

Trumped Up Terror Tactics: The Case of Mexican Drug Cartels

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On November 4, Mexican drug cartels shot nine American women and children to death in northern Mexico as they traveled in vehicles to visit relatives. After the attack, President Trump tweeted: “This is the time for Mexico, with the help of the United States, to wage WAR on the drug cartels and wipe them off the face of the earth.”¹ Later, he announced that his administration is working on formally designating Mexican drug cartels as foreign terrorist organizations based on the assertion that they kill thousands of Americans each year. The rhetoric used by Trump on Twitter mirrors Bush’s post-9/11 ‘war on terror’ campaign. Trump’s plan to designate Mexican drug cartels as terrorist organizations has ignited a heated debate in both Mexico and the U.S. on whether these groups’ use of violence constitutes terrorism. Beyond academic discussions, politicians and the media are inconsistent in their characterizations of cartel violence. This suggests policy challenges. Media accounts sometimes refer to attacks in Mexico as ‘terrorism’ or ‘narco-terrorism,’ and both former Mexican president, Felipe Calderón, and Trump have described cartel members as ‘terrorists.’² Other times, the violence is referred to as ‘gang violence,’ ‘terror,’ and ‘drug-related violence’ The framework and state speech used by policymakers and understood by the public are important because if a problem is misdiagnosed, it is not likely to receive the appropriate treatment. In the case of Mexican drug cartels, there is a frequent misapplication of the term ‘terrorism.’ The tactics used by Mexican drug cartels are growing increasingly more similar to tactics of terrorists, but they lack other aspects necessary to label the groups as terrorists.

There is not one universal definition of terrorism, but there are criteria that appear in many or most definitions. Schmid and Jongman’s survey of more than 100 definitions found three elements that appear in a majority of terrorism definitions: violence, fear felt by a wide

audience, and political (or social) motivation.³ The first element is violence; it is perpetrated or threatened. The second element is the notion of fear. Terrorism is not only violence to damage or destroy a target but communicative violence to influence third parties through the use of fear; it sends a message. The third element is crucial to the discussion regarding Mexican cartels; terrorism is socially or politically motivated, and violence without such a motive is considered a more common crime. Terrorism represents a unique category of violence that seeks to disrupt or replace governments, to create nation-states, or to change policy. When the objective of an act of violence is to allow its perpetrators to continue to conduct illegal business, it is considered a crime. Cartels, by definition, seek to maximize profit and restrict competition; they do not have an overarching ideological motivation.⁴ MS-13 (Mara Salvatrucha) organized the spraying of an inner-city bus with gunfire as a protest against the Honduran government for proposing a restoration of the death penalty. The goal was to stop the government from restoring the death penalty because the government would have executed a number of their crucial members, which would have hindered the groups functioning, not because they are morally opposed to capital punishment. MS-13s actions were done only for the utilitarian purpose of continuity and maximizing profits, not for ideological purposes.⁵ So, with purely economic end goals, cartels do not meet this requirement to be defined as terrorist organizations.⁶ Political and financial objectives have different solutions and therefore warrant different state responses. Thus, there are policy implications for classifying actions as terrorism. The requirement of a political motive and lack thereof suggests that the violence perpetrated by Mexican cartels does not amount to a terrorism classification. Cartels are not politically motivated; instead, they pursue the maximization of profits in illegal markets. Ideological motivation, or lack thereof, is a crucial

determinant for understanding how a group will interact with the state; what concessions they are willing to make, what levels of violence are acceptable, how they will respond to state retaliation, etc. This difference is critical to shaping policy. However, Mexican cartels do employ tactics that are terroristic in nature as they meet the first two requirements; fear and violence.

As stated before, it is not enough for cartels to employ terrorist tactics; motives separate terrorist and criminal groups, even if they sometimes use similar or the same methods. Similar policy responses are warranted in cases in which crime organizations use similar violent tactics to terrorists. So, it is insufficient to understand only how terrorist organizations are cartels differ. Governments must understand their similarities to make informed policy decisions. Criminal organizations in Mexico have used several terrorist or terrorist-like tactics. Tactics that are utilized by cartels that are often associated with terrorism include publicized violent threats and violence against the state or representatives of the state. These tactics have been widely observed in Mexico and match behavior commonly used by U.S. designated foreign terrorist organizations.

Cartels use violence to communicate threats to create favorable environments for the furtherance of their economic goals. Typically, violence is not good for business, and it is costly, so it reduces profits. Therefore, it is not the preferred method of public interaction. Cartels that use large scale terrorist-style tactics risk losing the public support essential for maintaining the extensive network of police officers, bankers, politicians, businessmen, and judges necessary to provide them protection.⁷ However, in recent years, the cartels' propensity for violence has grown and created an atmosphere of fear. In the past, cartel violence typically involved the quick execution of rivals in a remote location; the activities of cartels have become increasingly violent

and public.⁸ The new framework for violence originated with the Zetas Cartel (Los Zetas) engaging in this violence, which pressured rival cartels to do the same as sort of one-upping of each other to maintain dominance.⁹ Similarly, terrorist organizations attempt to outbid one another to gain public support. As argued in Bloom's strategic competition thesis, terrorist organizations in Palestine increased their suicide attacks because, in the early 2000s, martyrdom was a celebrated act, so to gain more support, the organizations increased their martyrs, thereby causing a spike in the number of suicide attacks. However, outbidding between terrorist organizations exists because they are competing for support, whereas the one-upping of cartels exist, functionally, as displays of power. Hence the different terms; one-upping and outbidding. Unlike terrorism, cartels do not depend on popular support; they can achieve their goals without the consent of those around them.¹⁰ So, their violence has three audiences: the government, other cartels, and their members. It is a display of power. It can be used to indicate to the government and other cartels that they are not to be interfered with and discourage action. Additionally, it may demonstrate the groups' ability to protect their own or serve to warn potential defectors and maintain discipline. Regardless, cartels are not concerned with the greater public perception (excluding the small group of police officers, businessmen, etc.) in the same way that terrorist organizations are. They have begun using road blockades, car bombs, and improvised explosive devices. Groups like La Familia Michoacana first gained national fame when members dumped five severed human heads onto the dance floor of a night club. Further beheadings have taken place around the country, becoming a preferred method of intimidation. The cartels leave burned and tortured bodies in public with messages, banners, and bodies are hung from bridges, and internet videos have are of torture and killings.¹¹ Much of this mirrors propaganda strategies

avored by ISIL (The Islamic State of Iraq and the Levant) with their videos of beheadings and the publicized burning of a Jordanian pilot, First Lt. Muath al-Kaseasbeh. The result, mass fear across Mexico, not unlike that felt by populations in ISIL controlled territory. Traditionally, the cartels have not carried out indiscriminate killings for their threats. Still, it has become more common post-2006, and its usage is becoming more like that of jihadist organizations though the intended messages are still different.

Mexican drug cartels use assassinations to create favorable environments for the furtherance of their economic goals. Generally, Mexican cartels direct much more violence toward one another than they do toward the state, and they most often shape the behavior of the state through substantial corruption rather than through violence. However, when the Mexican state is on the receiving end of the violence, the cartels have usually targeted public officials to persuade the government not to interfere with their activities. Drug cartels engage in assassinations of law enforcement and local and federal government officials; Longmire and Longmire estimate that one to two dozen assassinations occur throughout Mexico each week. Cartels killed twenty-seven mayors in six years from 2004 to 2010, and in 2010 thirteen candidates for governorships were murdered, presumably due to these officials' refusal to allow the cartels to operate without government interference.¹² One of the officials killed in 2010, Rodolfo Torre Cantú, who ran on a platform of fighting against drug cartels and drug-related crimes, was targeted by the Gulf Cartel (Cártel del Golfo) along with Enrique Blackmore, a prominent lawmaker in the territory controlled by the cartel. The targeting of officials and those running for office is believed to be a strategy designed to reduce people's willingness to hold offices in violent areas, thereby causing them to go unfilled or individuals more willing to

accommodate the cartels to fill them. Cartels have also used car bombings to target the police, and have killed U.S. Consulate staff along the U.S.-Mexico border. This type of attack aims to influence the state by intimidating Mexico's government into suspending its efforts to defeat the cartels. Assassination is used by nearly all terrorist groups, although far less frequently than other types of armed attacks.¹³ In the late 1940s and early 1950s, Iranian based Fadayan-e Islam assassinated former premier Abdul-Hussein Hazhir, Education and Culture Minister Ahmad Zangeneh, and Prime Minister Haj-Ali Razmara because they were believed to be 'corrupting individuals.'¹⁴ Terrorists use assassinations to eliminate enemies, intimidate the population, and decrease government effectiveness. Both terrorist groups and cartels use assassinations to, in some way, affect government action. The critical difference is that while both terrorist groups and cartels use violence to influence the action of states or other groups terrorist organizations, the goal of terrorists is to motivate change that is in line with their ideological beliefs, but cartels' goal in influencing the state is furtherance of financial gain and the continuation of their activity.

The key difference between Mexican drug cartels and foreign terrorist organizations is the presence of ideological motivations. Groups like ISIL are motivated ideologically by both politics and religion, and see themselves as representatives of oppressed groups. Cartels, including the Zetas, are businesses whose motives, much like those of large corporations, are defending markets, expanding market share, and ultimately, maximizing profit. There is a great deal of commonality among the activities of both types of groups. Criminal activity justified by ideological intent nonetheless remains a crime; illegal activity aimed at profit maximization may necessitate violence that targets government and strikes fear in the hearts of citizens. Arguably

all terrorist groups employing violence are engaged in some form of criminal activity. However, not all organizations engaged in criminal activity are terrorists: drug cartels fit this framework.

Trump's plan to characterizing Mexican drug cartels as foreign terrorist organizations has implications for policy as well as diplomatic relations. Unilaterally labeling cartels as terrorist organizations implies that military response rather than law enforcement approaches are generally the best way to confront them.¹⁵ Historically, the direct application of counter-insurgency methods to cartels has not worked as intended.¹⁶ The Mexican government has already stated that it will not allow U.S. military intervention into cartel violence. Given these factors, the military force that is used against foreign terrorist organizations may not be the best course of action. However, since these groups sometimes, and now more frequently, use terrorist tactics, specific aspects of counter-terrorism policy could be applied to address these specific terroristic tactics. Thus, it is necessary to maintain the definitional boundaries between foreign terrorist organizations and cartels while also recognizing the similarities in tactics through the 'terroristic' label. For example, a strategy of counter-messaging like that effectively utilized in counter-terrorism efforts could help mitigate the effects of recruitment and violent communication from cartels. If the definitional boundary is not maintained, differences may be collapsed, and counterfeits misapplied. Tactics such as leadership removal or decapitation have distinct consequences depending on whether the target is a criminal group or a more politically motivated group. Criminal organizations tend to be more hierarchical in structure, while a majority of modern terrorist organizations are decentralized. Additionally, differing motivations have consequences for groups' relationships with the news media. Criminal groups are likely to attack journalists, trying to silence them because publicity is bad for their business, whereas

terrorists depend on media coverage to publicize their cause. Furthermore, a great deal of cartel is related to group rivalries as they are competing for territory, customers, and supply, while only a small percentage of terrorist groups have attacked another terrorist group.¹⁷ Overall, while cartels use terrorist tactics, they also operate in ways that are different from designated foreign terrorist organizations because different factors motivate them. Trump's plan to designate the cartels as terrorist organizations is potentially detrimental to the 'war on drug cartels' as he puts it, or to the countering of cartel violence. If the cartels were labeled as terrorist groups, all of the information about why they act the way they do would be functionally lost and cause uninformed policy decisions. The Trump administration should not continue its efforts to designate the Mexican drug cartels as foreign terrorist organizations. Instead, it should create a framework that allows for the acknowledgment of similar terrorist tactics while maintaining a distinction between the groups' goals in order to make the most informed policy decisions in the future.

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Endnotes

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