



JAMES A. BAKER III INSTITUTE FOR PUBLIC POLICY
RICE UNIVERSITY

SPEAKING FRANKLY: VOICES FROM THE BORDERLANDS

THE MEXICAN CITIZENS SPEAK

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Voices from the Borderlands: The Mexican Citizens Speak

Introduction: What We Seek to Achieve¹

As the situation in the borderlands becomes more dire, there have been—and will continue to be—increasing calls for action.

Because of the international nature of the challenges, much of the policy will be directed from Mexico City, Washington, D.C., and other capitals. While well-meaning, those setting the plans for action are often not intimately familiar with the borderland communities, and thus the action taken is not always as effective as it might be. The geographic distance, the unique culture, and the silence from the border communities all contribute to the reality of the borderlands not being effectively communicated to policymakers in Mexico City and Washington, D.C.

The silencing of the border voices—whether due to intimidation, self-censorship of the press, fear of repercussions, and/or political pressure—has removed the most critical component from the border policy discussions. Yet these stakeholders hold the deepest understanding of the history, current reality, and possible steps necessary to find a solution.

This is the first in a series of papers to give the citizens of the borderlands in both countries an opportunity to voice their opinions and experiences, and it reflects the views of the Mexican residents from the border communities. Although no detailed discussions of current criminal activity were held while researching this paper (i.e., discussions that included names, locations, etc.) and only the broadest descriptions of trends in social conditions were shared, the persons interviewed for this document over many months would speak only under the condition of anonymity to protect their safety and the safety of their families. Such is the current reality of the border.

¹ This research is based on publicly available documents, interviews, and Internet postings. Researchers did not have access to any law enforcement or classified information.

Why Is the Urgency So Great?

The lawlessness unfolding in the border communities is by far the gravest concern of citizens in both countries. The criminal class not only acts with virtual impunity, but controls entire geographic regions as well, blockading roads and travelling through towns while brandishing weapons. These elements “tax” citizens (i.e., citizens are forced to pay protection money), seize property, and dictate their self-perpetuated “laws” at will. Currently, it is estimated that less than 5 percent of the crimes in communities such as Juarez are investigated. Hours-long gun battles, carjackings, and kidnappings have besieged Mexican communities on the border and are often heard or witnessed by those on the U.S. side of the border.

The criminal class has grown beyond “organized” crime. Organized crime implies a structure and hierarchy, rules, and discipline. The criminal class has grown far beyond the historical organized crime organizations, to highly brutal “free agents” that may or may not work for the established organized crime groups, and may or may not have any loyalty to the established organized crime groups, their rules, and their leadership. Rapidly the free agents are changing the rules of the game, particularly with regard to collateral damage. In past times, if one organized crime group wished to take out a rival, members might enter a restaurant and execute that individual. Today, those members often choose to kill everyone in the restaurant. This generation living “la vida loca” (the crazy life) exhibits a complete disregard for life, as most believe they are not likely to live very long themselves.

The free agents are often preteens and teenagers participating in gangs, and they are quickly multiplying within the youth that neither attend school nor work. Officials in the Yucatan estimate 28 percent of youth between the ages of 12 and 17 neither work nor study (the so-called “ninis”).² In other locations, the percentage may be higher. While drug cartels continue to find new depths of brutality, in the long run, it is the young gang members creating the criminal class who are of the greatest long-term concern.

² According to one source, 7 million youth in Mexico neither study nor work. See <http://www.sipse.com/noticias/75508--28-jovenes-yucatan-ninis.html>.

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While primarily focused on residents of Mexico, criminal elements increasingly target Mexican citizens who have fled the country by threatening family members that remain in Mexico. Currently, the criminal class seems to rule the streets of many Mexican communities, and will continue to do so, with or without the drug trade. While the drug operations have provided some income, the criminal class has increasingly become more involved in kidnapping, theft, and extortion. Reports from September 2010 indicate 10,000 businesses in Juarez have shuttered or been burned out.³ According to one well-placed individual, an estimated 40,000 extortions are believed to occur daily in Juarez. The targets are not just shopkeepers, but include maquiladora workers waiting on their buses to go to work. These activities would continue unabated, and possibly increase, without the drug trade.

Experiencing this reality, the Mexican citizens, particularly the middle class, are fleeing border communities, seeking the relative safety of the United States. With the wave of relocations, many communities on the U.S. side of the border are experiencing minor economic booms as a result.⁴

The flight to adjacent border communities is both bad news and good news. The middle class is essential to a healthy democracy, its institutions, its communities and its economy, so the loss is very significant. On the other hand, many of these same citizens have remained in the borderlands on the U.S. side. Therefore, if the security environment in Mexico were to improve, they would likely return. As with any refugee population, however, the likelihood of return declines over time, thus the Mexican government has only a limited window of opportunity to improve the security for its citizens in hopes of enticing its expatriate citizens to return.

Mexican businessmen and professionals believe they can live with the organized crime as they have historically known it, but they cannot live with the burgeoning criminal class that roams the streets and communities with impunity. Having rival drug cartels kill off each other's members is

³ John MacCormack, "Juárez reeling in the grips of drug war," *San Antonio Express-News*, September 26, 2010.

⁴ For example, see Ana Campoy, "Mexicans fleeing violence spur a boom in El Paso," *The Wall Street Journal*, October 26, 2009, <http://online.wsj.com/article/SB125651480451107029.html>.

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acceptable, but killing random citizens is not. Some wonder if entering into discussions with the established organized crime organizations to find solutions might bring progress.

American and Mexican residents in U.S. border communities are increasingly facing the same issues. Many Texas ranch owners who reside off the ranch no longer visit their ranches, or only visit during the hunting season with large groups armed with hunting weapons. Likewise, youth gangs are increasingly emboldened and are spreading on the U.S. side of the border.⁵ As in Mexico, there are indications that local criminal organizations are recruiting members and lookouts from high schools, and are at the root of the gang problems in Texas border counties.⁶ Students, teachers, administrators, and other students are wary of confronting the crime-connected bullies. Organized crime members have impersonated civil authorities and cloned their official vehicles—whether law enforcement vehicles, Texas Department of Transportation trucks, or school buses—and they have cloned legitimate business vehicles as well.

Supplanting Legitimate Government

Organized crime has supplanted the legitimate government in some communities. Landowners and businessmen are forced to pay “taxes,” or protection money, to criminals because they have no choice. The government in some communities cannot protect them if they do not pay, nor has the government successfully combated the armed groups, nor do the citizens trust that certain members of the government are not involved, because corruption is so pervasive. At the end of 2010, the entire town of Ciudad Mier, in Tamaulipas state, fled to nearby Miguel Alemán for these reasons.⁷

Organized crime has engaged in “protection rackets” in countries around the world for generations. Historically, the protection is paid in currency by individuals and businesses based on geographic locations and/or industry. Examples of this activity can be found both in the United States and Mexico over the last century. While not condoned, it has continued to exist; but if too egregious, governments will intervene and crack down on the activity. In the United

⁵ Naxiely Lopez, “Crime Tree: Cartels among roots of street gang actions, RGV cops say,” *The Valley Morning Star*, January 24, 2011, <http://www.valleymorningstar.com/news/among-87223-rgv-cartels.html>.

⁶ Ibid.

⁷ Dudley Althaus, “In the Eye of the Storm,” *Houston Chronicle*, November 12, 2010.

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States, a dynamic equilibrium has existed. In Mexico, the equilibrium has been lost, and with it, stability and certainty.

Citizens of Mexico have been accustomed to paying unofficial sums, which have served as an unofficial tax, but with the payment has come a modicum of certainty and protection from the de facto power of the area. In the lawlessness of today, marauding bands of criminals with high-powered weapons regularly demand money and property from the terrified citizens. Having made one payment, there is no guarantee that another group will not come and ask for more money. When a loved one is kidnapped, paying a ransom is no guarantee that he or she will be returned.

Daily activities have become increasingly difficult. Businessmen driving from home to work must follow strict self-defensive measures, randomly varying their departure times and routes. While passing through town, drivers refrain from looking at the activities along the route, for fear of attracting unwanted attention. Children on the streets stand idly by, watching all activities, and reporting back to their criminal organizations. Each trip begins with a hope that the destination will be reached without incident. Each day is begun with a hope that no incident of carjacking, kidnapping, threats, extortion, or death within the family will occur. The citizens living under these conditions are beginning to develop psychological disorders.⁸

If this situation were not difficult enough, in recent years, criminal groups have demanded the property of the citizens. Upon being confronted, a citizen has only a few minutes to depart the property and leave behind all belongings, never to return. In the last year the criminal organizations have become increasingly sophisticated, and now escort the property owner at gunpoint to the land title office and require the landowner to sign over title to the property. Further, there has been word that Mexican property owners who have fled Mexico have had their extended family members remaining in Mexico held hostage, until the property owner returns to Mexico to sign over his assets. To refuse would have resulted in the death of the family members left behind. Others who have spent years coming and going across the border for business and pleasure no longer cross over from Mexico, due to fear of the perception that they are planning to

⁸ John MacCormack, "Juárez reeling in the grips of drug war, *San Antonio Express-News*, September 26, 2010.

flee and of the commensurate retribution that might come with the perception. In their fear, these citizens do not know where to turn or hide. They feel they are living in the wild, wild West, and everything has a price.

While most of this fear goes unreported, there are a few instances in which reports have come to light. Consider the stories of ranchers in Tamaulipas who are abandoning their property due to insecurity, and those who have chosen to fight. Ranchers Don Alejo Garza Tamen and Alego Garza Tamez are vivid examples of men who have died defending their ranches from the criminal confiscation.⁹

The Plight of the Middle Class

The middle class is essential to the stability of communities. These citizens provide jobs and services, pay taxes, and engage in the civic activities that provide social cohesion. Unfortunately, the middle class in Mexico is under the greatest attack. Without the resources for protection afforded to the upper class, they are preyed upon by criminal organizations. As professionals, they are viewed as advantaged in their communities, and easy prey for extortion and kidnapping demands. Because they are invested in property and businesses in their communities, they cannot easily cash out and flee. In many instances, they feel forced to make an alliance with a criminal organization to survive.

In the border communities, citizens from all walks of life, including the middle class, are fleeing or have fled. Leaving behind their families, professional careers, significant assets, and culture, they have chosen to escape the violence to create a new life with much more modest means. In many cases, these individuals are instructed to leave the country or face the consequences. If the border communities are to rebuild, they must provide sufficient security to attract the middle class back home. As these same persons rebuild their lives outside of Mexico, with each passing year they are less likely to return. Fortunately for Mexico, many have chosen to stay in the borderlands, and have chosen to reside in communities or states along the border.

⁹ See “Otros ganaderos abandonan sus ranchos en Tamaulipas,” November 24, 2010, <http://www.milenio.com/node/585326>; and “Defiende su rancho del narco hasta la muerte,” November 23, 2010, <http://www.milenio.com/node/583343>.

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Due to the gravity of the situation, many Mexicans are filing for asylum in the United States, applying for student visas, and taking advantage of the \$500,000 investment capital provision of the EB-5 immigrant investor visa.¹⁰ The first among them were journalists, followed by police chiefs, and now citizens. Filing for asylum allows the Mexican residents an interim status, but uncertainty remains as to how these cases will ultimately be viewed by U.S. immigration officials. Others are taking advantage of residency provisions afforded family members born in the United States to Mexican citizens. While the Mexican citizens prefer to live in Mexico, these births have served as “insurance policies” in times of turmoil for Mexicans of the border communities for generations.

In the meantime, the Mexican communities are suffering a major “brain drain” and loss of the entrepreneurial spirit that is necessary for the development of jobs and the economy and, ultimately, the stability of the country.

How Has This Come to Pass?

Mexico’s current condition has resulted from a confluence of several major shifts: the shift in political parties, the shift in market power within the illicit drug trade, and the large migration to the borderlands.

Mexico’s historic stability has been founded upon a system of both laws and unwritten rules. While official policy may be enacted, unwritten rules of established powers within the society also played a critical role. The politicians and business leaders remained separate, but worked in conjunction with each other.

At the upper reaches of business and politics, Mexican citizens have been able to isolate themselves from the problems, and so have paid little attention to the trouble of the middle and lower classes. Maintaining their power over the economy and political structure, the upper

¹⁰ The visa can be a method for foreign nationals who invest in the United States to obtain residency. See U.S. Citizenship and Immigration Services, Employment-based Immigration, <http://www.uscis.gov/portal/site/uscis/menuitem.eb1d4c2a3e5b9ac89243c6a7543f6d1a/?vgnnextchannel=facb83453d4a3210VgnVCM100000b92ca60aRCRD&vgnextoid=facb83453d4a3210VgnVCM100000b92ca60aRCRD>.

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classes are perceived as having been able to avoid civic responsibilities such as paying taxes and abiding by the rule of law.

The Political Shift

For many years, the Institutional Revolutionary Party (PRI) dominated national politics in Mexico. It was suspected of using the intelligence, bureaucratic, and legal apparatus for cementing its hold on power and business. Over time, some Mexican citizens chafed at the perceived excesses and ties to established smuggling operations, and those outside the power structure sought change. With the election of the National Action Party's (PAN) presidential candidate Vicente Fox in 2000, the PAN set out to be the agent of change, and a revolution of sorts ensued. The politics changed, and the rules, both written and unwritten, changed. Unfortunately, the institutions were not in place to provide certainty, and the PAN did not have a well-established structure to rely upon.

As in other countries where there has been a shift in political leadership, there was a wholesale change of personnel in the bureaucratic government institutions that did exist. With the changes in Mexico, there was no clarity on how to conduct business. In an effort to eradicate the excesses of prior eras, large amounts of national intelligence data also were destroyed. Unfortunately, the turnover and document destruction reached so deeply into the institutions that much institutional knowledge and national security knowledge was lost. For better or worse, the unwritten rules and power structures were lost as well, without a replacement. Citizens were not certain how to participate. In a society where most everyone had felt accountable to higher authority, there now was little or no accountability. Those at many levels of society were now "free agents" engaging in activity for their own self-interests, with organized crime leading the way.

Shifts in the Drug Trade

As the political "revolution" was unfolding in Mexico, dynamics of the drug trade in the Western Hemisphere also were changing. The center of power in trafficking was shifting from Colombia to Mexico. As a result of the extended pressure placed upon the Colombian cartels by government anti-drug efforts, the Colombian cartels entered a state of decline, to be replaced in part by the FARC (Revolutionary Armed Forces of Colombia) and, in part, by the Mexican drug

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cartels. The FARC played a larger role within Colombia, and the Mexican drug cartels moved from simple transshipment operations to dominating the trade into the United States.

With increased dominance of the drug trade came increased power and profit. The profit, in turn, bought political influence, if not control. But with increased profit came more entrants into the business, beyond the historical smuggling organizations. Eventually turf battles ensued. Virtual arms races and alarming rates of violence among competing cartels followed. With the new generation came a disregard for the unwritten rules of the established smuggling organizations. The violence has spilled increasingly out of the trade into the civilian population.

Migration to the Border Regions

Large migrations to the border regions have further amplified the problems. Attracted by potential economic opportunities offered by the maquiladora programs, Mexico has experienced large intra-national and international migrations to its borderlands. What were once small, stable communities became large urban jungles surrounded by barrios lacking the basic necessities. The growth outpaced the government's ability to create jobs and meet basic needs, such as water and sewer services.

The economic opportunities of the region also had an unintended consequence—the disintegration of families. Women increasingly have evolved as the breadwinners of their families, either due to necessity as single parents or circumstance. Within manufacturing, the women are seen as good, reliable, and manageable employees. Their successful employment has had personal and family consequences. Personally, the women have fallen easy prey to attack, rape, robbery, and murder.¹¹ The family consequence of their employment is their absence from the home, leaving youth unattended. Often living in poor or deplorable conditions, many youth leave school early and ignore entry-level jobs in favor of quick cash to be made on the street. A job as an enforcer, lookout, or freelance extortionist pays more than the \$10 per day in a maquiladora.

¹¹ Dudley Althaus, "The Tortured Women of Juarez," *Houston Chronicle*, April 19, 2010, <http://www.chron.com/dispatch/story.mpl/world/6964669.html>.

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Those who are newly arrived, then, hold a feeling of resentment in general, while also not having a deep connection to the community. They have no allegiance, no ownership, no history, no rules, and no memory of the way it had been. This portion of the populace, then, is at great risk to becoming part of the criminal class.

What Needs to Be Done?

Security, economic development, and social well-being are inextricably tied in the border region. Economic development cannot proceed without security. Security relies on social well-being. Social well-being cannot be achieved without a stable economy and the rebuilding of communities.

The development of solutions for the border communities, by necessity, must come from the members of the communities. Consequently, building programs empowering the citizens to address the issues is essential. These citizens, particularly the middle class, have the vested interest in their communities, its businesses and property, yet they have been neglected for years by the political apparatus. In the last five years they are the ones who are fleeing. The departure will not be stemmed until the citizens are comfortable with the level of security and the quality of life. The citizens must feel safe at home, at work, and while carrying out daily activities in their communities.

In the long term, aspects of a nation-building program may be required. Institutions must be rebuilt with transparency and accountability. Citizens must learn how to participate in the process to ensure transparency and accountability, how to research political activities, and how to initiate public debate, but they must be provided an environment free of intimidation to engage in the process. Self-aggrandizement by businessmen-turned-politicians also must be prevented. Long-term success is tied to public trust, which relies upon political wellness and necessity of citizen participation and networking. Public trust is bolstered by political leaders free of corruption, with a vision they can effectively communicate to the citizens.

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Some elements of transparency may not be practical until the security environment improves. In the United States, public records and freedom of information laws serve as a backbone of transparency and accountability. Currently in Mexico, these same records can place citizens at risk. For example, publicly registering owners of businesses will result in targeting the business owners and their families for kidnapping.

As with Colombia, building community support is critical. Working in conjunction with the citizenry, nongovernmental organizations (NGOs) and all levels of government also must be fully engaged.

In order to achieve true progress, those coming to the table must understand the dynamics, and be intimately familiar with the forces at work, but carry minimal bias. As with many difficult issues, an independent third party may be required as a mediator to help build the trust. All avenues must be explored, and local stakeholders need a leadership role.

How Can This Be Achieved?

Not only is change required, but the changes must be sustainable. First, a new generation of leaders must be cultivated. These leaders must be educated about government functions, responsibilities, and powers, and must be free of corruption. The leaders must focus on the community's long-term well-being in the true sense of public service.

Second, Mexican government at all levels must rebuild the public trust. Mexico's governmental institutions must be built and/or modified for transition and corruption prevention. This includes a dedication to the rule of law, accountability, transparency, and meritocracy.

Third, a broad base of citizens must become engaged in the process and empowered to take responsibility of their communities. Initially this may be based on informal, ad hoc groups, from which long-term relationships can be built. In the early stages, however, care must be given to protect the citizens involved, for they may be targeted simply because of their participation.

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Fourth, the younger generation must be provided opportunities beyond the life of street crime. To maintain and build the middle class and create jobs, entrepreneurial enterprises must be encouraged, and not stifled by the “old guard.”

Fifth, all citizens must do their part, including the upper classes.

If a cultural change is required, a reconciliation commission may be necessary, such that those who wish to be part of the solution, but may be considered complicit in past activities, have the ability to come forward and absolved of any prior activity. Similar concepts were discussed in 2000 and 2001 as the PAN administration of Vicente Fox uncovered the excesses of previous PRI administrations.

All efforts will take significant financial resources.

Conclusion

As Mayor Hector Murguia of Juarez has said, “The real causes that are generating the insecurity in Juarez and all over Mexico are a lack of opportunity, lack of education, lack of necessities, impunity, and lack of justice.”¹²

This paper is the first in a series intended to capture the perspectives and ideas of citizens of the borderlands. As such, it seeks to educate the reader to the perspective from the border. Subsequent papers will present more detailed issues to be addressed and explore possible solutions.

To date there has been a deafening silence out of the border communities—whether from hopelessness, fear of retribution, or isolation—yet the members of these communities are likely to hold the knowledge of key elements for success. This discussion is intended to give those who have long lived in the border communities a collective voice to share their plight, their hopes,

¹² Mary Anastasia O’Grady, “Can Mexico be Saved?” *Wall Street Journal*, November 13, 2010, <http://online.wsj.com/article/SB10001424052748703904304575497902062932426.html>.

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and their suggestions for the future—suggestions that can be formulated into public policy on both sides of the border.

Public trust in the government and its institutions will play a pivotal role in turning the tide in the borderlands. Public trust will rely on the involvement of the citizens; removing the element of intimidation will be required for healthy citizen involvement. Those same citizens must be provided security, certainty, and quality of life.

While media focus on the violence may have the immediate negative effect of discouraging business investments to the border, it is bringing international attention to the plight of border citizens. Those citizens desperately hope the attention can lead to progress in addressing the ever-increasing threat to their lives, families, and well-being.

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