The Third Mexico: Civil Society Advocacy for Alternative Policies in the Mexican Drug War

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List of abbreviations:

AI	Amnesty International
CASEDE	Colectivo de Análisis de la Seguridad con Democracia
CIGE	Centro de Estudios para la Gobernabilidad Institucional
Centro Prodh	Centro de Derechos Humanos Miguel Agustín Pro Juárez
CIDAC	Centro de Investigación para el Desarrollo, A. C.
CIDE	Centro de Investigación y de Docencias Económicas
CMDPDH	La Comisión Mexicana de Defensa y Promoción de los Derechos Humanos
COLMEX	Colegio de México
CUPIHD	Colectivo por una Política Integral Hacía Drogas
CSO	Civil Society Organization
DTO	Drug trafficking organization
FFP	Fund for Peace
HRD	Human Rights Defenders
HRO	Human Rights Organization
HRW	Human Rights Watch
INCB	International Narcotics Control Board
ITAM	Instituto Tecnológico Autónomo de México
MUCD	México Unido Contra la Delincuencia
NAFTA	North American Free Trade Agreement
NGO	Non-Governmental Organizations
IMF	International Monetary Fund
PAN	Partido de Acción Nacional
PBI	Peace Brigades International
PRD	Partido Revolucionario Democrático
PRI	Partido Revolucionario Institucional
Red TDT	Red Nacional de Organismos Civiles de Derechos Humanos
SIMO	Sistemas de Inteligencia en Mercados de Opinión (SIMO)
SM	Social Movement
TAN	Transnational Advocacy Network
UNAM	Universidad Nacional Autónoma de México
UNODC	United Nations Office of Drugs and Crime

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Abstract

The growth of the drug war and rates of narco-violence in Mexico has captured the attention of the international community, leading to international debates about the validity and effectiveness of the War on Drugs mantra. Since 2006, the Mexican government has been actively combating the cartels with armed troops, leading to high rates of human rights abuses as well as growing opposition to official prohibition policies. This thesis explores three movements advocating for alternatives to the Mexican drug war that have their foundation in civil society organizations: the movements for human rights protection, for drug policy liberalization and for the protection and restitution of victims of the drug war. These movements are analysed through a theoretical framework drawing on critical political economy theory, civil society and social movement theory, and political opportunity structures. This thesis concludes that, when aligned favourably, the interplay of agency and political opportunities converge to create openings for shifting dominant norms and policies. While hegemonic structures continue to limit agency potential, strong civil society advocacy strategies complemented by strong linkages with transnational civil society networks have the potential to achieve transformative changes in the War on Drugs in Mexico.

La croissance du trafic de drogues et des taux de violence au Mexique a attiré l'attention de la communauté internationale, conduisant à des débats internationaux sur la validité et l'efficacité de la Guerre contre les drogues. Depuis 2006, le gouvernement mexicain lutte activement contre les cartels avec des forces armées, conduisant à des taux élevés de violations des droits humains ainsi qu'une critique de plus en plus évidente aux politiques officielles de prohibition. Cette thèse explore trois mouvements d'opposition fondés dans les organisations de la société civile et les mouvements sociaux, soit les mouvements pour la protection des droits humains, pour la libéralisation des politiques de contrôle de drogues ainsi que pour la protection et le dédommagement des victimes de la guerre contre les drogues. Ces mouvements sont analysés à travers un cadre théorique qui puise dans les théories critiques de l'économie politique, les théories de société civile et de mouvements sociaux, et les structures d'opportunité politique. Cette thèse conclut que, quand alignée favorablement, l'interaction de l'agence de la société civile et des opportunités politiques a le potentiel de créer des ouvertures et de modifier les normes et les politiques dominantes. Bien que les structures hégémoniques continuent de limiter le potentiel des organismes de la société civile, de fortes stratégies complémentées par de solides liens avec des réseaux transnationaux de la société civile peuvent engendrer des changements transformateurs dans la Guerre contre les drogues au Mexique.

CHAPTER 1: INTRODUCTION

1.1 Two Mexicos ... or Three?

> [T]here are two Mexicos.
>
> There is the one reported by the US press, a place where the Mexican president is fighting a valiant war against the evil forces of the drug world and using the incorruptible Mexican army as his warriors. This Mexico has newspapers, courts, and laws and is seen by the US government as a sister republic. It does exist.
>
> There is a second Mexico, where the war is **for** drugs, for the enormous money to be made in drugs, where the police and the military fight for their share, where the press is restrained by the murder of reporters and feasts on a steady diet of bribes, and where the line between government and the drug world has never existed. (Bowden, 2010, p. 18)

The image of the two Mexicos described by Charles Bowden above is recurrent in the literature around the Mexican drug war[1]. Mexico is a country of contradictions; its population is left vulnerable in the face of a security crisis, yet equally robust and proud. While media headlines have drawn attention to gory decapitations, bloody shootings and communities emptied because of the high levels of violence in most parts of the country, life seemingly goes on as normal. Millions of tourists still flock to Mexico's beaches, the country continues to boast remarkable growth rates, and Mexicans still mark celebrations with all of their usual flare and boisterousness. The reality remains, however, that large areas within Mexico suffer greatly because of this drug war, with estimates pointing to some 121,000 deaths (Instituto Nacional de Estadística y Geografía, 2013) and an estimated 160,000 displaced (IDMC, 2012) between 2007 and 2012. While studies show a slight decline or levelling off in drug-related violence more recently (Molzahn, Frerreira, & Shirk, 2013, p. 1), the prolongation of the drug war continues to threaten many Mexican communities.

The high rates of violence compelled the Global Commission on Drug Policy to state that "the War on Drugs has failed" (2011, p. 2), echoing what numerous activists, academics and

[1] The term drug war refers to the ongoing conflict among Mexican cartels over territorial control and illicit markets, while the term War on Drugs refers to the policy agenda to combat drug production, trafficking and consumption.

politicians—including former Mexican presidents Vicente Fox (in office 2000-06), Ernesto Zedillo (1994-2000) and former Colombian president César Gaviria (1990-94) – have been affirming for years. The commission, made up of 19 high-level individuals[2] argues that:

> Vast expenditures on criminalization and repressive measures directed at producers, traffickers and consumers of illegal drugs have clearly failed to effectively curtail supply or consumption. Apparent victories in eliminating one source or trafficking organization are negated almost instantly by the emergence of other sources and traffickers (Ibid).

Despite the US and Mexican governments' unwavering stance in favour of drug trade prohibition and the involvement of armed forces, the apparent failure of aggressive anti-drug and militarization policies[3] to curb the rate of violence and the flow of drugs across the Mexican-American border has sparked academics, policy makers, government representatives and civil society actors around the world to argue that the two governments need to profoundly reconsider their War on Drugs strategy. However, while many experts admit that the prevailing prohibitionist and militaristic policies are ineffective and need to be drastically revamped, there is little consensus as to which policy alternative is needed, viable and sustainable. This lacuna has led to the

[2] The Commission is made up mostly of former politicians, UN representatives, academics and other prominent public figures. At the time of writing, the full list of Commissioners include: Aleksander Kwasniewski, Former President of Poland; Asma Jahangir, Human rights activist, former UN Special Rapporteur on Arbitrary, Extrajudicial and Summary Executions, Pakistan; Carlos Fuentes, Writer and public intellectual, Mexico – *in memoriam;* César Gaviria, Former President of Colombia; Ernesto Zedillo, Former President of Mexico; Fernando Henrique Cardoso, Former President of Brazil *(chair);* George Papandreou, Former Prime Minister of Greece; George Shultz, Former Secretary of State, United States *(honorary chair);* Javier Solana, Former European Union High Representative for the Common Foreign and Security Policy, Spain; John Whitehead, Banker and civil servant, chair of the World Trade Center Memorial, United States; Jorge Sampaio, Former President of Portugal; Kofi Annan, Former Secretary General of the United Nations, Ghana; Louise Arbour, Former UN High Commissioner for Human Rights, president of the International Crisis Group, Canada; Maria Cattaui, Former Secretary-General of the International Chamber of Commerce, Switzerland; Mario Vargas Llosa, Writer and public intellectual, Peru; Michel Kazatchkine, Professor of medicine, former Executive director of the Global Fund to fight AIDS, tuberculosis and malaria; Paul Volcker, Former Chairman of the US Federal Reserve and of the Economic Recovery Board, US; Pavel Bém, Former Mayor of Prague, member of the Parliament, Czech Republic; Ricardo Lagos, Former president of Chile; Richard Branson, Entrepreneur, advocate for social causes, founder of the Virgin Group, cofounder of The Elders, United Kingdom; Ruth Dreifuss, Former President of Switzerland and Minister of Home Affairs; Thorvald Stoltenberg, Former Minister of Foreign Affairs and UN High Commissioner for Refugees, Norway (Global Commission for Drug Policy, 2014).

[3] As in the use of thousands of military officers to patrol the streets of Mexico and combat the drug cartels in addition to or in the place of local or state police forces.

emergence of wide-ranging policy debates, both nationally and internationally. Accordingly, such debates in Mexico have provided more opportunity and space for civil society as a whole to advocate for alternative policies to bring an end to the drug war.

As civil society embraces this opportunity, it leads us to seek a better understanding of what is meant by civil society and how its engagement in Mexican society and the political sphere may influence drug war policies. Debates surrounding the transformative potential of civil society organization (CSOs) are not new, and the literature on the topic is vast. First, I consider Mary Kaldor's "activist" definition of civil society, "[referring] to the active citizenship, to growing self-organization outside formal political circles, and expanded space in which individual citizens can influence the conditions in which they live both directly through self-organization and through political pressure" (2003, p. 9). This definition allows the inclusion of non-governmental organizations (NGOs) as well as academics, social movements (SMs), trade unions, media, and other forms of citizen participation in my understanding of civil society. One of the limitations of this definition is that it implies that civil society operates in a space separate from the political arena and the market, a notion which contrasts with Gramsci's understanding of civil society as a function of the state (Cox, 1999, p. 4). Civil society, in Gramscian thought, is both subject to state coercion yet autonomous – "civil society is both shaper and shaped, an agent of stabilization and reproduction, and a potential agent of transformation" (Ibid, pp. 4-5). As we explore in this thesis, this separation of spheres is not always clear, and while the case studies presented here revolve primarily around NGOs and the academic community that fit in Kaldor's conception of civil society, it is important to keep in mind the myriad of other actors that are part of the larger movement for alternative drug and public security policies, some of which reflect Kaldor's definition of civil society above, and some of which challenge it, including less *civil* forms of civil society, like the drug cartels themselves.

This myriad of civil society actors may have differing goals, strategies and spheres of influence, but a common thread unites those analysed here: to end the violence engendered by the drug war in Mexico. Generally speaking, they strive to increase awareness about policy alternatives, ensuring that human rights are respected and victims of violence have adequate resources available to them in their search for justice. Moreover, they work to preserve Mexico's social fabric, bringing attention to the underlying socio-economic causes of and conditions that exacerbate the drug war. In doing so, these CSOs and SMs are proponents of a different vision of Mexico: one that defies the perception of a corrupt and weak state and builds on the first description where the rule of law is applied as envisioned by Bowden. They seek to build a *third* Mexico, an alternative to the status quo, where human rights are respected, where institutions and governments are strong and free of corruption and impunity, where socio-economic policies take precedence over state militarization and drug prohibition, where civil society has a voice in the official debates, where violence and crime no longer rule the headlines, and where society is safer, prouder and more resilient.

1.2. Outlining the Debate

In spite of the growing engagement of CSOs and SMs[4] in drug and security-related policy debates in Mexico, the literature does not adequately capture their potential for agency. In fact, the Mexican drug war remains most often framed within a national security discourse and analysis (Tokatlian & Briscoe, 2010, p. 102; Merceille, 2011, p. 1638). Public debates focus on government security policies and the role of police and military forces in combating cartels, while media reports concentrate on the victims of gruesome violence and the more sensational capture of prominent

[4] In this thesis, I use CSOs and SMs distinctly to help better understand the difference between the *organizations* themselves (NGOs, HROs, etc.), and the advocacy *movements* of which they are part. CSOs may or may not be identified by a registered charity status and may be organized around an executive committee or other forms of formal structure. This I distinguish from social movements that may be more flexible and informal in their organization. A social movement may also be constructed by a number of CSOs with common goals (i.e. CUPIHD being the 'CSO', and the cumulative advocacy for drug policy liberalization being the 'social movement'), and usually do not have a registered status or executive structure. This is not an exhaustive understanding of the two realms of agency.

cartel figures or the seizure of large drug shipments. These are important debates, but they are incomplete. Increasingly, academics and civil society experts are exploring the deeper political, economic, and social considerations of the Mexican drug war and shedding light on the role other actors are playing in this context. Still, while there is growing recognition that civil society actors can, and do, contribute to a more peaceful Mexico, their voices continue to receive marginal media coverage and remain under-represented in official debates. This absence leaves two major gaps in the literature. First, there is inadequate attention given to CSO and SM agency in the drug and security-related policy debates and their roles in challenging the dominant norms and building alternative policies and programs for a more peaceful Mexico; and secondly, because of this lack of attention, there is inadequate analysis of their degrees of success and obstacles. This thesis seeks to fill these gaps by expanding the discourse to highlight the role of CSOs and SMs in the drug war policy debates and their efforts to transform the status quo.

Therefore, my thesis will explore the role of civil society advocacy in influencing the dialogue, debates and norms surrounding relevant policies in the context of the Mexican drug war. More specifically, I ask: In light of the dominant forces that shape global drug policies and behaviours, such as the US-led War on Drugs, what challenges do Mexican CSOs and SMs face, and what opportunities are available to them in confronting these forces and implementing their strategies for alternative policies and discourse regarding the drug war? How do Mexican CSOs' and SMs' advocacy strategies and resources shape their ability to influence relevant public policies in Mexico in the face of the dominant norms and actors? To answer these questions, my thesis will focus on a comparative qualitative analysis of three key movements in Mexico: the movements for human rights protection, for drug policy liberalization and for the protection and restitution of victims of the drug war. In doing so, this thesis will evaluate the impacts of CSOs and SMs thus far and the prospects for success in transforming the dominant discourse and polices in the Mexican drug war.

Through my analysis, I compare the challenges, opportunities and some of the specific (e.g. policy change) and broader (e.g. influencing discourse and debates) results of my three case studies, exploring how the synergies and cumulative impacts of the CSOs and SMs involved are contributing to the larger movement toward alternative policies in the Mexican drug war. I draw on two main strands of social theory, the first being critical political economy theory (CIPE) (Cox & Sinclair, 1999; Cox, 1996; Pianta, Marchetti, & Zola, 2009; Merceille, 2011; Morton, 2003; etc.), the second being civil society and social movement theories (Kaldor 1998, 2005, 2003; Smith & Johnston, 2002; Albrow et al. 2005; Barnes 2009; Keck and Sikkink, 1998; Massicotte, 2009, etc.). Furthermore, the analysis is also complemented by elements of political opportunity structures (della Porta, 2009; Giugni, 2004; Giugni, McAdam, & Tilly, 1999; Tarrow, 1994; etc.). Through these theoretical frameworks, my thesis explores the dynamic relationship between structure, agency (advocacy), and the circumstances in which these align (or not) to engender change. Where CIPE theory allows us to better understand the global structure and norms that define Mexico's drug policies and behaviour in the War on Drugs, social movement theory helps shed light on the potential for civil society and social movement agency to influence political and social change, including through transnational networks of alliances that challenge the dominant discourse of prohibition and militarization in the drug war. Political opportunity theory helps us bridge these perspectives and understand how shifts in the balance of hegemonic norms or openings in the political arena can create opportunities for CSOs and SMs to gain access to decision makers in order to advance their agenda, thus improving their potential for achieving policy changes.

In order to fully understand the dynamics of the Mexican drug war, it is necessary to recognize the complex landscape of norms, discourses and policies surrounding the drug war at the global, state, and local levels. CIPE theory allows us to better grasp how dominant global norms and discourses can impose themselves on these levels of analysis to shape actions and behaviours at the

local level. The long-established global structure of the War on Drugs policies, including the power relations and the norms that define them, have shaped Mexico's counter-cartel strategies, leaving little room for alternative policies. This is important to acknowledge, given the predominance of prohibition and militarization policies promoted by the US, internationalized by the UN and adopted by Mexico: CSOs and SMs face an overwhelming challenge to transform such an entrenched global structure and shift the attention away from the security discourse towards the underlying socio-economic conditions and harmful consequences of the drug war.

Mexican civil society has proven itself remarkably effective and powerful in Mexico's recent history, playing a significant role in its democratic transition, changing the discourse around human rights and challenging dominant norms of neoliberalism, mostly through non-violent uprisings and protests (as documented in section 2.2.1). In particular since Mexico's democratic transition in 2000, civil society agency has brought about a range of policy changes, incrementally gaining more space in the political sphere (as documented in section 2.2.1) and demonstrating that, though still marginalized, they cannot be overlooked. In the context of the Mexican drug war, CSOs and SMs have played a significant role in challenging the government's strategies by advocating for alternatives to prohibition and militarization as a means to combat drug trafficking organization (DTOs). In contrast to the dominant security policies, CSOs and SMs are calling for, among other things, the respect and protection of human rights, the end to widespread impunity and corruption, drug policy liberalization and greater focus on socio-economic policies (Naveau & Pleyers, 2012, p. 116). These are laudable proposals but ones that do not fall easily within the dominant War on Drugs rhetoric.

As the past achievements of Mexican civil society around the country's democratic transition in recent decades would attest, however, hegemony is not static, and with the right conditions, advocacy and popular support, politics and discourse can be negotiated, possibly even transformed.

Concepts of political opportunity structures (della Porta, 2009; Giugni, 2004; Giugni, McAdam, & Tilly, 1999; Tarrow, 1994) help us better understand this process and shed light on how the socio-political context and evolution of drug policies in Mexico have inhibited or facilitated different civil society advocacy initiatives in the Mexican drug war, as illustrated through my case studies. More specifically, section 2.2.1 looks at Mexico's democratization and the relatively recent opening of space for civil society engagement, which sheds light on the continued structural limitations to, and growing opportunities for, CSO and SM advocacy. Subsequently, section 2.2.2 provides a brief overview of the drug war and the development of related policies in more recent years to highlight the forces at play, including the role of international actors and dominant norms of prohibition and militarization, thus elucidating the reasoning behind government strategies and the potential for policy shifts. Finally section 2.2.3 delves into the drug policy debate that has received the most media attention thus far: liberalization of the drug trade[5]. Looking at a summary of the arguments for and against this movement, which challenges the very core of the War on Drugs rhetoric, sheds light on some of the ideological limitations and potential opportunities for civil society agency around the most globally debated policy alternative. By engaging with these debates I aim to expand the discourse around the role of civil society agency in the Mexican drug war to a relatively new, and thus under-represented, topic in the literature.

1.4. Structure and Methodology

This thesis is grounded in an extensive review of literature as well as field interviews carried out in April and May of 2012 in Mexico City. My secondary research consisted of exploring wide-ranging literature on CIPE, political opportunity theory and on CSOs and SMs, particularly in the Mexican context. Subsequent research on the development of the Mexican drug war through media

[5] I.e. The decriminalization, legalization or regulation of drug production, trade and/or consumption.

articles, grey literature and the growing academic literature on the matter was completed in order to complement and add context to my theoretical research. For each of my case studies, further background research was required to best understand the dynamics of the different movements. Given its contemporaneous nature, consistent scanning of media reports on the drug war helped to keep me informed on key events, actors and developments that could potentially influence my research. Because of the topic's ever-changing nature, my thesis research is primarily focused on the developments of the drug war during Felipe Calderón's mandate, from December 2006 to 2012, with some reflections on the ensuing Enrique Peña Nieto presidency.

To complement my secondary research, I conducted field research interviews in Mexico City. In total, I carried out 15 semi-structured interviews with 17 individuals (see Annex A for a complete list of interviewees and Annex B for sample interview guide). Given the lack of academic analysis on civil society engagement in drug policy advocacy in Mexico, it was best for me to travel to Mexico City and interview organizations[6] that were part of these movements and have an opportunity to hear their perspective on their own struggles and successes. It was clear to me that a semi-structured interview format was the best choice to be able to draw the information required for my analysis while also allowing space in the discussions for the interviewee to bring up new themes and ideas that I might have otherwise overlooked. It is precisely because of this flexible format that I came to identify the themes of my case studies—these were not pre-selected as I had originally anticipated in my thesis proposal, but were shaped by the realities of the organizations interviewed and became clear to me only once I began my interviews.

[6] The choice of organizations came about from a mix of targeted requests (CASEDE, Movimiento por la Paz, Luis Astorga, Jorge Chabat, etc.) and some snowball effect as my network of contacts grew once I arrived in Mexico (CIDAC, MUCD, HROs, CUPIHD, etc.). A number of challenges in securing interviews in the early stages of my research forced me to reconfigure my approach and broaden the spectrum of organizations I targeted, in particular in reaching out to HROs. The case studies are meant to look at the larger movement in question, but with a particular focus on the agencies I interviewed.

A first limitation of my thesis to note is that given the small number of interviews, my findings cannot be interpreted as representative of Mexican CSOs more broadly or of different types of CSOs as the interviews were conducted mainly with academics and human rights organization (HROs). Furthermore, the fact that my research took place in the capital city also impacts the results of my analysis. Proximity to government institutions and services, embassies, foreign and domestic CSOs, and numerous academic institutions, in addition to a more broadly active and diverse civil society culture in the capital city certainly benefit the CSOs in the area as opposed to those who are further away. Their strategies are undoubtedly affected by the relatively safe climate of Mexico City and their ability to participate in high level events, meetings and consultations. As a result, another important limitation to my research is the ability to extrapolate lessons from these case studies at a nation-wide level, particularly in more violence-ridden areas such as Sinaloa, Michoacán or Chihuahua. Furthermore, as many interviewees were professors in academic institutions in Mexico City, the historically collaborative nature of the academic community with Mexican social movements, such as Mexico's renowned 1968 student movement (Acosta, 2010), or the 2012 YoSoy#132 student movement (Astorga, UNAM, 2012), must be taken into account and introduces a clear bias in favour of civil society engagement in drug war policy advocacy. For instance, each interviewee took a more critical stance against government policies and many academics collaborated with or were part of CSOs and SMs advocating for alternative policies. Because of this, another limitation to note is that opinions expressed in my interviews are generally critical of government policies; and despite attempts to reach out to them, the voice of the government and those who support government policies are not adequately represented. Finally, while not disregarding its importance, my thesis lacks a deeper analysis of the role of the state, of the political parties and key actors, as well as a closer look at class relations—elements generally found in CIPE

analyses. However, the focus of my thesis is explicit in its goal to shed light on the CSOs and SMs working for alternatives to government policies, thus making these the focus of my research.

Acknowledging these limits, I take a closer look at three case studies to demonstrate the different ways CSOs have responded to the violence and insecurity, and their uneven ability to bring policy changes and influence the discourse around the Mexican drug war. The three case studies were chosen in accordance to recurring themes brought up during my interviews, to their presence in media reports and related events and consultations, as well as the availability of information and reports on these three themes. Each case study also reflects the challenges of confronting hegemonic structures and dominant norms and policies around state militarization and prohibition in the context of the drug war, while also reflecting the potential for change through agency when combined with favourably-aligned political opportunities. To assess the impact of these movements, I explore each organization's campaigns, strategies and ability to connect with decision-makers and transnational networks, while also exploring some of the ongoing challenges and limitations to each movement's advocacy potential.

What these movements have in common is that they are all advocating for policy or legal reform in the context of the drug war. The three movements are generally made up of organizations centered or headquartered in Mexico City and whose members are primarily Mexican. These movements operate independently from the government[7] and have a large base of popular support. Nevertheless, each of these CSOs and SMs have very different strategies, ranging from direct conversation with government officials and organized legal appeals, producing reports and organizing conferences on policy issues, to protests and caravans across the country. While all three movements have garnered support from international counterparts, they have done so at varying

[7] PBI México and CIDAC report receiving funds from foreign governments. Red TDT and CMDPDH financial resources are not specified on their respective websites. Other organizations do not receive government funding according to their online reporting. More details are listed in Annex A.

levels of formality. All of these factors play a role in their strategies and thus in affecting change in Mexico's drug policies.

To complete my analysis, I needed to better understand the differing strategies and potential opportunities among the movements observed, including a closer look at their connections with decision makers and advocacy networks (local, national or transnational), and the place drug war advocacy efforts hold in their overall goals—are these their primary focus or did it come about as an additional area of focus in the organization's development? What does this say about their strategies and resources with regards to their advocacy efforts around the drug war? In this light, the case studies will be analysed based on the four following variables:

a) Their ability to engage with political representatives (frequency of which meetings and discussions take place, and the position of the representatives involved within the government);
b) Their connections with other local, national and transnational organizations and how they have benefited from these connections;
c) The most important local, national and/or transnational challenges they have faced or that remain obstacles in implementing their objectives;
d) Willingness or organization's objective to influence drug war policy and dialogue (i.e. how drug war related initiatives figure in the organization's overall priorities).

These variables will help shed light on each movement's varying level of success according to these two dimensions:

a) The success or failure in seeing their objective(s) (short, medium and/or long term) met in policy or legislative changes;
b) The success or failure in seeing their objective(s) (short, medium, and/or long term) met through non-policy or legislative means, such as changing the discourse through organizing conferences, raising awareness, presence in the media, etc.

The overall effectiveness of CSO advocacy is analyzed on a gradient of influence, as identified by Margaret Keck et al.(1998, p. 25), starting with 1) issue creation and agenda setting; 2) influence on discursive positions of states and international organizations; 3) influence on institutional procedures; 4) influence on policy change in "target actors" and 5) influence on state behaviour. This gradient helps identify the three different movements' individual scale of influence as well as

demonstrates the broader impact of the movement for alternative policies as a whole. Each movement will be evaluated based on the movement's success, both in terms of specific initiatives as well as broader engagement, and how their influence falls on this gradient based on any observed shifts in discourse, policies or structures brought about by these advocacy efforts.

The case studies outlined here offer a starting point in analysing CSOs' and SMs' influence in the context of the Mexican drug war. Each of these movements was identified during my field research as key themes and achievements in civil society advocacy around drug war policies. While these represent only a small portion of the numerous and diverse forms of citizen mobilization around the drug war, they do, each in their own right, reflect the importance of CSO and SM advocacy efforts in affecting change in this context and the value of bringing CSOs and SMs in the policy debates. Their achievements range from broader, such as bringing new issues to policy agenda, influencing discourse, and raising awareness, to more specific such as legislative changes. My analysis looks at how the strategies and the varying levels of accomplishments of the different CSOs and SMs are contributing, or not, to a larger shift in the dominant norms and policies that define the War on Drugs, and how political opportunities can lend itself to this process, or hinder it. Finally, my analysis looks at the enduring constraints and limits that still afflict the individual case studies in their own advocacy efforts, as well as the efforts of the larger collective movement for alternative policies, and what this can tell us about the future of these movements.

The first case study focuses on a legislative initiative, the *Ley para la Protección de Personas Defensoras de Derechos Humanos y Periodistas*, principally led by an ad hoc coalition of 72 human rights organizations (HROs) called the Espacio OSC (*organización de la sociedad civil*). This law was conceptualized, drafted and presented to the government following three years of collaborative work among the Espacio OSC members. It came about as a result of the growing threats faced by human rights defenders (HRDs) and journalists in Mexico in their work to report on incidences of

violence and human rights violations across the country. This law was approved on April 30, 2012; thus, this case study exhibits an example of a concrete legislative change under the Calderón government, a success that illustrates the potential for change when CSOs coordinate efforts to achieve a shared goal. Further analysis also demonstrates how national and transnational linkages among CSOs as well as with key decision makers contributed to the success of the Espacio OSC in achieving the adoption of this law. However, it is important to acknowledge the challenges they continue to face, including working within the confines of a weak judicial system and coordinating efforts amidst conflicting priorities. Field research interviews with four individuals from four HROs[8]and with key academic informants[9], along with a number of reports, media articles and other relevant literature, guide the analysis of this case study.

The second case study focuses on the drug liberalization movement in Mexico, where the debate takes on a different shape as a primarily drug producing and trafficking country as compared to how the debate is framed in primarily drug consuming countries such as the US. Never has it been so widely discussed in the country's political, social and economic spheres as in recent years, getting the attention of politicians across the Americas who have advocated strongly for alternatives such as liberalization to the War on Drugs (Armenta, Metaal, & Jelsma, 2012, pp. 1-2). I interviewed three individuals[10] from two organizations, *Mexico Unido Contra la Delincuencia* (MUCD) and *Colectivo por una Política Integral Hacía Drogas* (CUPIHD). These organizations are focused primarily on this cause with the ultimate goal of bringing about policy change in Mexico. These CSOs are partnering with other local, national and international NGOs and think-

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[8] José René Paz Hernández, Centro de Derechos Humanos Miguel Agustín Pro Juárez; Daniel Joloy, Comisión Mexicana de Defensa y Promoción de los Derechos Humanos; Agnieszka Raczynska from the Red Nacional de Organismos Civiles de Derechos Humanos; and Anonymous employee at Peace Brigades International México.

[9] Namely Monica Serrano, professor at the Centre for International Studies at the Colegio de México; and Luís Astorga, Universidad Nacional Autónoma de México.

[10] Anonymous at México Unido Contra la Delincuencia; Jorge Hernández Tinajero and Carlos Zamudio Angles from the Colectivo por una Política Integral Hacía Drogas.

tanks to pressure the government to engage in debates on the topic as part of a larger movement for alternative drug policies in Mexico. As such, this second case study demonstrates the powerful national and international forces that influence the discourse and debates around drug and security policies. The analysis also reveals that although the movement has failed to bring about major policy change, it has played a significant role in broadening the debate and shedding light on the limitations of prohibition. My analysis thus aims to emphasize the non-policy achievements of the movement and potential for further opportunities within this growing policy debate.

My third and final case study explores the *Ley General de Víctimas,* ratified by Peña Nieto in January 2013*,* and led by the *Movimiento por la Paz con Justicia y Dignidad* (MPJD). The MPJD is a social movement that has grown since the mid-2000s over frustrations with the government's inability to reduce violence in Mexico. While popular marches and protests had taken place earlier, the movement was made more official in May of 2011 when Mexican poet and activist, Javier Sicilia, took center stage, leading thousands of Mexicans through the streets of Mexico and organizing the movement's first cross-country Peace Caravan from Cuernavaca to Ciudad Juárez that summer. Sicilia himself lost his son to drug cartels and has succeeded in translating his grief and passion into an influential and creative movement that extends far beyond Mexico. The MPJD was referenced in all of my interviews and it has captured the media's attention in Mexico and internationally.

The movement has risen from an expression of frustration by the victims of the drug war into a broader, more structured movement promoting the rights of these victims and of their families and challenging the focus of the War on Drugs policies. The MPJD is now faced with the challenge of trying to sustain their grassroots connectivity with Mexicans along with strengthening their legitimacy and influence at the political level. Thus far, its influence in terms of raising awareness and bringing the issue of protection and restitution for drug war victims to the forefront of political

discussions is remarkable. However, MPJD faces continued challenges in the proper application and enforcement of the *Ley General de Víctimas*: it faces much criticism, and it is seen as incomplete and administratively burdensome. Furthermore, the MPJD is challenged with balancing their relationship with their supporters while also working alongside the government to see its law properly applied, and leaning too far on either side risks alienating the other – threatening their legitimacy, sustainability and credibility as a grassroots SM. This final case study elucidates a number of broader issues faced by Mexican CSOs and SMs such as challenges in coordination and building linkages with other CSOs and with the government; in differentiating between popular versus political success; and in achieving financial stability and ensuring long-term sustainability. My analysis draws from parts of each of my field research interviews as well as media articles and excerpts taken from the MPJD's website and newsletters.

1.5 Hypotheses and Initial Findings

My three case studies shed light on key Mexican CSOs and SMs working to shift the attention away from the dominant discourse. While a full analysis of these case studies will ensue in the final chapter of this paper, where I will draw on my theoretical frameworks to compare the movements and draw strategic conclusions, there are initial findings worth highlighting here. As these case studies exemplify, it appears that although CSOs and SMs involved in all three movements have contributed significantly to the drug policy debate by raising awareness and advocating for change through their different spheres of action, the HROs and the MPJD have been the most successful in meeting their objectives and contributing to new legislation. This, I conclude, is explained in part because of their more collaborative and proactive actions, strong leadership as well as strongly forged international networks that contributed to leveraging the movements' advocacy efforts. However, it is also explained due to their historically entrenched (in the case of the HROs) and

carefully negotiated (MPJD) linkages with the government, which helped open opportunities to access key decision makers and gain support in the political arena for their cause. This demonstrates that favourably aligned political opportunities and advocacy efforts resulted in tangible changes in Mexican legislation and drug and security-related discourse, thus shedding light on the transformative potential of the interplay between civil society and social movement agency and political opportunities in shifting hegemonic structures.

In contrast, despite laudable efforts, the drug liberalization movement faces the additional challenge of deconstructing social stigmas and entrenched beliefs regarding drug use, addiction and perceived links to criminal activities. The CSOs involved have garnered notable popular support, but the polarizing nature of the drug liberalization debate has hindered the movement's ability to advance its cause in the political sphere. As such, what this case study demonstrates is the equally important obstructive potential of misaligned political opportunities, or lack thereof, and social movement agency. The controversial nature of the movement and its direct opposition to the dominant norms of prohibition adds an additional barrier to its success, exhibiting the constraining influence of hegemonic structure. However, hegemony is in a state of constant negotiation (Morton, 2003), and increasing international pressure to consider policy alternatives may help shift the balance away from the dominant norms of prohibition and open opportunities for continued and coordinated agency in the context of the drug policy liberalization movement. If complemented by continued advocacy efforts and strong linkages with national and international civil society networks as well as with key decision-makers, the movement has potential to achieve transformative changes in global drug policy and discourse in coming years.

In sum, this thesis demonstrates that political opportunity theory can be applied to bridge the gap between civil society agency and structure by exemplifying how advocacy, when strategically aligned with openings in Mexican politics, has resulted in notable legislative and discursive changes

in what has become an increasingly contested domain, potentially offering lessons and further opportunities in the broader movement for alternatives to the War on Drugs.

CHAPTER 2: LITERATURE REVIEW

2.1. Structure, Civil Society Agency and Political Opportunities in the Mexican Drug War

The Mexican drug war has garnered increasing prominence in national and international media; articles shedding light on the brutal violence propagated by the cartels are countless. As such, in the media, the drug war is often reduced to a "turf war" between cartels and the military and a battle for power and resources. The conflict is evidently far more complex than that - and it is precisely due to this complexity and the myriad factors that converge around the drug war that the connection between global and local processes gets lost in its analysis. The academic literature tends to ignore the global structure as well as the grounded conditions and how these merge to profoundly impact drug war policies and behaviours. Critical international political economy (CIPE) theory is used here to help us understand the global structure and the power dynamics, norms and agreements that shape Mexican drug and security policies and discourse.

CIPE theory and Robert Cox et al.'s concept of hegemony (1996, p. 137) offer a good starting point to understand the relation between global processes and their impacts on the actors, policies and behaviours at the local level:

> World hegemony can be described as a social structure, an economic structure, and a political structure; and it cannot be simply one of these things but must be all three. World hegemony, furthermore, is expressed in universal norms, institutions, and mechanisms which lay down general rules of behaviour for states and for those forces of civil society that act across national boundaries, rules which support the dominant mode of production.

Through this definition, we can already draw links between the global and local processes, recognising how global hegemony expressed through dominant norms and institutions can impact

the behaviours of the state and civil society within the context of the Mexican drug war. In light of such dominant norms, the Mexican government is compelled to carefully frame its drug policies according to global standards and expectations.

Thus, it can be reasoned that the actions of the Mexican government in its counter-cartel efforts through prohibition and state militarization are being shaped by international agreements and power relations already established. For instance, Mexican foreign policy is largely determined by its relationship with the US, relying on their political, military and economic support in many aspects of its foreign policy. This point is exemplified through Mexico's close collaboration with the US military and government officials through the Mérida Initiative, hashed out by President George W. Bush and Calderón as a collaborative security strategy to combat drug trafficking (Olson & Wilson, 2010, p. 3). The $1.4 billion commitment provides assistance in, among other things, acquiring equipment, providing training and technical assistance over a three-year period. Since entering office, President Barack Obama has pursued the strategy laid out by the Mérida Initiative and expanded the program into what is called "Beyond Mérida", which includes four pillars: disrupting and dismantling DTOs; institutionalizing the rule of law; building a 21st-century border; and building strong and resilient communities (Ibid, pp. 4-5). The Mérida Initiative has become the dominant framework defining Mexico's drug war policies, demonstrating that transnational forces have a direct impact on government behaviour. In contrast, as my case studies illustrate, CSOs and SMs are advocating for policies that gear away from these dominant norms towards a greater emphasis on socio-economic policies and community development, the protection of human rights, the fight against corruption and impunity, justice and restitution for the victims of the drug war, and for deeper discussions around alternative drug policies.

Despite the advances in Beyond Mérida, such as the increased focus on community development, critics argue that it remains a continuation of the same: a US foreign policy designed

to maintain its political and economic interests (Jelsma, 2011; Ai Camp, 2010; Selee, 2008). On this topic, Merceille argues that:

> The bulk of [the Mérida Initiative] is dedicated to training and equipping military and police forces officially involved in counter-drug operations. In March 2010 the US State Department released a 'Beyond Mérida' strategy, which essentially continues the Mérida Initiative. For example, 26 armoured vehicles were delivered to Mexico, seven Bell helicopters valued at $88 million have been provided to the Mexican Army and three UH-60 helicopters valued at $76.5 million have been delivered to the Federal Police. The fact that much equipment is bought from US weapons makers keeps the military–industrial complex humming, and the Mérida Initiative can be rightly seen as a gift to the US arms industry[11]. Although often justified as 'fight[ing] criminal organizations… disrupt[ing] drug-trafficking… weapons trafficking, illicit financial activities and currency smuggling, and human trafficking' these claims do not stand up to scrutiny (2011, p. 1644).

In addition to Merceille's criticism, the Mérida Initiative's value is put in question for not sufficiently addressing the underlying causes of the drug war and being ineffective thus far in achieving significant reductions in violence. As such, the prohibitive and militaristic policies still dominate the focus and budget of the Mérida Initiative, leaving little space for alternative measures or policies to address the drug trade and high rates of violence. Furthermore, what concessions have been made, such as improved attention to 'building strong and resilient communities', could also be interpreted as a co-optation of counter-hegemonic demands whereby "civil society [is] co-opted by forces behind the propagation of neo-liberal economics as a way of defusing and channelling potential protest" (Cox, 1999, p. 23).

In this context, structures that reflect the dominant neoliberal order all impose certain behaviours on the Mexican state and even limit the government's actions within its borders. This is reflected through structures such as the Mérida Initiative and its impacts on Mexico's policies, the international drug conventions put forth by the UN Office of Drugs and Crime (UNODC), and the imposition of structural adjustment policies advocated by international organizations such as the International Monetary Fund (IMF) (Jelsma, 2011; Ai Camp, 2010; Wells, 2006; Carpenter, 2003;

[11] An estimated 87% of arms used by DTOs originate in the US (Merceille, 2011, p. 1643)

Tokaltian et al., 2010; Chabat, 2012; Merceille, 2011). This argument is further exemplified by the direct impacts of neoliberal policies on Mexico's drug war. For instance, the inception of NAFTA and the ensuing economic crisis in 1994 led to the collapse of small-scale agriculture and a subsequent wave of internal migration northward in search of better economic opportunities, pushing many into the drug trade (Merceille, 2011). As Julien Merceille explains, these neoliberal economic policies cannot be ignored when analysing the causes of the drug war:

> [S]ince US hegemony over the country has worsened drug problems; more equitable bilateral relations should therefore be favoured. For example, instead of promoting neoliberal policies that result in unemployment and harsh living conditions south of the border and thus provide an abundant pool of labour for drug cartels, policies that support growth and development would make a positive difference. Better labour standards, working conditions and environmental regulations would be a good start. (Ibid, p. 1649)

Vanda Felbab-Brown echoes this argument and states:

> Addressing the socio-economic needs of the marginalized areas of both the northern urban belt as well as southern rural areas is critical for reducing the recruitment pool for the drug trafficking organizations, severing the bonds between marginalized communities and criminal elements, and resurrecting the hope of many Mexican citizens that the Mexican State and legal behavior can best advance their future (2010, p. 7).

Both Merceille's and Felbab-Brown's reflections illustrate how seemingly unrelated policies can have significant impacts on local processes, and demonstrate the interconnectedness of neoliberalism with the War on Drugs. Recognizing the uneven impacts of neoliberal policies on Mexico's economy also sheds light on why socio-economic policies are a vital part of the solution in combating the drug war as proposed by many CSOs and SMs in this context, as well as how advocacy efforts for alternative drug policies can be understood as part of a much larger counter-hegemonic movement in Mexico.

Accordingly, it is also important to recognize how global forces have come to shape both domestic and transnational political movements, including the ways they also empower civil society in advocating for alternative drug war policies. Cox's definition of world hegemony also helps us understand how global forces constrain or provide opportunities for agency and advocacy efforts in

Mexico. In fact, CIPE theory seeks not only to explain the existence and potential influence of these forces, but also to understand how they can be challenged, transformed and shaped by social agency (Massicotte, 2009, p. 413). As Cox writes, recapping Gramsci's reflections:

> Civil society, in Gramsci's thinking, is the realm in which the existing social order is grounded; and it can also be the realm in which a new social order can be founded. His concern with civil society was, first, to understand the strength of the *status quo*, and then to devise a strategy for its transformation (1999, p. 4).

Indeed, in neo-Gramscian theory, civil society is both "shaped by" and a "shaper of" of the social realm – as it both stabilizes and challenges the status quo (Garza, 2006, p. 488). As such, in addition to impacting state behaviour and policies, hegemonic global forces and norms can be either reproduced through or transformed by CSOs and SMs. Cox elaborates:

> In a 'bottom-up' sense, civil society is the realm in which those who are disadvantaged by globalization of the world economy can mount their protests and seek alternatives. This can happen through local community groups that reflect the diversity of cultures and evolving social practices worldwide… In a 'top-down' sense, however, states and corporate interests influence the development of this current version of civil society towards making it an agency for stabilizing the social and political *status quo*. The dominant hegemonic forces penetrate and co-opt elements of popular movements. State subsidies to nongovernmental organizations (NGOs) incline the latter's objectives towards conformity with established order and thus enhance the legitimacy of the prevailing order… Moreover, the basic conflicts between rich and poor, powerful and powerless, are reproduced within the sphere of voluntary organizations, whether trade unions or the new social movements (1999, p. 10-11).

This definition of civil society influences our understanding of how the CSOs and SMs analysed in the three case studies are, one the one hand, challenging the status quo, advocating for alternative policies and discourse and collectively challenging the global norms of prohibition and militarization. This is reflected in their efforts to bring attention to the need for better human rights protection, greater focus on the victims of the drug war, and the importance of better socio-economic policies as means to combating the drug trade—elements underrepresented in the official debates and policy frameworks thus far. On the other hand, Cox's description of civil society also sheds light on the risks of co-optation of these CSOs and SMs by the political forces or by the dominance of sector elites and experts, a point further elaborated on below. This may be reflected in

their reformist strategies and their access to resources, including financial resources, alliances with key decisions makers, linkages with transnational agencies, academics or other sector elites, or even their location within Mexico, which may reflect broader power relations in Mexican society..

The limit to CIPE theory, as stated by Marie-Josée Massicotte (2009) and Rosalba Icaza Garza (2006) is that it tends to emphasize the constraints imposed on the subaltern by these global structures, and while it recognizes the need and potential for counter-hegemonic agency, it fails to proceed into in-depth analysis of the strategies, limits and impacts of civil society agency at the grounded level. Massicotte explains that "the focus on the 'global' tends to privilege this level of analysis as being more important, thus reducing local struggles to a lesser role and scale of action, as if locally grounded struggles were not also deeply involved and potentially defying 'globalized' relations of power" (2009, p. 421), an argument echoed by Garza (2006, p. 18). This level of analysis, she notes, means that reformist movements may be overlooked, failing to take into account the "breadth and depth of activists' strategies and organizational activities" (Ibid, p. 415) as well as the significant achievements such movements may realize. Thus, Massicotte and Garza highlight a gap in CIPE theory, one that civil society and social movement theories attempt to fill. As Massicotte (2009, p. 414) explains:

> Too rarely do critical IPE studies proceed to an in-depth analysis of subaltern forces as historical agents of political innovation. They either highlight their emancipatory potential without analysing specific moments of collective action and sociopolitical organizing, or they stress the constraining power of dominant norms, forces, and institutions, which tends to downplay the capacity of resistance forces as agents of change, and induce this urgency for greater coherence and direction among anti/alter-globalization forces.

As Massicotte notes, it is necessary to understand the constraining power of global forces and hegemonic norms, as well as the emancipating capacity of resistance forces and collective action. While the influences of globalization present great challenges for CSOs and SMs, the process has also contributed to greater opportunities and space for civil society advocacy. As the following

section demonstrates, globalization in its many forms has, in part, contributed to Mexico's *apertura democrática* and thus greater acceptance and opportunities for CSOs and SMs to advocate for their cause, particularly in the areas of social justice and human rights.

Through some of globalization's influence, contemporary CSOs and SMs also have greater access to information and technology—they can connect and share experiences and expertise with greater ease, and they can develop national and transnational networks of solidarity and shared advocacy efforts with more people from more places around the world. In fact, "movements in different national contexts tend to take similar forms" as they are being shaped by similar responses, opportunity structures and strategies (Giugni cited in Smith et al. 2002, p.3). For example, John Stolle-McAllister (2005, pp. 154-161) refers to the HROs in Mexico and how linkages with transnational networks and the global discourse of human rights have allowed local activists to challenge government actions and adapt the concept to local dynamics. This process is also referred to as the boomerang effect, which is defined by Keck et al. (1998, pp. 12-13) as the tendency for "domestic NGOs to bypass their state and directly search out international allies to try to bring pressure on their states from the outside". Thus, Stolle-McAllister echoes Guigni's notion by explaining how the ability of contemporary social movements to connect with both local constituents and transnational actors have allowed them to become the vehicles through which local people project agency from the peripheries of the global system (2005, p. 137). Therefore, it can be interpreted that globalization, through improved technology and cross-cultural movements, has contributed to the formation of transnational advocacy networks (or TANs, as coined by Keck et al., 1998) which in turn can unite national civil societies in their efforts to promote change.

Bound by actors with shared values and principles, common discourse and large-scale sharing of information, "[TANs have become] significant transnationally and domestically. By building new links among actors in civil societies, states and international organizations, they multiply the

channels of access to the international system" (Ibid, p. 1). The authors add that "what is novel in these networks is the ability of non-traditional international actors to mobilize information strategically to help create new issues and categories and to persuade, pressure, and gain leverage over much more powerful organizations and governments" (Ibid, p. 2). TANs go beyond policy changes and seek to change international interactions, norms and discourse; in fact, "[they] try not only to influence policy outcomes, but to transform the terms and nature of the debate" (Ibid). As documented in the next chapters, this point was raised in many of my interviews with CSOs and SMs, noting that each movement benefited from resources, solidarity and information produced internationally through linkage with national and transnational civil society. Such networks of civil society agency helped mobilize and leverage each movement in their efforts to challenge the dominant norms that define Mexico's drug war policies.

Understanding how civil society actors and their networks can challenge global hegemonic forces also leads us to question how they may replicate that resistance against local, covert forces (DTOs) and how else civil society agency may be tapped for the broader efforts to restore peace in Mexico. Peace here is understood in the positive sense, which means both the absence of conflict and of social injustice (Roberts, 2008, p. 538). The notion of 'positive' peace guides our understanding of the role of civil society in contributing to a more peaceful Mexico. As demonstrated by Baranyi (2008, p. 11), efforts to build 'peace' in minimalist terms, that is to end wars, do not always address the broader transformations that could prevent the recurrence of violent conflict. Furthermore, as Roberts (2008, p. 538) argues, "institutionalizing the practice of [positive peace] may invoke better democratic practice by enhancing the legitimacy of the state in the eyes of its population." In this sense, peace in Mexico not only means the end of the drug war or even violence reduction, but broader socio-economic and political transformations and institutional improvements—not least the judicial system—that would enhance other elements of a "positive

peace" and of human security, such as the respect of human rights and sustainable livelihoods. As Baranyi (2008, 24-25) notes, subnational actors may work with national and international agencies "to conduct conflict impact assessment more systematically and design conflict-sensitive development interventions to avoid dividing communities further." In this light, it is understood that civil society actors can play an important role in shaping the foundations for positive peace, as this thesis seeks to demonstrate. Celaya Pacheco is one proponent of civil society's potential in transforming the concept of security and contributing to a more peaceful Mexico, noting that "by properly defining security policies and objectives Mexican citizens and civil society will play a vital role promoting citizen security, which may be critical for protecting both Mexican communities' social fabric as well as law enforcement from criminal corruption and fear of retribution in the long-run" (2009, pp. 1041-1042).

The role of CSOs and SMs, and their ability to assist in peacebuilding processes, however, is widely debated. On the one hand, there are those who argue for the importance of soft power and recognize the dynamic and creative approach that civil society can offer in resolving conflicts. This perspective is exemplified by CSO and SM advocacy for alternative policies to the War on Drugs that are focused on socio-economic development as well as greater focus on human rights – clearly peace-promoting objectives, as well as their ability to denounce abuses and challenge political legitimacy (Kaldor, 2003; Kostovicova & Said, 2005; Acosta, 2010; Schirch, 2009). Similarly, CSOs and SMs can be seen as strengthening democracy, as explained by Mariclaire Acosta's reflection on NGOs (2010, p. 269):

> Among their many attributes, NGOs expand, strengthen, and contribute to the stability of the rule of law. They help create public spaces in which social and political actors communicate. They strengthen the social fabric by fostering a dense constellation and network of associations. And last but not least, they help promote and foster a culture of tolerance and mutual respect. NGOs thus have the power to unite traditional communities and empower individuals toward democracy.

However, despite a tendency to perceive all CSOs as "more or less free of violence" (Kaldor, 2005, p. 94), one must be cautious of the wide spectrum of CSOs and the role these can play in a conflict situation, such as militant and revolutionary movements, vigilante groups and para-security forces which may resort to violence in their strategies. In particular, this perception excludes the DTOs themselves as civil society actors, limiting our understanding of their own influence on governments, markets and social relations, as well as how their own activities reinforce or hinder efforts for alternative policies in the Mexican drug war. A second limit in Acosta's and Kaldor's perception of civil society lies in its inability to explain how civil society can contribute, or not, to the broader notion of positive peace by shifting political structures, transforming dominant norms and breaking down the barriers of socio-economic inequality, a notion better grasped in Gramscian concepts of civil society as "shaped by" or "shapers of" dominant norms as described earlier. Furthermore, this perception also suggests that the political actors are prepared to engage with civil society, are open to communications and advocacy efforts and may even demonstrate willingness to reform policies. In the case of the War on Drugs, that openness to include civil society in the debates is not so evident, largely due to the high rates of corruption, economic benefits and political infiltration of organized crime, which further reinforces the appeal of the status quo for those in power and limits the potential of counter-hegemonic advocacy efforts.

The primacy of militaristic and prohibitive drug policies in combating the drug war evidently reflects the dominant influence of US hegemony and international norms that shape Mexican drug and security policies. In this conflict, the Mexican government has thus far followed the guidelines and regulations put forth by international agencies such as maintaining perception of aggressive actions against drug traffickers and quelling debates on alternative policies, rather than addressing some of the fundamental socio-economic causes of the drug war or prioritising human security and human rights protection (The Global Commission on Drug Policy, 2011; Seccombe, 1997; Wells,

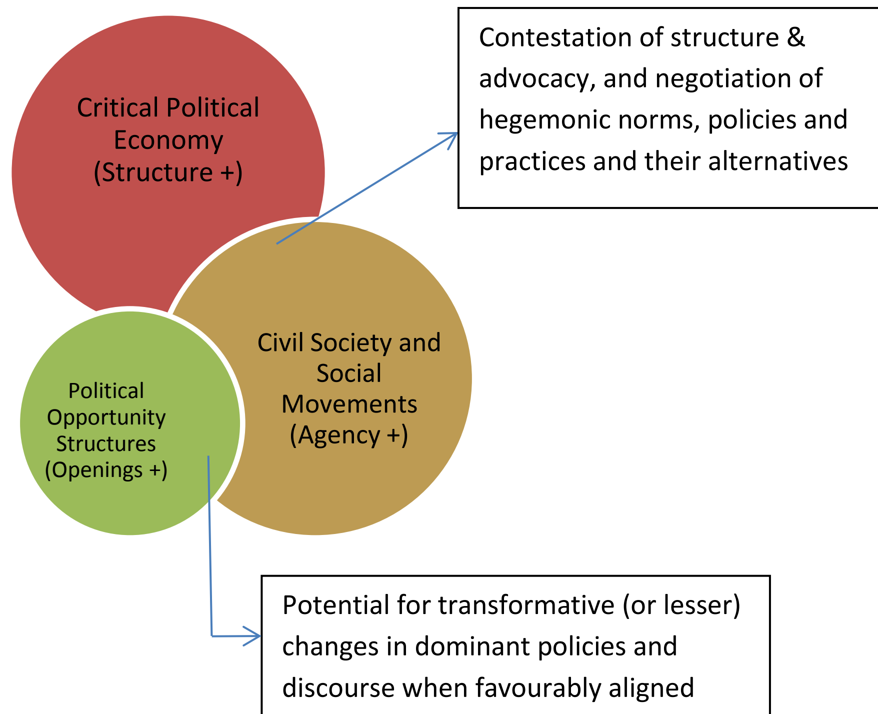
2006; AI 2009; HRW, 2011). The failure of the current policies to effectively reduce the rate of violence, the influence of DTOs, or the level of corruption and impunity over decades, reveals that these policies are inadequate (The Global Commission on Drug Policy, 2011; Jelsma, 2011; Seccombe, 1997; Bowden, 2010). As such, the validity and stability of the dominant norms are put into question, potentially opening further opportunities for agency around other approaches to the drug war. In response, numerous CSOs, SMs, academics and politicians are calling upon the government to consider alternative drug control policies, including the importance of embracing the potential influence of civil society by cooperating with them and increase their role in the discussions and negotiations regarding drug policies.

While a number of dimensions may impact CSO and SM agency, political opportunity structures shed light on the dynamic nature of the political environment and how openings can succeed (or not) in aligning with agency to engender change in the hegemonic structure. The concept is defined by Sidney Tarrow (1994, p. 85) as the "consistent – but not necessarily formal or permanent – dimensions of the political environment that provide incentives for people to undertake collective action by affecting their expectations for success or failure." Mario Giugni (2004, p. 4) adds that political opportunity structures are shaped by the "impact of the larger institutional environment on contentious collective action". For instance, "the instability of political alignments, electoral volatility, and the institutional makeup of the political system" are factors that may help explain why opportunities for some CSOs and SMs are at times greater than others (Giugni et al., 1999, p. 227). Giugni identifies two dimensions of political opportunities: "the system of alliances and oppositions, and the structure of the state" (2004, p. 27). In regards to the system of alliances, the author notes that "only by establishing alliances with important institutional actors [(i.e. key political figures, high-level representatives and other influencers and decision-makers)] will [CSOs/SMs] be in a position that allows them to influence the decision-making process" (2004, p.

5). While this may prove to be true, it also places a lot of reliance on opportunities made available to civil society, rather than on civil society agency and their ability to create their own opportunities. A weakness of political opportunity theory, as of CIPE, is that it pays little attention to the composition and strategies of SMs themselves as effect agents of change. Drawing on social movement theory helps us examine how those agency-level factors enable some CSOs and SMs to seize or even generate opportunity for change. Therefore, my case study analysis takes account of both the socio-political context as well as the composition and strategies of the CSOs and SMs in trying to explain each movement's ability to influence policy and discourse in Mexico (the essence of this analytical framework is illustrated in Figure 1 below).

In sum, civil society agency is not only shaped by the forces of globalization but also by their own strategies and composition, including their ability to create local, national and transnational networks of alliances, as well as the political opportunities that are available to them. The national context and institutional environment can play a fundamental role in the CSO's ability to engage with key decision makers and advance its advocacy efforts. In Mexico, the dominance of prohibition and militarization policies and the global structure behind them, as framed within the Mérida Initiative and dominant security discourse, present a great challenge for civil society's efforts to promote alternative drug war policies. As my case studies will demonstrate, however, the growing criticism of the War on Drugs and the rhetoric behind its inability to reduce drug trafficking and violence has weakened the reach of the hegemonic actors that uphold it. The resulting political volatility and growth of policy debates, nationally and in international forums, alongside the context of timely presidential elections, have converged to created opportunities for agency. Through these opportunities and their advocacy efforts, CSOs and SMs have the potential to influence legislature and effectively change the discourse around the drug war, demonstrating the importance of civil society engagement in the process towards a more peaceful Mexico.

Figure 1: Visual Representation of my Analytical Framework



2.2. Understanding Mexico: Democracy, Conflict and Drugs

Prior to delving into the case studies, it is important to establish some background context to help clarify some of the ongoing struggles and the recent improvements in civil society and state relations as well as the evolution of drug policies in Mexico. Expanding on each of these dimensions will help with understanding the strategies, challenges and opportunities of the different case studies, ultimately enabling an assessment of their success or failure.

2.2.1 Mexico's *Apertura Democrática* and Evolution of Civil Society

> Democracies bear the unique imprint both of what came before and of their process of transformation (Selee & Peschard, 2010, p. 23).

The process of Mexico's democratic transition and the growth of its civil society is one marred with oppression and characterized by remarkable feats of collective action, persistence, and at times, violence. As this section demonstrates, the development of civil society in Mexico is both a

cause and a symptom of the country's democratization. Mexican CSOs were highly influential in challenging the authoritarian government and demanding changes to the country's political, social and economic systems. In doing so, civil society, combined with growing pressures from the international community and the transformative impacts of globalization, was a key driver in Mexico's democratic transition. By the same token, Mexico's democratization opened broader spaces for civil society and offered an environment more conducive to citizen participation in the political arena. This section offers an overview of the turning points of Mexico's democratic progress and development of civil society, thus shedding light on important opportunities and challenges for Mexican CSOs and SMs today.

Following the 1910 Mexican revolution and for the duration of its 71 year-rule, the *Partido Revolucionario Institucional* (PRI) operated an authoritarian system (Selee and Peschard, 2010): the party became the state and the state, the party. The PRI went to extreme measures, at times applying brutal force in their efforts to sustain their political dominance, limiting rights to expression, organization and political participation, and systematically suppressing uprisings. However, the PRI maintained a degree of legitimacy by complying with some citizen demands, nationalising the oil industry, and leading the country through economic expansion well until the 1980s[12], which allowed the PRI to invest in social services such as education, health care and infrastructure and contribute to some degree of upward mobility in Mexican society (Ibid, p. 4; Zirakzadeh, 2006, p. 185). Over time, however, their oppressive regime became synonymous with corruption, human rights abuses and economic struggle (Selee & Peschard, 2010, p. 1).

As early as the 1950s and '60s, the PRI was forced to face influential opposition, including the rise of the Catholic Church-backed *Partido Acción Nacional* (PAN), as well as a growing number of popular protests, strikes and SMs, rooted deeply in the socialist and anti-US sentiments of the

[12] Mexico's average annual economic growth rate was around 7% through the 1950s and 1980s (Selee et al., 2010, p. 4).

Cold War era. Many of the first major Mexican NGOs, mostly religious-based and professional organizations, can be traced back to this era. With time, these CSOs and SMs gained increasing momentum, and most notable among these is the widespread student's movement of the 1960s and protest in Mexico City's Plaza de Tlatelolco of October 3, 1968 (Acosta, 2010, pp. 269-70). Like most mass protests in Mexico, the 1968 student uprising originally rallied around specific demands, but spiralled into a much broader movement challenging the party's authority and the system as a whole. The government quickly retaliated in efforts to quell the movement, which ended in tragic violence. That day, some 10,000 people gathered at the Plaza for a mass demonstration. Once gathered, over 5,000 security officers opened fire. Reports claimed that over 200 people had been killed and thousands more wounded (Zirakzadeh, 2006, pp. 197-98). The public outcry was deafening and the incident shocked the international community. Anthropologist Matthew Gutman (cited in Ibid, p. 198) later wrote: "After 1968, the legitimacy of the regime, the government and the PRI, and the people's faith in the promises of the Mexican Revolution were shattered as never before…Tlatelolco remains a constant point of reference for Mexicans." Despite the PRI's attempts to reconstruct its legitimacy, the event triggered a wave of protests and movements contesting government oppression and calling for greater democratization, thus planting the seeds of mobilization (Acosta, 2010) and ultimately putting the party's hegemony at risk:

> Hegemony in this sense relies on the organic equilibrium of a relationship between leaders and led, rulers and ruled, based on consent. Instead, the PRI became increasingly unable to conceal its real predominance and relied on more coercive measures. This was a situation when the party turned, 'into a narrow clique which tends to perpetuate its selfish privileges by controlling or even stifling opposition forces'. It entails a shift in the threshold of power from consensual to coercive means indicative of state crisis and the disintegrative elements of catastrophic equilibrium (Morton, 2003, pp. 642-43; citing Gramsci).

While the PRI employed its authority and skills with the intention to either suppress or co-opt the movements, the 1968 massacre ultimately triggered more organized opposition, leading to strong left-leaning urban and peasant movements and the rise of stronger unions. These movements

introduced new ideas and voices to the dialogue on democracy and challenged the government's authority (Ibid, p. 270). NGOs worked in close cooperation with the Catholic Church to engage the poorest and most marginalized members of society and founded their movements on notions of social justice and human development (Ibid, p. 271)[13]. Later, during the 1980s and 1990s, civil wars in Nicaragua, Guatemala and El Salvador exposed the systemic repression of the poor, indigenous and other marginalized communities, drawing more international attention and a number of HROs to the area. These organizations bemoaned the governments' oppressive regimes and worked closely alongside marginalized communities for the advancement of human rights and social justice (Acosta, 2010, p. 272). In addition to increasing popular dissent, a massive earthquake in 1985 and economic crises further exposed the PRI's weaknesses. The 1982 economic crisis resulted in a flood of neoliberal policies geared at privatizing national industries and curtailing welfare programs and public services, further widening the gap distancing the largely indigenous and poorer south of Mexico from the wealthier north (Zirakzadeh, 2006, pp. 186-193). The 1988 election of Carlos Salinas de Gortari, along with the growing presence of DTOs and increasing unemployment and poverty rates (Ibid) led more Mexicans into illicit activities. That same year, Cuauhtémoc Cárdenas separated from the PRI to form the left-wing coalition party, *Partido Revolucionario Democrático* (PRD), through which NGOs found greater political support (Ibid, p. 203).

The inception of NAFTA, the ensuing economic crisis, and the Zapatista uprising of 1994 opened more space for the advancement of democratic change. The uprising increased attention on the situations of Mexico's indigenous communities and while it attracted several NGOs to align with the movement, the Mexican government also reacted with heightened political repression (Acosta, 2010, p. 274). A growing number of international donors supported Mexican NGOs and the opposition parties saw an opportunity to mobilize public opinion. Greater international exposure

[13]See literature on Liberation Theology.

through education, media and trade, and large coalitions like the *Movimiento Ciudadano por la Democracia* and the *Alianza Cívica* also had profound impacts on Mexico's political culture (Ibid, p. 272). A lack of trust in the government's ability to carry the country out of the crisis and the growth of popular radicalism exhibited through the Zapatista uprising and intensified popular protests sparked fear in the government (Olvera, 2010, p. 84). From 1929 to the 1980s, the PRI had won every election with overwhelming majorities, but it became clear through time that the party had resorted to vote rigging through intimidation, vote buying, fraud, and overt manipulation of the media (Selee & Peschard, 2010, p. 6). Mexicans had had enough and in 1997 the PRI lost its majority in Congress.

The combination of events listed above all played a role in the demise of the PRI, culminating in 2000, when Mexico held its first democratic elections. The elections introduced the first new party to the presidency in 71 years and elected the PAN candidate, Vicente Fox, as President. As Andrew Selee et al. note (2010, p. 2), the 2000 elections were marked with a great sense of hope and unity for democratic change. The PAN brought many changes to Mexican democratic society during its first term: it opened space, though still limited, for civil society participation; it allowed greater freedom of the press and of association; it contributed to improved government transparency, and a more competitive democracy which led to greater debates on fundamental institution reforms (Ibid, p. 3 & 14; Olvera, 2010, p. 99). In addition, the PAN institutionalised civil society by passing laws to recognize NGOs as legitimate entities that could use public funds in pursuing public interest activities as well as establishing legal and financial frameworks for their regulation (Acosta, 2010, p. 278). Nevertheless, Fox's administration faced a number of notable limitations. For instance, without support from the PRI, Fox was unable to draft a new constitution, which translated into limited changes to the political system and institutions. His term was also characterized by stagnated economic growth (Olvera, 2010, pp. 89-90). In spite of these limitations,

Mexico elected another PAN candidate, Felipe Calderón, in 2006. However, in contrast to the sense of hope that surrounded the 2000 elections, these elections were distinguished by a polarization and questioning of the election's legitimacy (Olvera, 2010, p. 90). Calderón won by a margin of 0.5% of the votes over the PRD candidate, Andrés Manuel López Obrador (commonly known as AMLO), after joining forces with the PRI and unleashing an aggressive campaign against the candidate[14].

Despite two terms of PAN rule, vestiges of the former PRI system persisted: media monopolies, Mexican elites, PRI dominance in state and municipal governments and over unions. Widespread corruption changed very little with the new government (Ibid; Olvera, 2010, p. 87). At present, decision-making still lies in the hands of the powerful few and the state continues to suffer from weak institutions, including a dated and ineffective judicial system[15]. Furthermore, Selee et al. (2010, p. 10) argue that Mexico's long transition into democracy allowed strong interest groups to negotiate their insertion into the new system. In other words, though a more democratic government had been elected, the inclusion and exclusion of certain groups in Mexican society saw little change. As the authors explain:

> The gradual transition from authoritarianism to democracy has allowed for considerable continuity from one regime to another. So although Mexico's authoritarian system was never as exclusionary as some others in the region, its democracy has also proven to be less inclusionary than many citizens might have hoped (2010, p. 3).

The limited change in state-society relationships noted above is reflected in Mexico's civil society and social movement advocacy efforts. Despite growing in numbers and influence, CSOs have fallen short of their potential. Selee et al. (2010, p. 21) attribute this shortcoming to several factors. First, CSOs have been reluctant to engage with the formal political system due to a lack of trust developed over decades of corruption, political oppression and co-optation, which has

[14] AMLO, initially backed by thousands of Mexicans, claimed the elections were fraudulent and staged a three-month protest in Mexico City. As the protests intensified, so did popular disapproval. Many AMLO supporters grew tired of his inability to accept the results and the candidate became increasingly isolated from his base (Olvera, 2010, p. 91).

[15] Since 2008, the judicial system has been undergoing reforms. Progress, however, is slow as the process is confronted with a highly inefficient and deeply culturally-entrenched system (Shirk, 2010).

translated into unwillingness for some CSOs to build the necessary alliances with the government to achieve policy change. Next, political actors have had a keen ability to co-opt CSOs, contributing to a culture of distrust and further driving a wedge between civil society and state relations (Ibid). Third, Acosta (2010, p. 268) argues that CSOs have also become more polarized between those still attached to political parties and those who are not, which was aggravated by the emergence of competing demands and approaches. Moreover, once NGOs achieved their primary goals, democratic change, they lost their clout and focus, many disappeared, and most were left disenchanted by the results of their struggle (Selee & Peschard, 2010).

As demonstrated, the emergence of CSOs in Mexico is intrinsically linked to the country's democratization both as drivers and results of the transition. Through a steady demise of its authoritarian system, Mexico's democracy is still fraught with elitism, institutional weaknesses associated with corruption, and lack of accountability and transparency. In other words, having achieved successful democratic elections did not translate into improved relationship between the State and society, as underscored by Alberto Olvera (2010, pp. 79-81):

> Mexico is living through a time of political uncertainty. The democracy so recently achieved appears weak before the threat of organized crime, powerless before the political strength of the old union and peasant corporate organizations, unable to produce an efficient government, and captured by political parties that make instrumental use of democratic institutions for the sake of their own private interests.

Violence, weak democracy and economic integration with the US do not fairly describe the country, however. Mexico remains very proud and dynamic, and the Latino spirit has not been stifled. The country is exhibiting robust rates of economic growth, with an expected average GDP growth rate of 3.3% percent over the next five years (OECD, 2012), deepening ties in international trade and taking on a stronger role in the international arena.

While these developments may be seen as positive, the violence and organized crime will not disappear solely through economic growth. Socio-economic policies that address the underlying conditions for illicit activities and violence must also be developed:

> Democracy is a necessary condition to address Mexico's ills, but it is clearly insufficient to provide a cure. Economic policy that provides more citizens with better quality of life by addressing urban service needs, education, health care, and higher wages must accompany formal democratization (Zirakzadeh, 2006, p. 201).

In light of the policy gaps and weaknesses and with the wide sense of insecurity and its impact on Mexico's stability, there is a new opportunity for civil society advocacy to bring about transformative change to the country's democratic development, to demonstrate great strength and agency in their efforts to reduce violence in Mexico and to offer alternatives to the government's current approach to the drug war.

2.2.2. The Growth of the Mexican Drug Trade

Violence in Mexico has severely intensified in the last decade, both in terms of number of victims as well as its expansion to new territories within and beyond its borders, increasingly affecting communities in Central America and the Caribbean (Shirk, 2011, p. 3). While Mexico is not considered a fragile state, and the government has not lost its authority in most of the country, there is an evident weakening of its autonomy and certainly an erosion of its monopoly of violence. The Fund for Peace (FFP) gives Mexico a "low warning" rating, noting that there are undoubtedly areas of fragility within the state where cartels have largely taken control of towns and infiltrated local governments and police forces. High levels of corruption, human rights abuses and violence (FFP, 2012), especially in the northern border-towns where political authority has been severely eroded and displaced by DTOs, has left behind a disenchanted and fearful public (Shirk, 2011, p. 3). While it cannot be ignored that the violence mostly takes place between and because of DTOs, Calderón's aggressive militarization is in part to blame for the country's bloodshed.

With the presence of thousands of armed forces in the streets, Mexico has witnessed the intensification and displacement of violence in relatively peaceful areas, as well as more merciless and brutal violence, or what has been coined narcoterrorism. Nacroterrorism in Mexico refers to the "illegal drug trade and the illegal exercise of power [that] have become aggregated in such a way that they threaten democracy and the rule of law" (Jonas Hartelius, 2008, cited in Celaya Pacheco 2009, pp. 1023-24). Fernando Celaya Pacheco (Ibid; p. 1024) illustrates the impact of narcoterrorism by explaining how the 2008 *Día de la Independencia* bombing in Morelia marked a shift in the relationship between the DTOs, government and society:

> [This bombing], which resulted in eight deaths and around 85 innocent injured citizens, marked the beginning of a campaign of terror aimed at challenging the state directly. Not only does the spike in the degree of violence include public bombings, but also multiple summary executions and beheadings, including the burnings of bodies, which often times find their way into media channels including the Internet. This new modus operandi aims to engender a message of fear, terrorizing not only narco-adversaries, but also security authorities and masses of people from within and from without Mexican society.

This turn towards narcoterrorism and the growing sentiment of insecurity in Mexico has led to increased public criticism of security policies. These DTOs are very powerful, equipped with the most sophisticated and dangerous arms and intelligence technology to protect their territories, supported by a highly profitable industry (Ibid, p. 1030). In addition, Mexico suffers from poor socio-economic conditions, high rates of impunity, allegations of corruption and weak judicial institutions. All of these factors foster an environment in which drug trafficking is not only possible, but an attractive or necessary economic opportunity (Merceille, 2011, p. 1642). It is important to acknowledge, however, that despite its historical roots, the Mexican drug trade was not always this violent and prevalent, and that a myriad of policy decisions, events, and circumstances played a role in its expansion and intensification.

While the drug trade in Mexico has roots dating back to the early 1900s, when family-run operations controlled marijuana and poppy plantations in rural Mexico, drug production really

began to surge in the 1950s and ‘60s, when about a dozen Mexican DTOs supplied as much as 75% of the US marijuana market and 10-15% of its heroin market (Smith, 1999, p. 194). During this time, the UN, backed strongly by the US, drafted its first international agreements on illegal drugs: Mexico signed all of them despite already widespread allegations of complicity between federal authorities and DTOs (Chabat, 2010, p. 2). According to Jorge Chabat (Ibid), Mexican authorities did not necessarily promote drug trafficking, but widely tolerated it, in large part because of corruption and in some part because it helped maintain lower levels of violence through limited confrontation and some stability in territorial control among cartels. Over time, however, tolerance led to greater corruption, the collapse of the rule of law, and therefore the expansion of the drug trade in Mexico, which soon began to generate billions of dollars[16]. The Mexican police forces gradually lost authority over its territory leading to large areas of fragility across the country (Ibid).

Until the 1970s, the key DTOs worked closely with local farmers who harvested their crops. Peter H. Smith (1999, p. 194) explains that despite high profits from the trade, DTOs maintained a low profile; in fact, “[Mexican narco-traffickers] were neither as powerful nor as internationally oriented as their Colombian counterparts. They were local organizations dealing in locally-grown products.” However, in the late-1960s and early-1970s, as a response to increasing drug consumption in the US, both the American and Mexican governments launched anti-drug campaigns in Mexico. The first campaign took place in 1969 when former US President Richard Nixon launched Operation Intercept, which was geared at widespread crop eradication and transit interception at the border with the ultimate goal of eliminating, or at least downgrading, drug trafficking. Subsequently, the Mexican government initiated its *Campaña Permanente*, also focused on crop eradication, shipment interdiction, and disruption of DTOs. On the one hand, the operations

[16] It is estimated that by the 1980s, the US drug market was valued at US$80 billion (Carpenter, 2003, p. 20); by 2010, Mexico’s drug industry was estimated to be worth between $11 billion and $39 billion annually, or between 1% and 3% of its GDP, and about 450 000 Mexicans are estimated to earn income from drug trafficking (Merceille, 2011, p. 1637).

had significant results: Mexican marijuana market shares plummeted to 4% by 1981 and that of the heroin supply dropped to 25% in 1980 from 67% in 1976 (Smith, 1999, pp. 194-195). On the other hand, the operation led to few arrests of drug traffickers but high rates of arrests, torture and detainment of peasants and crop producers (Merceille, 2011, p. 1641). Furthermore, despite the ostensible success of these operations, crop eradication campaigns in Mexico were actually negated by a dramatic increase in the drug trade in the Andean region, and the campaigns also led to a greater concentration of drug cartels in Mexico. During this time, family-based DTOs broke away from the small-scale, rural operations and the market saw the rise of four major, powerful DTOs: the Sinaloa, Tijuana, Juárez and Gulf cartels (Carpenter, 2003; Chabat, 2010; Smith, 1999).

With the growth of the Andean cocaine industry, Mexico quickly saw its terrain turn into the most important trafficking route to the US, thus strengthening connections among Mexican, Colombian, and other regional DTOs, and transforming power relations and allowing Mexican DTOs to recuperate a large part of the market[17]. Accordingly, former Mexican presidents Salinas, Zedillo and Fox all attempted several institutional and legal reforms during their mandates to maintain the appearance that they had control over the situation: they were all successful in arresting important cartel leaders and drug bosses, or *capos,* including the notorious Joaquín "El Chapo" Guzman, who later escaped and became Mexico's most wanted man (Chabat, 2010, p. 4.)[18]. However, in their efforts to dismantle the DTOs and arrest its leaders, they actually triggered "a loss of equilibrium" (Ibid, p. 5), which resulted in a power vacuum among the major cartels and the emergence of several new DTOs. High profit rates and drive for power allowed DTOs to expand from local to transnational markets and present a much larger, more dangerous challenge to the police forces and military. Finally, to increase their opportunities, DTOs also turned to a myriad of

[17] By the 1980s, Mexican DTOs were trafficking an estimated 30% of the marijuana, 40% of the heroin, and 90% of the cocaine consumed in the US (Smith, 1999, p. 196).
[18] Guzman was captured again in February 2014 after eluding the authorities for 13 years (The Associated Press, 2014)

criminal activities including the industrial-scale production of methamphetamine and other designer drugs, human trafficking, arms trade, money laundering, kidnappings and extortions, exemplifying their dynamic and opportunist nature (Smith, 1999, p. 196; Guerrero Gutiérrez, 2011, p. 1).

As a result, violence due to the drug trade surged in the last decade, increasing from some 1,080 deaths in 2001 to over 13,000 in 2011, and though it was highly concentrated in three states, Michoacán, Sinaloa and Guerrero, it quickly spread to new territories like Nuevo León and Tamaulipas (Chabat, 2010, p. 6). To make matters worse, the kind of violence became more brutal over time and affected an increasingly broader spectrum of people including DTO members, police and military officers, government officials, journalists, women and children, activists and other seemingly innocent individuals. As Molzahn et al. explain (2013, p. 6), "on average, for every day of 2011, 47 people were killed, three of whom were tortured, one of whom was decapitated, two of whom were women, and ten of whom were young people whose lives were cut short by violence." Since 2007, narco-violence has led to an estimated 121,000 deaths (Instituto Nacional de Estadística y Geografía, 2013), some 7,000 of whom are still unidentified (Booth, 2012), approximately 140,000 individuals have been displaced (IDMC, 2012) and leaked government reports claim that over 25,000 Mexicans have disappeared (Booth, 2012).

Mexico's human rights record in recent decades has also garnered much criticism. HRDs have been facing growing threats and increased reports of violations resulting from the violent turf wars and state militarization (PBI, 2012a; 2012b; 2012c; HRW, 2011, 2012b; AI, 2009). According to AI (2009, p. 5), "there [have been] increasing reports of serious human rights violations, such as enforced disappearance, unlawful and extrajudicial killings, torture, other ill-treatment and arbitrary detention being committed by members of the Mexican military." While this report dates from 2009, there is clear evidence that these abuses against civilians continue to occur: the report explains that numerous complaints filed of human rights violations by the military in Ciudad Juárez

have "occurred in the context of military law enforcement activities to support civilian efforts to combat organized crime and drug cartels" (Ibid., p. 6). In this context, civilians are facing the double threat of violence perpetuated by DTOs as well as the human rights violations, and the impunity that follows, by the authorities entrusted to protect them. In fact, HRW notes that out of 3,671investigated cases of human rights violations by soldiers against civilians between 2007 and 2011, only 15 military personnel were sentenced (2012a, p. 10). In this light, it is clear that something—anything—needed to be done to address this worsening problem.

By the time Calderón took power, the rise of violence and ensuing instability was impossible to tolerate, forcing the new president to take more aggressive measures against DTOs. From the moment Calderón took office in December 2006, he was explicit about one of his highest priorities: confront the DTOs and put an end to their violent and powerful control across Mexican states. He began by deploying 45,000 troops within weeks of assuming the presidency (Olson & Wilson, 2010, p. 3). Military intervention was one of three pillars in his security strategy, the other two being a series of legal and institutional reforms agreed upon and assisted by the international community (Chabat, 2010, p. 6). However, instead of reducing crime, the plan resulted in further pressures on the cartels, increased confrontation among them and ultimately growing fragmentation of the DTOs (going from 6 major cartels in 2006 to 12 cartels in 2012), each battling for control of the drug trade and trafficking routes (Guerrero Gutiérrez, 2011, p. 2). Consequently, DTOs also dispersed across the country in formerly peaceful areas and drug-related violence skyrocketed. As one the leading critics of Calderón's War on Drugs in Mexico, Ernesto López Portillo[19] argues that:

> Violence in Mexico associated to organized crime, can *only* be explained by the fragmentation both of the political system [(i.e. the collapse of PRI hegemony and limited democratization of Mexico)] and organized crime itself…Since the beginning, the drug market in Mexico has been linked to the Mexican state […] to the same institutions that at the same time repress and

[19] Executive Director of INSYDE (Instituto Nacional para la Seguridad y la Democracia) – efforts were made to interview him during my field research but he cancelled twice and I was unable to reschedule before my departure.

> protect organized crime: organized crime has grown under the protection of the state (The Hungarian Civil Liberties Union & Espolea, 2013).

Of the dozen DTOs, three stand out as the most powerful: the Sinaloa, Gulf and Zetas cartels. The third, made up of former military soldiers who broke away from the Gulf Cartel in 2009, became infamous for its brutality, viciousness and eagerness to take over Mexico's drug industry, which means spreading its power wherever and however it can (Guerrero Gutiérrez, 2011, pp. 4-5).

It is commonly suspected that the government has brokered a deal with the Sinaloa Cartel in their fight against other DTOs, perhaps, as Merceille suggests (2011, p. 1643), this deal is due to the cartel's entrenched relationship and alleged infiltration of state institutions:

> This analysis is based on records of individuals arrested, prosecuted or sentenced by the government and found that, nationwide, 44 per cent of all cartel defendants are members of the Zetas and Gulf cartels, while only 12 per cent of the defendants are with the Sinaloa cartel, even though the latter is the largest one in Mexico (Ibid).

In spite of the government's alleged ties with the Sinaloa Cartel, the fight against DTOs endures. In fact, the rise in violence across Mexico has meant that the fight has largely fallen into the hands of state and municipal governments, which were unprepared to address the issue, transforming a national security problem into a public security problem (Guerrero Gutíerrez, 2011, p. 1). Authorities, desperate to combat the DTOs, have intensified their efforts, and have done so in spite of their own negative impacts on Mexican society (Ibid, p. 8):

> The punitive strategy shows clear signs of exhaustion. The current saturation of federal security forces, dispersed on several fronts, has finally decreased its effectiveness. This has pushed the authorities to operate with more brutality and less precisely, increasing the death rate of innocent people and damaging the image of federal security forces in the public eye.

As Eduardo Guerrero Gutiérrez demonstrates here, violence is both a consequence of organized crime, as well as a repercussion of government efforts to combat it. Officially, Calderón's strategy was not geared at eliminating drugs from the streets or preventing drug abuse, rather it was aimed at reducing violence and corruption and returning the drug trade to a predatory stage, that is: "[the stage] in which organized crime is composed of street gangs, does not challenge the state, and

consequently, can be controlled by the police forces" (Chabat, 2010, p. 9). Despite this laudable goal, the reason for such high rates of violence is inexorably linked to limited government capacity to confront the cartels, who are enormously powerful in comparison to the corrupt armed forces and government which are plagued by weak institutions, farcical levels of impunity, and a struggling, overcrowded prison system incapable of adequately rehabilitating inmates (Ibid, p. 10).

Despite Calderón's limited ability to combat DTOs, tolerance was no longer a viable option, and as Chabat argues (2010, p. 11), the president was faced with few options on how to approach the problem (see table 3.2.2). To the end of his presidency, Calderón defended his strategy by focusing on the long term benefits of military intervention and institutional reforms[20]. Meanwhile, Mexicans are facing the tragic ramifications of an incomplete and unbalanced strategy and are looking for better short- and medium-term policies to ebb the tide of violence in their country.

There were two important lacunae in Calderón's strategy that are reflected in the work of CSOs across the country. The first lies in the absence of a broader, in-depth discussion about policy alternatives, whether it is about the protection of HRDs and journalists, drug liberalization, assistance to the victims of violence, or something completely different, the government's response has been relatively static and rhetorical on this front. The second exists in the absence of government policies to address the socio-economic roots of the drug trade: the poverty, unemployment, internal and external migration and inequity that drive Mexican individuals into organized crime. Unfortunately, until these lacunae are adequately addressed, there are no guarantees that the government's efforts will prove effective in the long run. In addition to these concerns, Mexicans must now face a newly elected president, Enrique Peña Nieto of the PRI, whose

[20] For example, judicial reforms launched in 2008 should eventually lead to lower rates of impunity and ease stress on Mexico's prisons; similarly, the federal police, established in 1998, is not capable of controlling drug-related violence, and proposed state and municipal police reforms are planned to transform them into more professional and efficient forces (Chabat, 2010, p. 9). Whether these reforms will be successful remains to be seen as they will take decades to be properly implemented and systematically adopted by Mexican society.

effectiveness in combating violence and organized crime remains to be seen[21]. In sum, there is no magic bullet to resolve Mexico's drug war and little desire for a return to a past of tolerance and complicity. More importantly, the solutions cannot only come from the government, but require transnational and subnational efforts and cooperation to address the multiple and complex factors that allow the drug war to prevail, thus opening opportunities for civil society agency to play a prominent role in the drug war debate.

Table 1: Summary of policy options for dealing with DTOs, drug trafficking and violence in Mexico (Chabat, 2010, p. 11)

Policy Options	Costs	Viability
Tolerance	CORRUPTION Violence Consumption	Possible in the past, no longer viable, not compatible with democracy
Frontal Combat	VIOLENCE Corruption Consumption	Possible with support from public and political elite
Changing the State (strengthening institutions)	Corruption Violence Consumption	Possible in theory, long-term process, faced with corruption, impatience and human rights abuses
Changing the Law (ending prohibition)	CONSUMPTION --------? --------?	Possible in theory, impossible in the short term

2.2.3. Debating Drug Policies: Prohibition versus Liberalization

In 1961, when the UN Single Convention on Narcotic Drugs was signed, proponents called for a drug-free world, aiming for the total eradication of production, distribution and consumption of illicit drugs – thus started the era of international drug prohibition. The current UN drug control

[21] During the election campaigns, Peña Nieto echoed many of Calderón's policies, rejecting legalization, boosting cooperation with the US, and maintaining military and police presence in the affected regions; more notably, his strategy is aimed at crime prevention and violence reduction rather than focusing on arresting cartel leaders. It is expected that Peña Nieto will send troops where rates of violence have been highest and target cartels responsible for the bulk of the violence. Furthermore, he has proposed reforming the police sector in efforts to improve their coordination, transparency and effectiveness (Corcoran, 2012; Weissenstein, 2012; Molzahn, Frerreira, & Shirk, 2013).

system is based on three international treaties[22] requiring that signatories take necessary measures to restrict production, supply and use of non-medical narcotics (Carter, 2013). As Martin Jelsma writes (2008, p. 1): “Drug control originate[d] from a desire to protect human well-being. The international community, concerned about the impact of drugs on public health, began to prohibit a series of substances and establish measures to eliminate their production, distribution and consumption.” Without a doubt, the health impacts of drug abuse are a sensible reason to want to control and limit their production and consumption, and while this reasoning may be used to justify the implementation of anti-drug policies, the deeper incentives behind these policies are far more convoluted and tied to notions of transnational power relations and hegemonic forces. For instance, prohibition policies are strongly tied to transnational security discourse, with the government equating drug use and trafficking as threats to both public and national security, and thus referenced to legitimize intervention (by the US) in drug producing countries like Colombia and Mexico (Campos, 2011, p. 15). Prohibition is also strongly tied to Christianity, which plays a big role in discouraging the use of “sinful” substances, historically thought to lead to delusions and communion with the devil (Ibid, p. 16). The resulting complexity of incentives and broad societal impacts of drug policies pose an important obstacle to policy reform in Mexico and elsewhere.

Over fifty years of effort has been invested in drug prohibition through UN agreements and the active pursuit of the War on Drugs, but in spite of this effort, drug prohibition has clearly failed in its mandate. More recently, the debate to end the era of prohibition has gained some ground in the academic and policy arenas. In fact, there is a wide range of alternatives to prohibition emerging from around the world. For the sake of succinctness, I will use the term “drug liberalization” to encapsulate the range of policy alternatives to prohibition, from decriminalization to the full

[22] The 1961 Single Convention on Narcotic Drugs, the 1971 UN Convention on Psychotropic Drugs and the 1988 Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (Jelsma, 2008).

legalization and regulation of the sale and use of marijuana and other drugs for personal use. To clarify, "decriminalization" commonly refers to the "removal of criminal sanctions for possession of small quantities of currently illegal drugs for personal use, with optional use of civil or administrative sanctions" (Rolles, Murkin, Powell, Kushlick, & Slater, 2012, p. 100). In other words, the production, trafficking and sale of drugs is not allowed in formal markets, but its consumption, in controlled amounts, will not lead to criminal sanctions. Decriminalization policies have become commonplace in many countries around the world as a step towards debunking the stigma that afflict drug users and to reduce their costly incarceration. Legalization, on the other hand, "refers to a state licensing system more or less similar to that which prevails for alcohol and tobacco for the currently illegal drugs" (Goode, 1997, p. 78). Associated regulations include laws about consumption while driving, advertisement and taxes for commercial sales. The common feature of these policies rests in the fact that they represent a shift away from the prohibition of all drugs regardless of quantity and severity of their influence – an end to the War on Drugs.

Mexico played a key role in initiating the debate. In 1993, as one of the hardest hit countries in the global War on Drugs, Mexico sought support from the international community to discuss policy alternatives and wrote a letter to the UN Secretary General requesting an international conference on the matter. The letter "caused quite the stir" and led to a special General Assembly meeting on drug policies that year. This meeting has since led to a series of international forums on drug policy alternatives that have yet to slow down (Armenta, Metaal, & Jelsma, 2012, p. 4). While early meetings were met with much resistance from the US and the UNODC, Amira Armenta et al. argue that these meetings have led to an inevitable shift in policy discourse (Ibid). In fact, in its more recent reports, the UNODC has recognize that global prohibitive policies have led to 'unintended consequences', including: "the creation of huge criminal markets; the displacement of production and transit to new areas (the balloon effect); the diversion of resources from health to

enforcement; the displacement of use to new drugs; and the stigmatization and marginalization of people who use drugs" (Rolles, Murkin, Powell, Kushlick, & Slater, 2012, p. 8). The admission of these consequences by the international body is a significant step forward in the broader drug policy debate. Furthermore, at the 2012 Summit of the Americas in Cartagena, Colombia, drug policy reform was a hotly debated topic, one that also prevailed throughout the 2012 Mexican and US presidential elections. Policy makers, academics and civil society actors increasingly acknowledge and attribute these 'unintended consequences' to drug prohibition, contributing to a growing global movement to consider alternative drug war policies. However, there is no consensus yet on which of the alternatives are the most viable, effective and sustainable (Armenta, Metaal & Jelsma, 2011).

In the Americas, where the production, distribution and consumption of drugs have such an important impact on the majority of the territory, the reaction has led to strong civil society advocacy, as well as advances in regional policy changes to decriminalize the sale and use of marijuana and small quantities of hard drugs. For instance, the liberalization of marijuana has achieved relative success across the world: it is estimated that 26-30 countries, including Mexico, have now decriminalized marijuana, and in some cases small quantities of hard drugs (some countries' legislation is less clear; Rosmarin & Eastwook, 2012, p. 11). In Mexico, it is generally instructed "not to prosecute individuals found in possession of less than 5 grams of marijuana, 0.5 grams of cocaine, 50 milligrams of heroin, or one ecstasy tablet, among other minimum quantities" (Ibid, p. 27). This type of policy has been criticized, however, since quantities are so small that it actually has little impact on the rate of incarceration, thus invalidating the very nature of the policy (Ibid). So far, 15 US states have adopted some form of decriminalization, and in the 2012 US elections, Colorado and Washington approved the full legalization of recreational marijuana and several more states have decriminalized or approved the sale and consumption of medical

marijuana[23]. Uruguay has also announced that it will move toward a regulated legalized market for marijuana and strong movements also exist in other states and countries like Argentina, Brazil, Colombia, Ecuador, Guatemala and in Canada (Armenta, Metaal, & Jelsma, 2012, pp. 7-10; Rosmarin & Eastwook, 2012). In addition, the US is also moving towards greater investments in prevention, early intervention, and treatment, shifting its focus from individual drug users to criminal circles and drug trafficking networks as a way of reducing incarceration rates and getting at the roots of the drug market (The White House, 2013, pp. 1-3). Moreover, increasing international pressures and debates on the matter are pushing governments to question their policies. The Guatemalan President has been especially vocal about his dissatisfaction with the status quo:

> [The Guatemalan] government has called for an open dialogue on global drug policy based on a simple assumption: we cannot continue to expect different results if we continue to do the same things. Something is wrong with our global strategy, and in order to know better what is wrong we need an evidence-based approach to drug policy and not an ideological one. This means that we need to evaluate rigorously what is the impact of what we are doing, and analyze carefully what other policy options we can implement.
>
> Moving beyond ideology may involve discussing different policy alternatives. Some people (not my country) may call for full-fledged liberalization of the drug market, as opposed to the current full-fledged prohibition scheme. I believe in a third way: drug regulation, which is a discrete and more nuanced approach that may allow for legal access to drugs currently prohibited, but using institutional and market-based regulatory frameworks. This third way may work best, but let us all be clear that only an evidence-based analysis will lead us to better policies (Pérez Molina, 2012).

However, despite all of these advancements in alternative drug policies, they hardly represent national consensus on the matter. The debate continues to be highly polarized in both Mexico and the US and social stigmas surrounding drug users remain harsh.

Whether advocating for prohibition, legalization or a 'third way', there is still no national or continental coherence or consensus on the issue, and prohibition remains the policy of choice. In fact, there continues to be strong endorsement for prohibition policies within the UN, as

[23] These states include: Alaska, California, Colorado, Connecticut, Maine, Massachusetts, Minnesota, Mississippi, Nebraska, Nevada, New York, North Carolina, Ohio, Oregon and Washington. With the November 2012 Presidential elections, Washington and Colorado moved to legalise non-medical marijuana. (Rosmarin & Eastwook, 2012, p. 37)

demonstrated by a recent report by the International Narcotics Control Board (INCB). This report remind us that the prospect of transnational eradication, or even loosening, of prohibition policies is still a distant possibility. The INCD state the following on the legalization debate:

> The Board notes with concern recent declarations and initiatives reported from some countries in the Western hemisphere proposing the legalization of the possession of narcotic drugs and psychotropic substances for purposes other than medical or scientific use, and the decriminalization of the cultivation of marijuana plant for non-medical use. […] The Board wishes to point out that such an initiative, if it were to be implemented, would be contrary to the provisions of the international drug control conventions. The 1961 Convention and the 1988 Convention require all States parties to limit the use of narcotic drugs, including marijuana, exclusively to medical and scientific purposes. Non-compliance by any party with the provisions of the international drug control treaties could have far-reaching negative consequences for the functioning of the entire international drug control system. (2012, p. 36)
>
> […] The Board is [also] deeply concerned about the recent developments in Central America, in particular the high-level call in some countries to pursue legalization of illicit drugs, on the assumption that decriminalization of trafficking would reduce drug-related violence, which appear to be proposals that would be inconsistent with the obligations of parties under the international drug control conventions. (Ibid, p. 57)

Such declarations by the INCB demonstrate that shifts away from the prohibition mantra have yet to be accepted by key decision-making bodies, further restricting transnational reform on this front.

These declarations also remind us that the hurdles to implementing drug policy reforms are twofold. First, there are the domestic constraints such as national policies, the social stigma and lack of awareness that revolves around drug use and drug addiction. These constraints are socialized through popular culture and rhetoric that drugs are 'evil', 'sinful' and 'dangerous', and that 'drug users are criminals' (Campos, 2011). Such perceptions of drugs and drug users will need to change for these policy alternatives to be accepted among the population first, by national politicians and decision makers and ultimately by the international community. Second, as noted above, there are dominant international norms, regulations and actors that impose behaviours and tendencies on individual countries' drug policies. As a sovereign state, Mexico can choose to liberalize its drug policies, but doing so would certainly be contested and frowned upon by a large proportion of the international community, including its NAFTA counterparts. Furthermore, Mexican policy reform

will have only limited impact unless the US joins efforts to form a transnational or continental agreement on the production, sale and consumption of drugs. In other words, Mexico in many ways depends on the US and other countries to also reform their drug policies so that its own reform efforts may be successful in curbing violence. The combination of domestic and international challenges to drug policy reforms in addition to the complexity and multiplicity of factors that affect such reforms profoundly hinder the counter-prohibition movement.

The central arguments behind drug liberalization lie in the idea that it would treat drug addiction as a public health and human rights issue, rather than a criminal one. Hypothetically, this shift means moving away from criminalization and towards increasing investments in harm reduction, prevention, and better rehabilitative treatment for drug addicts. Some specialists argue that drug liberalization could reduce the rates of overdoses and disease, including HIV/AIDS, by reducing rates of addiction, providing more education and safe spaces for drug users and addicts and differentiating more systematically between hard drugs (more harmful and addictive) and soft drugs like marijuana. Furthermore, it could lead to a controlled and taxed market which could bring farmers who cultivate marijuana, coca or poppies into the formal market, and tax income could be used to fund treatment, education and awareness programs that would in turn further help reduce the rate of drug addiction and related issues. Liberalization, they add, would drive down price of drugs in the illicit market and cut a portion of the cartels' income, it would allow better monitoring and regulation of export resources, and it would prevent this profitable market from illegally funding the small arms trade amongst the cartels and paramilitaries (Baird, 2012; Global Commission on Drug Policy, 2012). Furthermore, proponents note that "it is only because drugs like cocaine and heroin are illegal that it is lucrative to engage in their production and distribution. It is therefore to be expected that as long as these substances remain illegal, they will be an important income-generator for rebel groups and a source of political instability and state failure" (Buxton, 2006, p. 143). In

other words, as long as "there is no mechanism for integrating this source of rebel finance into the formal economy, illicit drugs will remain an important income stream" (Ibid). Despite the growing prominence and validity of these arguments, however, opponents of drug liberalization, especially among Mexican and US policy makers, conservative CSOs, and among international organizations such as the INCB and UNODC, are more numerous and hold more decision-making power than proponents, meaning that it will require a lot of time, advocacy and awareness-building before drug reforms are embraced nationally or internationally.

One reason behind the lack of transnational consensus is that the benefits and risks of alternative drug policies affect each country differently, varying starkly among producing, trafficking and consuming countries. For instance, the impact of decriminalization policies are felt most at the drug use level, and thus are most effective in drug consuming countries. In Portugal and the Netherlands where the most progressive decriminalization policies have been adopted, these have resulted in a drastic drop in the levels of incarceration and increased investments in rehabilitation and treatment programs. Drawing from the experiences of these countries, Mark Kleiman argues that the decriminalization of drugs in the US could lead to similarly reduced rates of incarcerations, and when coupled with effective treatment and preventative measures, has the potential to have broad-base positive effects on US society (2011, p. 95). However, Kleiman warns that the impact of such policies could have minimal or even harmful impacts on the producing and trafficking countries because decriminalization neither addresses the supply side of the equation nor does it reduce the rate of drug use in supplying countries. In fact, Kleiman notes that decriminalization in the US alone could have negligible impacts in Mexico:

> Most of the halfway steps proposed by drug policy reformers would offer little benefit to Mexico and other source and transit countries. Some of them could actually make the Mexican situation worse. For example, decriminalization—ending arrests of users for simple drug possession—would, if anything, increase the volume of drugs consumed and thus the rise of the export market (Ibid).

Legalization, on the other hand could flip the balance of benefits and repercussions between the two countries, meaning that it would be better for Mexico, but worse for the US. According to Kleiman, “full commercial legalization of marijuana…would shrink the revenue of the Mexican [DTOs] by approximately one-fifth” (2011, p. 96), possibly leading to reduced rates of violence in the long term among cartels due to reduced profits and the displacement of smaller, marijuana-driven DTOs. Conversely, Beau Kilmer et al. argue that unilateral legalization would not be favourable for either Mexico or the US. They note that it would likely lead to a spike in violence in the short term while DTOs take new shape (2010, p. 42), as well as greater drug use in the US, potentially leading to a rise in rates of addiction and crime. Furthermore, they argue:

> The consequences of Mexico unilaterally legalizing drug production and distribution are fairly easy to foresee. Legalization would limit DTO revenues from drug distribution in Mexico to revenues only derived from evading any associated taxes and regulations. However, unless the United States followed suit, Mexican DTOs would continue to profit by illegally smuggling drugs across the border (Ibid, p. 2).

This concern is legitimate because, as Kleiman notes, the sale of marijuana only accounts for an estimated 15-26% of sales for the Mexico DTOs (Ibid, p. 43)[24]—the real money-makers being hard drugs like cocaine and methamphetamines, as well as other criminal activities like extortion, kidnappings, money laundering and arms trafficking (Hill, 2010). In other words, to see maximum impact on the DTOs, both countries would have to consider the legalization of hard drugs in order to influence control over its production, sale and consumption, in addition to a range of complementary policies including greater gun regulation, socio-economic policy reforms, and investments in treatment and rehabilitation programs. However, the legalization of hard drugs position within policy debates has much less political and popular support; given the criminality associated with the use of drugs, their highly addictive nature and their significant health

[24] These figures align with similar estimates from the US and UNODC; however, proponents of legalization such as CUPIHD use larger figures, around 50-60% of DTO income (The Hungarian Civil Liberties Union & Espolea, 2013).

implications. Even the decriminalization, let alone legalization, of these types of drugs are so risky that either option is unrealistic in the US, Mexico and beyond.

The social, health, economic and political implications of drug liberalization are numerous and complex and as briefly demonstrated above, policy reforms affect consuming and producing countries differently and policies that are beneficial to one country could be harmful to another. This issue becomes all the more complicated where the drug policy debate and security discourse meet and become interlinked: while drastic drug policy reforms could have significant implications on the size or even survival of DTOs and their influence in Mexico, liberalization – especially legalization– is not and cannot be seen as a panacea for drug related violence, as it is sometimes regarded. Evidently, the drug liberalization debate is not a simple one. There are many factors to consider and the interconnectedness of drug policies between countries further complicate the issue and understandably foster doubt about the overall benefits of drug liberalization. What is clear is that while each country could choose to act independently on the matter and adopt their own policy reforms, coordinated transnational efforts would be more effective and offer the best chance for continued success in achieving real impacts on the rate of drug trafficking, consumption and related consequences. While waiting for other countries to make a decision, however, promoters of drug policy reforms argue that by legalizing drugs, Mexico could demonstrate that it is a leader in the Americas by adopting policies that reflect and address its own interests and it is no longer only following orders from its US counterparts (Herrera, 2012). CSOs and SMs working on these issues may see an opportunity in this reasoning, and build on the growing transnational debate for policy options by forging networks with government officials and civil society actors abroad to strengthen the movement within their borders and potentially produce transformative changes to drug war policies and discourse in Mexico.

CHAPTER 3: CASE STUDIES

3.1. Ley para la Protección de Personas Defensoras de Derechos Humanos y Periodistas

> Drug cartels and other criminal gangs, at times acting in collusion with the police or other public officials, killed and abducted thousands of people. Irregular migrants travelling in the tens of thousands through Mexico suffered grave abuses including kidnap, rape and killing, by such gangs. The government did not take effective measures to prevent or investigate widespread grave human rights violations committed by the military and police, including enforced disappearances, extrajudicial executions, torture and arbitrary arrests […] The criminal justice system failed to deliver justice or security. Those responsible for the vast majority of crimes, including attacks on journalists, human rights defenders and women, were not held to account. Fair trial standards were breached (Amnesty International, 2012a, p. 254)

Among the many disappearances, deaths and human rights violations that have plagued Mexico in recent years, journalists and human rights defenders (HRDs) – those who have been most critical of these atrocities – have been particularly targeted. These attacks have the goal of silencing those whose work is to shed light on these abuses, and to hamper their reputation and credibility. HRW claims that between 2007 and 2011, 74 journalists have been murdered in Mexico and many more have been the target of threats and intimidation, forced to seek refuge, often across the border to the US (2012a, p. 3). In addition, Mexico has been tagged one of the most dangerous countries in the world for journalists (Reporters Without Borders, 2011), threatening the country's journalistic freedom. Coverage of the drug war suffers from censorship and skewed information, and journalists are frequently attacked or under threat (Ibid; AI 2012a, p. 256). In addition, according to Peace Brigades International México (PBI), between 2002 and 2012 there have been 1,966 assaults on HRDs, and in 2012 alone there have been 38 forced disappearances and 29 extra-judicial executions of HRDs in Mexico (PBI, 2012c). As AI notes, "by silencing defenders, human rights abusers are silencing not one voice, but the voices of victims and survivors calling for justice" (2012b, p. 6). Indeed, the surge of violence and growing insecurity has the double impact of exacerbating the rate of human rights violations as well as hindering efforts to protect human rights and investigate cases

of abuse. By silencing both the victims and the HRDs, it is even more difficult for HROs to reach targeted communities, as the safety of the defenders themselves can no longer be assured, hindering their ability to carry out their work. While these incidents are largely instigated by the DTOs, they take place under the negligent or complicit rule of police and military intervention (HRW, 2012b).

The increased rates of attacks and threats against HRDs and journalists are occurring alongside a drastically changing security landscape in Mexico. The scale, regions and authors of human rights violations in Mexico are not only changing, but expanding. HRDs are faced with the ongoing struggle to protect and respect the rights of marginalized communities, including indigenous people, women and migrants, primarily in the south of the country, while also working to address the needs of the growing number of victims of narco-violence in new areas within Mexico. "Traditional topics" in human rights activism, such as the struggle to defend rights to land and environmental protection or to eradicate violence against women continue to be a challenge across Mexico, and HROs will persist in their efforts to defend and promote these rights likely for decades to come. However, these organizations increasingly encounter human rights crises in communities where HROs may not have been previously active and where violence has become more prominent, jeopardizing access to basic services and destabilizing local economies.

In my interview with Daniel Joloy of the *Comisión Mexicana de Defensa y Promoción de los Derechos Humanos* (CMDPDH), whose own Silvia Vásquez Camacho, a human rights defender working out of Tijuana, had been intimidated with death threats, the impacts of Mexico's security situation on the work of HROs was made clear. Joloy, a researcher for the organization, explained how CMDPDH's work had changed over the past 20 years, evolving from primarily educating individuals on the concept of human rights in the 1980s, to focusing mainly on the protection of indigenous and women's rights in the 1990s, to dealing with the growing threats of insecurity in the north and resulting kidnappings, extrajudicial executions, torture and forced disappearances brought

on by the drug war. Joloy added that these forms of violations have clearly worsened since the launch of Calderón's militaristic strategy in 2006 and that these new security challenges will undoubtedly inform the organization's priorities in the coming years (Joloy, CMDPDH, 2012). Among other consequences that further complicate the issue, the human rights violations occurring in the context of the drug war are making it even more difficult for HRDs to distinguish and address other forms of systematic human rights violations that continue to take place. For instance, the number of murders in Ciudad Juárez has increased for both men and women, rendering the task of identifying a murder as a result of the drug war or as a result of a 'crime of passion' or femicide even more difficult. This new challenge in human rights protection means that efforts and strategies to address the broader issues of violence against women and femicides are further hindered and are being engulfed, confused or overshadowed by the violence instigated by DTOs (Ibid; Raczynska, 2012). In fact, Andrea Mares (2011) notes that femicides may be used by DTOs as "[modes] of retaliation against government for its crackdown on drug trafficking, or as a threat to other DTOs". As such, in their efforts to report on the violence and protect the rights of individuals and communities most afflicted by the drug war, the work of HRDs and journalists has become even more complex and dangerous, and the resources to bring these violations to justice and investigate the influx of claims are stretched beyond capacity, furthering the culture of impunity in the country.

The changing nature of human rights protection in Mexico has driven HROs to adapt to new challenges, actors and strategies. HROs have taken a number of steps to better protect HRDs and the rights of communities at risk. For example, in 2013 PBI México launched a human rights accompaniment program in Chihuahua after investigating the situation in the region and determining a need for their presence. The new mission is a response to the growing need for human rights protection in that region because of drug war violence and in part because of ongoing violence against women and high rates of femicide. Having been previously concentrated in the

southern states of Oaxaca, Guerrero and others for the past thirty years, the shift to working in the northern states reflects the changing nature of human rights protection and the increasing need to support the work of CSOs and media in that region (PBI, 2012d; 2012e). This regional shift is echoed in my interview with Agnieszka Raczynska from the *Red Nacional de Organismos Civiles de Derechos Humanos* (also known as the Red Todos los Derechos para Todas y Todos, Red TDT, 2012), who explains that state militarization has always been a focus for Mexican HRO, but that the regions and motivations have changed. Whereas the militarization was mainly a problem in the south of the country in the 1990s, in Chiapas especially, it has increasingly become a significant problem for HROs in the north. This regional shift does not mean, as she explains, that the militarization in the south has been addressed or is no longer an issue, but that the national focus and in some ways the urgency to intervene has shifted. She adds that the circumstances of the violations occurring in the north are distinct from the ones in other areas of the country, and that identifying the author of the violation has been rendered more difficult due to the reach of DTO infiltration in state institutions and the resulting dilution of responsibilities (Ibid). Despite national and international pressures on governments to protect HRDs and journalists, little progress had been made, until recently, in establishing the adequate mechanisms and resources necessary to do so.

While a long road lies ahead, the adoption of the *Ley para la Protección de Personas Defensoras de Derechos Humanos y Periodistas* is seen as a great success for HROs in Mexico and a historic opportunity for the government to reform the state of human rights in the country. This law was motivated by the growing need to protect the work of HRDs and journalists and driven by the very people who have been affected by the growing insecurity: seventy-two CSOs made up of HRDs, journalists, academics, policy experts and others from around the country and abroad who

together have formed the Espacio OSC[25]. The new law encompasses three pillars: the urgent protection of HRDs and journalists, including the relocation or evacuation of individuals in life-threatening situations; further protection through access to adequate forms of communications, surveillance cameras, transportation, and home security systems; and preventative measures including training and self-defence courses for HRDs and journalist (Olson & Notimex, 2012). Article 1 of the legislative act reads:

> This Law is public, of social interest and generally observed throughout the Republic and is to establish cooperation between the Federation and the Federal States to implement and operate the Measures of Prevention, Countermeasures and Urgent Protection Measures to ensure the life, integrity, liberty and security of people who are at risk due to the defence and promotion of human rights and the exercise of freedom of expression and journalism. This Act creates the Protection Mechanism for People and Human Rights Defenders Journalists, so that the State meets its primary responsibility to protect, promote and guarantee human rights (Chamber of Deputies of the Congress of the Union, 2012; author's translation).

On April 30, 2012, the law was approved in a unanimous vote in the National Congress. The organizations involved worked together for three years, in different committees, and consultation sessions, each contributing their own perspectives and expertise. At the signing ceremony, the government acknowledged the work of the Espacio OSC as the leaders behind this initiative – a success in and of itself – along with the members of the Senate and Congress who pushed for this

[25] The following organizations participated in the law Project under the name Espacio OSC (organización de la sociedad civil), those bolded were interviewed: **Peace Brigades International (PBI)**, Urgent Action for Human Rights Defenders (Acción Urgente para los Defensores de los Derechos Humanos, ACUDDEH), 'Brothers in the Road' Migrant Shelter (Albergue del Migrante 'Hermanos en el Camino'); Article 19; World Association of Community Radio Broadcasters-Mexico (AMARC-MX); Casa de los Derechos de Periodistas, A.C.; Católicas por el Derecho a Decidir, A.C.; Centro Mexicano de Derecho Ambiental (CEMDA) ; 'Tlachinollan' Human Rights Centre of the Montaña (Centro de Derechos Humanos de la Montaña 'Tlachinollan'); **Miguel Agustín Pro Juárez Human Rights Center (Center Prodh)**; Centro Jurídico para los Derechos Humanos; Centro Nacional de Comunicación Social (CENCOS); Centro de Derechos Humanos Fray Francisco de Vitoria O.P., A.C.; Centro Diocesano para los Derechos Humanos 'Fray Juan de Larios'; Centro de Derechos Humanos 'Fray Matías de Córdova'; Centro de Derechos Humanos Toaltepeyolo; **Mexican Commission for the Defense and Promotion of Human Rights (CMDPDH)**, Comisión de Solidaridad y Defensa de los Derechos Humanos, A.C.; Comité de Derechos Humanos de Comalcalco, A. C.; Centro de Derechos Humanos "Victoria Diez", A.C.; Comunicación e Información de la Mujer, A.C. (CIMAC); Frontera con Justicia, A.C.; Iniciativas para la Identidad y la Inclusión, A.C. (INICIA); Mexican Institute of Human Rights and Democracy (Instituto Mexicano de Derechos Humanos y Democracia, IMDHD); KOOKAY- Ciencia Social Alternativa, A.C.; Propuesta Cívica, A.C.; **'All Rights for All' Network (Red 'Todos los Derechos para Todas y Todos', Red TDT)** (comprised of 73 organizations in 22 Mexican states); Red Mesa de Mujeres de Ciudad Juárez; Servicios de Inclusión Integral, A.C.; Services and Advices for Peace (Servicios y Asesoria para la Paz, SERAPAZ).

new law (Ibid). Four of the organizations interviewed had participated in the drafting and advancement of this new law: PBI México, CMDPDH, Centro de derechos humanos Miguel Agustín Pro Juárez (Centro Prodh) and the Red TDT. Each of the four HROs interviewed and involved in the process commented on the difficultly and complexity of bringing so many organizations together and merging priorities, interests, expertise and experiences to build something concrete and representative of these organizations' common goals. In the end, all four HROs stated that it was a very positive experience and despite the numerous challenges ahead to ensure the adequate application of the law, its approval was a major stride forward for human rights in Mexico and a defining success for civil society. In their promotional video "*El Deber de Proteger*" (2012c), PBI illustrates how a long history of insecurity and impunity pushed HROs across Mexico to work together for the creation of a mechanism for the protection of HRDs and journalists. Snapshots in the video show groups of individuals, from national and international organizations, including those I have had the opportunity to interview, sitting around a table covered in reports, the subtitles read: "The Protection Mechanism is no doubt a triumph for civil society. It was born out of the concern, the pain, the suffering, the teachings [of our work]" (PBI, 2012c; author's translation), thus emphasizing the leadership of HROs in this initiative and the importance of their success for the broader community of civil society actors.

As described earlier, CSOs in Mexico generally have a weak history of cooperation among each other due to a number of factors including limited resources and hefty competition for visibility, lack of transparency, and absence of formal advocacy platforms to reach decision makers. HROs, however are the exception, as they benefit from an already established tradition of cooperation, namely through the Red TDT, a coordinating body of seventy-four HROs in Mexico. The Red TDT already allowed space for HRO cooperation through working groups and shared expertise when common goals and interests were identified – but never had so many members come

together on such a large scale project. In the context of the new law, José René Paz Hernández (Centro Prodh, 2012) explained that each organization was highly motivated and dedicated to see this project through and each had its own specialisation, some in areas of research, and others in legal concerns or with government relations. PBI, for instance, had years of experience working in the area of human rights accompaniment for the protection of HRDs and CSOs from threats to their lives and operations. The dedication, driven by the severity and urgency of the situation, and the use of working groups and small committees arranged by specific areas of expertise contributed significantly to the success of this initiative.

However, this dedication and these working groups are not the only factors that benefited this movement: each of the HROs also underscored the good, collaborative relationship they had with local, state and national authorities, noting that they collaborate and communicate regularly with the different levels of government in their day-to-day work. While this was true for the four organizations interviewed and for the Espacio OSC more generally, it is far from true for all HROs and other CSOs in Mexico; in fact, many of them, even within the Espacio OSC, have strained or conflictive relationships with authorities making it very difficult to build the necessary alliances to push policy changes forward. In the case of the HROs, the generally strong relationships between Espacio OSC with national authorities, built on decades of work in the country, allowed these HROs to work with allies in the government and present the law as a collaborative effort rather than a form of protest against the government's (in)actions (Paz Hernández, 2012), which proved favourable for the law's approval.

A third point in this initiative's success was the fact that it was very goal oriented – the HROs aimed to draft this law and get it adopted within a set timeframe – the final objective was tangible, focused and feasible. The formation of working groups with clear mandates and objectives ensured that the work was accomplished efficiently. The common goal shared by the HROs meant that

despite the complexities of managing their diverse and disparate interests, they were able to overcome their individual agendas "for the greater good".

Finally, these HROs also benefited from the backing of transnational networks and international norms and principles that provide them with the resources, leverage and influence needed to pursue their goals. Norms established by the UN, including the principles advocated in the Universal Declaration of Human Rights, mechanisms already in place through the UN Inter-American Commission for Human Rights, pressures from foreign governments, transnational HROs, such as PBI, HRW and AI, monitoring bodies, and international media coverage of Mexico's state of human rights, all contribute to leveraging the advocacy work of HROs in Mexico and empowering them despite the ongoing challenges. Indeed, TANs can play a key role in supporting local movements and strengthening the potential for agency. In the case of HRO advocacy in Mexico, the engagement of transnational alliances contributed to their success through the support they provided in financial and technical resources, expertise and leverage (PBI, 2012c) – and have done so beyond the adoption of the *Ley para la protección de defensores de derechos humanos y periodistas*. In fact, it is important to note that these same HROs and their transnational linkages have had a significant impact over time on the dialogue about human rights in Mexico. Hundreds of organizations working in the field for decades have immersed themselves as part of Mexico's cultural and political landscape, successfully raising awareness, not only in Mexico, but internationally, on human rights violations and the importance of human rights protection in the region, and achieving remarkable progress on the legislative front (AI, 2009; 2012a; 2012b; HRW, 2011). The cumulative work of HROs in Mexico has drastically changed the discourse in the country whereby human rights and the mechanisms for their protection are no longer a foreign concept. The incremental changes that human rights activism have brought to Mexico's legislative and political structure have continually challenged the behaviour of the state and the promulgation

of militarization and traditional security policies. In the context of the drug war, the approval of this law further demonstrates their influential status and potential for agency in engendering legislative changes. What distinguishes this particular example of HRO advocacy is the fact that these seventy-two organizations took initiative to work together and managed to share efforts to achieve a common goal. This collaboration is ground breaking in Mexico and helps demonstrate how greater cooperation, solidarity and collective pressures can indeed create opportunities and lead to great successes in advocacy efforts.

Yet, in spite of these advances, the threats and attacks against HRDs and journalists persist, and these must be recognized as symptomatic of the larger impacts of the War on Drugs on human rights in Mexico. The adoption of the *Ley para la Protección de Personas Defensoras de Derechos Humanos y Periodistas* is only part of the response. Government and authorities must drastically reform their approach to human rights violation and end this culture of impunity. The current political climate in Mexico following the July 2012 elections, presents both an opportunity for change and to build upon the success of the new law, as well as a great challenge to ensure that the new Peña Nieto government will indeed take action to ensure the proper application of the law and guarantee the protection of human rights. In the case of Peña Nieto, the sense of challenge roots not only from the ongoing failure of past Mexican governments to follow through on their human rights commitments, but also from Peña Nieto's personal record with human rights abuses, particularly the case of "Atenco". The Atenco incidence refers to popular protests that erupted in San Salvador Atenco in the State of Mexico, northeast of Mexico City, in May 2006, when local residents organized to resist the development of a new international airport for Mexico City. Civil unrest worsened and, under the governance of Peña Nieto, was dealt with by sending federal, state and municipal police. According to a report by the Centro Prodh, excessive force was used, killing two protesters, and dozens of women were detained and sexually assaulted (2013, p.75). In addition to

the fact that the President was directly involved in these human rights violations by allowing the use of force and failing to investigate and bring to justice the violations, Peña Nieto failed to demonstrate remorse when during his campaign speech at the Universidad Iberoamericana in May 2012, he defended the decision to use force, admitting that he would take the same decision again if needed (Cervantes, 2012). This speech provoked widespread disapproval among the civil society and academic community and is seen as a catalyst in the formation of the *YoSoy132* movement in protest of his presidential candidacy (Astorga, UNAM, 2012). Given the President's human rights record, the HROs will face the challenge of ensuring that the alliances they had come to forge with bureaucrats within the PAN are not lost in the political transition, and that the concept of human rights and the importance of their protection continue to be part of the discourse for years to come.

The success of this initiative and the broader impacts of HROs on the state of human rights in Mexico are remarkable though still laced with a number of challenges in the short and long term. As Raczynska states, "the role of civil society in this moment is to […] build a memory of the crisis we are living in Mexico, and to publicly denounce what is happening" (Red TDT, 2012; author's translation). In this light, HROs have a long road ahead to ensure the proper documentation of human rights abuses and to continue advocating and maintaining effective pressure on the government for the respect of human rights and the protection of HRDs and journalists across the country. Based on this analysis, and returning to Keck et al.'s evaluation scale of the overall effectiveness of CSO advocacy, I would argue that *Espacio OSC* reached somewhere between a level 2 (influence on discursive positions of states and international organizations) and 3 (influence on institutional procedures) with regards to its *Ley para la protección de los defensores de derechos humanos y periodistas*. By getting the law approved, the HROs succeeded in going beyond issue creation and agenda setting; however, while they did manage to influence institutional procedures through the adoption of their proposed law, they did so without broadly influencing discursive

positions of states and international organizations. This broader shift would be evidenced, among other factors, by the clear enforcement of this law and a significant reduction in human rights abuses, which continues to present major challenges to the HROs involved[26]. Beyond the application of the law, the success of human rights protection in Mexico will only be achieved if greater structural and cultural shifts take place. For this shift to be realised, HROs will need to further strengthen and extrapolate their coordination efforts to different areas of shared advocacy interest, including greater coordination with other civil society actors to advocate for the systematic protection of human rights. Furthermore, the government must promote a positive discourse around human rights and continue to work towards judicial reform to bring cases of violation to justice and end this culture of impunity. As one Centro Prodh report concludes:

> Recent years have been lavish in progress on human rights by the legislature and the judiciary. But these same advances, from the emergence of resistance to the consolidation of civil space, hide what is still missing, and the severity of these omissions. Human rights are not denied, at least on paper, in the laws that explicitly deal with them. They are denied, however, in the various provisions of the economic and social policies as if following a script dictated it were elsewhere (2013, pp. 299-300).

In other words, while the approval of the law is a great example of civil society agency in itself and represents major progress, it exists to fill the gaps left open by weak governance. In order for the law to be successful and to see profound improvements in the condition of human rights and the protection of HRDs and journalists in Mexico, the state has to perform its role and take much bigger steps in allocating the necessary resources for bringing human rights violations to justice. HROs have not yet achieved their transformative potential in ensuring that the authorities can guarantee the proper implementation and functioning of the law's mechanism. Part of this challenge, according to Raczynska (Red TDT, 2012), includes the adequate budget and resources to manage the mechanism in order to ensure that it is

[26]See Annex C for a summary of analysis for the three case studies.

accessible to all people, regardless of geographical, linguistic or socio-economic context. She adds, however, that "the mechanism's success will be seen when those who are under some kind of threat can continue to do their job…When we acquire the real right to defend human rights" (PBI, 2012c). HRO's success, in this light, thus relies on a shift in state policies and behaviours that systematically puts human rights to the forefront of the drug war debate and ensures their continued protection.[27]

3.2. Drug Policy Liberalization Debate

The drug liberalization movement, and especially the legalization movement, has gained increasing ground in Mexico in recent years as a result of growing violence. Currently, some thirty percent of Mexicans support the full legalization of marijuana (Manaut, Chaídez, Escotto, González, & Valle, 2011, p. 31), and that trend is growing (Transform Drug Policy Foundation & Mexico Unido Contra la Delincuencia, 2013). While the movement is gaining precedence in political debates outside of Mexico, inside it is still largely rooted in civil society, with organizations like *Mexicanos Unido Contra la Delincuencia* (MUCD) and the *Colectivo Unido por una Política Integral Hacía Drogas* (CUPIDH) advocating for drug policy liberalization and an end to the War on Drugs. At the root of the liberalization movement is the notion that it is seen as a means to reducing the criminalization and incarceration of drug users, improving their wellbeing and their access to treatment and health resources, and reducing the rates of violence by curtailing an important source of income for the DTOs in Mexico. While opinions vary widely about which route is best for the country, these two CSOs represent a growing consensus among society across the Americas that prohibition is not working and that drug policy reforms, specifically toward the

[27] A further analysis of this case study will ensue in my concluding chapter where I will engage more deeply with my theoretical frameworks to compare the different case studies and draw conclusions, including a closer look at the various factors that shape these CSOs' strategies, political opportunities and ability to foster change in the context of the law as well as what it may suggest for future possibilities.

legalization of the drug market, are required for a healthier and safer society. However, despite its touted benefits, there is a lot of scepticism around the ultimate impact and costs of such policy reform on Mexico's drug market and security situation, if any, and discussions around drug policy liberalization continue to hover at the margins of the War on Drugs and security discourses. In fact, drug policy liberalization, and legalization in specific, is the exact opposite of the dominant mantra of prohibition that has defined global drug policies for over fifty years, meaning that the movement for drug policy liberalization is faced with the major challenge of effectively attempting to transpose the global norms around drug policies.

By this token, the prohibition versus legalization debate is often afflicted by reductionist arguments, an either-or solution to the problems of the illicit drug trade. However, a quick look into the larger debate sheds light on the complexities of the arguments; it is not as black and white as the media sometimes leads us to believe. The apparent convolution of the debate limits political support as the many unknowns behind such policy reforms create fear and confusion, leading many policy experts, academics and civil society actors alike questioning the viability, effectiveness and potential consequences of going down the liberalization route. There is no clear consensus on what the ultimate impacts of these policy reforms will be, nor is there consensus on how far these policies should go to achieve the desired impacts. What is understood, however, is that the debate is not just about transforming a policy about drug trade; it is about transforming a system which has existed for over 50 years and that is backed by powerful actors to keep it in place.

This point is further exhibited in the idea that for policy shifts toward liberalization to be effective, they must be cohesive across borders to avoid harmful repercussions for any one side of the supply and demand spectrum (Kleiman, 2011). Moreover, drug policy liberalization, including legalization, will have limited and mixed impacts on its own and for it to be most effective, it must be matched with complementary policies, such as widespread monitoring and regulation of the

market, investments in prevention policies, treatment and harm reduction programs, such as those adopted in the Netherlands and Portugal[28], as well as in poverty reduction, education and youth employment (Rosmarin & Eastwook, 2012, p. 14). Without such investments, Mexico, as well as the US, could see an increase in drug use and addiction rates, DTOs may turn to other criminal activities, including more aggressive competition for territorial control to compensate for the loss of profits from the sale of drugs, and without stringent regulation, the drug trade could simply be displaced, potentially harming other regions in the process. Despite these risks however, the potential benefits of liberalization are enough to drive the movement forward.

Among those who are leading the movement for liberalization in Mexico is MUCD, whose original mission and primary objective as an organization was not to promote the decriminalization or legalization of drugs in Mexico, but has come to incorporate such activities into its work over time[29]. In the process, the organization has become a national leader on the issue. MUCD was founded in 1997 by Josefina Ricaño, who lost her son to organized crime, in efforts to 'do something, anything' in the face of growing violence and crime in Mexico. The organization offers assistance to the victims of violence, raises awareness about their rights and the resources available to bring these crimes to justice, denounces the overwhelming rate of impunity in the country and promotes a 'culture of legality', defined as: "a shared belief that every person has the individual responsibility to support and strengthen the rule of law because it offers the best means to secure one's rights and achieve their goals" (MUCD, 2012). In other words, MUCD seeks to empower the citizen in the context of improving security in Mexico. For instance, in response to the increasing state of insecurity in Mexico, MUCD along with other CSO allies in Mexico organized the first

[28] For example, greater use of shelters, drop-in centres, supervised injection sites, syringe-exchange programs, etc. (Rosmarin & Eastwook, 2012, p. 30). Both countries have seen an overall decline in use, and in drug related deaths.
[29] When I first began researching the organization, "drug policies" was not listed as a primary activity despite the fact that it was a growing area of interest for MUCD – when looking at the website one year later, the activity has been added to their website demonstrating that it has gained increased importance in the organization's agenda.

Marcha del Silencio in 2004, bringing over 100,000 people to the streets of Mexico City (MUCD claims over a million people marched across the country) and gaining notable recognition (Cuevas, 2004; MUCD, 2012).

MUCD also favours the idea of legalization and regulation of marijuana and supports efforts to develop alternative drug policies in Mexico. In my interview with one MUCD employee it was explained to me that MUCD's principal objective is to bring the topic to the government table, to be debated, to make informed decisions, and to socialize the topic, explaining, at the time, that other organizations with more resources can help carry the debate through to policy changes (Anonymous, MUCD, 2012). This last point appears to have changed as the organization gained increasing recognition in their efforts to raise awareness and promote further dialogue on the matter. For example, in February 2012, MUCD organized a *Foro de Drogas: Un balance a un siglo de su prohibición* at Mexico City's Museum of Anthropology, the first forum of its kind in the country. The message was simple: "the policies are broken, and need to be changed" (Cuadros, 2012; author's translation).[30]In addition to the forum, MUCD's most recent report, *Terminando la Guerra Contra las Drogas: Cómo ganar el debate en América Latina*, co-written and co-published with the Transform Drug Policy Foundation (2013), demonstrates their commitment to the debate and their strong ties with organizations abroad that support the drug liberalization movement in Mexico. The report delves into the debate in great lengths and offers real policy options for the government – a guide towards drug liberalization, so to speak. A summary of the arguments are presented here:

[30] The Drug Forum attracted several key actors from Mexico, such as the MPJD's Javier Sicilia, academics, civil society actors as well as government representatives, and drug policy experts from around the world, including presenters from the US, Canada, the Netherlands, Portugal, Australia, Switzerland, Colombia and Brazil, some being countries that have adopted more progressive drug policies and can share their experiences with Mexican CSOs and policy-makers.

Table 2: Drug policy prohibitionist versus reformist perspectives (Transform Drug Policy Foundation & México Unido Contra la Delincuencia, 2013, p. 35; author's translation, emphasis added)

Prohibitionist Perspective	**Reformist Perspective**
Legal regulation assumes that multinational corporations motivated by profits will gain control of drug sales and will promote its consumption.	Legal regulation means that the State regains the possibility of determining who can sell drugs, where, when and to whom as well as prohibit advertisement and set market prices.
Prohibition protects health	Much of the harm to health associated with consumption of illegal drugs are caused or exacerbated by the illegality of these substances, not by the drugs themselves. The case of alcohol prohibition is, in this sense, paradigmatic.
Drug users renounce their human rights	The human rights of any person are indispensable and inalienable.
Any advances toward drug policy reform means to surrender to crime.	Regulation assumes the reclaiming of control of the drug markets that prohibition has pushed into the hands of criminals.
Prohibition sends a strong moral message: "drug consumption is incorrect and unacceptable"	Regulation is morally justifiable because it saves lives, protects the most vulnerable and avoids the injustices and social harms of prohibition.
The power of the UN system and the US means that reform is impossible.	**Reform is already taking place and Latin America is leading the movement.**
Drugs are dangerous and that is why they are illegal.	Drugs are dangerous. Because of this, they should be regulated by government and not left in the hands of criminals.

Along with MUCD, CUPIHD also supported the Drug Forum and is a leading voice for the drug liberalization movement in Mexico. In comparison with MUCD, which has integrated drug policy reform as part of its larger advocacy mandate and strategy for improving the security in Mexico, CUPIHD formed around drug policy advocacy as the core pillar of their work. In fact, on their website they explain that they are "devoted to investigation, education, action and diffusion oriented to transform drug culture and policies [based on principles of] harm reduction, multidisciplinary, integrated, evidence-based, scientific research and respectful focus for human rights" (CUPIHD, 2013a; author's translation). Composed of several academics and professionals

from a range of fields – sociology, addiction studies, psychology, political science, law, communications, economics, ethnology, medicine and filmmaking—CUPIHD brings a diversity of perspective and expertise to the drug policy debate that has allowed them to carry out extensive research, produce a number of reports and documentaries, maintain a dynamic public presence, liaise with policy experts, and consult with drug users and those who work with them. This means that their messages are informed from a broad range of disciplines, and that they reach a broad spectrum of audiences. In my interview with CUPIHD's president, Jorge Hernández Tinajero, and researcher, Carlos Zamudio Angles, Tinajero stated that "it is through our publications that we seek to change the social opinion, remove the stigma and create a healthier culture [around drug use]" (2012; author's translation). Clearly, research and information dissemination are key components of their strategy to raise awareness around drug use, treatment and related policies in Mexico.

CUPIHD is one of the few organizations in Mexico dedicated to deconstructing the stigma and social hurdles that surround people suffering from drug addiction, and their awareness-raising work around drug addiction (not a primary area of interest for MUCD) plays a significant role in a country where drug use and its multiple repercussions are relatively recent public policy issues. One of their strategies has been to frame the issues through a human rights discourse—an innovative approach as drug addiction has not commonly been understood through a human rights lens, in Mexico or elsewhere. By focusing on the basic needs of drug addicts, such as rights to health, housing and safety, CUPIHD has been able to draw the attention of both politicians and HROs to the issue. In doing so, they are also raising awareness about how drug use is inexorably tied to, and a symptom of, drug trafficking and organized crime, that combating drug use helps combat violence and drug trafficking, and that no drug policy reform can be successful until policies better address both the supply and demand side of the market. Nevertheless, in spite of the benefits of drug liberalization, Tinajero echoes the caution against confounding it with ending the drug war. He

argues that of course, if there is no one to feed the market, then it will not be as profitable; however, he adds: “the drug debate is confused, it is given the impression that regulating drugs will solve everything, but it will not solve the health problem, it will not solve the security problem, it will not solve the organized crime problem, it will not solve the delinquency problem” (Tinajero, 2012; author’s translation). It is not the cure for any of these ills, but it is a viable part of it.

In order to convince decision-makers of the need for policy reforms and to bring the movement to the next level, CUPIHD and MUCD have an added challenge of breaking down a cultural and social barrier. In comparison, the previous case study on the HROs benefited from the fact that the notion of, and legislation around, human rights is well established in Mexican society and increasingly enshrined in countries around the world, simplifying a first part of their work, which is to attain social acceptance of the issue at hand. CSOs participating in the drug liberalization movement are still working to surpass that first step, breaking that initial barrier and to achieve a certain level of popular support is necessary to ultimately achieve policy changes. On this matter, Tinajero argues that “Mexico is a country that does not have the same puritan hypocrisy as in the US. For example, [in Mexico] the debate over whether or not it is legitimate to adopt harm reduction policies do not exist… no one even asks that question. So, [CSOs like CUPIHD] have to take advantage” (2012; author’s translation). In other words, the debate for drug policy reforms is relatively new in Mexico, and these organizations have an opportunity to change the discourse and put a stop to a culture of stigmas and marginalization before it becomes too engrained in Mexican society. For CUPIHD, liberalizing drug policies can play an important role in deconstructing stigmas and fostering a culture of acceptance and harm reduction in Mexico. However, this can only be achieved through coordinated work among the CSOs, their transnational counterparts and political actors. Together, by gaining space in the public debates, CSOs like MUCD and CUPIHD,

alongside key decision makers, can chip away at bigger and bigger pieces of these social and political barriers.

Despite not having reached the same scale and level of formality as seen in the HRO case study, transnational networks have also been foundational in both MUCD and CUPIHD's work on drug policy reforms in Mexico thus far, and their assistance in gaining popular and political support is crucial for the future of the movement. As Tinajero explains during his interview (2012), it has been very important for them to learn about best practices and from the expertise of other countries, such as harm reduction programs, to inform their advocacy campaigns. These transnational networks provide Mexican CSOs with extensive resources, as well as important recognition, legitimacy and leverage in a debate fraught with political barriers and which traverses national borders. In fact, both organizations have worked closely with partners in the Netherlands, Portugal, Australia, and Canada, countries with more advanced drug decriminalization policies, as well as other Latin American countries, many of which share Mexico's grievances regarding the War on Drugs. International forums such as the 2012 Summit of the Americas, MUCD's Drug Forum and UN assemblies offer invaluable spaces for the advancement of their shared advocacy efforts (Jelsma 2011; see Section 2.2.3).Support from the international community has the potential to help these Mexican CSOs by pushing for policy change at home and by opening opportunities for agency in international forums and incrementally changing the dominant discourse.

While there are still important limitations to CSO agency around drug policy liberalization, organizations like MUCD and CUPIHD, through their research, publications, public outreach and advocacy efforts for policy reforms, have demonstrated undeniable leadership in Mexico and the world over. For both organizations, the results of their efforts thus far have been limited to non-policy achievements. Remembering Keck et al.'s scale of influence, I would argue that the movement has grown in the last few years from issue creation and agenda setting (1), as evidenced

by the growing level of popular support for drug policy liberalization as well as increasing media attention, publications and platforms for debate such as at MUCD's 2012 Drug Forum on the issue. As such, and since the Drug Forum, the movement is progressing toward effectively influencing the discursive position of states and international organizations (2), as demonstrated by the growing number of current and former politicians (e.g. Fox, Gaviria, Molina, etc.) adopting more open rhetoric, the shifting policies in countries around the world as well as the importance of the topic in high-level forums such as the 2012 Summit of the Americas[31]. Both organizations point to the elevation of the debate in and of itself as their most important achievement so far. The 2012 Drug Forum, the first of its kind and scale in the country, drew much needed international attention and legitimacy to the debate. The forum's participants were hailed by drug policy activists across the world for pushing the envelope and bringing the debate to the political agenda (Cuadros, 2012). The Drug Forum gave exposure to the issue, and by "officialising" the debate it opens space for those who have remained silent on the topic to speak up (Anonymous, MUCD, 2012; Tinajero, CUPIHD, 2012). These advances are increasingly opening opportunities for CSO advocacy to build on the movement's progress and forge stronger alliances with transnational actors and decision makers, thus improving its potential for greater impacts in the years to come.

In spite of their gradual progress in changing the discourse as evidenced by the growing prominence of the debates in the media and political and social arenas, Tinajero notes that to this day, debates on drug policy liberalization continue to be overshadowed by public security issues. As a result, little space is provided in these debates to include policy debates about health and human rights, and they ignore the fact that the former can help with the latter and vice versa (Ibid). Reflective of this exclusion, the Calderón government was very public in its political opposition to the debate, systematically refusing to entertain the idea and effectively silencing the movement

[31]See Annex C for a summary of the case study analysis.

(Kilmer, Caulkins, Bond, & Reuter, 2010; Campos, 2011). In comparison, while the PRI government has appeared more open to actually having an informed debate on the matter, Peña Nieto himself also opposes legalization, relegating the issue to the international arena (Cuadros, 2012; Guadarrama, 2013)[32]. As such, the drug liberalization movement is faced with the major challenges of advocating against a whole system of international political structure as well as an entrenched culture of prohibition and stigmatization. Not only is the movement attempting to bring major policy reforms to Mexico, it is attempting to challenge a culture of discrimination of drug users, cultural conceptions of drugs as "evil", and an international system of anti-drug policies, strongly backed by the US and the UN, that has fueled wars across the world. In this light, the drug liberalization debate, above all, encapsulates how profoundly international norms and US hegemony over international drug regulation has played a crucial role in shaping Mexico's own drug policies and limiting civil society agency in the process.

Furthermore, while Mexico could, and may, shift towards more liberal drug policies in the future, it relies in many ways on the US, including through the Mérida Initiative, to take simultaneous and cohesive action to see the maximum beneficial impacts they hope for. Ultimately, the US holds a dominant global influence on international drug policies and a unique ability to shape the outcome of Mexico's response to the drug war, reinforced by international agreements and norms that formalize the primacy of prohibition policies. That is not to say that reforms cannot take place in Mexico without the support of the US, but these power relations are undeniably important factors for this particular movement. Such factors shift the focus of advocacy efforts from the national to transnational sphere and shed light on the long-term value of coordination and

[32] For example, the PRI government has proposed drug tribunals, where delinquents under the influence of drugs could be "sentenced" to a treatment facility as another means of reducing crime, unclogging the prison system and improving the health and wellbeing of drug users (Cuadros, 2012). CUPIHD, however, highlights a number of risks related to these drug tribunals, noting that they are costly, that they risk being taken advantage of by offenders who may 'blame' their criminal acts on drug use and thus receive less severe punishment for their crimes, and that it propagates the notion that treatment is a benefit rather than a right (2013c).

coherence within the movement, as well as on the importance of strengthening ties with transnational partners and decision makers to demonstrate solidarity, and ultimately shift the debate and reform drug policies both in Mexico and in the US (and ultimately globally).

Neither the Mexican nor the US government has yet to establish a clear willingness to consider adopting drug liberalization policies despite both having engaged in rhetoric illustrative of more openness on the matter. For instance, the US has seen important changes with several states decriminalizing the use of drugs, two states legalizing recreational marijuana, and the recent end of minimum mandatory sentences for drug users; still, prohibition endures. Similarly, neither country has laid a clear path as to how best approach the issue in a systematic way. While it is often presented to us through an 'either prohibition, or legalization' lens, the complexity of the drug liberalization question and the multiplicity of complementary policies that are required for its successful application leave us with more questions than answers. Yet in spite the ongoing opposition (or hesitation) to further drug liberalization in North America, the possibility of policy reform is gaining momentum both in political and popular debates, and even more so outside of Mexico. As stated, even the UNODC and high-level officials have recognized the "unintended consequences" of global drug prohibition and acknowledged that policies need to be debated. In fact, recent leaked UN papers reveal a deeper division over the US-led War on Drugs:

> The current review, taking place in Vienna at the UN Commission on Narcotic Drugs, comes after South American countries threw down the gauntlet to the US at this year's Organisation of American States summit meeting, when they argued that alternatives to prohibition must be considered. Countries such as Colombia, Guatemala and Mexico have become increasingly critical of the UN's prohibition stance, claiming that maintaining the status quo plays into the hands of the cartels and paramilitary groups (Doward, 2013).

While still limited, this division within the UN highlights the impacts of collective transnational advocacy and offers an immense opening to further the debate on policy alternatives, and thus an opportunity to renegotiate dominant norms in the global drug policy arena.

In fact, in both interviews, there was a sense of hope, a sense that the movement is too strong now to go away. As Tinajero notes, the environment is changing, the language is changing, the discourse is changing and there is more space and openness to discuss policy shifts now than ever before (2012). This shift, according to CUPIHD (2013b), is here to stay:

> [There is] a public environment in Mexico, which until very recently only recognized moral judgment as the ultimate – and only – unappealable norm to address the problem in a single possible equation: drugs are inevitably equal to addiction, violence or crime, and therefore there can be no other option for them than intolerance.
>
> Now, however, we say that the debate is inexorably installed in our society because public language is beginning to change slowly, but perceptibly. Concepts such as risk and harm reduction, treatment, medicinal use, user control, autonomy, responsibility, self-cultivation, make it increasingly more discriminatory and anachronistic others such as a drug addict, destruction, prohibition, etc.

The growing strength and spread of the drug policy liberalization movement exemplifies the transformative potential of CSO agency, despite strong opposition from the US and international organizations. The movement, through transnational alliances and awareness-raising, is in the process of shifting the debate. There are cracks in the system, and CSOs have the growing potential to break through the barriers, challenge the hegemonic norms of prohibition, and bring drug liberalization to the forefront of the political agenda.[33]

3.3 El Movimiento por la Paz con Justicia y Dignidad

> We have no power, we are not governments, we are not oak, we are not elephant, we are canes, ants, the poorest of the poor, victims, collateral casualties, widows, orphans, those who do not have a name because we lost our children, the despised that we have come to bridge, stairs we come to unite in grief and love, from the north to the south, east and west, because our heart, which knows and carries in its flesh, in its skin, in its soul, the pain of the country, beating left, right, down, up, in the center, in all men, women, organizations, and people around the country who are the peace, the justice and the dignity of the nation.(MPJD newsletter, September 19, 2011; author's translation)

In May 2011, thousands of Mexicans gathered on Avenida Reforma in Mexico City with signs that read "*¡No más sangre!*" and shouting "*¡Ya Basta! ¡Estamos hasta la madre!*". Soon after,

[33] Again, a further theoretical analysis of this case study will follow in my concluding chapter.

hundreds of Mexicans drove a caravan across the country, from Cuernavaca to Ciudad Juárez, stopping at dozens of towns along the way to deliver speeches and lead protests in the streets, calling on the government to put an end to the growing rates of violence and to pay attention to the thousands of victims left behind by the War on Drugs. The *Movimiento por la Paz con Justicia y Dignidad* (MPJD), led by poet and activist Javier Sicilia, cannot be ignored: they have been present at hundreds of political rallies and events, have appeared in the news on a near daily basis, and have spoken out against and protested over social injustices, drawing on the sentiments of grief, frustration and belittlement that afflicts the countless victims of the drug war, those affected directly and indirectly by the violence, murders and disappearances sparked by intensified DTO confrontations and increased state of militarization. Popular support for the MPJD has spread beyond borders, with supporters emerging in cities around the world. It is in part because of this support that the movement has successfully influenced Mexican legislation through the long-fought battle for the approval of the *Ley General de Victimas* (ratified in January 2013). The movement has played a defining role in CSO engagement around the drug war.

What distinguishes the MPJD from many other CSOs working on matters of drug policy reforms is that the MPJD is born out of the very real anger and pain caused by the violence that has afflicted so many Mexicans, and a promise by Sicilia to dedicate his life to bringing peace to Mexico and honour his son, Juan Francisco, who was captured and killed along with six other people by drug cartels on March 28, 2011. Such a movement reaches beyond political opinions and ideology; it comes from a profound personal and emotional connection to a cause that cannot be simulated. That is not to say that other CSOs are not personally tied to the cause, or that the MPJD is bare of a political agenda; in fact, the movement has effectively capitalized on the rhetoric of victimization and grief, drawing from an emotional well and converting the emotional to the political, but that has not deterred it from gaining substantial public support. The MPJD's

members', and particularly Sicilia's, closeness to the cause, and his poetic words are fundamental to the movement's existence. It is largely through this personal connection and charismatic leadership that the MPJD has successfully captured the hearts and minds of its supporters.

At its core, the MPJD opposes the ongoing violence that afflicts Mexico with impunity, advocating for the practice of nonviolence or *lucha no violenta*. Beyond that, it opposes the militaristic and prohibitive policies adopted by the Calderón government, and more broadly, it advocates for important socio-economic policy reforms such as greater investments in education and youth engagement (Jensen, 2011). The following is a more detailed list of the specific demands Sicilia presented to the Calderón government on October 14, 2011, at the early stages of the MPJD's emergence (Ibid):

1. A sharp and clear separation of all political parties from organized crime. This means that they should not accept a single peso from drug, crime or other unlawful activities; they must not accept a single candidate who has ties to organized crime; they should report any threat or extortion that threatens the election process.
2. The roadmap for the demilitarization of the country, strengthening civil institutions, and ensuring security and respect for citizens' human rights. No more deaths or missing people.
3. Justice that we owe to our deceased and the emergence of those missing from this war. Regardless of the dialogue, it is the duty of the State to ensure access to justice, so that attention to individual and collective cases prevails to maintain service areas already established.
4. A national agreement on long-term investment in education and employment to ensure the youth of Mexico have several educational options as well as the rescue of higher risk regions where organized crime has harboured armies.
5. The restoration of social fabric through respect for regional differences and the recognition of indigenous autonomies with all the rights that it entails.
6. The restoration of the roads in Mexico to return to the safe and free movement of citizens within the territories of the nation.

The demands of the movement are broad yet speak to the main issues of the militarized response to the drug war, with the general idea that institutional reforms, particularly in the judicial sector, and more socio-economic investments need to be made to reach out to the victims and to prevent the worsening impact of this violent conflict on Mexican society. Throughout their public demonstrations, the MPJD has promoted its philosophy of non-violence, encouraging civic action

and mass public pressure on the government to stop the war and bring justice to victims of narco-violence.

As explained by Pietro Ameglio, a close friend to Sicilia and key player in the MPJD, the movement condemns the "appalling silence" that has plagued the country, pointing to society as a whole, but more specifically to certain institutions like the Catholic Church and universities, for not speaking out on this issue, as well as at the role of media in normalizing such violence and terror (Ameglio, 2012). This is reflective of the disparate opinions that still exist in the country and within different sectors of society regarding drug war policies; for instance, the Catholic Church has spoken out openly both against and for the War on Drugs. Robert Ai Camp (2010) elaborates on this issue, explaining that an increasing number of bishops have found themselves and their parishioners as victims of drug related crimes; but that the Catholic Church has also benefited significantly, financially and otherwise, through the infiltration of organized crime in their institutions (Ibid; Cave, 2011). As such, church members are either strongly for or against the government's current policies. Some promote prohibition as they see drug use, and thus its legalization, as grave sins. Conversely, many bishops oppose the War on Drugs, arguing that it perpetuates issues of human rights violation and impunity. Due to the high proportion of Catholic Mexicans, the Church can significantly influence public perception and opinions on the drug war and thus it can have significant empowering or restraining impacts on CSO agency (Ai Camp, 2010, p. 291). The point Ameglio focuses on, however, is the essential belief that changes to Mexico's drug-torn landscape will come from Mexicans, not from government, the church, academia or from outside institutions. This effectively defines the very nature of the movement which encourages acts of civil disobedience and popular action to promote the cause: "the actions of non-violence, or civil and pacific resistance… we have to do it ourselves, from the top, reclaiming the '*¡estamos hasta la*

madre!' that Sicilia delivered to us and the families of the victims" (Ameglio, 2012; author's translation).

As the MPJD's agenda evolved, so did their strategy and desire to affect change at the legislative and political levels. Their strategy has indeed been multifaceted, starting from mostly popular engagement through marches and protests, and shifting towards more political activism. For instance, the MJPD gained a lot of recognition and attention when in 2011 they led caravans of fourteen buses across the country, from Cuernavaca to Ciudad Juárez. These caravans helped spread their message country-wide and most importantly outside of Mexico City, gathering support from victims of drug-related violence in some of the worst-affected communities, transforming them from victims to agents of change (Naveau & Pleyers, 2012). In fact, the caravans were so successful in drawing attention to the MPJD's cause that they served as a catalyst for redefining its strategy as a more organized movement:

> […] thus began the final step in the Movement's objectives – in addition to advocating for an end to the war model and to achieve justice – moving from social activism to becoming a more organized movement of national status, shaped by local and regional groups, alongside indigenous populations, where all voices are heard, and strategic and organizational decisions are reached horizontally and collectively (Ameglio, 2012; author's translation).

The caravans consequently helped the MPJD achieve national and international recognition.

Alongside the growing international media coverage on the drug war and the rising death toll, a number of protests and solidarity movements began to emerge worldwide. Soon groups of MPJD supporters were seen protesting in the streets of London, Los Angeles, Madrid, Paris, Berlin and Tokyo and a network of "MPJD chapters" became connected, further strengthening the position of the movement in Mexico (Linares Ortiz, 2012, p. 8). It is through such national and international popular support and this network of solidarity that the MPJD came to replicate its caravan north of the Rio Grande. In August 2012, the MPJD drove across the US with over 100 people, half of whom were direct victims of the drug war, again stopping in towns along the way to deliver

speeches, meet with key decision makers and politicians in the hopes, this time, to raise awareness about their cause in the US as well as influence US drug policies, which are inexorably tied to Mexico's own. Throughout the trek, the MPJD (2012) argued that the current prohibitionist drug policies that dominate the War on Drugs discourse are ineffective, and that arms trafficking, money laundering, organized crime, and the intimidation and abuse of immigrants by drug cartels are more urgent problems to address, calling on both governments to rethink their strategies.

The impacts of the caravans were stronger than anticipated and as Ameglio describes, it was a defining movement for the MJPD:

> Thus was activated one of the main weapons of nonviolent struggle: Mexican moral reserve came out massively to the streets, began a brief process of deterrorization that allowed it to unite above ideological and class ceilings, and build large demonstrations around a certain common theme: to stop the war; that the missing reappear; to achieve justice and truth, to change the public safety model of armed militarization toward one of human security for citizens and communities; to attack the real causes of this war and its catastrophic economic model for each and everyone, especially for youth, women and children, and finally promote political reform that ensures a stronger civil society in those areas of decision (2012; author's translation).

The MPJD's growing popular support certainly helped elevate their status, recognition and legitimacy in the eyes of many Mexicans, and in doing so, helped them reach key decision makers in the Mexican Congress and Senate. By strengthening ties with allies in the two chambers, the MPJD achieved their first important legislative success: after months of advocacy, the *Ley General de Victimas* was officially approved in April 2012, the first law to establish a national strategy to assist victims of the drug war. Were this law to be adequately implemented and enforced, it would offer assistance and methods to ensure attention to the victims of drug related violence, providing them with access to justice, guaranteeing their right to truth and reparation of damage, which includes means for restitution, rehabilitation, compensation, and protection for the victims and their families. The law also leads to the creation of a National Registry of Victims, a National System for Assistance to Victims, the State Executive Commission for Care and Reparation for Victims as an

independent agency of the state government, as well as an Economic Fund for Help, Assistance and Reparation of Damage for Victims (Ibid; Azaola 2012). In this new law, victims are defined as:

> [Direct victims are] those who have suffered direct damage or economic loss, physical, mental, emotional, or generally any danger or injury to their legal rights as result of the commission of a crime or violation their human rights. […] [Indirect victims are] family members of direct victims, or an individual with immediate relevance to a direct victim, or any person who in some way suffered harm or felt threatened in their sphere of rights to assist a victim (Azaola, 2012; author's translation).

The success of the law's approval is very important and illustrative of the powers of social activism and unified action. Much like the HRO case study, it also serves to demonstrates that the MPJD's multifaceted strategy of fostering popular support, liaising with key decision makers and coordinating efforts with allied academics and political actors, nationally and internationally, granted them this first major achievement.

Passing the law, however, is only part of the story: unlike the HRO case study, once the *Ley General de Victimas* was approved, its application remained "paralyzed" by the Calderón government until the end of his mandate. For Sicilia, the Calderón government's inability or unwillingness to ratify the law not only exemplified, but also deepened, the divides among Mexican political representatives regarding security policies in Mexico (Miranda, 2013). Support within the government chambers is noteworthy, but such inaction only intensifies frustrations between civil society and government officials. Upon departing on his US caravan, Sicilia gave a speech in Los Angeles reflecting on the continued obstruction of the legislature:

> Because there will never be peace without justice, we will maintain absolute vigilance in the actual implementation of the General Law of Victims across the country. We call from here to those legislators who, on behalf of their interests, which do not reflect the reality of the country and that of the victims, are still obstructing the Victim's Act, to fulfill their fundamental vocation is to serve with good laws in the nation. This Victim's Act […] is now ready. The only motivations we see for blocking the Act are those of bad faith, meanness, contempt, ignorance and solidarity with the crime (MPJD, 2012; author's translation).

Sicilia openly criticized the Calderón government for blocking the law and for not doing enough to find missing people or properly bring to justice those responsible for the atrocities of the drug war.

The law was finally ratified by Peña Nieto in January 2013 and amendments were approved in May 2013 by Congress. The approval demonstrates the MPJD's persistence, commitment to the cause and perhaps most importantly, its ability to reach decision makers in opposing political parties and to ensure that the limited progress they had achieved under the PAN government was not lost under the new Peña Nieto presidency, but strengthened. However, without seeking to undermine the advocacy efforts of the MPJD, it is important to acknowledge that the approval of the law also came about due to the timely opportunities offered by the 2012 political elections and a change in presidency. Arguably, the swiftness of Peña Nieto's departure from Calderón's stance cannot be overlooked, and his quick ratification of the law can be inferred as a shrewd political move by the new president to distinguish himself from his predecessor and appease popular criticisms that he would simply offer 'more of the same' (Santaeulalia, 2013).

Still, the movement's efforts have been well recognized and appreciated by the civil society and academic communities in Mexico. Professor Arturo Alvarado from the *Colegio de México* (COLMEX), for example, notes that the fact that the movement had succeeded in establishing a dialogue with the federal government, and with the president especially, was already quite remarkable for a social movement in the Mexican context. Furthermore, the positive support for the MPJD within Congress and the Senate is an example of its important impact in the country's political sphere (Alvarado, COLMEX, 2012; author's translation). This feeling was echoed in many of my other interviews; for instance, when asked about the movement, Marien Rivera of the *Centro de Investigación para el Desarrollo* (CIDAC) noted that prior to the MPJD's existence, there was no recognition for the victims of the drug war in Mexico, and there was no public interest on the matter. As such, she added, when the first march for peace took place, it was the first time that a national uprising occurred in the name of the victims, and that, she explains, is fundamental: "how can we fight against insecurity when we do not know who the victim is?" (Rivera, CIDAC, 2012;

author's translation). Rivera goes on to note that with the MPJD, the government came to allocate more space and importance to civil society in discussions about the drug war, which has been encouraging for civil society across the country. This acknowledgement from other CSOs in Mexico is significant for the MPJD as it legitimizes the movement in the eyes of other key actors who have been working on similar fronts and for the same greater cause:

> In Mexico, violence led to a loss of trust in one another, in the institutions… And with the MPJD, civil society is beginning to defend the social fabric. It is difficult to maintain, but it's one of the movement's strengths, it offers a venue for Mexicans to express their anger and the pain they suffered, which has liberated the system and helped [Mexico] recognize the damage that the violence had brought upon [the country]'s social capital, recognising that it is necessary to rebuild it (Rivera, 2012; author's translation).

Linkages within the broader CSO community in Mexico are important, and many individuals among these organizations and academics have been working closely with the MPJD or with some of its members. This level of sector-wide cooperation is rare in Mexico and needs to be highlighted. Therefore, while not as formal as the HRO case study example, this cooperation, including linkages with transnational actors, played a vital role in the movement's agency and success. This influence is evident not only in achieving its goal of getting the *Ley General de Victimas* approved, but also in contributing to strengthening Mexican civil society more broadly in the process by bringing the issues around the victimization of Mexican society to the agenda, including the erosion of the Mexican social fabric and the need to rebuild it through local, national and transnational networks of solidarity and cooperation.

Similarly, political alliances also contributed to the movement's advancements, but in contrast to the HRO example, the MPJD did not have decades of history to rely on. In fact, this is a movement that appeared suddenly and in strong opposition to government policies, so the MPJD's success in forging the necessary linkages with decision makers is not an accomplishment to be overlooked. Furthermore, according to sociologist, Luís Astorga (UNAM), the MPJD has been

successful at not aligning themselves too closely with one particular political party or another, but in liaising with all the major parties and creating linkages with decision makers in different areas of influence (Astorga, 2012; Maihold, 2012). For instance, despite his Marxist scholarly training and left-leaning political tendencies, Sicilia has made an active effort to not be seen as aligned too strongly with the leftist political group, the PRD (Maihold, 2012, p. 196). This is not the case for most CSOs in Mexico which tend to either be aligned with one particular party or disconnected from political parties all together (Chabat, 2012). This tendency to avoid specific political allegiances in part explains the MPJD's ability to work with all political parties, including the Calderón government, and to transition the movement's cause successfully under the PRI presidency. However, the MPJD's relationship with the government was not always like that; for instance, when the movement first emerged, Sicilia was very openly critical of all presidential candidates and politicians more broadly. As this letter written by Sicilia vividly demonstrates, he appeared to project them as the greatest barriers to, rather than venue for, policy change:

> We are up to our neck with you, politicians – and when I say politicians I do not mean anyone in particular, but a good part of you, including those who make up the parties, because your power struggles have torn the fabric of the nation, because in the midst of this ill-conceived, poorly waged, poorly directed war, in this war that has put the country in a state of emergency, you have been unable, on account of your pettiness…and your struggle for power – to create the consensus that the nation needs to find unity without which this country will not exit – we are up to our necks, because the corruption of judicial institutions generates complicity with crime and impunity (Javier Sicilia Open letter to politicians, 2011, December, cited in Linares Ortiz, 2012, p. 5; author's translation).

This simultaneous 'hot and cold relationship' with the government has had ambivalent results, on the one hand achieving open and profound dialogue with the government and the approval of the *Ley General de Víctimas*, but on the other hand risking a certain level of co-optation and public resentment (Maihold, 2012, p. 196). This perplexing relationship with the government is most evident in the way the MPJD fluidly maintained its relationship with the government over and after the election process in 2012. Despite being vocally opposed to many PRI initiatives and past

instances of human rights abuses, such as the Atenco example, stating that the drug war has worsened under his rule and claiming that over 8,000 people died due to drug-related violence in the first six months of Peña Nieto's term (MPJD, 2013), the MPJD has maintained a dialogue with the party and with Peña Nieto directly, and continues to work with the government to advance its agenda. The challenge, however, is to not be seen as too closely tied to the government and to retain its non-partisan image and social movement status. The MPJD's strategic alliances with decision makers demonstrates the potential benefits of civil society agency noted in theories of political opportunity: building linkages with political leaders and achieving such recognition from the government has been a major accomplishment for the MPJD and undeniably a first step in opening the dialogue, informing the discussion and eventually affecting legislative change in the country (Giugni, 2004). In contrast, such political alliances also threaten the movement's legitimacy in the eyes of its supporters and risks turning an issue as important as state security and human rights protection into a partisan divide.

Despite the movement's success, Sicilia himself argues that the *Ley General de Víctimas* is only part of the solution, and is insufficient as it only addresses the issues arising from the violence, not the causes of violence. On this matter, Sicilia notes that since Peña Nieto's entry into office, there have been many declarations and announcements for programs and detentions of drug king-pins that have garnered a lot of media attention, but have little to do with Mexico's real problems – the perpetuation of violence, the underlying conditions of the drug war, and the protection of Mexican society, adding that next to nothing has been done to help the families of the dead and disappeared (Ibid). For instance, in an op-ed reflection on Peña Nieto's policy decisions so far, Sicilia writes (2014):

> One of the grave problems to escaping this crisis that we are living is the immense distance between the political class and the country's reality. Enrique Peña Nieto's government, state government and political parties not only deny the national emergency and tragedy that

> Mexico is suffering, but they are bent on believing that [Mexicans] are doing well and that they have control of the nation. The reality that Mexicans confront is, however, different […] This divorce between what Mexicans are living – assassinations, disappearances, extortions, kidnappings, misery and impunity – and what the political class is living and doing – triumphalist speeches, minimization of the horror, structural reforms made out of thin air […] – show the failures of it.

Despite Peña Nieto's apparent support of the MPJD, the movement and other CSOs across Mexico are concerned that the law will continue to face challenges in its application, particularly at the state-level implementation, where there is a lack of coordination and coherence, and especially in its enforcement. Sicilia points to the lack of funding as a sign that the government is not fully committed to the success of this initiative. For example, a special unit created for the purpose of searching for missing people only has twelve members at the federal level and 36 members of the federal police managing over 26,000 cases across Mexico. To make matters worse, according to the Human Rights Commission of Mexico (CMDH), of these 26,000 cases, over 2,000 disappearances occurred with complicit participation of public servants (Langner, 2013).[34] In this light, the real success of the law will once again only be proven when its application and enforcement can be ensured, guaranteeing the support for the victims and a structural shift in the government's treatment of victims of drug war violence and human rights abuses.

Therefore, I would argue that the MPJD falls between level 1 (agenda setting) and 3 (influence on institutional procedures) on Keck et al.'s scale: the very existence of the debate is an important success for the MPJD, but Sicilia also recognizes the movement's limitations (Azaola, 2012, p. 165)[35]. Not unrelated to the above argument is the fact that MPJD needs to institutionalize the movement. According to Sicilia, these limitations have much to do with the nature of the movement—a movement for peace, justice and dignity—its aspirations are broad and many actors see themselves in this movement which capitalizes on the general discontent of Mexican society.

[34] Arguably, while never officially stated, the risk of publicly revealing such rates of state complicity in human rights violations may shed light on Calderón's stark opposition to this initiative.
[35] See Annex C for a summary of the case study analysis.

The MPJD both benefits and suffers from the multiple voices that make up its identity as well as the different priorities that affect different regions of Mexico. Moreover, the movement wishes to remain very flexible and open, with a more horizontal form of coordination but yet maintain a system of organization and direction, which leads to some internal tension about how it should develop going forward and how decisions are made. Furthermore, Sicilia explains that the MPJD requires more funds to achieve its goals, explaining that the MPJD is a “poor movement” with “poor logistical capacities” but that the movement does not accept government funds or request public donations, leaving them with limited financial means. Sicilia adds that the MPJD struggles with incorporating or addressing the challenges of different countries in Latin America which is a problem, in his perspective, because the drug war is not contained within Mexico, and the movement could and should be able to learn from others’ experiences as well as share their own expertise and practices (Interview with Javier Sicilia cited in: Azaola, 2012, p. 165). Finally, as Sicilia notes (Ibid), the MPJD has not reached its ultimate goal of preventing people from being killed or kidnapped, demonstrating that success for the movement, as also demonstrated by the two previous case studies, is not just about getting a law approved or a topic publicly debated, but about changing a system. While the approval of the law is an important step forward, success for the movement will only be fully realized when the government can ensure the application of the law and adequately reduce the victimization of Mexican society.

It is clear that the MPJD has been able to establish itself as a leader in advocacy for victim’s rights and has challenged the discourse around the involvement of the military in fighting the cartels as well as the importance of socio-economic policies for reducing violence in Mexico. The MPJD has also succeeded in getting its *Ley General de Victimas* approved, demonstrating how social agency and political opportunities converged favourably for the advancement of their advocacy efforts. Despite this success, however, it has yet to translate in a broader shift in state behaviour

until it is evident that the law will be properly applied and enforced. The government has not yet systematically shifted toward a lesser involvement of military forces nor has there been a significant shift toward investing in socio-economic or drug liberalization policies, and institutional reforms remain limited, demonstrating that there is still a long road ahead for the MPJD's advocacy efforts. Moreover, as evidenced by Sicilia's own reflections, while the MPJD undoubtedly had important impacts on Mexican society and legislature, it continues to face organizational and identity challenges as it seeks to further its agenda and broaden its influence. As a result, we are left with questions around the sustainability of the movement and potential for its future advocacy advancements in Mexico, questions that will be further analysed in the following chapter.

CHAPTER 4: ANALYSIS AND CONCLUSIONS

When I first went to Mexico in 2008, drug-related violence was still mostly restricted to the notorious cities of Tijuana and Ciudad Juárez, but as I learned, that was quickly changing. Within a month of arriving in Manzanillo, Colima, the Morelia grenade bombing made headlines, marking one of the first incidences of narcoterrorism and a first massive attack against innocent civilians in the country. The event was a tipping point for Mexico, and that year, the number of homicides more than doubled from the 2007 figures[36]. In the four months I spent there, I heard many stories of drug-related violence creeping into the small, quiet state of Colima. Hearing these stories and talking with friends about their fears inspired the theme of my thesis; more specifically, it inspired me to look deeper at how Mexicans have managed to funnel these emotions into actions and to organize themselves, either on an individual level or through more formal platforms, and become agents of change in their country. While this thesis only showcases a small sample of CSOs and SMs engaged

[36] From 2,826 DTO-related killings in 2007 to 6,837 killings in 2008 according to Government of Mexico figures (Molzahn, Frerreira, & Shirk, 2013, p. 9)

in advocacy efforts around the drug war, it does shed light on an important wave of bottom-up efforts aimed at achieving the ultimate goal of a more peaceful Mexico. My conclusions cannot be extrapolated across the entirety of Mexican civil society, but it does draw attention to some actors who are bringing about positive legislative and discursive changes in Mexico and are becoming leaders in drug and security-related policy advocacy. This in itself represents great progress in Mexico's democratization and a shift in political space and opportunity for Mexican civil society advocacy more broadly.

As this thesis demonstrates, CSOs and SMs advocating for drug and security-related policy reforms in Mexico are confronted with a number of international, national and local factors that profoundly shape Mexico's current response to the drug war. However, decisions over Mexican drug policies and how to best combat DTOs continue to be strongly shaped by a global structure of norms, treaties and power dynamics already established within the international community through international drug treaties enforced by international organizations such as the UNODC and INCB, as well as through US hegemony. With this in mind, I sought to understand the potential for civil society agency in challenging these norms and affecting policy changes in Mexico. More specifically, in writing this thesis I asked: In light of the dominant forces that shape global drug policies and behaviours, such as the US-led War on Drugs, what challenges do Mexican CSOs and SMs face, and what opportunities are available to them, in confronting these forces and implementing their strategies for alternative policies and discourse regarding the drug war? How do Mexican CSOs' and SMs' advocacy strategies and resources shape their ability to influence relevant public policies in Mexico in the face of the dominant norms and actors? To answer these questions, my thesis delved into CIPE theory, critical civil society and social movement theory and concepts of political opportunity structures, and looked at how the context of Mexico's *apertura*

democrática and the development of the drug war within Mexico both limit and offer opportunities for social movements and their advocacy potential.

As documented throughout this research, the challenges for Mexican CSO and SM advocacy efforts in the context of the Mexican drug war are indeed numerous, ranging from the international to the local. Recalling Cox's concept of world hegemony as "expressed in universal norms, institutions and mechanisms" (Cox & Sinclair, 1996, p. 137), we understand how the international drug policy system, upheld through UN agencies and backed heavily by the US, have come to dominate international drug policies in favour of prohibition, and counter-narcotics responses in favour of incarceration and militarization. The War on Drugs has proven to be unsuccessful in curbing drug trafficking and consumption; and as a result, there is growing acknowledgement, especially from Latin America, that these policies have not only failed in their purpose but actually harmed a number of countries, leading to large areas of regional instability, violence, environmental damage and human rights violation. In spite of growing opposition to international drug-regulation treaties, they have successfully managed to delineate drug policy discourse, effectively establishing prohibition as the norm and militarization as the solution, thus defining national drug policies worldwide and limiting the ability of national governments and civil society to challenge the status quo. Sanctions and a history of direct intervention to further enforce these policies, namely from the US, have ensured their endurance.

However, recognizing how the international system has shaped Mexico's drug policies is important, but insufficient. To also understand the ability of CSOs and SMs to challenge and transform these, it is helpful to revisit this concept of hegemony, and CIPE theory's interpretation that hegemony is not static; rather, it is in constant state of "construction and contestation" (Morton, 2003, p. 649). As Gramsci wrote: "the 'normal' exercise of hegemony […] is characterised by a combination of force and consent which balance each other so that force does not overwhelm

consent but rather appears to be backed by the consent of the majority, expressed by the so-called organs of public opinion" (quoted in Ibid, p. 635). In this sense, perhaps we are witnessing a loss of equilibrium in the relationship of force and consent whereby hegemony around international drug policy is in the process of being renegotiated with growing pressures from actors across the international community. These actors include States, CSOs and SMs who advocate for policy reforms and a shift in discourse which brings human rights and the underlying causes of violence to the forefront of the debate. This is perhaps most evident in the drug liberalization movement: growing advocacy from Latin American leaders and recognition within both the US government and the UNODC that the current policies are flawed and need to be revamped are indicative of a transnational shift in discourse and a threat to the hegemonic norms of prohibition.

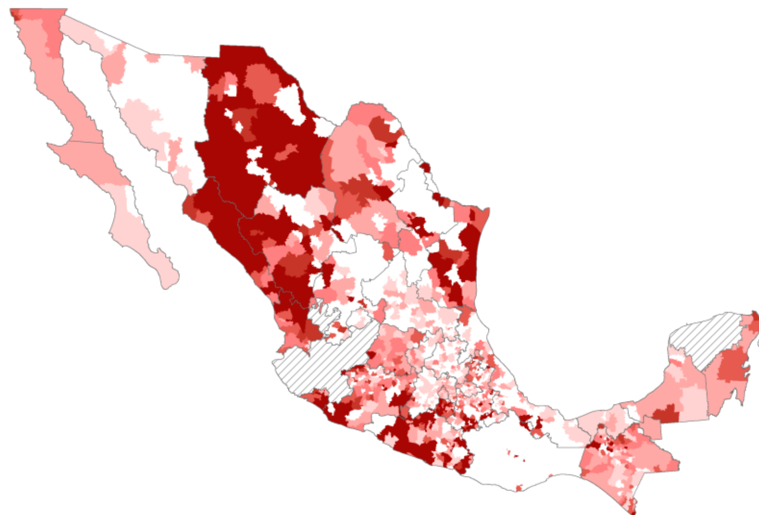
Yet despite such hints of changes within the international community, US dominance as the author of the War on Drugs still presents major challenges to counter-hegemonic efforts in drug policy reforms—particularly in Mexico. Merceille captures this argument by stating that "Washington has for decades prioritised the expansion of its hegemony in Latin America—a task which has often involved military force to keep opposition groups under control—over fighting corruption or defending human rights" (2011, p. 1644). Given the strong historical ties of the US to the development of international drug policies and dominant prohibition ideology, they have an immediate influence on Mexican drug policies through direct support of the government and military intervention via the Mérida Initiative. They also have an indirect influence through their own drug policies and the decisions they take regarding drug liberalization, preventative and treatment programs for drug users, and investments in raising awareness of policy alternatives within the US. Any changes in these spheres of influence could ultimately affect sources of income, trafficking routes (both for drugs and arms), and many other aspects of the drug trade in Mexico—underlining the need to address both the supply and demand side of the issue. Through the Mérida

Initiative and by the unique power that arises from being the prime consumer of drugs that are trafficked through Mexico as well as the main supplier of arms and intelligence technology—whether licit or illicit—to their southern neighbour, the US continues to define drug policy discourse and reinforce the virtues of prohibition and militarized intervention south of the border. This apparent power is also exerted on other Latin American countries, especially Colombia, where the US has been heavily invested in counter-narcotics efforts. Furthermore, its international clout also draws support from allies to ensure that the balance between hegemony and consent is sustained. By this token, we may interpret recent US concessions and softening of the anti-drug rhetoric as a means of appeasing reformist movements and maintaining cautious rates of consent by engaging in slight compromises. Furthermore, staunch bipartisan divide within US politics also means that any progress achieved thus far under the Obama administration could be effectively halted, even reversed, with a change in government toward the political right (Caulkins, Coulson, Farber & Vesely, 2012), thereby reinforcing the dominance of prohibition and militarization.

In addition, there are a number of challenges within Mexico that create barriers to CSO and SM advocacy as well, not least the State itself. Government actors and institutions engage in the very policies, behaviours and discourse as prescribed by hegemonic and cultural norms through the promulgation of prohibition, neoliberal policies and state militarization. Peña Nieto has shown little deviation from his predecessors on this front. Furthermore, DTOs and actors within the 'covert world' (Cox, 1999, p. 13) also contribute to a loss of state stability and increased criminality, and they present another powerful force challenging advocacy efforts. The very nature of the drug war, including the presence of powerful DTOs that exert control over large areas of the country, high rates of violence and human rights violations, a culture of impunity and corruption, and compromised institutions all make it more difficult and riskier for CSOs and SMs to achieve their goals. On the one hand, the battle for power between state and criminal actors has led to the very

policies that CSOs and SMs advocate against, further reinforcing dominant norms and inhibiting their broader efforts, as is particularly the case for HROs. On the other hand, this battle also sheds light on state weaknesses and flaws in its response to the drug trade, opening space for criticism and potential for advocacy. The challenge rests in ensuring that both the space opened and those advocating for alternatives can withstand the paradoxically convergent pressures of the hegemonic forces as well as those of the covert world.

Figure 3: Map of drug-related violence in Mexico from January to September 2012. The darker red zones represent homicide rates of more than 26 deaths per 100,000 habitants (Source: Molzahn, Rodriguez Ferreira & Shirk, 2013, p. 22).



Finally, there are challenges within the civil society community itself as it tries to find its space in Mexico and define its relationship within society and with the government. At the very root of social movement theory is the notion that a movement forms when there is opposition between a group of people and the elite, and that this movement arises *when an opportunity exists where it did not before* (Tarrow, 1994, p. 1, emphasis added). Given the growing critique of Mexico's drug war policies, and building on their long-fought battle for democratisation and political space, Mexican civil society is offered a greater opportunity to affect change than was previously available to them. However, limited resources and multiple, often unfocused and contradictory priorities among CSOs

and SMs lead to an environment of competition rather than cooperation, risking the eventual weakening of civil society. As highlighted by the MPJD's case study, the question of sustainability—an organization or movement's ability to survive changes in leadership, financial uncertainty, shifting rates of popular support as well as their ability to resist both the risk of co-optation and political oppression—are important challenges facing Mexican CSOs and SMs.

Clearly the challenges to civil society advocacy are numerous and complex, but as Massicotte notes (2009), CIPE theory tends to overlook the agency potential and diversity of strategies at the ground level and thus neglect the other side of the equation. What this thesis also demonstrates is civil society's capacity for resisting hegemonic norms as well as their advocacy potential transforming the dominant discourse and policies:

> Consent is actively maintained through socialization processes in the sphere of civil society: mass media, popular culture, families, churches, schools, working places, unions, and political parties. Yet Gramsci also describes civil society as a space in which consent is contested by challenging the dominant common sense, through a 'war of position' strategy. Instead of directly seizing state power (war of movement), the Gramscian war of position calls for a long-term cultural and ideological battle among the masses. That battle needs to happen first, to destabilize dominant structures of power and gain the majority's allegiance around an alternative project of society (Massicotte, 2009, p. 422).

The reference here to the "long-term cultural and ideological battle among the masses" echoes the importance of shedding light on three important factors. First, it reminds us of Mexico's long-fought democratization movement and the evolution of civil society in helping us understand its broader potential for agency in the context of the Mexican drug war, including improved advocacy platforms and greater access to information and media. Second, it also sheds light on the value of building on this movement and engaging in advocacy efforts beyond Mexico—particularly in the US—and forging strong TANs that will contribute to the larger transnational cultural and ideological shift required for policy change by confronting the dominant norms through different points of entry, a point particularly poignant for the drug liberalization movement. And third, it

speaks to the importance of the cumulative impacts of my three case studies, and other ongoing advocacy efforts for alternative policies in the context of the Mexican drug war, and the value of not disregarding the incremental achievements each of these movements realise over time.

In recent years, we have seen tangible changes in national or state-level drug policies in countries around the world, growing transnational linkages among CSOs and SMs, and divisions in the UN drug policy debates. The barriers are there, no doubt, but we are starting to see cracks in the walls—some have already started to crumble. So how can CSOs and SMs break through those walls? When we begin to identify such weaknesses within the hegemonic structure, and combine it with our analysis of civil society agency, we begin to understand how Mexican civil society has come to be successful in effecting legislative change in this context. CSO and SM agency, when complemented with elements of political opportunity structures shed light on why, although still faced with numerous challenges, all three case studies succeeded in affecting change with varying degrees of success. In analysing their strategies, limits and opportunities, we can expose several common threads and draw conclusions about their potential for bringing about more changes in the coming years.

First, political opportunities and political alliances were crucial in how, and whether or not, these CSOs and SMs affected policy change. It is important to recognize how the political context, including something as simple as timing, facilitated the achievements of the three movements. Tarrow (1994, pp. 85-89) lists differing dimensions of political opportunity—increasing access to power, unstable political alignments, influential allies and divided elites—all of which contributed to the different movements in different ways. For instance, the HROs saw opportunities in the collective challenges faced by HRDs and the victims of the war on drugs, which they leveraged through growing national and international pressures to address the human rights violation and impunity brought about by state militarization and complicit involvement of authorities in the War

on Drugs. These factors aligned favourably for the HROs who were able to bolster their own agency potential to get the *Ley para la Protección de Personas Defensoras de Derechos Humanos y Periodistas* approved. However, the movement also benefited from growing international pressures as well as historical relationships within the country and the progressive negotiation of access to political elites and decision makers, which create unique openings for their advocacy efforts.

This final point is contentious as it implies that HROs' alliances with political elites were vital to the movement's success, thus weakening or negating the value of their own agency and leading to a criticism of the concept of political opportunity structures (Tarrow, 1994). However, as Giugni (2004) explains, "to have a substantial impact on public policy, social movements need the support of powerful political allies who are able to take up the movement's claims in institutional arenas" (Tarrow 1998, quoted in Ibid, p. 170). This point contrasts with the "role of grievances, discontent, deprivation or social anomie" (Ibid, p. 168) and the factors generally associated with social movements that give root to protests and collective action. Arguably, the necessity of these alliances implies an elitist view of democracy (Ibid), and one should caution against the risk of undermining the political ideology of the CSO or SM, which could lead to co-optation or loss of legitimacy in the eyes of its supporters, as alluded to in the case of the MPJD. Giugni maintains, however, that for social movements to succeed, the movement "must be backed by insiders" (2004, p. 170), and the risks associated with such backing must be weighed by each CSO and SM.

In support of Giugni's argument, political alliances and strategic positioning were also effective in the MPJD's efforts as it benefited greatly from a change in ruling party and staunch divisions among elites regarding the approval of its *Ley General de Victimas*, using the widespread criticism of Calderón's policies to its advantage when Peña Nieto came into office. This point exemplifies Tarrow's notion that changes in political alignments can "create uncertainty among supporters [of the status quo], encourage challengers to try to exercise marginal power and may induce elites to

compete for support from outside polity" (1994, p. 87). In this light, forging positive relationships with key decision makers among the opposition, recognizing and taking advantage of openings in the system, such as building on popular discontent or using the transformative potential of elections, can offer greater opportunity for changes within the system.

In contrast, the movement for drug liberalization suffered most from lack of strong allegiances with government officials, given that their movement directly opposes the hegemonic drug policy discourse and Peña Nieto's own political stance on the matter. It can be inferred that this lack of political opportunity and alliances has further delayed the movement's ability to effect change. Arguably, significant political opportunities are possibly in the process of opening up as it is clear that a movement to shift drug policies away from prohibition is growing internationally. With this shift, the movement for drug liberalization will likely find more strength, momentum and viability for success in Mexico. As Armenta et al. conclude:

> The emergence of an increasingly independent and assertive Latin America insisting on a change of direction in drug control policies reflects an important shift in its relationship with the United States. The demand for "democratisation" of the debate and alternative policy options stems from the perception that Latin American societies pay a disproportionate price in lost lives, hijacked justice systems, abuses in overcrowded prisons, and displaced small farmers, because of the U.S.-led strategy that has prioritised stemming the supply of drugs over reducing its own demand […] The remarkable drug policy developments taking place in Latin America have reached the point of no return; the clear shift away from a 'war on drugs' approach has become irreversible in several countries. Of course, neither the opening of the political debate nor the implemented drug law reforms come out of the blue. A lot has been done these past years to arrive at this turning point (2012, p. 2).

As this quote suggests, there is an undeniable trend in international drug policy discourse moving away from the era of prohibition. While the authors give credit mostly to political actors like Otto Pérez Molina (Guatemala) and Juan Manuel Santos (Colombia) for leading this shift, they add that civil society played an important role in informing the debate at the 2012 Cartagena Summit of the Americas and that "[CSOs] of various countries have played a key role in the wording of requests for changes to laws and legal practice" (Ibid). This trend can thus only be sustained and

strengthened through the continuation of collective advocacy efforts from the political leaders, CSOs, SMs and other actors that together form the growing foundation of this counter-hegemonic movement towards alternative policies around the Mexican drug war.

Building on this last point, a second conclusion to be drawn is that linkages with transnational partners—or TANs—including with other CSOs, think tanks, key academics and public figures abroad, international organizations or foreign governments have all contributed to the success of the movements explored in my case studies. As described in my field research interviews by a number of participants, CSOs and SMs in Mexico lack financial and other types of resource. Moreover, the culture of civil society and its relationship with the Mexican public and government still suffers from a history of mistrust, corruption and oppression. Civil society activism around the Mexican drug war is still relatively new and CSOs are not frequently brought into the political process or recognized by policy makers as important influencers when it comes to drug and security-related policies. Rivera echoes this argument, noting that while the MPJD helped open space for dialogue between the government and civil society, there is still much room for improvement. One of the greater limitations, she argues, is that CSOs, including the MPJD, are good at pointing out problems to be resolved, but less good at offering solutions. Disparity and uncoordinated action among CSOs make this issue even more complicated as the government gets flooded with demands but with no clear solution or priority, adding that it leads to more barriers than progress and ultimately undermines the hard work that many CSOs are putting into their advocacy efforts (Ibid), recalling the notion that to achieve big changes in Mexico, CSOs need to work together better. This point reminds us of Marx's call for a 'movement of movements'—"described as 'a new political subject', 'the result of the confluence of different agents' converging 'into massive, plural events'" (Massicotte, 2009, p. 418). While Marx referred to something much larger than the struggle for drug policy reform, the lesson stands. The need for widespread cooperation and leadership from the

myriad of CSOs and SMs in Mexico working towards policy reforms and a more peaceful country is fundamental to the success of their advocacy efforts.

This concept brings us back to our first case study and the important and unique nature of HRO cooperation in pushing through the *Ley para la Protección de Personas Defensoras de Derechos Humanos y Periodista,* in spite of their differences. The scale, form and composition of the Espacio OSC facilitated their efforts in achieving their goal. As evidenced, by connecting with allies abroad, Mexican CSOs are granted additional resources, access to information and expertise, provided leverage and more legitimacy and in the case of well-known transnational organizations, provided recognition and more influence in the eyes of decision makers. International civil society supports Mexican CSOs and SMs by offering tools and expertise, but also by monitoring and denouncing government actions (Rivera, 2012). In doing so, external allies also have the ability to engage in critical debates (Keck & Sikkink, 1998) without risking political alienation or oppression, further opening space in the political arena for Mexican civil society. TANs also generate solidarity networks, encourage cooperation and information sharing and indicate to decision makers that the movement is not limited to Mexico, but that the issues in question are important enough to draw international attention. In the case of the HROs, for example, it is both the alliances with national and international counterparts, including well-reputed transnational actors such as PBI, AI and HRW, as well as the formal cooperation through the Espacio OSC and previously through the Red TDT, which provided the movement with the additional leverage, resources and expertise necessary for getting the law approved. It is very clear that the coordination efforts of the Espacio OSC, including the establishment of clear priorities, led to their success – national cooperation alongside international pressures proved to be powerful tools for their agency. It is important to note, however, that given the HRO's longstanding presence in Mexico, their ownership of the cause

means that there was still notable leadership from within Mexico and that the role of TANs was seen as more supportive in areas like technical expertise, a point less evident in the other cases.

In comparison, while the MPJD has successfully united different "chapters" of the movement, other CSOs as well as the voices of the drug war victims for the advancement of their *Ley General de Victimas*, its ability to maintain those ties and achieve more policy change is still in question. The broad-based popular support witnessed in cities around the world, primarily through its *Marcha por la Paz* and its *Caravana por la Paz* demonstrate the wide network of solidarity it inspired and provided them with a lot of support and leverage as well. However, loose connections and lack of focus within the movement post-*Ley General de Victimas* means that those connections might be weakened or lost entirely, hampering the movement's ability to achieve additional policy changes.

Similarly, despite support from CSOs, think tanks and foreign governments, the drug liberalization movement is still in the process of building that culture of cooperation. Much like the MPJD, it lacks coherence and coordination, and thus faces the same risks. Although the movement has benefited from international support, strengthening and deepening those modes of cooperation will be necessary for advancing their potential. For instance, if the drug policy movement is capable of sustaining and formalizing these venues of coordination, and if it is successful in building on the notion of treatment for drug users as a human right and able to forge stronger ties with the HRO community, it may propel itself several steps ahead in terms of political leverage and legitimacy. For a movement that is so starkly opposed to the dominant prohibition agenda, the development of TANs and improved coordination efforts at the national and international level may grant it the best opportunity for success in its advocacy efforts, as pressure is needed on multiple fronts to effectively weaken the War on Drug system. However, as the movement is relatively new in Mexico, it continues to be dominated in the international arena by foreign actors—foreign governments and think-tanks mostly from the US and Europe, which risk overshadowing local

priorities and nuances of the debate in Mexico. This is important given the disparate impacts drug liberalization policies would have on Mexico if taken unilaterally on either side of the border.

In this sense, it is all the more important for the movement to be Mexican-driven and for it to be informed by the needs of those who would be most affected by drug policy reforms, including drug users and the multitude of individuals who are part of the drug production and trafficking chain. By taking into account the voices of those involved in the drug trade, it reminds us of the need for greater investments in socio-economic policies and of the interconnectedness between the uneven impacts of the dominant neoliberal policies and the War on Drug policy framework, as described by Merceille (2012), thus echoing the value in coordinating efforts and the potential for transformative change through collective action within the larger counter-hegemonic movement.

Both conclusions identified above, however, point to external factors that contributed to the successes of CSO and SM advocacy efforts and lack recognition of each organization's own agency potential. Turning to an analysis of the CSOs' and SMs' own form and strategies allows us to draw a third conclusion: their public engagement efforts, their composition and their leadership are all vital elements to achieving policy-level success and cannot be overlooked. For instance, the HRO case study touches on the long history of human rights activism in the country—decades of working with communities, building trust, and normalizing the concept of human rights played a significant role in their success. These achievements require time and demonstrated commitment to specific causes and communities. The cumulative work of HROs in Mexico has effectively changed society's expectations and behaviours with regards to human rights, as exhibited through the *YoSoy#132* movement and the HROs' unwillingness to let Peña Nieto's poor human rights record go unquestioned. The work of HROs and their awareness-raising efforts through the years gradually influenced policies and legislation. Human rights are no longer a foreign concept in Mexico, and drawing attention to the plight of HRDs and journalists, as well as the ongoing human rights

violations brought about by state militarization, pushed the government to approve the *Ley para la Protección de Personas Defensoras de Derechos Humanos y Periodistas*. This success, I propose, may be the beginning of a growing culture of HRO cooperation, and is but another step in their continued work toward improving the state of human rights in Mexico and changing the dimensions of the War on Drug debate, even if a long road still lies ahead.

Undoubtedly, the importance of human rights protection will maintain its growing acceptance and application in political and legislative frameworks worldwide. In Mexico, national and international pressures to ensure the protection of human rights, including the protection of HRDs and journalists and judicial due process will continue to be strengthened, further enshrining human rights principles in Mexican society and policies. However, issues of corruption, impunity and state militarization also need to be addressed, demonstrating that while HROs have brought tremendous change to Mexico's human rights policies and discourse, the ongoing challenges identified above also shed light on the need for continued advocacy efforts and the importance of sustaining successful initiatives in civil society coordination.

In comparison, while the MPJD represents a more typical SM dynamic – the quick rise and fall of collective action (Tarrow, 1994)—there is a personal story in the MPJD that gives it strength and leadership, driven in this case by a wave of sustained fear, frustration and pain of a country afflicted by growing violence. At the very base of social movement theory lies the idea that a SM "draws people in collective action" and that "[m]ounting, coordinating and sustaining this interaction is the peculiar contribution of the social movement" (Ibid, p. 1). The MJPD's success is in part due to two distinguishing aspects of its organization. The first aspect is its charismatic leader with the gift of poetry and speech giving, who encourages creative expressions of agency and, through his ability as a leader, funnels the growing wave of emotions and public frustration into action. Sicilia and the MPJD thus transformed the victims of the drug war into agents of change and gave a voice to those

who were kept silent. The second aspect, a the strategy of non-violent protests, marches and civic disobedience, and country-wide caravans succeeded not only in capturing the attention of authorities and the media, but in drawing attention to the hitherto ignored victims of the War on Drugs, leading to the approval of the *Ley General de Victimas*. The MPJD's popular appeal and accessible strategies came together in a specific moment in time where the status quo could no longer be supported in Mexico, and the impact of the movement was felt not only at the political level, but culturally as well. As noted, the recognition of the victim was a new and fundamental shift in the debate and this is largely due to Sicilia and the MPJD.

…But what of it now? As Tarrow notes, "the power to trigger sequences of collective action is not the same as the power to sustain them" (1994, p. 23). Fortunately for the MPJD, their *Ley General de Victimas* was approved, but unless the movement can rally energy behind another specific cause or project, it risks losing its supporters and losing focus. There is also a structural weakness in the movement, and strategic decisions regarding leadership, governance, financial sustainability and advocacy priorities could determine their level of success in the long run, including the risk that the movement may be co-opted by the elite or that it could simply break down. Pascale Naveau et al. argue, however, that the further institutionalization of the MPJD may undermine the very appeal of the movement and its broader cultural impacts in Mexico, such as its role in diminishing the victimization of society:

> [This] analysis restricts the political component of the Movement, ignoring the extent of its cultural and subjective impacts. However, it is precisely at this level that the MPJD reaches its greatest influence. Furthermore, the nature of the cultural movement in the age of globalization often makes them incompatible with building a more institutionalized organization which, according to some analysts, limits their impact in formal politics and public policies. The youth activists and many approaching these more cultural forms of activism defend the autonomy of their personal experiences and their movements […] They fear that the efficiency to influence institutional policy to be gained by greater institutionalization, may be at a price that would limit the Movement's creativity, rendering it less horizontal and participative (Naveau & Pleyers, 2010, pp. 99-100).

In spite of the authors' argument above, some level of structure and formality to a movement is essential in order to prioritize demands and align strategies. In contrast to the HROs and the MPJD, the movement towards drug policy liberalization lacks both, the structure and formality of a network of cooperation, as well as the engaging nature of a charismatic leader in Mexico, a Sicilia equivalent, who can capture the hearts and minds of Mexicans. In fact, the liberalization movement also lacks the ability to capture that personal story that feeds agency to the MPJD—the public is simply less sympathetic to the image of a drug user than that of a mother who lost her child to an indiscriminate shooting. The personal story does not translate as well, and the movement is further inhibited by culturally rooted stigmas and preconceived notions about drug use, particularly in the US where prohibition policies are more deeply entrenched. That being said, the growing international support for alternative drug policies has certainly made the drug liberalization debate more commonplace than ever before across the Americas, which brings additional legitimacy and fervour to the national movement. As evidenced by CUPIHD's reflections, there is hope in the movement:

> The cards are on the table now, open for all; and if they are played well, sooner rather than later, we will be talking about policies closer to common sense, to the respect of human rights and the protection of health through evidence and pragmatism, than to the good wishes and dogmatism that until now have predominated as the only righteous political creed over a topic that, until only recently, was only found in the closet of our society (CUPIHD, 2013c).

Nevertheless, as noted above, there is still a risk that drug policy reform could continue to face strong resistance and repression from international and national decision makers. In this sense, further drug liberalization may have to wait another day and another government, as Peña Nieto made it clear he will not go down that route. However, a PRD government, which has been particularly critical of the prohibition policies and militaristic approach, or even a reformed PRI government might see it as a viable option. By this token, I propose that the drug liberalization movement's turn has yet to come and that the next few years, in particular leading to the next UN

General Assembly Special Session on Drugs (UNGASS) in 2016, could open many opportunities for the movement, including greater access to decision makers, more popular support, and the potential for drastic policy changes at the international scale. In the meantime, the continuation of public outreach through forums, publications, consultations and awareness-raising, as well as setting clearer short-term goals and strategies to achieve these are particularly important for the sustainability of this particular movement. Taking it one step further, the movement needs to extend its reach beyond Mexico, strengthen coordination with national and transnational allies and work towards building a coherent and united transnational movement, one that works toward shifting the popular culture and debates that define our understanding of the drug war, as captured by Gramsci's concept of a 'war or position', which will ultimately be the vital key to policy reforms.

I propose that internationally, we can expect to see increased pressure on the Mexican government as well as on the US government, UNODC and other international actors to revise their drug policies. As evidence continues to grow from deeply affected countries like Mexico that drug production and trafficking cannot be curbed through militaristic enforcement and prohibition, alternative policies and discourse will continue to gain grounds. Cracks in the system have been present for decades but they are deeper now than ever before, and the UNODC's self-criticism hints at the possibility of international policy shifts toward liberalization in the near future, but to what extent remains to be seen. Conversely, changes in US policies remain difficult to fathom. While some states might move toward deeper liberalization, including the possibility of more legalization to be seen in coming years, the overall level of support for nation-wide liberalization remains weak and the entire system that supports the status quo pose high hurdles before achieving significant national-level policy changes. Even with the possible shift in international drug policies, without buy-in from the US these international policy reforms may not take place, and if they do, the impacts on Mexico without support and coherence from its northern neighbour may only lead to

limited impacts on the level of violence and power of DTOs in the country. Within Mexico, however, incremental changes can surely be expected. The movements are growing stronger, and there have been important lessons in recent years – as exhibited through my case studies –around CSO coordination, building TANs, and recognizing opportunities through popular support and in forging alliances with key decision makers.

Mexican civil society has grown stronger and space for them has opened as demonstrated by the success stories of the case studies above and their broader progress within the country's *apertura democrática*. The very idea that notions of human rights protection, drug policy liberalization and victim restitution have permeated the political debate is illustrative of their influence, of the importance of including civil society in the debates, and of the growing potential for civil society engagement in Mexico's political and cultural landscape. Hints of government willingness to consider alternatives and softening of rhetoric on behalf of the US and UNODC suggests the possibility of more changes to come.

Still, the continuation of violence, human rights violations, insecurity and displacements means that the government will continue to face widespread criticism and be monitored closely by national and transnational bodies. Even if rates of violence are waning or more drug king-pins are arrested, the judicial system needs to be significantly reformed to bring justice to those who have suffered most from this conflict. The people who continue to be affected by this ongoing drug war will provide continued inspiration, motivation and cause for advocacy; but ultimately, legislative and policy reforms are only as effective as their systematic application and enforcement. The high rates of impunity and the deep infiltration of organized crime among political actors and throughout government institutions are the biggest hindrances to advocacy and peace-promoting efforts in Mexico. Left unaddressed, these will limit the possibilities of a more peaceful Mexico and could effectively negate them.

In conclusion, this study demonstrates how applying a theoretical framework combining concepts of CIPE theory, civil society and social movement theories and political opportunity structures to the context of the Mexican War on Drugs can shed light on the dynamic interplay of hegemonic structure, agency and the conditions under which the latter can take advantage of and even create opportunities for social change. Structure, like agency, is both "a shaper of" and "shaped by" the social realm – we have thus come to understand how hegemony can be challenged and reformed through civil society advocacy efforts, however incremental, varied and effective the achievements. Transformative change, however, is unlikely to be achieved through disparate efforts; rather, to transgress the hegemonic structures requires more organized collective action:

> The very social relations of production are themselves the product of ongoing agency, even if in alienating forms, on the part of those who currently suffer their continuation. Individuals acting alone possess little capacity to transform these social relations, but collective activity and organisation contain the potential both to make immediate gains, to roll back some of the most exigent threats to human welfare, but also to lay the foundations of other ways of living and organising society. There is no absolute line of division between movements seeking 'reforms' within existing structures and movements that threaten to surpass their limits. Rather, movements operate on the boundaries between forms of opposition that remain contained within the limits of the system, and those that potentially transgress them (Barker, Cox, Krinsky & Gunvald Nilsen, 2013, p. 13).

Agency has tremendous potential to benefit from or create political opportunities to alter discourse, policies and legislation. Where structure and agency collide, political opportunities (e.g. through alliances with key decision makers, timely presidential elections, or growing popular support in the streets), may open space for social movements. Conversely, when political opportunities do not align favourably, as in the case of the drug liberalization movement, or through the continuation of systemic impunity and government corruption, civil society might find itself firmly obstructed by the forces it seeks to transform. Reliance on the government's openness to engage with civil society advocacy efforts and participation in the policy debates is insufficient in the current context of the Mexican drug war to combat the profound interconnectedness of

government forces and organized crime. In this light, other forms of mobilization including more militant strategies may be required.

While political opportunities influence social movements' success, potential for change is fundamentally rooted in CSOs' and SMs' own strategies as well as their ability to unite in their advocacy efforts for alternatives with allies at home and abroad. Challenges remain, but the hegemonic structures that sustain the War on Drug policies are cracking. Building a critical mass of popular support, raising awareness on issues otherwise marginalized by those in power, along with broader coordination within each movement and with other counter-hegemonic actors internationally could shift the dominant discourse away from prohibition and state militarization, ultimately "transforming state behaviours, institutions and policies" (Keck & Sikkink, 1998). By progressively shifting cultural and political norms, CSOs and SMs have already begun weakening the walls of global drug policy hegemony—even breaking through them—and are well into the process of constructing a third, more peaceful Mexico.

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Annexes

Annex A – List of Completed Interviews

1. **Raul Benitez Manaut:** Benítez Manaut is a professor and researcher at the North America Research Centre of UNAM-Mexico. He is the founder and President of the Mexican NGO *Colectivo de Análisis de la Seguridad con Democracia* (CASEDE). He was also a public policy scholar at the Latin American Programme at the Woodrow Wilson Centre in Washington in 1998 and 2003.Benitez Manaut has published numerous journal articles and chapters of books on issues of Hemispheric Security, the Central American Peace Process, the civil war in El Salvador, national security, geopolitics, and the Mexican armed forces. Benítez Manaut was my first interviewee. (April 20, 2012 at Dr. Benitez Manaut's office at the UNAM campus, Mexico City).

2. **Monica Serrano:** Serrano is a professor at the Centre for International Studies at the *Colegio de México* (COLMEX) and she is a research associate at the Centre for International Studies at the University of Oxford. Serrano has written extensively on Mexican and Colombian politics, transnational crime, and Latin American international relations with a focus on security. She is also a member of CASEDE. (May 30, 2012 at Dr. Serrano's home in Mexico City).

3. **Athanasios Hristoulas**: Hristoulas is a Canadian professor in the Department of International Studies at the *Instituto Tecnológico Autónomo de México* (ITAM).He has published numerous articles on North American Relations, post-9/11 security issues in North America, Mexican foreign policy, Mexican border security and continental security. He is also a member of CASEDE.(May 17, 2012 at Dr. Hristoulas' office at ITAM campus in Mexico City).

4. **José René Paz Hernández:** Paz Hernández is the International Coordinator for the *Centro de Derechos Humanos Miguel Agustín Pro Juárez* (Centro Prodh). The Centro Prodh was established in 1988 by the *Compañía de Jesús*, to defend, promote, and demand justice and respect of human rights in Mexico. (May 15, 2012 at the Centro Prodh office in Mexico City).

5. **Rafael Ch and Marien Rivera at the *Centro de Investigación para el Desarrollo* (CIDAC):** CIDAC is a Mexican independent think tank focused on research for Mexican social and economic development. Rafael Ch is a researcher on productivity, socio-economic development and governance. Some of his most recent research has focused on the impacts of violence and insecurity in Mexico on socio-economic indicators. Marien Rivera is also a researcher at CIDAC, focusing primarily on justice and security in Mexico. At the time of the interview, she was working on an analysis of the Mexican Supreme Court and national judicial system. (May 14, 2012 at the CIDAC office in Mexico City).

6. **Arturo Alvarado:** Alvarado is a professor of sociology and Director of the Department of Sociology at *the Colegio de Mexico* (COLMEX). He has worked as a visiting scholar at Brown University, MIT and Harvard University. His research centres on themes of security, justice, human rights, and democracy in Mexico. Recent research has focused on the prevention of violence and crime among youth in Mexican urban centres. Alvarado is also a member of CASEDE. (May 08, 2012 at Dr. Alvarado's office at the COLMEX campus in Mexico City).

7. **Jorge Chabat:** Chabat is a professor of International Affairs at the *Centro de Investigación y de Dociencias Económicas* (CIDE). Chabat is a leading scholar on themes of narcotrafficking, narco violence, human rights, Mexican foreign policies, and justice and security in Mexico. He has worked

closely with government representatives from Canada, Mexico and the US on the topic of narcotrafficking in Mexico. Chabat is also a member of CASEDE and often works alongside Benítez Manaut and Luís Astorga. (Informal interview over lunch; May 24, 2012 at *Los Canarios* Restaurant in Mexico City).

8. **Luís Astorga:** Astorga is a prominent researcher on the socio-historical development of narcotrafficking and narcoviolence as well as drug policy development in Mexico. He is a professor at the *Instituto de Investigaciones Sociales* at the *Universidad Nacional Autónoma de México* (UNAM). Astorga is also a member of CASEDE as well as the CUPIHD (see #15). (May 30, 2012 at Dr. Astorga's office at the UNAM campus in Mexico City).

9. **Pietro Ameglio:** Ameglio a Uruguayan-nationalized Mexican civil rights activist and a professor at La Salle University in Cuernavaca. He has participated in a number of environmental and human rights social movements, but has expanded his reputation by acting as Javier Sicilia's "right-hand man" in the *Movimiento por la Paz con Justicia y Dignidad*. Ameglio wrote *Gandhi y la desobediencia civil, México hoy*, a book on non-violence in Mexico. Ameglio was one of my last interviews after months of trying to communicate with members of the MPJD and two cancelled interviews by other members. While our conversation was fascinating and has been followed up by an exchange of emails and articles, our interview was very informal and rushed because he was caught in traffic, late to our meeting and late to teach a course. The interview was conducted in a busy café (at his request), while he was eating breakfast, and the recording is unfortunately inaudible. (May 31, 2012 at a café on the UNAM campus in Mexico City).

10. **Daniel Joloy at the *Comisión Mexicana de Defensa y Promoción de los Derechos Humanos* (CMDPDH):** The CMDPDH is an independent human rights civil society organization established in 1989 to promote human rights and social justice across Mexico. While I was meant to meet with his colleague, researcher and lawyer for the CMDPDH, Silvano Cantú, Cantú cancelled twice and finally suggested I speak with Joloy, who was still able to provide me with a very informative and thought provoking interview on the changing nature of human rights in Mexico in the context of narcoviolence, alleged human rights violation by the Mexican military and a growing state of insecurity across the country. (May 23, 2012 at the CMDPDH office in Mexico City).

11. **Agnieszka Raczynska from the *Red Nacional de Organismos Civiles de Derechos Humanos* (Red TDT):** Raczynska is the Executive Secretary of the Red TDT since 2008. She has had an extensive career working with human rights organizations across Mexico, including with *Amnistía Internacional México* and the *Centro de Derechos Humanos Fray Francisco de Vitoria* (CDHFV). The Red TDT is comprised of a network of 74 human rights NGOs from 21 states working together to promote the protection and respect of human rights in Mexico. (June 01, 2012 at the Red TDT office in Mexico City).

12. **Anonymous employee at Peace Brigades International México (PBI)**: PBI is an international human rights organization, specialising in human rights accompaniment. They have been working in Mexico for over 13 years, the promotion of human rights in Mexico and the protection of human rights defenders in the country. The organization is currently working in the Distrito Federal, Guerrero and Oaxaca states. The interviewee opted to remain anonymous to speak on behalf of the organization rather than as an individual, representing the horizontal organizational structure and shared responsibilities of the organization (June 01, 2012 at the PBI offices in Mexico City).

13. **Anonymous at *México Unido Contra la Delincuencia (MUCD)*:** This organization's mission is to promote policies to reduce violence in Mexico, including narcoviolence through the promotion of drug legalization, crime prevention strategies and alternative security policies and practice. The

MUCD works closely with the members of the MPJD. The interviewee requested to remain anonymous and not be recorded as the individual did not feel comfortable being identified publicly(May 24, 2012 at the MUCD office in Mexico City).

14. **Azucena Chaídez from *Sistemas de Inteligencia en Mercados de Opinión (SIMO):*** SIMO published a nation-wide survey in collaboration with the *Colectivo de Análisis de la Seguridad con Democracia* (CASEDE) and the *Centro de Estudios para la Gobernabilidad Institucional* (CEGI). This 2011 national survey collected the opinions and perception of 7,416 Mexicans from seven Mexican states to analyze the level of confidence, political opinions and sentiments regarding the Mexican government, state institutions, and issues of security in the country, particularly regarding the ongoing drug war. Chaídez lead the analysis of the data (May 14, 2012 at the SIMO office in Mexico City).

15. **Jorge Hernández Tinajero and Carlos Zamudio Angles from the *Colectivo por una Política Integral Hacía Drogas* (CUPIHD):** CUPIDH is a civil society organization working towards research and promotion of evidence-based drug policies in Mexico. The collective unites a number of experts from various disciplines including political sociologists, biologists, psychologists, medical professionals, lawyers, etc. Tinajero is educated in political science, and is the director of CUPIHD, while Zamudio is a researcher for the organization, and a specialist in drug consumption and markets. (May 29, 2012 at the CUPIHD office in Mexico City).

Annex B – Sample Interview Guide

Part one – Questions and probes for civil society organizations

1. In your opinion, what have been your organization's most important achievements in the context of the Mexican drug war?
    a. Do you feel that your organization has been successful in achieving its goals?
    b. Which strategies have you adopted to achieve these goals?
    c. Have these strategies changed over time? If so, how?
2. Which of the current government policies and approaches to the Mexican drug war does your organization support? And which ones do you oppose? Please explain.
    a. Could you describe your organization's relationship with the government?
    b. How has this relationship impacted your work and strategies?
    c. Have you been able to meet with government representatives to discuss your perspectives on the drug war? If so, what have these meetings achieved?
3. Have you worked with other organizations? Or can you describe to me the kind of formal or informal collaboration your organization has with other CSOs in Mexico?
    a. How could greater collaboration among Mexican civil society organization impact drug war policies and debates?
    b. Have you worked with CSOs outside of Mexico? If so, which ones and how has this collaboration impacted your work?
4. So far, what have been the biggest social, political and/or economic limitations or challenges to your organization's goals?
5. What is the next step for your organization and how does your organization plan on reaching this step?

Part two – Questions for academics

1. What is your overall view of current government policies in the drug war? Which policies or approaches do you agree with or oppose? Please explain.
    a. In your opinion, what is the role of civil society in the context of the drug war?
    b. Which civil society organization stands out to you as the most active and successful in this context? Please explain.
    c. Which strategies or practices would you like to see among Mexico's civil society?
2. And what is the role of the academic community? What has been your personal objective in researching and publishing on the drug war?
    a. Have you collaborated with civil society organizations and/or the government in the context of the Mexican drug war?
    b. If so, what were the outcomes of these collaborations, both for yourself and the organization/government agency?
3. What is the role of the international community in this context? More specifically, what is the role of transnational civil society?

Annex C – Case Study Analysis Summary

Independent Variables	Case Study 1: Protection of Human Rights Defenders and Journalists
Their ability to engage with political representatives (frequency of which meetings and discussions take place, and the position of the representatives involved within the government);	Greatly Benefited • Strategic ties with the government due to historically entrenched relations opened opportunities for agency and the successful adoption of the law • Successfully engaged with political representatives for the approval of their law • Important linkages within political parties but continued exclusion from the mainstream political debates and processes • Some tensions between HROs and political parties still exists
Their connections with other local, national and transnational organizations and how they have benefited from these connections;	Greatly benefited • Strong linkages with local and transnational HROs (TANs) • Strong culture of coordination already established • TANs supported the HROs with increased legitimacy, recognition and clout as well as additional resources and expertise, all of which helped in their advocacy efforts
The most important local, national and/or transnational challenges they have faced or that remain obstacles in implementing their objectives;	Moderate-level challenges • Law is approved, but proper application and enforcement of the law still a big challenge (e.g. allocation of resources, etc.) • Human rights abuses, including against HRDs and journalists continue – culture of impunity is still strong, and judicial system still requires major reforms • Sustainable and continued cooperation among HROs and contribution to the security dialogue still in questions • Systematic shift in government discourse insofar as bringing human rights to the forefront of drug war policies and in guaranteeing the protection of human rights in Mexico not yet occurred • Traditional security policies and militarization still dominate government's War on Drugs strategy
Willingness or organization's objective to influence drug war policy and dialogue (i.e. how drug war related initiatives figure in the organization's overall priorities).	Highly important • Primary goal of the HROs to bring about legislative change through its proposed law was met • Primary goal of the HROs to improve the condition of human rights and that of HRDs and journalists in Mexico in progress • Broader goal of the HRO community to change the dialogue around concepts of security, the drug war and to influence state behaviour in putting human rights to the forefront of the drug war discourse in efforts to guarantee their protection
Dependent Variables	
The success or failure in seeing their objective(s) (short, medium and/or long term) met in policy or legislative changes;	Successful • Objective to see their law approved in the short-term met • However, the application and enforcement of their law still to be determined • Broader, systematic change in the treatment of human rights, HRDs and journalists still to be confirmed over the long term

The success of failure in seeing their objective(s) (short, medium, and/or long term) met through non-policy or legislative means, such as changing the discourse through organizing conferences, raising awareness, presence in the media, etc.	Moderately successful • Great progress in their objective to raise awareness about human rights abuses in Mexico over decades • Notable progress in their objective to raise awareness about the treatment of HRDs and journalists • Objective to systematically change security discourse and/or the treatment of human rights and of HRDs and journalists not yet met

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Independent Variables	**Case Study 2: Drug liberalization Debate**
Their ability to engage with political representatives (frequency of which meetings and discussions take place, and the position of the representatives involved within the government);	Limited success • Limited connections with political representatives and limited clout in broader political processes • Politically polarizing topic means that successful political ties met with strong and neutralizing opposition • Limited, though growing, connections with political parties and decision-makers in government • Successful Drug Forum attracted attention from political actors • Support from individuals within government; but continued opposition from the president and broader political sphere
Their connections with other local, national and transnational organizations and how they have benefited from these connections;	Greatly benefited • Many organizations outside of Mexico able to share resources and leverage efforts within the country – TANs help leverage the movement and bring legitimacy to the cause • Many governments outside of Mexico able to bring the debate to the table in international forums • Building connections with local organizations including health services to bring assistance and resources to drug users and educate the Mexican public on drug use • Stronger and more formalized alliances with US civil society working on issues of drug liberalization needed for a transnational approach to policy reform
The most important local, national and/or transnational challenges they have faced or that remain obstacles in implementing their objectives;	High-level challenges • Faced with dominant policies and cultural stigmas against drug liberalization, including role of the US, international organizations, church and right-wing CSOs • International norms and institutional agreements that would need to be renegotiated in order to allow for the liberalization of drugs on a transnational scale • Impacts of liberalization on public security and public health risks need to be better understood • Strong economy (both licit and illicit) that benefit from status quo (i.e. money laundering, arms trafficking, drug trafficking, etc.) and powerful forces (DTOs, complicit government, US military-industrial complex, etc.) with interest to protect status quo • Violent DTOs and dangerous setting deter liberalization efforts

Willingness or organization's objective to influence drug war policy and dialogue (i.e. how drug war related initiatives figure in the organization's overall priorities).	Highly important • Primary goal also to influence dialogue and educate public about drug use, available resources and alternative policies • Broader goal to influence policies toward liberalization (nationally) • Ultimate goal to contribute to and see transnational drug policy reforms and a shift in the dominant prohibitionist discourse
Dependent Variables	
The success or failure in seeing their objective(s) (short, medium and/or long term) met in policy or legislative changes;	Low success • Limited impact on policy aside from minimal decimalization policies for narcotic substances • Some success in bringing the issue to official policy debates
The success of failure in seeing their objective(s) (short, medium, and/or long term) met through non-policy or legislative means, such as changing the discourse through organizing conferences, raising awareness, presence in the media, etc.	Moderate success • Important changes seen in the popularization of the drug liberalization debate worldwide and growing resources to support drug users in Mexico (as well as in the US) • Ability to leverage transnational trends toward liberalization policies and encourage larger debates (i.e. Drug Forum) • Produced a number of important documents and documentaries, and carried out one of the most important continental conference on the theme of drug policy

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Independent Variables	**Case Study 3: MPJD & Protection of Victims**
Their ability to engage with political representatives (frequency of which meetings and discussions take place, and the position of the representatives involved within the government);	Moderate success • Success in building linkages with government officials but continued tensions with others • Ability to hold meetings with representatives from the Mexican and US governments including at the presidential level • Challenge in balancing relations with government officials with supporters of the grassroots movement • Continued dialogue with all major political parties • Ability to participate in meetings with electoral candidates and gain support within each party • Risk of alienating popular support if too closely aligned with government • Risk of waning political influence if too closely aligned with critical members of the CSO community or opposing political parties • Benefited significantly from political elections in 2012 in advancing the ratification of its legislative act
Their connections with other local, national and transnational organizations and how they have benefited from these connections;	Moderately benefited • Sprouting of MPJD chapters across the world and support from NGO community in many different countries • Ability to convene Mexican population, including CSOs through marches, caravans and civil disobedience

	• Collaboration with many Mexican CSOs and academics in promoting agenda • Recognition by many CSOs that the MPJD is a leader in advocacy for victims' rights • Still, lack of formality in sustaining above-noted linkages
The most important local, national and/or transnational challenges they have faced or that remain obstacles in implementing their objectives;	Moderate challenges • Immediate challenge of getting the law approved surpassed • Continued challenge at the national level in the proper application and enforcement of the law • Continued challenge at the national level with high rates of corruption and impunity and steady levels of drug-related violence and human rights abuses • Continued security threat against the MPJD due to politically charged nature of the issue at hand • Marginalization of the MPJD for the sake of dominant transnational players and policy debates • Continued challenge nationally and beyond in changing the dialogue around drug-related policies, the role of the military and the important of socio-economic policy development
Willingness or organization's objective to influence drug war policy and dialogue (i.e. how drug war related initiatives figure in the organization's overall priorities).	Highly important • Goal to get law approved • Goal to change the discourse still in progress • Goal to reduce violence in Mexico through reduced military involvement and increased socio-economic policies
Dependent Variables	
The success or failure in seeing their objective(s) (short, medium and/or long term) met in policy or legislative changes;	Moderate success • Law has been approved but blocked for several months and still faces concerns over application and enforcement • Criticism that the law is insufficient and bureaucratically burdensome
The success of failure in seeing their objective(s) (short, medium, and/or long term) met through non-policy or legislative means, such as changing the discourse through organizing conferences, raising awareness, presence in the media, etc.	Moderate success • Continued issues of impunity and inefficient legal system means that violence will persist and perpetrators are not brought to justice • Advocacy around issues of socio-economic policies and alternatives to military action still unaddressed at the political or legislative level • Success in bringing to light the plight of victims and changing the discourse around the impact of violence on Mexican society • Success in convening Mexican society through marches and civil disobedience • Success in achieving media coverage and raising awareness about the social movement / popular support for alternative policies and protection of the victims of drug-related violence • Weakness in long-term sustainability of the movement, left without focus and organizational formality following the adoption of its law • Continued challenge in confronting the dominant norms of militarization and traditional security discourse