation in Mexico.

CHAPTER 3: Drug Related Violence in Mexico

In the past six years Mexico has been experiencing a difficult era. Mexicans faced the steepest recession on the American mainland, a plague of H1N1 swine flu and an extremely violent war against drug trafficking organizations (DTOs).⁹³ It is important to note, that not all of Mexico is plagued with violence. Some states have not been affected at all, some have not been affected so much, and some states especially on the border experienced extreme and gruesome violence. Casualties of this war on drugs are reaching record levels leaving more than 60,000 dead.⁹⁴ This unprecedented drug related violence, often compared to the bloodshed of the Mexican revolution in 1910, has become a new push factor driving Mexicans not only across the U.S. - Mexican border but also to other regions in Mexico.

Estimates range from 30,000 to 400,000 “*narcorefugee*.” That had left Ciudad Juárez alone.⁹⁵ According to a private consultancy company approximately 1.6 million people had been displaced.⁹⁶ This number has not been published officially and the methodology is not clear. According to the Norwegian Refugee Council as many as 115,000 “*narcorefugees*” have crossed into the United States as of 2011.⁹⁷ It is important to note that these numbers are ambiguous and there is no hard statistical evidence as to the actual number of Mexicans escaping the war on drugs. Viridiana Rios suggests that as many as 264,693 Mexicans have been displaced by drug related violence.⁹⁸

⁹³ Tom Wainwright, „From darkness, dawn“, *The Economist*, Nov 24th 2012, available at:

<http://www.economist.com/news/special-report/21566773-after-years-underachievement-and-rising-violence-mexico-last-beginning>

⁹⁴ BBC News Latin America and the Caribbean, „Q&A: Mexico's drug-related violence“, *BBC*, July 16, 2013, available at: <http://www.bbc.co.uk/news/world-latin-america-10681249>

⁹⁵ 30.000 estimated by Rodolfo Rubio Salas (a professor and researcher at the Juárez City campus of Colegio de la Frontera Norte) and up to 400.000 estimated by Mexodus

⁹⁶ International Displacement Monitoring Center, “Mexico: Displacement due to criminal and communal violence”(Report, *Norwegian Refugee Council*, 2011) available at:

[http://www.internaldisplacement.org/8025708F004BE3B1/percent28httpInfoFilespercent29/677BB8CB_A2F6DAB9C1257953004A18BE/\\$file/mexico-overview-nov2011.pdf](http://www.internaldisplacement.org/8025708F004BE3B1/percent28httpInfoFilespercent29/677BB8CB_A2F6DAB9C1257953004A18BE/$file/mexico-overview-nov2011.pdf)

⁹⁷ Ibid.

⁹⁸ Rios, “Unexpected Consequences of Mexico's Drug War for US National Security: More Mexican Immigrants” 16.

Although Mexico, in comparison with other Latin American countries, seems to be doing well in terms of the total level of homicides per 100.000 inhabitants, which is the measurement, used here to identify the level of violence in Mexico, the sudden dramatic rise in 2007 deserves our fullest attention. According to the latest possible statistics, the level of violence in 2012 diminished. The number of municipalities in Mexico free of violence increased to at least 1556 out of 2457. The worst, most brutal violence is concentrated only in 10percent of the total municipalities, but other crimes related to drug violence such as kidnappings and extortions remain widespread.

The purpose of this chapter is to provide a comprehensive description of the situation in Mexico today. This chapter will focus on the security situation, the escalation of violence, most violent areas in Mexico and target groups along with demonstrating that violence became one of the main factors for Mexican migration to the United States. It is not limited only to one specific social class, but reaches each strata of Mexican society. In order to understand why casualties reached such high levels we must first look at the reasons why President Calderón declared the war on drugs.

3.1. Declaring the War Against DTOs and its Rational

During a speech at the Mexican Museum of Anthropology on September 2, 2011 Mexican president Felipe Calderon Hinjosa defended his strategy against *la guerra contra el narcotráfico*: “If we had not done anything, the country would be completely dominated by cartels, crime would have grown up to the point that state institutions had stopped working and the state institutions would have been at their[the cartels] service.”⁹⁹

Calderon’s presidential term ended on November 30th 2012.¹⁰⁰ During his six year presidency an average of 10,000 organized crime related murders per year were

⁹⁹ Salvador Camarena, „Calderón mantendrá la guerra contra el 'narco' hasta el final de su mandato,“ *El País*, September 3, 2011 available at:

http://elpais.com/diario/2011/09/03/internacional/1315000807_850215.html

¹⁰⁰ Ibid.

committed across Mexico.¹⁰¹ Calderón repeatedly reaffirmed he would fight the DTOs, introducing a strategy that in the end, crippled several communities, cities, and states in Mexico and consequently produced such gruesome violence.

It is possible to debate whether this was a successful policy in battling organized crime or not, or debate over measures that should have been taken to stop such bloodshed, but why did this war on cartels begin in the first place? What were the reasons behind launching such an aggressive campaign against the drug trafficking organizations (DTOs)?

Early in 2006, Calderón pointed out three main reasons why the DTOs must be tackled.

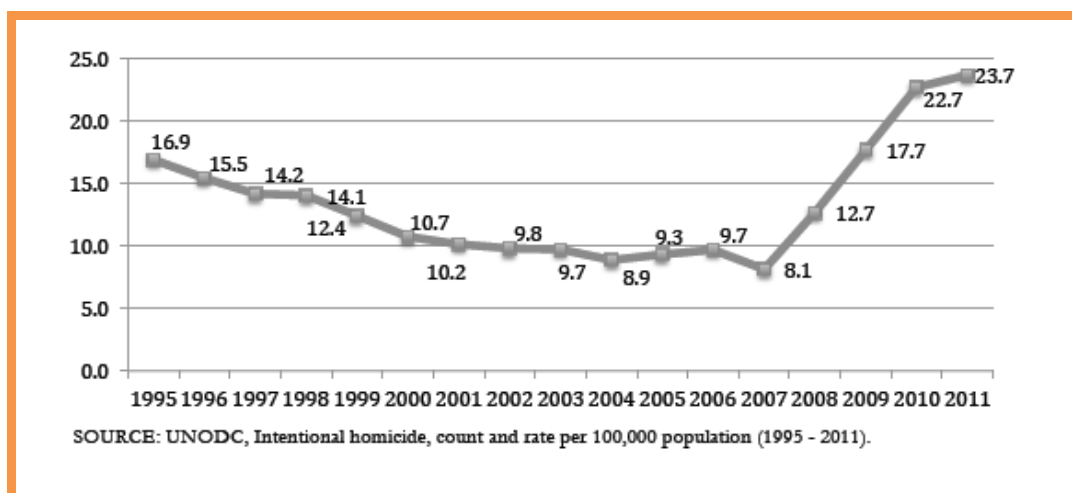
- 1) Violence in Mexico had been increasing to new highs and the security situation had worsened.
- 2) Mexico had become a drug consumer country.
- 3) Drug cartels had become so powerful that they were taking over the country.¹⁰²

Were these premises true or false? According to Jorge G. Castañeda, former Minister of Foreign Affairs during the Fox administration and a renowned intellectual, all of these arguments were false. Prior to 2006, the violence in Mexico had been in decline since the early 1990s. Using an indicator of the number of willful homicides per 100,000 inhabitants; the rate of homicides steadily decreased year on year.

¹⁰¹ June S. Beittel, „Mexicos Drug Trafficking organizations: Source and Scope of the Rising Violence“ (report prepared for the Congress of the United States, Congressional Research Service, Washington D.C., August 3, 2012, 1. available at: <http://www.fas.org/spp/crs/row/R41576.pdf>

¹⁰² Jorge G. Castaneda, „Time for an Alternative to Mexico's Drug War,“ *CATO Institute*, September 24, 2012, available at: <http://www.cato.org/publications/economic-development-bulletin/time-alternative-mexicos-drug-war>

Figure 10. Homicide Rate in Mexico, 1995- 2011.



Source: Drug Violence in Mexico: Data and Analysis Through 2012, TBI, 2012.

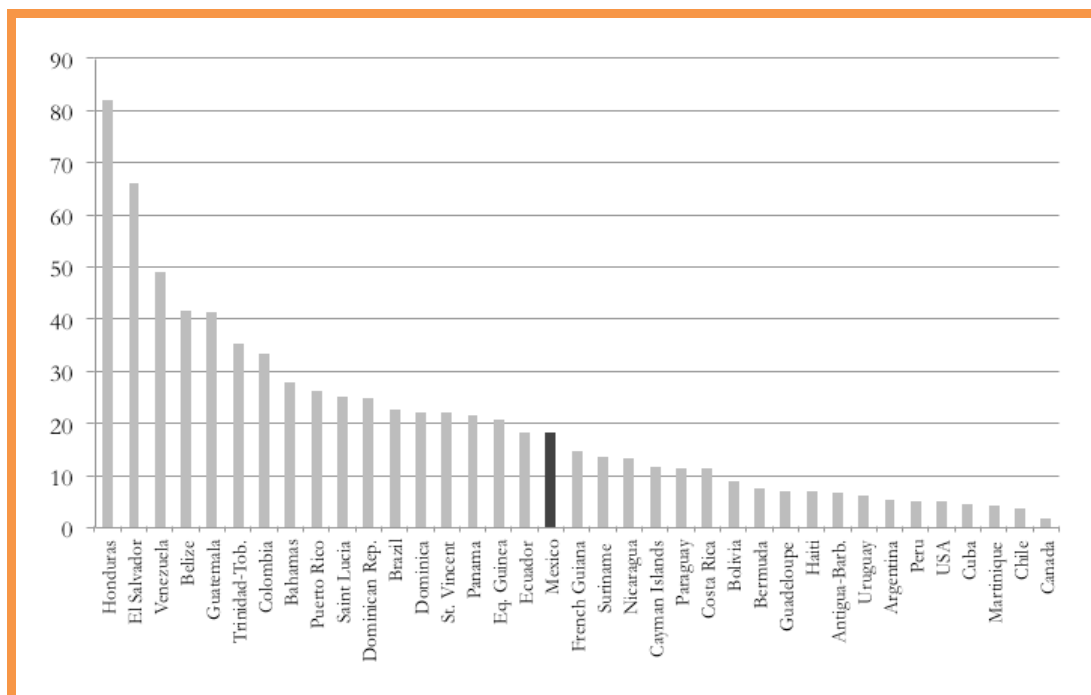
The total number of homicides cannot be attributed only to the activities of the drug cartels. In 2007 31.9percent of homicides were related to drug violence. By 2010 and 2011, drug violence accounted for 63.4percent and 53.8percent of all intentional homicides. What is even more disturbing is the fact that homicides became the primary cause of unnatural death among young people in Mexico.¹⁰³

Prior to 2006 Mexico's homicide rate per 100,000 inhabitants reached one-third the rate in Brazil, one-tenth of Colombia's at the peak of violence there, and one-third of what Mexico is experiencing today. As of 2011 Mexico's overall homicide rate, 18 homicides per 100,000 has reached disturbing levels but, compared to other Latin countries, seems relatively moderate; i.e. Honduras (82), El Salvador (66), Venezuela (49), Belize and Guatemala (41), Colombia (33) and Brazil (22).¹⁰⁴

¹⁰³ Cory Molzahn, Viridiana Ríos, David Shirk, „Drug Violence in Mexico Data and Analysis Through 2011,“ (Report, Trans-Border Institute, University of San Diego, March 2012) 12-13, available at: <http://justiceinmexico.files.wordpress.com/2012/03/2012-tbi-drugviolence.pdf>

¹⁰⁴ Ibid.

Figure 11. Homicide Rate per 100,000 Inhabitants in the Western Hemisphere, 2011.



Source: Drug Violence in Mexico: Data and Analysis Through 2011, TBI, 2012.

Violence in Mexico had been declining for 20 years, but then spiked from 2007 on. In 2011 Mexico saw violence reach Brazilian levels.¹⁰⁵ Even though the violence has not been increasing as rapidly as in previous years and the rate of drug related homicides declined for the first time in six years, the security situation is far from being stable. The sense of fear has become ever present in Mexican society. People have shifted their daily habits because of fear of violence. As much as 80 percent of Mexicans have a fear of kidnapping, crossfire, street assault and extortion. More than 25 percent have received extortion phone calls.¹⁰⁶ The social fabric of society has been affected by this dramatic increase in violence.

The second premise was that Mexico transformed into a drug consumer country and the drugs became easily accessible to children and adolescents. It is necessary to have reliable data on drug consumption among Mexicans. Since 1988 the Ministry of Health has conducted a national survey every five years examining drug use in

¹⁰⁵ Jorge G. Castaneda, „Time for an Alternative to Mexico's Drug War,“ *CATO Institute*, September 24, 2012, accessed November 1, 2012, <http://www.cato.org/publications/economic-development-bulletin/time-alternative-mexicos-drug-war>

¹⁰⁶ Alberto Callero, „Dean's Roundtable Breakfast: Special Update: The War on Drugs in Mexico (Panel Discussion, IR/PS, San Diego, USA, 14. 12. 2011)

Mexico.¹⁰⁷ The data from 1998, 2002 and 2008 show that drug consumption among the urban population between 12 and 65 years of age, has not changed radically. In fact, there was a decrease of drug use from 5.3percent in 1998 to 4.2percent in 2002. This is the last statistic available prior to Calderón's campaign against cartels. The national survey in 2008 revealed that drug consumption had again increased to 5.5percent. There are several problems with using these figures. Firstly, the surveys did not include the rural population. Secondly, they did not take into account drug dealers and drug hubs, where drug use is much higher. Castañeda argues that, if you have the drugs in Mexico, it is much more logical and profitable to sell them in the United States with a 10-15percent higher price than in Mexico itself.¹⁰⁸

The third premise, that Mexico is being taken over by drug cartels, is very difficult to analyze. Without a doubt, DTOs have been present in Mexican society since the early 20th century. The influence of the DTOs grew during the one party rule of the PRI (*Partido Revolucionario Institucional*). The PRI did not generally tolerate crime but, to a large degree, it tolerated drug production and trafficking in certain regions of the country. The PRI government even protected some of these criminal organizations.¹⁰⁹ This tacit agreement between the government and the cartels plummeted with the democratization process and political pluralism in Mexico and peaked during the PAN (*Partido Acción Nacional*) rule and the presidency of Felipe Calderón. Knowing the context, how can it be said that “tomorrow” Mexico will fall into the hands of drug lords if nothing will be done, as Calderón suggested in 2006?

Mexico, even though there are several “narco cities,” cannot be considered a „narco state” (*narcoestado*) or a failed state. Not all regions are so severely affected by the operations of the cartels but Mexico does, without a doubt, have serious issues with corruption, which facilitates cartel activities. According to the Corruption Perceptions Index 2011 by Transparency International, Mexico received a score of 3 on a scale from 0 “most corrupt” to 10 “least corrupt”. To put this into context the United States was

¹⁰⁷ Jorge G. Castaned and Rubén Aguilar V., *El Narco: La Guerra Fallida* (D.F. México, Punto de lectura, 2009) p.18

¹⁰⁸ Jorge G. Castaneda, „Time for an Alternative to Mexico's Drug War,”

¹⁰⁹ June S. Beittel, „Mexico's Drug Trafficking organizations: Source and Scope of the Rising Violence” 1.

ranked at 7.1, Canada 8.7, both countries allied with Mexico in the NAFTA. In contrast, Mexico's rankings are about the same level as Egypt at 2.9.¹¹⁰

The Calderón administration has not been successful in battling corruption. A few examples out of many demonstrate just how corruption reaches all parts of the government and state institutions. In August, 2010 police corruption was illustrated when almost 10percent of the 34,500- person federal force were fired due to their failure of basic integrity tests.¹¹¹ In September 2012, it was announced that some 65,000 state and local police were to be removed due to failed background checks. This accounts for 36percent out of a total of 430,000 state and municipal officers serving throughout Mexico.¹¹²

In the beginning of his term, Calderón launched operation Michoacán, which led to the arrest of 30 mayors and 5 other Michoacán state officials, all of whom were accused of taking bribes from cartels. At first, it seemed that the government was tackling the problem of corruption. It seemed that the cooperation of cartels and politicians was recognized and punished, but when the court ruled that the evidence was too “flimsy” and all but one of the suspects was freed, many to return to their old positions, the fusion of cartels and politics just became more evident.¹¹³

In 2011 the former mayor of the resort city, Cancún in the state of Quintana Roo, Gregorio “Greg” Sanchez was released after 14 months in prison when his case collapsed in federal court. He was arrested on drug trafficking and money laundering charges.¹¹⁴ A similar story took place in Tijuana, Baja California in 2011, when former

¹¹⁰ „Corruption Perceptions Index 2011, Transparency International,“ official website of Transparency International, available at: <http://cpi.transparency.org/cpi2011/results/> (accessed January 5, 2013)

¹¹¹ Beittel, „Mexico's Drug Trafficking organizations: Source and Scope of the Rising Violence,“ p.6

¹¹² Edward Fox, „Mexico to Purge State, Local Police of 65,000 Officers,“ *In Sight Crime*, September 18, 2012, available at: <http://www.insightcrime.org/news-briefs/mexico-to-purge-state-local-police-of-65000-officers>

¹¹³ Ken Ellingwood and Tracy Wilkinson, „Corruption sweep in Mexico's Michoacan unravels in the court,“ *Los Angeles Times*, December 12, 2010, available at: <http://articles.latimes.com/2010/dec/12/world/la-fg-mexico-michoacan-20101212>

¹¹⁴ Tracy Wilkinson, „Ex-mayor of Cancun released as case appears to collapse,“ *Los Angeles Times*, June 21, 2011, available at: <http://articles.latimes.com/2011/jul/21/world/la-fg-mexico-cancun-mayor-20110721>

mayor Jorge Hank Rhon, was released less than two weeks after his arrest. He was arrested on murder charges and released due to errors in arrest procedures.¹¹⁵

The DTOs are able to advance their operations through wide spread corruption but, when bribery fails to achieve cooperation, the DTOs employ alternative tactics: violence.¹¹⁶ These few examples of corruption reflect the level of involvement of Mexican cartels in Mexican politics. After examining the governments' reasons for declaring *la guerra contra el narco*, there is one more reason to consider. According to Castañeda it is nothing less than politics.

Felipe Calderón won the 2006 presidential election by a 0.56percent narrow margin.¹¹⁷ His political opponent and second runner up Andrés Manuel López Obrador (AMLO) contested the election and refused to acknowledge the result. Immediately, suspicions of fraud surfaced, based on Mexico's long history of disputable elections. Therefore, Felipe Calderón wanted to legitimize himself and to mark his presidency in Mexican history by doing something spectacular. As mentioned earlier, he launched operation Michoacán, which was supposed to be efficient and quick, but which turned into a bloody war with 60,000 plus casualties, transformed the nature and the functions of the drug trafficking organizations into a competitive and more diverse business, damaged Mexico's image abroad intensified by images of beheaded corpses, executions or public hangings from bridges, and put a burden on the government's budget, as the cost of the drug war has accounted for more than 1/5 of the national budget.¹¹⁸

Despite the anti- US sentiment that resonated throughout Mexican history, Mexico and the United States closely collaborate on fighting the "drug war." Roderic Ai Camp¹¹⁹ observed: *"This is by far the greatest cooperation between the two armed forces in recent memory."*¹²⁰ Through the Merida initiative launched in 2007, the

¹¹⁵ Beittel, „Mexicos Drug Trafficking organizations: Source and Scope of the Rising Violence,“ p.6

¹¹⁶ Ibid.

¹¹⁷ Joseph L. Klesner, „The 2006 Mexican Elections: Manifestation of a Divided Society?“ *American Political Science Association*, January 2007, available at: http://www.apsanet.org/imgtest/psjan07klesner_2.pdf

¹¹⁸ Jorge G. Castaneda, „Time for an Alternative to Mexico's Drug War,“

¹¹⁹ Government professor and Mexico expert at Claremont McKenna College.

¹²⁰ Tracy Wilkinson, Richard Fausset and Brian Bennett, „U.S.-Mexico drug war partnership under Calderon broke new grand,“ *Los Angeles Times*, November 28, 2012, available at: <http://articles.latimes.com/2012/nov/28/world/la-fg-us-mexico-drug-war-20121129/2>

United States has pumped \$ 1.93 billion into the “war on drugs” and the Defense Department added an additional \$321 million.¹²¹ The plan initially delivered military hardware and helicopters to the Mexican government and military, but shifted into reforming and strengthening weak institutions such as prisons, prosecutors and corrupt police forces. More than 14,000 Mexican police, prosecutors and other personnel received U.S. training.¹²²

The extent to which this collaboration has been successful is debatable. Nevertheless, it shows the transformation of the approach of the Mexican government toward US intervention in its domestic issues. United States and Mexico are interconnected on all levels, politically, socially and, economically. Mexico with such outstanding financial support was expected to take some vigorous and visible actions. Mexico and the United States are interconnected on all levels, perhaps more than some are willing to accept.

3.2. Brief Introduction to the Drug Trafficking Organizations

“Salieron de San Isidro, procedentes de Tijuana traían las llantas del carro repletas de hierba mala eran Emilio Varela, y Camelia, la Texana...”¹²³

There are several types of DTOs but they can be generally described as global businesses with links for the management of narcotics supply and distribution in many countries. They concentrate on bringing their product to markets in the most efficient way in order to maximize their profits. The Mexican DTOs are the major wholesalers of illegal drugs in the US and are increasingly gaining control of U.S. retail level distribution through alliances with U.S. gangs.¹²⁴

Before launching the war on drugs, Mexico had four dominant DTOs:

¹²¹ *ibid*

¹²² *ibid.*

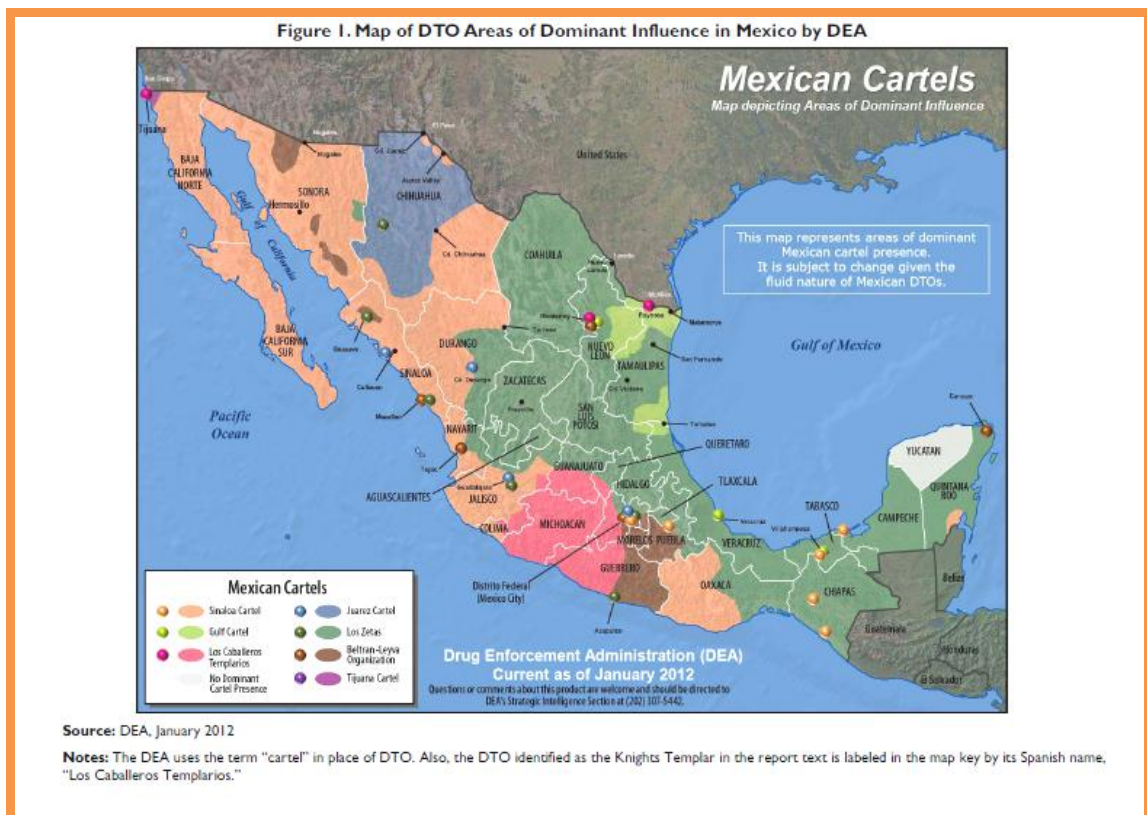
¹²³ *“They left San Isidro, coming from Tijuana, They had their car tires full of “bad grass,” (marijuana). They were Emilio Varela and Camelia the Texan.”* An old classic narcocorrido performed by Los Tigros del Norte.

- The Tijuana/Arellano Felix organization (AFO)
- The Sinaloa Cartel
- The Juárez/ Vicente Carrillo Fuentes organization (CFO)
- Gulf Cartel

At the moment there are different estimations on how many DTOs actually exist. Several different analysts predict that cartels have fragmented into between 12 and 20 different organizations.¹²⁵ The U.S. DEA estimates there are seven dominant cartels and it appears that the Sinaloa cartel and the Zetas are the most powerful.

- Sinaloa
- Los Zetas
- Juárez/CFO
- La Familia Michoacana
- Beltrán Leyva
- Tijuana/AFO
- Gulf

Map 1. Map of DTO Areas of Dominant Influence by DEA, January 2012



Source: Mexico's Drug Trafficking organizations: Source and Scope of the Rising Violence, CRS, 2012.

¹²⁴ Beittel, „Mexico's Drug Trafficking organizations: Source and Scope of the Rising Violence,“ 5.

¹²⁵ Ibid. 8.

In 2008 the Sinaloa cartel broke off from a federation that included the Beltrán Leyva organization (BLO) and the Juárez cartel. Today, the Sinaloa cartel is estimated to control at least 45percent of the total drug trade in Mexico, and operates in 50 countries across the globe, in areas including the Americas, Europe, West Africa, and Southeast Asia ¹²⁶ It is based on a network of small organizations and is reported to be the most cohesive. In 2011, it expanded its activities to Mexico City, Durango, Guerrero, Michoacán and is successfully pushing its way into Baja California and Chihuahua, both states once controlled by the Tijuana and Juárez DTOs. ¹²⁷ It is in loose coalition, or an alliance of convenience, with the Gulf and *La Familia* DTOs against the BLO and the Zetas.

Las Zetas or *La Ultima Letra* has become one of the most violent organizations. In the 1990s high ranking officers of the elite airborne special forces (GAFE) deserted the Mexican Army and joined the Gulf cartel. At first they worked as an armed wing for the cartel but, in 2010, broke away and formed their own criminal syndicate. Due to their military background and training by Israeli and American Special Services, they operate more like a U.S. infantry in the streets of Iraq than as an “ordinary street gang.”¹²⁸ Los Zetas are known for their wide range of activities from raids in state prisons, abducting and executing journalists, police, military and engineers, to extortion, torture, kidnappings, human trafficking, and petroleum theft from PEMEX (*Petróleos Mexicanos*). The organization is based in the state of Tamaulipas, which became known as the land of the Zetas. ¹²⁹

The U.S. Drug Enforcement Agency's chief for Mexico and Central America Ralph Reyes confirms the powerful position of the Zetas: "*The Zetas have obviously assumed the role of being the No. 1 organization responsible for the majority of the homicides, the narcotic-related homicides, the beheadings, the kidnappings, the extortions that take place in Mexico.*"¹³⁰

¹²⁶ Ibid. 10.

¹²⁷ Ibid. 9-12.

¹²⁸ Michael Ware, „Los Zetas called Mexico's most dangerous drug cartel“ *CNN*, August 6, 2009, available at: <http://edition.cnn.com/2009/WORLD/americas/08/06/mexico.drug.cartels/index.html>

¹²⁹ Alma Guillermoprieto, „Risking life for truth,“ *The New York Review of Books*, November 22, 2012, Volume LIX, No. 18.

¹³⁰ Ibid.

3.3. Escalation of Violence

Violence in Mexico had seen a steady increase since 2006, spiking a couple of years later in 2008. The number of homicides grew from 8,867 in 2007 to 27,199 in 2011.¹³¹ No other country in the Western Hemisphere has seen such a large increase in the number of homicides over the last six years. The Mexican government and military implemented the “kingpin” strategy, targeting mid- and high level DTO leaders.¹³² In 2009 the government published a list of most wanted suspected drug traffickers. As of 2012, only 12 remain in charge, among them the most influential drug lord of all times, according to Forbes, Joaquín Guzmán known as “*EL Chapo*” of the Sinaloa cartel. The rest of the 37 suspected drug traffickers had either been arrested, murdered by rival gangs, killed by military/ police or extradited to the United States.

At first glance this strategy could have the appearance of success, but taking a second look one sees far reaching consequences. This “kingpin” strategy actually led to a higher degree of instability and violence. In consequence, the DTOs today are more fragmented, violent and competitive than they were before Calderón took office. The Mexican government was inspired by Colombia’s strategy in its war against drug cartels. In the Colombian case the dismantling of the large Cali and Medellín cartels had been to a large extent successful. In the Mexican case this strategy only contributed to violent succession struggles, shifting alliances among the DTOs, a proliferation of new gangs and small criminal organizations, not to mention the replacement of existing leaders by even more violent *jefes* (bosses) and groups.¹³³

In addition to the variety of national DTOs, operating in Mexico, several local mafias and small scale criminal organizations emerged. The local mafias are disbanded cells from the national or regional cartels and primarily focus on drug dealing within their controlled territory. As a consequence of this fragmentation, their activities have shifted toward extortion, kidnapping and auto theft.¹³⁴ The smaller regional

¹³¹ Cory Molzahn, Octavio Rodríguez Ferreira, David A. Shirk, „Drug Violence in Mexico: Data and Analysis through 2012“ (Report, Trans- Border Institute, University of San Diego, February 2013) available at: <http://justiceinmexico.files.wordpress.com/2013/02/130206-dvm-2013-final.pdf>

¹³² Beittel, „Mexico’s Drug Trafficking organizations: Source and Scope of the Rising Violence,“ 3.

¹³³ Ibid.

¹³⁴ Ibid. 20.

organizations function more as toll collectors. Their range of business has narrowed down to drug trade and their role is secondary, their profits limited.

This diversification and fragmentation of the cartels demonstrate that they are present at every level of the Mexican federation, from small municipalities to states. It is unpredictable to determine any pattern of violent conflict among drug cartels because of this fragmentation and the situation has become even more chaotic.¹³⁵

Map 2. Drug Trafficking Routes (*plazas*) Through Mexico



Source: The Geography of Drug Trafficking in Mexico, STRATFOR, 2009.

The drug war is now being fought on three different levels:

1. Inter-cartel battles
2. Intra- cartel battles
3. Cartels vs. government (police/ military)

The inter and intra cartel violence has spiked since 2008. The cartels are crippled with succession struggles, when a former leader is removed by either the government or a

rival gang. The Intra cartel violence is used not only to assert leadership, but also to impose discipline and loyalty. The inter cartel battle has been widespread throughout Mexico. Cartels are fighting one another for the domination of smuggling routes or when one senses it could take over or eliminate the other. The third element leading to the escalation of violence is the battle between the DTOs and the government. President Calderón deployed 80,000 troops including, military and federal police, to tackle the drug cartels during his *sexenio*.¹³⁶ The response from the DTOs has also been aggressive. Cartels frequently take on the Mexican forces. The Zetas ambush the government forces in Northern Mexico regularly, while *La Familia* battles the government in the state of Michoacán.¹³⁷

A secondary effect of this government approach is the diversification of the DTOs actions. In addition to trafficking illegal drugs to the United States, the cartels engage in other activities such as kidnappings, assassination for hire, auto theft, prostitution, extortion, money-laundering, software piracy, resource theft, human smuggling. According to recent statistics by the Congressional Research Service kidnappings in Mexico have increased by 188percent since 2007, armed robbery is up by 47percent and extortion by 101percent.¹³⁸

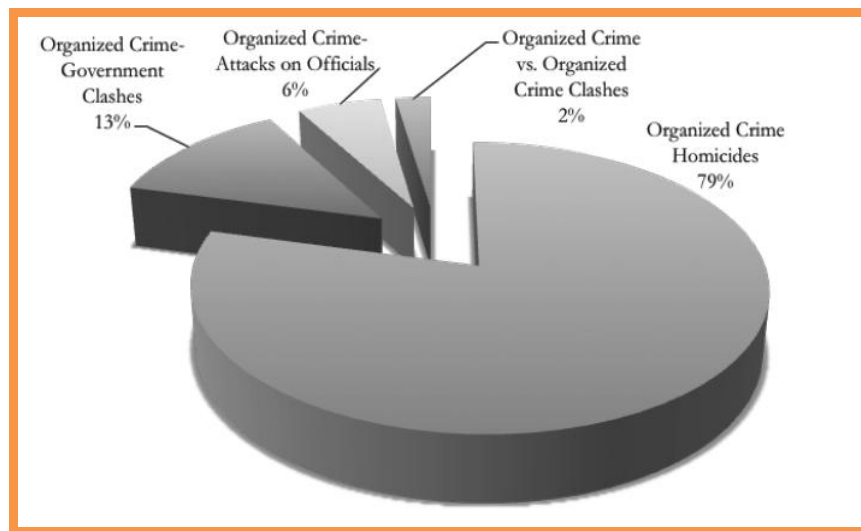
¹³⁵ David A. Shirk, „Drug Violence and State Responses in Mexico,“ working paper available at: http://iis-db.stanford.edu/evnts/6716/Shirk-Drug_Violence_and_State_Responses_in_Mexico.pdf

¹³⁶ Al Jazeera, „Drug cartels: The human cost,“ *Al Jazeera*, August 14, 2011, available at: <http://m.aljazeera.com/story/2011813226707798>

¹³⁷ Tracy Wilkinson, Richard Fausset, Brian Bennett, „U.S.-Mexico drug war partnership under Calderon broke new grand“

¹³⁸ Beittel, „Mexicos Drug Trafficking organizations: Source and Scope of the Rising Violence,“ p. 18

Figure 12. Official Breakdown of Organized Crime Homicides¹³⁹



Source: Drug Violence in Mexico: Data and Analysis Through 2011, TBI, 2012.

There are two ways to interpret this phenomenon. It can be seen either as evidence of the growing cartels, establishing their power throughout newly gained territories, or it can be seen as a success of the governments' persistence in attempting to eliminate the cartels power by diminishing drug trade. In consequence, the cartels seek new sources of income and expand their activities. Either way, the statistics prove that a larger segment of the Mexican society is being affected, and it is undeniable that the strategy implemented by Calderón's government has direct impact on the number of civilian deaths.

New President Peña Nieto is concentrating primarily on domestic issues and vast reforms, including labor, banking and education reforms. He is less clear on concrete steps in taming the violence in Mexico, but there is one significant difference between the Nieto and Calderón strategies. Nieto plans to combat street violence and kidnappings and abandon the fight against drug trafficking itself, which remains a US

¹³⁹ 1) *Organized Crime Homicides (10,200): Homicides resulting from presumed criminal rivalry (homicidio por presunta rivalidad delincencial) including bodies of individuals found after abduction (levantones), torture, or gunshot wounds, as well as innocent victims that died as a result of wounds from assassins, organized crime associates, and drug traffickers;*

2) *Organized Crime-Government Clashes (1,652): Homicides resulting from confrontation with organized crime groups in which authorities had to use force (fallecimientos por agresion por enfrentamiento);*

3) *Organized Crime Direct Attacks on Officials (740): Homicides resulting from direct attacks by organized crime groups on government officials (fallecimientos por agresion directa);*

4) *Organized Crime Clashes (311): Homicides resulting from confrontations (fallecimientos por enfrentamiento) among organized crime groups, assassins, and commandos.*

priority. The Nieto administration also carried out centralization efforts that change the nature of intelligence cooperation between the U.S. and Mexico. Now the Mexican Interior Ministry will be overseeing all intelligence collaboration. In addition it took charge of the federal police and intends to create a national gendarmerie that should replace the role in the drug war currently played by the Mexican military.¹⁴⁰

The Secretary of the Interior Miguel Angel Osorio Chong announced that between December 1, 2012 and March 31, 2013 murders related to organized crime dropped by 17percent.¹⁴¹ How the government reached these figures is questionable and the government itself is not willing to release any detailed analysis. This suggests that the numbers are manipulated for political gain. The disparity is so overwhelming that we cannot confirm with certainty the numbers of organized crime related murders.

Reforma said in mid-March that the drug related homicides were greater in the first three months of Peña Nieto than the last three months of Calderón. *Milenio* had numbers that were consistent with the current administration numbers. *La Jornada* registered significantly lower levels than the others but said there was an upward trend.¹⁴² At the moment it is impossible to analyze whether the governmental reforms are successful in battling crime or not.

3.4. Most Violent Areas in Mexico

In the beginning of 2012 Mexican think tank *Seguridad, Justicia y Paz- El Consejo Ciudadano para la Seguridad Pública y la Justicia Penal A.C* released a report of the 20 most violent cities in the World. Mexican cities dominated the list with 9 cities in the top 20 and 5 cities in the top 10. Among the most violent cities are Ciudad Juárez, Acapulco, Torreón (metropolitan area), Chihuahua, and Durango.¹⁴³ For the first time in three years, Ciudad Juárez abandoned first place, second to San Pedro Sula, Honduras.

¹⁴⁰ Stratfor, „Evolving U.S. –Mexico Relations and Obama’s Visit,” *Stratfor*, May 2, 2013.

¹⁴¹ Luis Brito, „Gobernación reporta 918 homicidios menos desde que empezó sexenio de EPN,” *Animal Politico*, April 10, 2013, available at: <http://www.animalpolitico.com/2013/04/segob-reporta-918-crimenes-menos-desde-que-empezo-sexenio-de-epn/#axzz2Q9YSpGgv>

¹⁴² *Reforma*, *La Jornada* and *Milenio* are leading periodicals in Mexico.

¹⁴³ CCSPJP, „San Pedro Sula, la ciudad más violenta del mundo; Juárez, la segunda” (Report, *Seguridad, Justicia y Paz- El Consejo Ciudadano para la Seguridad Pública y la Justicia Penal A.C*, 11 January ,2012)

The violence remains concentrated in large cities but also stretches throughout rural areas. As of 2010, violence in Mexico was concentrated primarily in the states of Chihuahua, Sinaloa, Tamaulipas, and Guerrero. The total of these states accounted for more than half of Mexico’s drug related homicides. In 2011, Tamaulipas was replaced by Nuevo León and ranked no. 4 as most violent state. This development can be attributed to the relentless battle between the Gulf cartel and the Zetas that spilled over to the state of Nuevo León. The same year the total of the drug related homicide rates in the top three violent states accounted for “only” 41percent of the nation’s total.¹⁴⁴ These statistics suggest a nationwide trend of shifting drug related violence to new areas in Mexico, especially Guerrero, Nayarit, and Durango.¹⁴⁵

In 2012 *Seguridad, Justicia y La Paz* released statistics suggesting the violence is primarily concentrated in Chihuahua (94), Sinaloa (69), Guerrero (65), Durango (63), Nayarit (43), Nuevo León (43) and Tamaulipas(42).¹⁴⁶

Map 3. Mexican States Compared with Entire Countries' Body Counts, Murder Rates and Populations 2012



Source: Comparing Mexican States with Equivalent Countries, The Economist, 2012.¹⁴⁷

available at: <http://www.seguridadjusticiaypaz.org.mx/sala-de-prensa/541-san-pedro-sula-la-ciudad-mas-violenta-del-mundo-juarez-la-segunda>

¹⁴⁴ Molzahn, Ríos, Shirk, „Drug Violence in Mexico Data and Analysis Through 2011“

¹⁴⁵ CCSPJP, „San Pedro Sula, la ciudad más violenta del mundo; Juárez, la segunda“

¹⁴⁶ Number of drug related homicides per 100.000 inhabitants

The cartels also found new ways to spread fear among the population. Bodies are left in the streets with attached messages left for rival cartels, politicians and citizens. Decapitation and torture became one of the trademarks of this drug war.

3.4.1. Triángulo Dorado

As with every narcotics producing country, Mexico has its “*Golden Triangle*”. It is spread through the states of Chihuahua, Sinaloa and Durango hidden in the Sierra Madre Occidental. This region is the epicenter of marihuana and poppy seed production in Mexico.¹⁴⁸ It is also one of the most disputed regions of the Mexican DTOs. The level of executions has gone up in the past months. The region became one of the battle grounds of the cartels. The Sierra is dominated by the Sinaloa cartel, but its position is not unchallenged. The Beltrán Leyva organization aligned with the infamous Zetas is attempting to increase their access to poppy and marijuana production. Human rights organizations say that the resulting violence has displaced as many as 25,000 rural Sinaloans.¹⁴⁹

The level of violence in the state of Chihuahua is also facilitated by the extreme homicide rate in Ciudad Juárez. It has always been a volatile place. It is a border city that draws thousands of migrants from all over Mexico and Central America. It is not only the major route of human trafficking but also a lucrative *plaza*.¹⁵⁰ This makes it one of the most disputed areas in Mexico among the DTOs. Juárez became the epicenter of Mexico’s drug war and saw an extremely bloody battle between the Sinaloa cartel and the Juárez cartel. Between 2006 and 2010 Juárez witnessed 6,437 homicides. To put this figure into perspective, Juárez drug related homicides reached a rate of 216 victims per 100,000 inhabitants in 2010, which is a casualty rate that can be compared to war

¹⁴⁷ Interactive Map, Murderous Matches, *The Economist*, November 22, 2012, available at: <http://www.economist.com/blogs/graphicdetail/2012/11/comparing-mexican-states-equivalent-countries>

¹⁴⁸ Rio Doce, „Mariguana, la única inversión segura,” *Rio Doce*, available at: <http://riodoce.mx/?joomla=/content/view/14774/1/>

¹⁴⁹ Geoffrey Ramsey, „Inside the Golden Triangle,” *InSight Crime*, Thursday, 30 August, 2012, available at: <http://www.insightcrime.org/news-analysis/inside-the-golden-triangle>

¹⁵⁰ Drug smuggling route

zones.¹⁵¹ In the past two years there has been a shift of violence towards other cities such as Monterrey and Acapulco, and the level of violence decreased in Ciudad Juárez. In October 2012 it saw 28 homicides, which is a significant drop from 2010.¹⁵² Calderón deployed over 10.000 federal police and military personnel as a response to the violence that broke out in 2008.¹⁵³ Instead of bringing peace, the forces brought more chaos. Many of the federal officials were involved in cartel activity and were on the cartels payroll. Municipal police officer Roberto Hernandez described the situation: "*Unfortunately, there were people wearing federal police badges and army insignia who only came here to make money,*".¹⁵⁴ Military, federal and municipal police have been accused of corruption, cooperating with the cartels, and causing the displacement of thousands of people.

In 2011, most of the police and military forces were pulled out and Juárez experienced a major drop in violence. It still is the second most violent city in the world, but there has been a 60percent drop in homicides and kidnappings. There has also been a 12percent drop in extortion, which is still present in everyday life in Juárez. More than 10.000 businesses closed down in Juárez during the past two years, largely because of extortion threats. The payments vary from 100-150 pesos (\$7.70-\$11.50) a week for taxi drivers to 5,000 pesos at a mechanic's workshop employing three and 6,000 pesos at a funeral home with 15 staff.¹⁵⁵ Extortion in Juárez has affected almost every business.

What is behind such impressive results in taming the violence? State Governor Cesar Duarte claims it is due to the efficiency with which criminal cases are prosecuted. Since he took office, Chihuahua has executed a record 98percent of arrest warrants issued and put 95percent of suspects on trial says Governor Durante.¹⁵⁶ Another official reason is the tougher sentencing of these criminals and also the dispersion of drug gang members into prisons all across Mexico. This helped break the established prison

¹⁵¹ Rios, "Unexpected Consequences of Mexico's Drug War for US National Security: More Mexican Immigrants" 5.

¹⁵² Steven Dudley, „Juarez After the War,“ (Report, Insight Crime, February 13, 2013) available at: <http://www.insightcrime.org/reports/juarez.pdf>

¹⁵³ Ibid.

¹⁵⁴ Dave Graham, Julian Cardona, „Mexico Drug War Successes In Ciudad Juarez And Chihuahua Mask Ongoing Violence, „ *Huffington Post*, November 28, 2012, available at. http://www.huffingtonpost.com/2012/11/28/mexico-drug-war_n_2205415.html

¹⁵⁵ Ibid

¹⁵⁶ Ibid.

networks. Security analysts suggest the true reason for such a significant reduction of violence is in fact the consolidation of power on the part of the Sinaloa cartel in the region. It pushed out the Juárez cartel and now has a firm grip over the plaza.

As a logical consequence to all this violence Mexicans from Ciudad Juárez and other parts of the Triangulo Dorado states left for security reasons. Paul Rexton Kan, Associate Professor of National Security Studies at the U.S. Army War College, estimates 200.000 Mexicans left the city of Ciudad Juárez alone.¹⁵⁷ A different study by a local university supports this thesis and estimates nearly 240,000 of the city's 1.3 million people had left by the end of 2011.¹⁵⁸ The figures differ and it is difficult to obtain the precise number of people fleeing drug related violence to the United States. City officials of Ciudad Juárez estimate that as many as 116.000 homes have been left abandoned, which can serve as proof for the massive exodus from this city.¹⁵⁹

3.4.2. Guerrero

While Chihuahua is experiencing a drop in violence, Guerrero is moving in the opposite direction. In 2010 it saw 1000 murders while in 2011 the murder rate doubled to an alarming 2100 homicides.¹⁶⁰ The nature of the drug war is also somewhat different than from the north and northeast regions of Mexico. Guerrero is not a battlefield of two large national cartels but a disputed territory of small local gangs, such as the Independent Cartel of Acapulco, *La Barredora gang*, *Guerreros Unidos*. In addition the ever-present Sinaloa cartel is fighting to consolidate its power in the area and is working its way towards establishing hegemonic control over the *plaza* in Acapulco.¹⁶¹

¹⁵⁷ Paul Rexton Kan, „Mexico's "Narco-Refugees": The Looming Challenge for U.S. National Security“

¹⁵⁸ Dave Graham, Julian Cardona, „Mexico's drug war bright spot hides dark underbelly,“ *Reuters*, November 28, 2012, available at: <http://www.reuters.com/article/2012/11/28/us-mexico-drugs-idUSBRE8AR0Z020121128>

¹⁵⁹ Amy Isackson, „The Effects of Violence in Mexico on Migration and Immigration Policy“

¹⁶⁰ Hannah Stone, „Border State Chihuahua No Longer Leads Mexico Drug Killings,“ *InSight Crime*, October 01, 2012, available at: <http://www.insightcrime.org/news-briefs/chihuahua-mexico-drug-killings>

¹⁶¹ Nathaniel Parish Flannery, „Drug War Dilemma: Fighting to Improve Security AND Boost Tourism in Acapulco, Mexico,“ *Forbes*, December 27, 2012, available at: <http://www.forbes.com/sites/nathanielparishflannery/2012/12/27/drugwar-dilemma-fighting-to-improve-security-and-boost-tourism-in-acapulco-mexico/>

The level of violence in a once popular resort city Acapulco contributes significantly to the overwhelming statistics in Guerrero. Violence is not just concentrated here but also reaches smaller towns and villages. Another specification of the drug war in Guerrero are the vigilante movements. Citizen policing is not uncommon in Mexico, especially within the indigenous communities that historically distrust the government and state authorities. Small rural communities are successfully protecting and patrolling themselves, though questions of human rights violations have surfaced. Not only are the vigilante movements in charge of patrolling, but they also sentence the criminals or the accused, by their own set of rules. Locals say that since the community raised up to defend itself the security situation improved, and extortion has vanished. *“We only want to return back to normality. That’s all”* says a local woman.¹⁶² One of the detainees was interviewed: *“The people are so tired of so much mistreatment by those who chose the wrong path. Perhaps we are paying the price for the sinners but we understand why they are doing this.”*¹⁶³

The state governor, Ángel Aguirre Rivero, appears to be tolerating the vigilante movements, acknowledging the gaps in federal and state policing in the region. The federal government carried out Operation Winter in 2012. President Nieto deployed 500 paramilitary forces to Acapulco. The violence is falling, but residents, tourists, and investors are more worried about street crime, kidnappings, extortion, and car jackings.¹⁶⁴ The question is whether the violence is falling because of the government action or whether the Sinaloa cartel prevailed and managed to push out other rival cartels and gangs.

3.4.3. Nuevo León

The state’s capital and third largest city in Mexico, Monterrey was considered to be the safest city in Latin America in 2008. It is the economic engine of Mexico where the

¹⁶² Digital Global Mail Limited, „Vigilante Violence in Guerrero, Mexico,“available at Vimeo, (Documentary) available at: <http://vimeo.com/60220567>

¹⁶³ Ibid.

¹⁶⁴ Nathaniel Parish Flannery, „Drug War Dilemma: Fighting to Improve Security AND Boost Tourism in Acapulco, Mexico,“

GDP per capita reaches \$20.000.¹⁶⁵ It played home not only to the business elite but also to the drug lords themselves. They take advantage of the country's best schools and top-of-the-line hospitals. The wealth in Monterrey also made it easy to launder money as the state authorities turned a blind eye.¹⁶⁶ In 2010 the security situation worsened when Nuevo León became a battleground of the Zetas and the Gulf cartels. The murder rate grew by 300percent from 2010 to 2011.¹⁶⁷

According to locals the once thriving *Barrio Antiguo*, full of bars and restaurants, is now closed and empty. Several countries including the United States and Czech Republic cancelled its bilateral study programs with ITESM (The Monterrey Institute of Technology and Higher Education) in Monterrey. Extortion is widespread and became an everyday reality as well as raging violence and kidnappings. In 2011 two men were hung from a bridge in rush hour traffic in the middle of the day, before hundreds of witnesses. The Gulf cartel responsible for the crime left a note warning that the same would happen to anyone supporting the Zetas. The victims of the drug cartel violence are not only gangsters and cartel members but also civilians. In March 2010 two graduate students were killed after they got caught in the crossfire of a shootout between cartels and police just outside the gates of the university. In November 2010 three students were abducted by cartel gunmen right in front of the campus entrance.¹⁶⁸ In August 2011 Monterrey experienced the worst act of violence in the city's recent memory. A number of cartel members, the responsible cartel is still unknown, descended on Casino Royale, popular among the middle class and upper class, in the middle of the day. They blocked all exits and set fire to the Casino. As a result 53 people died and hundreds were injured.¹⁶⁹

¹⁶⁵Tracy Wilkinson, "Mexico's Monterrey still ranks as top city, despite violence," *Los Angeles Times*, August 15, 2012, available at: http://latimesblogs.latimes.com/world_now/2012/08/mexicos-monterrey-still-ranks-as-top-city-despite-violence.html

¹⁶⁶Tracy Wilkinson, „Monterrey, Mexico, finally feeling the effects of the drug war,“ *Los angeles Times*, May 16, 2010, available at: <http://articles.latimes.com/2010/may/16/world/la-fg-monterrey-20100517>

¹⁶⁷ Tracy Wilkinson, "Mexico's Monterrey still ranks as top city, despite violence,“

¹⁶⁸Thelma Gutierrez, Wayne Drash, Cartel violence, kidnapping haunt university in Mexico,“ *CNN*, November 30, 2010, available at:

<http://edition.cnn.com/2010/WORLD/americas/11/30/mexico.university.kidnappings/index.html>

¹⁶⁹Ioan Grillo, „Burning Down Casino Royale: Mexico's Latest Drug Atrocity,“ *Time*, Aug. 26, 2011, available at:

<http://www.time.com/time/world/article/0,8599,2090601,00.html>

All levels of society are affected by the violence. Monterrey is not only a home to the business elite but it also has a large population of poor and unemployed people living in *Colonia Independencia*, which became a recruitment zone for the Zetas cartel. For the past three years *Colonia Independencia* turned into a war zone. More than a thousand people have disappeared across Nuevo León, according to human rights group CADHAC¹⁷⁰, which says they were forcibly recruited by the Gulf and Zetas gangs. Cartel members are not the only ones responsible for dozens of forced disappearances. The abductions are also carried out by soldiers and marines working for the cartels.¹⁷¹ There are no statistics available to say whether the violence is decreasing in Monterrey but there are disturbing theories that if Monterrey falls, then Mexico will as well. As a result to all this violence, there has been a large exodus from Monterrey. It is estimated that as many as 11 percent of all houses in the city are abandoned.¹⁷²

Some wealthy businessmen choose to stay and fight the violence. The leading business elite have joined a collaborative initiative with the government of Nuevo León. The private sector partially finances and provides technical expertise to recruit and run a new police force, *Fuerza Civil*. This force is made up by recruits that never worked in law enforcement and offers a starting pay of 15.000 pesos per month, which is more than double a normal officer's salary.¹⁷³ On the other front the private sector also finances a large well equipped community center in *Independencia*, providing structural activities. In addition, the Center for Citizen Participation was created and encourages citizens to report violent crimes. The violence in *Independencia* and Monterrey has stemmed, although it is still high in comparison to 2008, before the breakout of violence.

¹⁷⁰ Ciudadanos en Apoyo a los Derechos Humanos.

¹⁷¹ Robin Emmott, „Special report: If Monterrey falls, Mexico falls,“ Reuters, June 1, 2011, available at: <http://www.reuters.com/article/2011/06/01/us-mexico-drugs-monterrey-idUSTRE7502VG20110601>

¹⁷² Rios, “Unexpected Consequences of Mexico's Drug War for US National Security: More Mexican Immigrants“

¹⁷³ The Economist, „The new face of Mexican policing,“ The economist, June 15, 2013, available at: <http://www.economist.com/news/americas/21579457-public-private-effort-reduce-violence-mexicos-wealthiest-city-new-face-mexican>

3.4.4. Tamaulipas

Tamaulipas is a state the size of Czech Republic, located in Northern Mexico sharing the border with Texas, which has become known as the land of the Zetas. It is difficult to assess whether Tamaulipas has become a “narco state” or whether the government remains in control. Outgoing Governor Eugenio Hernández released contradictory statements, leaving a question mark over whether or not the government still controls Tamaulipas state or if, instead is run by the Zetas. *"We are far from being a failed state...we are working. We have order. There are some eye-catching events, but most people have no problems."*¹⁷⁴ Only a couple of days later, he asked for more federal troops, and declared that without them he could not guarantee control.

Local journalist estimates that more than 90 percent of the state is in the hands of criminal organizations.¹⁷⁵ Carlos Flores a professor at University of Connecticut described Tamaulipas in an interview for The Wall Street Journal: *"Public space has been taken over by criminals, and Tamaulipas society is at their mercy."*¹⁷⁶ Alberto Islas, a security analyst, suggests that neither the federal nor the regional government have control over Tamaulipas.¹⁷⁷ *"...criminal groups are more effective at collecting 'taxes' than Tamaulipas' own government,"*¹⁷⁸

Most of the brutality that takes place within this region remains undocumented. The newspapers and other media have been silenced and journalism, as a whole has vanished from the state.¹⁷⁹ This phenomenon of “*narcocensorship*” will be discussed further along, when addressing the question of main target groups of the “*narcoviolence*.”

¹⁷⁴ Nicholas Cassey, José de Cordoba, „ Northern Mexico's State of Anarchy,“ *The Wall Street Journal*, November 20, 2010, available at:

<http://online.wsj.com/article/SB10001424052748704104104575622840256881122.html>

¹⁷⁵ *ibid*

¹⁷⁶ *ibid*

¹⁷⁷ Julian Miglierini, „Tamaulipas: 'Failed state' in Mexico's war on drugs,“ BBC, April 13, 2011, available at: <http://www.bbc.co.uk/news/world-latin-america-13061452>

¹⁷⁸ *ibid*

¹⁷⁹ Alma Guillermprieto, „Risking life for truth,“ *The New York Review of Books*, November 22, 2012, Volume LIX, No. 18.

The story of Ciudad Mier is a sad example of what is happening in Tamaulipas state, where the cartels overpower the federal government. Ciudad Mier became hostage to the two battling cartels, the Zetas and the Gulf cartel. In February the city's municipal police station was attacked and its officers abducted. No one has seen them since, but a discovery of a murder scene featuring decapitated heads of unknown victims on the outskirts of town signaled that they became victims of the Zetas. The water-treatment facility has been destroyed, leaving no drinkable water in the city. Electrical outages are frequent, and shootouts occur on a daily basis. Pharmacies and gas stations began to close down and, in the end, the residents of the city had no other option than to seek refuge in a nearby town, Miguel Alemán. About 300 refugees sought protection in a local Lions Club, unfortunately without success. Soon the refugees found themselves in the middle of crossfire.¹⁸⁰ The mayor of Ciudad Mier is said to be living across the border in the United States. Schools have closed down, services have been abandoned and state institutions are completely absent. Ciudad Mier has in effect become a ghost town.

3.5. Target Groups

The primary targets of drug cartels are rival cartel members, or anyone who stand in their way. The range of targets has diversified over the last six years. Not only rivals but also journalists, police officers, public officials, mayors, businessmen, and ordinary citizens that got caught in a cross fire or were in the wrong time in the wrong place, were subjects to killings, assault or kidnappings. This amounts to over 60.000 deaths and thousands more have been disappeared. Consequently, a strong sense of fear emerged throughout the Mexican society. More than 80 percent of all Mexicans live in fear of kidnapping, crossfire, street assault and extortion.¹⁸¹ The violence and the fear push people to change their daily habits and the social fabric of society throughout Mexico has changed significantly. According to a survey 70 percent of Mexicans believe kidnappers, 50 percent think that drug traffickers and 37 percent of people

¹⁸⁰ Ibid.

¹⁸¹ Alberto Callero, „Dean's Roundtable Breakfast: Special Update: The War on Drugs in Mexico (Panel Discussion, IR/PS, San Diego, USA, 14. 12. 2011)

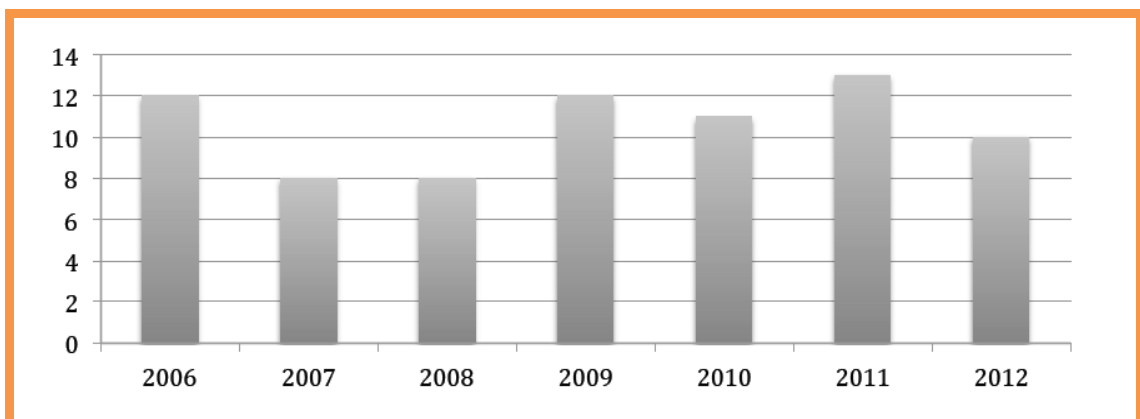
believe car thieves should be subject to the death penalty.¹⁸² This represents the overall mood of the Mexican society that has been crippled by drug related violence.

3.5.1. Journalists and Social Media

Years 2010 and 2011 have been very violent. The attacks, especially against police, mayors and journalists have spiked since 2008. In 2011, the International Press Institute and the Committee to Protect Journalists named Mexico the most deadly country in the World for media personnel. The figures of murdered and kidnapped Mexican journalists differ, due to various criteria for tallying and classifying this violence used by various organizations. According to the Committee to Protect Journalists, which only includes cases where violence was confirmed in relation to the journalist's profession, reported that there were 28 confirmed cases, 38 unconfirmed cases, and four media-support workers killed in Mexico from 1992 to 2012. For 2012, the CPJ lists one confirmed case and five where the motive was unconfirmed.

Using somewhat broader criteria, the Justice in Mexico reached a figure of 74 journalists and media-support workers that had been killed between 2006 and 2012. This tally includes journalists and media-support workers employed with a recognized news organization at the time of their deaths, as well as independent, free-lance, and former journalists.¹⁸³

Figure 13. Death Toll of Mexican Journalists and Media Workers in Mexico, 2006- 2012



Source: Drug Violence in Mexico: Data and Analysis Through 2012, TBI, 2013.

¹⁸² Ibid.

¹⁸³ Cory Molzahn, Octavio Rodríguez Ferreira, David A. Shirk, „Drug Violence in Mexico: Data and Analysis through 2012“ 30.

A majority, has been local reporters covering the drug war. States of Chihuahua, Tamaulipas, Guerrero and recently Veracruz, which has seen a new wave of reporter killings, are considered to be the most dangerous states for media workers. Despite legislative measures the Mexican government adopted to protect journalists, it is falling to enact them, often because they themselves are the source of aggression. Consequently, large numbers of Mexican journalists are being displaced or seek refuge. Reporters without Borders estimate that since 2006 about 20 journalists have been displaced to Mexico City and an additional 15 seek asylum in the United States. An additional 50 sought protection in Mexico City but did not find work and returned to their home states.¹⁸⁴

In 2010, journalist Jorge Luis Aguirre was granted asylum in the United States, which was the first granted asylum for a Mexican journalist in this decade. The editor of the news site *La Polaka* had gone into exile after receiving threats when he went to the funeral of slain reporter Armando Rodríguez in Ciudad Juárez. At the time, Aguirre was warned that he was next.¹⁸⁵ Since 2008 a prominent immigration attorney Carlos Spector, who is also a human rights activist and the face of the “Mexican asylum struggle”, handled more than 76 cases since 2008.¹⁸⁶ He won 5. According to Spector, the number of journalists who have come to El Paso for legal advice about asylum has doubled in recent years.¹⁸⁷ The latest asylum case was granted to photojournalist Miguel Angel Lopez Solana in June 2013. He fled his state in May, 2012, after his father, Miguel Angel Lopez Valesco, his mother Agustina Solana and his younger brother Misael, were slain by the drug cartel in their home in the state of Veracruz in 2011. Lopez Valesco wrote a regular column for the newspaper *Notiver*. His columns were

¹⁸⁴ Fuente, „Periodistas mexicanos buscan sin éxito un refugio,“ *Vanguardia*, September 19, 2012, available at: <http://www.vanguardia.com.mx/periodistasmexicanosbuscansinexitounrefugio-1377279.html>

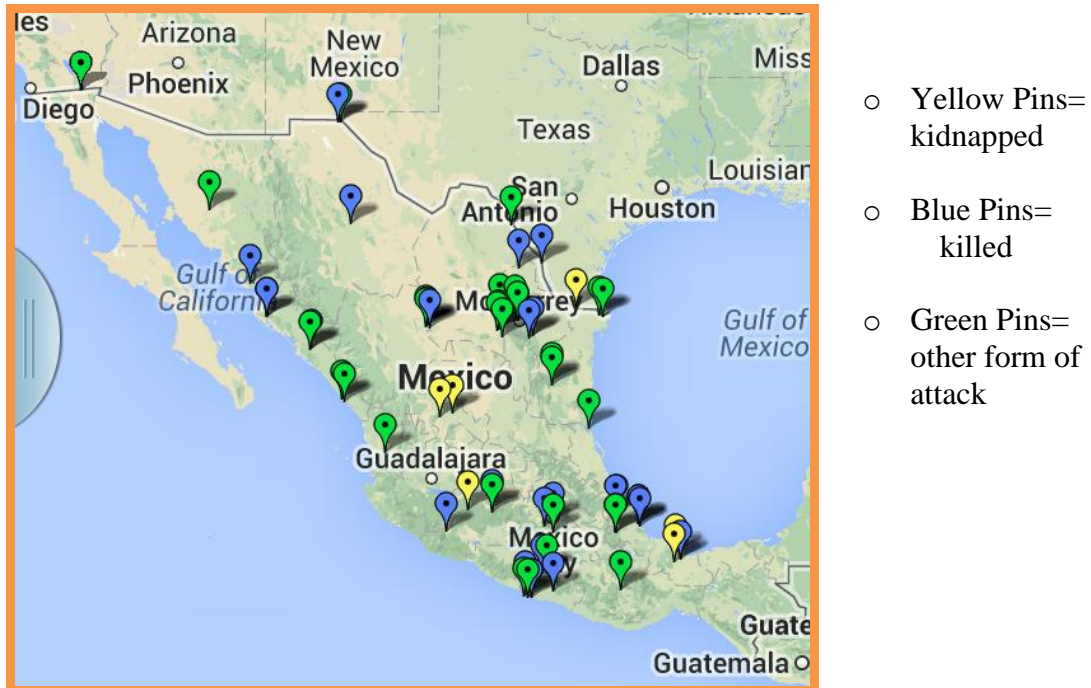
¹⁸⁵ Rubén Villalpando y Miroslava Breach, „Concede EU asilo a un comunicador de Juárez amenazado en noviembre de 2008,“ *La Jornada*, September 21, 2010, available at: <http://www.jornada.unam.mx/2010/09/21/index.php?section=politica&article=009n1pol>

¹⁸⁶ Molly Hennessy-Fiske, „More Mexicans seek asylum in U.S. as drug violence rises,“ *Los Angeles Times*, October 28, 2012, available at: <http://articles.latimes.com/print/2012/oct/28/nation/la-na-texas-asylum-20121028>

¹⁸⁷ Ingrid Bachmann, „Mexican journalist seeks asylum in U.S. after kidnapping,“ *Journalism in the Americas*, September 15, 2010, available at: <https://knightcenter.utexas.edu/blog/mexican-journalist-seeks-asylum-us-after-kidnapping>

very critical and frequently highlighted government corruption or detailed matters involving drug trafficking and other crimes and violence.¹⁸⁸

Map 4. Mexican Journalists Murdered, Kidnapped or Assaulted in 2012



Source: Knight Center Map Pinpoints Threats Against Journalism in Mexico, *Journalism in the Americas*, The University of Texas at Austin, 2010.¹⁸⁹

The newspaper *El Diario*, located in Ciudad Juárez had two staff members murdered, several were assaulted and the newspaper receives death threats on a daily basis. After the death of staff member Luis Carlos Santiago, *El Diario* published an open letter to the cartels asking them what it is that they want from the newspaper so it can continue its work without further death, injury or intimidation of its staff: "We ask you to explain what you want from us, what we should try to publish or not publish, so we know what to expect."¹⁹⁰ This truce suggests that many of the local newspapers across Mexico have stopped reporting on the drug related crime and on cartel activities, and many of the murders go on unreported. This "narcosensorship" has also had an

¹⁸⁸ Tracy Wilkinson, „Mexican journalist, family slain,“ *Los Angeles Times*, June 20, 2011, available at: <http://articles.latimes.com/2011/jun/20/world/la-fg-mexico-journalist-killing-20110621>

¹⁸⁹ Knight Center, „Knight Center map pinpoints threats against journalism in Mexico,“, *Knight Center for Journalism in the Americas*, available at: <https://knightcenter.utexas.edu/blog/new-knight-center-map-pinpoints-threats-against-journalism-mexico>

¹⁹⁰ Olivia Torres, „Mexico newspaper El Diario seeks truce with cartels,“ *El Paso Times*, September, 19, 2010, available at: http://www.elpasotimes.com/news/ci_16112032

effect on the asylum procedures, as it is more difficult to gather enough information to prove the “credible fear” criteria.

The void that has resulted from this self- censorship was somewhat filled in by “citizen journalism”. Social media, such as blogs, Facebook, Twitter, and websites have played a large role in disseminating information about drug related violence. For example, Facebook group *Valor por Tamaulipas* (Courage for Tamaulipas) has over 150, 000 followers and reports on the daily violence and instability in the region.¹⁹¹ Social media activist under the nickname “*Chuy*” uses Twitter to inform citizens of “*narco blockades*” and firefights in Reynosa. *Blog del Narco* provides very gruesome evidence, often posting photos from crime scenes, covers the drug related violence across Mexico. The blog is believed to be run by a young woman and man whom are determined, despite death threats and cyber attacks on their blog, to document the drug related violence in Mexico.

The fate of those who use social media to report the activities of criminal groups is not unlike those of professional journalists reporting for traditional outlets. An anonymous group believed to be a part of a narcotics organization in Tamaulipas has offered a reward of up to 600,000 pesos for information related to the identification and whereabouts of the administrator of the Facebook group *Valor por Tamaulipas* and for similar information of his close relatives. The organization distributed pamphlets throughout the region that provided information on the amount of the reward offered and even a cell phone number where the group could be reached.¹⁹² Tens of social media activists were brutally tortured and murdered for their activities and their decapitated heads were publically displayed with “narco messages:” “*This is going to happen to all of those posting silly things on the Internet*” or “*I am here because of my reports.*”¹⁹³

¹⁹¹ Natalie Gomez, „Narco organization eyes ‘Valor por Tamaulipas’” *Justice in Mexico Project*, February 20, 2013, <http://justiceinmexico.org/2013/02/20/narco-organization-eyes-valor-por-tamaulipas/>

¹⁹² Ibid

¹⁹³ Emily Edmonds-Poli, „The Effects of Drug-War Related Violence on Mexico’s Press and Democracy” (Working Paper Series on Civic Engagement and Public Security in Mexico, Wilson Center, university of San Diego, April 2013) available at: http://www.wilsoncenter.org/sites/default/files/edmonds_violence_press.pdf

3.5.2. Politicians and Public Officials

Aside from journalists, the cartels also target politicians. The assassination of local office holders has been frequent especially in the last 3 years. The Violence and Victims Monitor dataset included 45 mayors and former mayors killed from 2006 through 2012, with characteristics bearing signs of organized crime.¹⁹⁴ The rationale for the killings and assaults is either the unwillingness of officials to cooperate with the cartels or if he or she is cooperating with a rival cartel. In 2010, Tamaulipas gubernatorial candidate Rodolfo Torre Cantú of the PRI was killed. This was the highest level political assassination in 15 years. In addition 14 mayors, mostly from smaller towns were killed in 2010 and 10 more in the following year.¹⁹⁵

In 2012 Mexico held not only Presidential elections but also congressional, state, and local elections. Especially in the states where cartels have a stronghold, elections took place in an environment of tension and fear and the atmosphere of intimidation prevailed. Tens of candidates were forced to withdraw their election after receiving death threats or after the assassination of some of the candidates. Javier Garza the head of the PAN in Tamaulipas confirmed in an interview: *“Being a candidate is complicated and difficult because of the insecurity. Violence has become normal.”*¹⁹⁶ During the campaign period between April and May, there was an upsurge of extreme violence, targeting many of the local politicians. In 2012, eight mayors and ex-mayors were killed, with the last such killing in the Calderón administration being the late-November murder of María Santos Gorrostieta, the former mayor of Tiquicheo, Michoacán.¹⁹⁷ Since President Peña Nieto took office there have been at least 18 murders of public officials including, mayors, former mayors, municipal presidents and candidates for public office. Only in June of 2013 there have been 6 killings.

¹⁹⁴ Cory Molzahn, Octavio Rodríguez Ferreira, David A. Shirk, „Drug Violence in Mexico: Data and Analysis through 2012“ 29.

¹⁹⁵ Ibid.

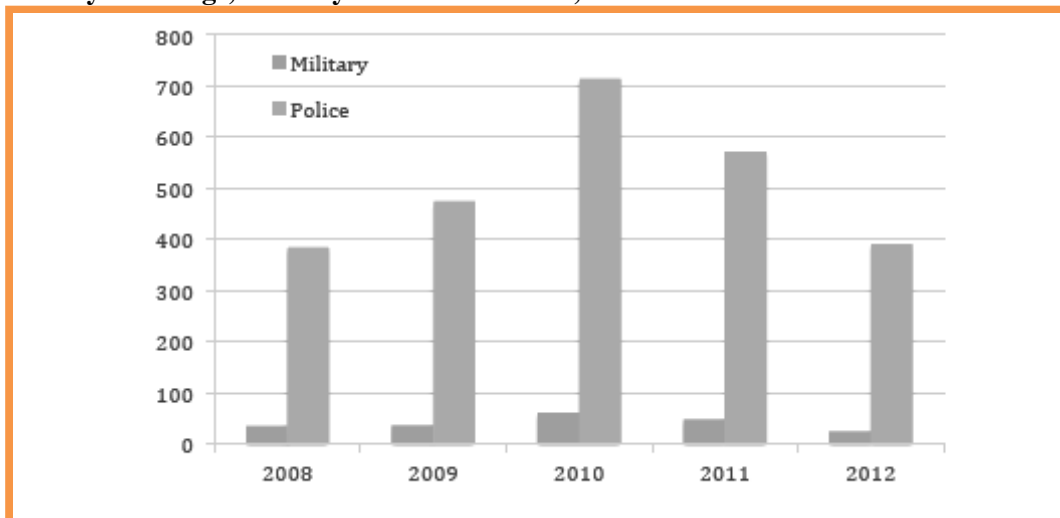
¹⁹⁶ Kieran Murray, ed., „Mexico drug gangs threaten, kill election hopefuls,“ Reuters, June 14, 2010, available at: <http://www.reuters.com/article/2010/06/14/us-mexico-drugs-election-idUSTRE65D53I20100614>

¹⁹⁷ Cory Molzahn, Octavio Rodríguez Ferreira, David A. Shirk, „Drug Violence in Mexico: Data and Analysis through 2012“ 29.

3.5.3. Police and Military

Over the last several years, hundreds of police officers and dozens of military personnel have been killed in the line of duty. According to *Reforma* newspaper, 2,539 police officers and 204 military personnel were victims of organized-crime-style violence between 2008 and 2012.¹⁹⁸ However, the latest available information suggests that Mexico's recent violence resulted in significantly fewer police and military casualties. In 2012 (January - November) 392 police officers and 24 military personnel were victims of organized-crime-style killings.¹⁹⁹

Figure 14. Mexican Law Enforcement and Military Personnel Victims of Organized-Crime-Style Killings, January 2008 – November, 2012.



Source: Drug Violence in Mexico: Data and Analysis Through 2012, TBI, 2013.

One of the prime targets of drug cartels are the Police chiefs. Many of them have been kidnapped, tortured, mutilated and killed. Some have fled to the United States to seek political asylum.

The story of Marisol Valles Garcia has been highly publicized and circulated all around the World as she was called to be “the bravest women in Mexico”. The criminology student at the age of 20 stepped up for the position of Police chief in Praxedis, when there was no one else willing to take the job after her predecessor was tortured and beheaded by the cartels. Her main goal was to establish confidence in the

¹⁹⁸ Ibid. 31.

¹⁹⁹ Ibid.

municipal police in her town and vowed she would not get involved in the drug war. When taking the position she declared: *"We are all afraid, but we must not let fear defeat us."*²⁰⁰ After a few months in office she received a death threat and decided to escape with her family to the United States where she requested political asylum, as the Mexican authorities are not able to protect her. In this case, fear and intimidation of the drug cartels have prevailed.

Municipal police are often confronted with the option *"plata o plomo"*, meaning they have no other option than to either accept a bribe, or face assassination by the cartels. In 2008 Police chief of Ciudad Juárez Juan Antonio Roman was gunned down by cartels. Nuevo Laredo has a number of Police chiefs that have fallen in the line of duty. In 2005, the Police Chief was murdered eight hours after starting his job. In 2010 gunmen also killed a retired army general put in charge. Come 2013 and the Chief of police in Nuevo Laredo is reported to be missing.²⁰¹

3.5.4. Businessmen and Ordinary Citizens

Ordinary people and businessmen have been confronted with the cartels as well. Wealthy Mexicans primarily face the dangers of kidnappings and extortion, as it became the most accessible means of quickly acquiring cash for traffickers. High protection fees and intimidation have forced businesses to go into bankruptcy and have pushed some businessman to take radical action such as creating violent organizations for self-defense.²⁰² According to Rios, extortion has caused the displacement of 44,401 people.²⁰³ It is estimated that as many as 700 businesses closed in Nuevo Laredo, Tamaulipas, in 2006. Ciudad Juárez is believed to have lost 10,000 businesses from 2007 to 2010 for the same reason.²⁰⁴ As much as 25 percent of the overall population of Mexico received extortion threats.²⁰⁵

²⁰⁰ Ed Lavandera, „'Bravest woman in Mexico' seeks asylum in United States," *CNN*, June 6, 2011, available: <http://edition.cnn.com/2011/WORLD/americas/05/23/mexico.female.police.chief/index.html>

²⁰¹ Nick Valencia, „Authorities search for Nuevo Laredo police Chin," *CNN*, February 19, 2013, available at: <http://edition.cnn.com/2013/02/19/world/americas/mexico-missing-police-chief>

²⁰² Rios, "Unexpected Consequences of Mexico's Drug War for US National Security: More Mexican Immigrants" 6.

²⁰³ *Ibid.* 15.

²⁰⁴ *Ibid.* 17.

²⁰⁵ Alberto Callero, „Dean's Roundtable Breakfast: Special Update: The War on Drugs in Mexico (Panel Discussion, IR/PS, San Diego, USA, 14. 12. 2011)

For wealthier Mexicans, and even those not so wealthy, kidnapping has become an everyday reality. According to sources monitoring the situation, there are currently dozens of families negotiating for the return of kidnapped relatives. The rate of kidnappings has dramatically increased by 188 percent since 2007.²⁰⁶ Unfortunately, impunity also prevails, leaving 99 percent of kidnapping cases unresolved.²⁰⁷

3.6. Summary

The drug related violence in Mexico is very gruesome and brutal involving killings, mass graves, kidnappings or extortion. The cruelty of the cartels is so pervasive that a lexicon emerged to describe the crimes.²⁰⁸ There are municipalities in Mexico that have not been affected by the drug war, but more than half of Mexico's municipalities have. The most concentrated violence is only in 10 percent of all municipalities in Mexico. Nevertheless, since 2006 over 60.000 people have died, yet it seems the level of violence is slowly stemming down. Unfortunately due to the inconclusive statistics of 2012 and 2013 it is impossible to confirm whether the violence is gradually decreasing or if will have again an upward trend.

What can be seen is a significant drop in violence in places such as Ciudad Juárez, Chihuahua, and Tijuana, but they also suggest the violence is shifting to different areas in Mexico especially the Pacific coast, Guerrero and Michoacán. Monterrey and Acapulco replaced Ciudad Juárez and Tijuana and became the epicenters of drug related violence. The shift in violence is caused by the fragmentation of the cartels. Many new fractions, gangs and small cartels have emerged and moved to different regions. If we agree to acknowledge the reduction of drug related violence, then we should try to

²⁰⁶ June S. Beittel, „Mexico's Drug Trafficking Organizations: Source and Scope of the Rising Violence“

²⁰⁷ Dolly Mascareñas, „No Help for Mexico's Kidnapping Surge,“ *Time*, August 8, 2008, available at: <http://www.time.com/time/world/article/0,8599,1830649,00.html>

²⁰⁸ 1) Decapitado: decapitation

2) Descuartizado: Quartering of a body, carving it up

3) Encuelado: body in trunk of a car

4) Encobijado: body wrapped in blanket

5) Entamptado: body in a drum

6) Enteipado: eyes and mouth of corpse taped shut

7) Pozoleado/ Guisado: body dissolved in acid, looking like Mexican stew

analyze the reasons behind, whether it was the change of strategies of the new president Enrique Peña Nieto or if it suggests the consolidation of power of the Sinaloa cartel, which would slowly, dominate the majority of the drug production and drug trade. Statistics to support the governments' success in battling the drug violence are unavailable.

The drug war had a major impact on Mexico. It damaged Mexico's image abroad, fiscally it hurt Mexico as 1/5 of the national budget was dedicated to the drug war and violence affected each strata of Mexican society.

Conclusion

Cartels have been present in Mexican society for decades. They became engraved in Mexican society and politics during the 70 year PRI rule. The PRI did not generally tolerate crime but, to a large degree, it tolerated drug production and trafficking in certain regions of the country and even protected some of the DTOs. This tacit agreement started to deteriorate during the PAN rule and was challenged by President Calderón, who declared the war on drug cartels in 2006. Violence has always been present in Mexican society, but compared to other Latin American countries, it never reached alarming level until the breakout of the drug war.

The violence which Mexico is experiencing today, is quite different and has far reaching consequences for communities on both sides of the U.S. - Mexican border. No other country on the Western Hemisphere has seen such a large increase in the number of drug related homicides over the last six years. Since the declaration of the war on drugs by Felipe Calderón in 2006, more than 60,000 people died, thousands have disappeared, and hundreds of thousands were forced to relocate. Drug cartels became extremely violent, using methods of torture, gruesome murder and beheadings and publicly display their victims in order to intimidate other cartels and the public. As a consequence of the government strategy, the cartels have fragmented and diversified their business. They do not concentrate only on drug trafficking, but also engage in human smuggling, extortion, kidnappings, or resource theft, which consequently affected every strata of Mexican society.

It is important to emphasize that not all of Mexico has been plagued by the drug war. Roughly half of all Mexican municipalities are free from this type of violence. Nevertheless, the sense of fear became a part of daily life in Mexico. As much as 80 percent of all Mexicans have a fear of kidnapping, crossfire, street assault or extortion. Various studies emphasize the role of violence in generating unexpected migration flows, however Mexican migration has never been understood in these terms. The level of violence never reached such gruesome levels in Mexico and never spread to so many municipalities. The decision to migrate *North* has always been driven by economic motives. The prospect of higher wages and a better living standard have been the main

push factors, until recently. Drug related violence and organized crime activities have notably affected recent migration dynamics from Mexico.

Firstly, the primary push factor for Mexican migration is no longer based on economic motives, but based on security concerns. Mexicans are fleeing violence and seeking “freedom from fear,” which is one of the foundations of the human security concept. Poverty and the growing disparity between the rich and poor associated with bad governance, widespread corruption and other development-related issues cause outbreaks of violence. In the Mexican case these outbreaks are connected to drug cartel activities. The DTOs not only exploit the structural problems and the growing social inequality in Mexico, but engage and expand corruption in Mexico.

Secondly, unauthorized migration to the U.S. declined significantly. This can be attributed to two main factors. In 2008 the drug related violence spiked especially in the border region, which had a deterrent effect on the flow of unauthorized migration. The second factor which influenced the flow was the economic recession in the United States and the high unemployment rate, which radically decreased employment opportunities especially for unauthorized migrants.

Thirdly, the character of Mexican migration has changed. There has been a shift from massive unauthorized migration towards steady legal migration. Unauthorized migration has always been correlated strongly with economic motives, whereas legal migration was correlated predominantly with family reunification. After the breakout of the drug war legal migration became the dominant form of escaping the drug related violence. The legal immigrant population from Mexico has increased from 5.6 million in 2007 to 5.8 million in 2011– which could correspond to 200 000 “*narcorefugees*” but it would be important to compare it with the change in previous 4 years. Today there are more and more Mexicans entering the United States legally on their border crossing cards, tourist visas, green cards, investor and business visas. There has also been an increase in the number of asylum requests. Even though Mexicans are far less likely to receive asylum than other nationality, the number of applications increased from 2,611 in 2006 to 9,206 in 2012.

Furthermore, the drug related violence produced a new type of migrant. Today it is more and more common to see “*migrantes fresas*,” Mexicans wearing Prada, driving Mercedes and buying property in the United States, rather than seeing the traditional image of a low skilled unauthorized “*mojado*.” Mexican immigrants today are for a large part wealthy businessmen entering the United States on an investor or business related visa motivated by security concerns. Second large group of Mexicans fleeing violence are well educated journalists, public officials, mayors, and police that seek political asylum in the United States in fear for their lives or the lives of their family.

Drug related violence not only transformed the traditional dynamics of Mexican migration but also had an impact on communities on both sides of the border. Counties and cities on the border and throughout Northern Mexico have seen significant depopulation trends, whereas counties and cities on the American side of the border experienced unexpected inflows. Mexican towns and cities, such as Tijuana, Ciudad Juárez, Laredo, or Monterrey experienced a significant loss of population. Thousands of businesses went bankrupt or relocated due to extortion and other threats. The relocation of wealthier Mexicans does not only mean a human flight but also a capital flight out of Mexico to the United States. It’s unclear whether the exodus will grow large enough to transform too strong wording either economy, but it may yet prove transformative if the Mexican government is spurred to lure back the Mexican elite.²⁰⁹

Communities, especially in Texas, have changed considerably. Housing, schooling, business associations and many other spheres have modified over the past couple of years, to adapt to new migration patterns. In El Paso, Brownsville, McAllen, and San Antonio brand new housing complexes targeted towards Mexican consumers developed, which essentially had a positive impact on the real estate market in Texas. Housing prices have remained steady even in the face of the recession. Despite positive effects the new wave of Mexican migration might have, there is threat of drug related violence to spillover from Mexico. Already there had been incidents involving American citizens, kidnapped or shot by the Mexican Cartels. Carlos Spector, the prominent immigration lawyer and activist received several death threats, Border Patrol Agent, Brian Terry was killed by Mexican cartels in 2010, Jaime Zapata, a DEA agent,

²⁰⁹J.K. Nickell, „The New — and Rich — Immigrants from Mexico: How Their Money is Changing Texas,“

was murdered by the Zetas in 2011. There have been some signs of violence connected with cartel activities on the American side of the border, but it seems the violence remains to be contained in Mexico. The data over how much of that spillover has reached the U.S. varies greatly. According to a Government Accountability Office report, in 31 of 37 state and local agencies said that they have not observed violent crime from Mexico regularly spilling into their area, but that 33 of these agencies were at least somewhat concerned for the safety of their personnel or residents.²¹⁰ Paul Rexton Kan estimated a large spillover of violence to the U.S. and went further predicting the violence would result in a no man's land situation in the borderland. This has not happened, and I suggest it is not likely to happen. Aside from the moral aspect of cartel activities, drug cartels are business organizations. The cost of the drug war to spillover to the American side would be far too great, and the risks too high. Tijuana was in the center of the war between the Tijuana cartel and the Sinaloa cartel. The cost of this war was far too high for the cartels and agreed on a truce. Consequently, the levels of violence decreased significantly.

It is difficult to predict the outcome of the war on drugs and its further influence on Mexican migration. Based on the numbers available, the threat of a massive exodus of Mexicans does not seem likely. Cities such as Tijuana or Ciudad Juárez, crippled by violence, are slowly recovering. The drug related homicides fell down sharply and at least in the case of Tijuana, forced migrants that fled Mexico based on security concerns, feel safe enough to return back to Mexico. Even though there has been a drop of drug related homicides, the cartel violence shifted to new areas. Monterrey and Acapulco became the new epicenters of the drug war in 2011. If there is anything constant in Mexico's drug war, it's change. As of 2012 the security situation in Monterrey improved and not because of a truce between the cartels, but because of a specifically designed strategy. The business elite began to collaborate with the government of Nuevo León. They participate in financing, recruiting and training a new police force, *Fuerza Civil*, free from cartel infiltrators. The private sector also finances community centers, and structural activities. Cemex, the largest cement company in Mexico located in Monterrey, built and finances the community center, *Macrocentro*

²¹⁰ Government Accountability Office, „Southwest Border Security Report GAO-13-175“ (Report to Congressional requesters, February 26, 2013) available at: <http://www.gao.gov/products/GAO-13-175>

Independencia, in the poorest and most volatile part of Monterrey. The centre represents another way of fighting crime. It focuses on prevention rather than better policing. The aim is to provide stimulating activities for locals, to encourage them to emerge from their homes, having been holed up for much of the past three years, which in turn helps mend the torn social fabric in the district. The community centre is filled predominantly with young children and their mothers. Women who have never worked before learn how to bake so that they can set up pastry shops; or how to start beauty salons; or to fold sheets and towels creatively so that they can work in the luxury hotels in San Pedro, the most lucrative part in Monterrey.²¹¹

It is important to focus on prevention but also the general apathy in the Mexican society must be addressed. I believe that this is the root problem of the large scale drug war. Mexican society became apathetic and passive in some cases the society is even complacent. Especially in poor neighborhoods or rural areas, drug traffickers are seen as heroes and the “*narco culture*” is appealing predominantly for the youth. I suggest a larger engagement of the church, which historically has a strong position in the Mexican society, in promoting an active civic society that would no longer tolerate gruesome drug related homicides as a normal part of their lives. It is difficult to expect the civic society to be more active in fighting the cartels, if the ones who should protect them are involved in cartel activities themselves. Widespread corruption in the police force must be addressed along with structural problems Mexico is facing. If every point mentioned would be fulfilled, I believe drug related violence would not involve such a large spectrum of the society, and would eliminate the number of “*narcorefugees*.”

The sense of fear led Mexicans to seek refuge either in other parts of Mexico or the United States. The ones migrating to the U.S. are businessmen, journalists, police officers, mayors, public official, and ordinary citizens. They seek refuge from murder, extortion kidnappings and other threats related to cartel activities. They no longer seek economic opportunities and a better living standard, but safety. This change in migration dynamics is rather thrilling, and deserves to be studied more. The limited data prevent us from analyzing this situation more thoroughly. There are various questions

²¹¹ H.T., „Repairing the social fabric,“ *The Economist*, June 13, 2013, available at: <http://www.economist.com/blogs/americasview/2013/06/violent-crime-mexico>

related that have not been yet addressed. Will the cartel violence eventually shift to all areas in Mexico? Who are the “*narcorefugees*”? Do they come only from the border states or do they cross all Mexico to seek sanctuary in the U.S.? If the violence would continue to shift to various states in Mexico towards the south, would that mean an influx of “*narcorefugees*” in the U.S. or an influx of internally displaced people within Mexico? Would the “*narcorefugees*” settle in the U.S. permanently or would they return back to the Mexico? And more importantly, would the dynamics of migration shift once again, when the violence in Mexico stabilizes and the economic situation in the United States improves?

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