Between Threat and Opportunity:

The Impact of Drug Trafficking on Governance in the Frontier Region of Mexico and the United States

Dr. Donald E. KLINGNER
Distinguished Professor
School of Public Affairs
University of Colorado Colorado Springs
1420 Austin Bluffs Parkway
Colorado Springs, CO 80918
Mobile: (303) 596-2405
donald.klingner@gmail.com
Web page: http://sites.google.com/site/donaldklingner

Dr. Roberto MORENO Espinosa
Professor-Investigator
Centro Universitario UAEM Amecameca
Universidad Autónoma del Estado de México
Antiguo Camino a San Pedro Mártir, núm. 42, casa 5, Col. Villa Tlalpan
Distrito Federal, México
Tel: (55) 54858382   Mobile: (55) 34489382
E-mail: rmorenoespinosa@yahoo.com.mx

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Donald E. Klingner and Roberto Moreno Espinosa

ABSTRACT

The "war on drugs" along the U.S. – Mexico border is widely recognized as a threat to public security and border integrity in both countries. However, the demands imposed on public officials and institutions of both countries continue. How have these public institutions, officials and administrators responded to the continuing demands for public services in terms of:

- Political-administrative relations: How have the "drug wars" affected the ways that public administrators work with elected and appointed officials in multiple levels of government and across national boundaries to provide public services?
- The role of community institutions: How have community agencies along the border responded on the ongoing needs of public safety, security, legal trade facilitation and transport, economic development, water management, environmental protection and migration?
- Performance and productivity: How has the "war on drugs" affected agency productivity? Perhaps more importantly, how have "drug wars" affected the ability of public managers to measure the performance of their agencies and to respond appropriately to changing conditions?
- Communications, decision making and organizational learning: What innovations in information and communication technologies (ICTs) have made it easier for them to work with and learn from each other despite these risks?

Keywords: Mexico-U.S. relations, drug trafficking, public administration, capacity-building, governance

Introduction

Globalization describes the interacting conditions that make the world smaller and more interconnected (Keohane and Nye, 2000). These include faster and cheaper information, communication and transportation technologies (ICTs); the gamut of demographic, economic, political, social and environmental conditions around the world; and threats like poverty, war, terrorism, violence, ethnic conflict, environmental pollution, natural disasters, pandemics and global climate change.

Whatever the specific pressures that define globalization in a given context, they generally increase demands for "good governance"– i.e., effective political responses to them by

elected and appointed officials, public administrators, and international financial institutions (IFIs). Good governance means enhanced government capacity to marshal resources and coordinate authoritative national and international responses (Farazmand, 1999; Pollitt and Bouchaert, 2000; Jreisat, 2011). In developed countries, this typically means *maintaining* governments' abilities to coordinate policy, gather information, deliver services through multiple (often non-governmental) partners, replace hierarchical bureaucracies with more flexible mechanisms for managing indirect government (DiIulio, Garvey and Kettl, 1993; Brudney, O'Toole and Rainey, 2000; Kettl, 2002), and resolve issues of performance and accountability caused by interactions across sectors and levels of government (Klingner, Nalbandian and Romzek, 2002). In developing countries, good governance usually means *establishing* government's ability to deliver vital public services (through core management functions like budgeting, human resource management and program evaluation) while simultaneously focusing on more fundamental changes (e.g., citizen participation, decentralization, innovation and entrepreneurial leadership (Kettl, 1997) required for effective political systems.

In this context, the "war on drugs" along the US – Mexico border is widely recognized as a threat to both public safety and border security. Nonetheless, public administrators and public agencies in both countries face continueddemands for public services, particularly those for which state and local governments have traditionally beenresponsible such as education, public health, public works and community development. So this threat also represents an unrecognized opportunity to examine how state and local governments throughout the border region between the US and Mexico have responded to this crisis, particularly with respect to the governance issues that have traditionally been considered important in comparative public administration:

- *Political-Administrative Relations*. Public administration requires effective working relationships between professional administrators and elected and appointed officials. How have the "drug wars" affected these relationships across multiple levels of government and across national borders? How have they affected the way they work together to respond to continued demands for security and public safety, the facilitation of legitimate commerce and transportation, economic development, water management, economic development, environmental protection and immigration?

- *The Role of Community-Based Organizations*. In the transition from government to governance, community-based NGOs (non-governmental organizations) have become increasingly responsible for public service delivery. They not only aggregate and articulate demands for public services, but also deliver them directly through privatization and outsourcing. How have the "drug wars" affected NGOs' traditional relationships with public administrators and elected/appointed officials on both sides of the border, and how have NGOs responded to these challenges?

- *Administrative Functions*. Like all organizations, local governments and community based organizations have to plan, manage and evaluate programs. Given that the "drug wars" have affected their ability to deliver public services, we must also examine how they have affected the internal procedures and functions on which these organizations depend, and how they have responded to this situation.

- ***Performance and Productivity***. Public agency productivity has traditionally been measured in terms of efficiency, effectiveness and political responsiveness. How have the "drug wars" affected public agency productivity? Perhaps more important, how have they affected the ability of public administrators to measure agency performance and to respond appropriately to changing environmental conditions?

- ***Communications, Decision-Making and Organizational Learning.*** The "drug wars" exacerbate difficulties in the working relationships among public and non-governmental organizations in the trans-border area. What innovations in information and communications technologies (ICTs) have they developed to enhance communications, decision-making and organizational learning under these changed environmental circumstances?

Political-Administrative Relations

Public administration requires cooperation between professional public administrators and elected and appointed officials. As might be expected, this is most easily achieved when consensus exists among these and other stakeholders concerning goals and the means to achieve them. Unfortunately, such consensus does not at present exist in either country. In the US, although none of those involved in the 9/11/2001 terrorist attacks entered the US via Mexico, Mexican border security has become synonymous with national security. Beyond border security, other US policy objectives include control over immigration, which subsumes both sustainable economic development and protection of traditional linguistic and cultural values.

The US system of government is based upon "checks and balances," which in practice means the perpetuation of conflict and tension across the three branches of the national government (judicial, legislative and executive), and between the national government and its state and local counterparts. It is also based on political leadership exercised by elected and appointed officials, and professional public administrators. Thus, the essential dilemma is how to maintain effective communication and coordination across levels and branches of government. While immigration control and border security are national government responsibilities, providing public services such as health, education and criminal justice are overwhelmingly the responsibility of state and local governments. In this situation, the inability of the US national government to articulate clear policies with respect to border control and immigration has led state and local governments to enter these policy areas, either as a result of intense political pressure from conservative and provincial interests in affected states (e.g., Texas, New Mexico and Arizona), or in budget-driven efforts to reduce the effects of immigration on state or local governments.

In Mexico, state and local governments have traditionally been subordinate to the national government, and the legislative and judicial branches have traditionally been subordinate to the executive branch. This is due to political culture, constitutional provisions, and administrative practice. Over-centralization has been a characteristic of the Mexican state since pre-Hispanic times. Hierarchical control is reinforced by a political culture based on clientelism (i.e., security and advancement based on loyalty to an individual or political organization),

reinforced by corruption, lack of transparency, and other administrative practices typical of patronage systems. Despite the increased emphasis on professionalism and qualifications in administrative positions, the main problem is not to get politicians and administrators to work more closely together, but to keep them from doing so. These tendencies are reinforced by constitutional provisions that limit accountability and decentralization. For example, Presidents serve a single 6-year term without the possibility of reelection. Municipal mayors may serve only a single 3-year term without the possibility of consecutive re-election. Traditionally, they spend the first year of their term repainting police cars in the political colors of the party they represent and generally discrediting or undoing the accomplishments of their predecessor, and the third year looking for their next job. About 80% of the tax revenues are destined for the national government, while in the US the comparable figure is 20%.

The administration of Felipe Calderon (2006-2012) cooperated extensively with US government agencies on drug interdiction and border security. Its active opposition to the transnational criminal organizations (TCOs, more commonly known as the drug cartels) arguably contributed to escalating drug-related violence, increased corruption, and increased control over public safety and security by the Mexican armed forces. For whatever reason, the short-term effect of the drug wars has been to undermine the democratic progress of the past two decades, including such developments as an increasingly transparent and credible electoral processes, the emergence of a strong and divided national legislature, judicial reforms, and increased federalism and decentralization. The security crisis generated by the drug wars encourages the expansion of executive power and undermines federalism, increasing the power of the central government in contrast to the power of states and municipalities (Lindau, 2011).

The 2012 election of PRI candidate Peña Nieto resulted in a shift in the Mexican government's policy agenda away from direct confrontation with the drug cartels, and toward a renewed emphasis on public safety and security, and on economic development and structural reform, in an effort to reduce the underlying causes of increased involvement in the drug trade by Mexicans. However, continued threats from the drug cartels, when added to historic tendencies toward authoritarianism and centralization, have made Mexican public administrators more vulnerable to random or targeted drug violence, and reduced the incentives for them to act based on their own professional expertise (source).

Given policy gridlock and environmental uncertainty in both countries, it is not surprising that the "drug wars" have affected political-administrative relationships, particularly the way they work together, across multiple levels of government and across national borders, to respond to continued demands for security and public safety, the facilitation of legitimate commerce and transportation, economic development, water management, economic development, environmental protection and immigration. Most specifically, they have increased pressure on both groups to work together on a range of "intermestic" issues, those which must first be defined (i.e., framed) within the context of each country's political history and culture and then brokered within the policy-making mechanisms of both countries together. Given the different ways that federalism has played out in Mexico and the US, this is a daunting proposition. In Mexico, the relative weakness of state and local governments has been exacerbated by the interjection of the Mexican military into law enforcement and drug interdiction. It adds another layer of national executive and legislative authority onto a system that most observers already

consider overly centralized. It remains to be seen whether this will reduce drug-related violence or increase the effectiveness of interdiction efforts in the short term. But in any event, it postpones the decentralization and professionalization of state and local law enforcement, corrections and judicial institutions and policies.

In the US, border security is a federal responsibility without the ability to use the armed forces directly. On top of this, US law and practice have made state and local governments responsible for what they consider "unfunded mandates" – i.e., the responsibility for developing policies and funding programs in criminal justice, education and public health that provide services to all residents, including those who do not possess legal residence documents. In the absence of a clear national policy on immigration, US state and local public administrators have had to do the best they can, often working within laws that differ from state to state, with differing institutional structures, policy objectives and performance measures. In Mexico, border security has in practice been left to the U.S. federal government because traditionally the net flow of migrants has been from Mexico into the United States. However, recent dramatic increases in the flow of Central American refugees through Mexico to the U.S. have increased pressure on the Mexican government to maintain better border security with Guatemala.

The Role of Community-Based Organizations

In the U.S., the resurgence of anti-government values and the transition from government to governance have meant that community-based NGOs (non-governmental organizations) have become increasingly responsible for public service delivery. The trend toward downsizing and decentralizing government means that thousands of nonprofit organizations routinely provide local government social services funded by taxes, user fees, and charitable contributions. These decisions involve political outcomes that affect individual citizens and program recipients, impacting on the taxes that are paid, the nature and quality of services provided and on the allocation of public resources as jobs (Klingner, Nalbandian and Romzek, 2001).When used effectively, privatization and contracting out can reduce costs and increase efficiency. However, two concerns remain. First, reliance on NGOs to deliver public services assumes—often erroneously—that they have the organizational capacity to do so (Fredrickson and London, 2000). In addition, using NGOs as contractors can lead to the marketization of the nonprofit sector, thereby weakening the civil society they constitute (Eikenberry and Kluver, 2004).

In Mexico, social services are almost exclusively delivered by national government agencies. Community-based organizations have typically not been identified with grassroots political insurgency. Nonetheless, increased dissatisfaction with the quality of local government service delivery has led to increased development of community based organizations. Popular unrest with the national government's response to the "drug wars," and the lack of effective responses to drug trafficking and related violence by government-based public safety and security agencies, have had the same effect.

How have the "drug wars" affected NGOs' traditional relationships with public administrators and elected/appointed officials on both sides of the border, and how have NGOs responded to these challenges? In the US, the policy gridlock in the trans-border region has

increased opportunities for community-based organizations to fill the policy vacuum on the ground by offering services in a range of programs relating to community safety, education and public health. This is because NGOs have become responsible for delivering community services in the US, whether funded by federal and state agencies or by grants and contracts funded by charitable donations from individuals or philanthropic institutions. US NGOs have thus increased their activities, though general issues of coordination and control have become more problematic because of conflicting policy objectives and performance measures across levels of government and individual government jurisdictions.

In Mexico, the situation is more problematic. The inability of government agencies to respond effectively to drug-related violence and criminality has led to the formation of community-based organizations based in local neighborhoods (*colonias* or *barrios).* These offer private security by hiring private guards, varied health and educational services to those most affected by border area violence, and – most important – an avenue for interest aggregation and articulation that increases pressure for coordinated and effective action by government agencies. However, the traditional patriarchal and corporatist role of the Mexican government has long discouraged the formation of independent groups to articulate interests within Mexican society, instead turning this responsibility over to national government agencies. It remains to be seen what effect the re-centralization of security and drug interdiction efforts will have on the continued development of fledgling community-based organizations at a local level, and whether they will succeed in solidifying their position as a community-based alternative or once again cede it to the national government in the face of short-term demands for effective measures against TCOs and their negative effects on beleaguered urban areas along the Mexico-US border.

Administrative Functions

Like all organizations, local governments and community based organizations have to plan, manage and evaluate programs. Given that the "drug wars" have affected their ability to deliver public services, we must also examine how they have affected the internal procedures and functions on which these organizations depend, and how they have responded to this situation.

In the U.S., the lack of coherent national policy on immigration and border security has led to fragmented responses by state and local governments. In some states such as Arizona, popular dissatisfaction with "liberal" immigration policies and amnesty for "illegal" immigrants has led to the adoption of state and local policies prohibiting the provision of public services to those who cannot prove their citizenship. Since immigration and border security are the prerogative and the responsibility of the national government, federal courts have also routinely overturned these measures on constitutional grounds. Given the lack of consensus on policy objectives or methods, each government has sought to maximize its own objectives and minimize the negative consequences of drug trafficking, migration, and other related issues.

The US political and administrative system was deliberately designed to favor decentralization and fragmentation of political and administrative authority through the separation of powers. This Madisonian vision articulated in the US constitution won out over the

more populist and libertarian model proposed by Jefferson and the more centralized and hierarchical model proposed by Hamilton. In this respect, it can be said that political gridlock and the inability to resolve political and administrative issues in a number of policy areas that affect the trans-border region are perhaps quantitatively more noticeable than they have been at times in the past, but not qualitatively different. Viewed from a long term perspective, this situation differs more in degree than in kind.

The situation in Mexico may be more critical. The political culture has long been characterized by administrative formalism, defined in terms of both an insistence on the importance of legal and institutional foundations and the relative ineffectiveness by which policies and programs are implemented in reality. The emergence of regional criminal organizations in one sense is but the re-emergence of non-governmental authority in areas where the national government has failed to either impose a monopoly of state-sanctioned violence through law enforcement, criminal justice and corrections institutions, or failed to provide adequate financial and human resources to adequately implement programs once they are established "on paper."

Performance and Productivity

Public agency productivity has traditionally been measured in terms of efficiency, effectiveness and political responsiveness. How have the "drug wars" affected public agency productivity? Perhaps more important, how have they affected the ability of public administrators to measure agency performance and to respond appropriately to changing environmental conditions?

In the US, the decentralized nature of decision-making, the multiplicity of stakeholders, and the presence of a range of print and electronic news media ensure at least some measure of transparency, disclosure, and hence public agency responsiveness. However, in the absence of effective, overarching national policy on issues such as migration, drugs, firearms and money laundering, individual agencies and administrators have often developed contradictory, ineffective and even counter-productive policies that increase the risk of illegality or failure, and hence the need for disclosure and transparency by watchdog groups inside and outside government. This was certainly the case when US government agencies developed "sting" operations like "Fast and Furious" to combat money laundering and the flow of illegal guns from the US to Mexico. At least in hindsight, these programs were disastrous and ill-considered. Once brought to the public's attention, they resulted in severe organizational and personal penalties for those agencies and officials responsible.

In Mexico, administrative formalism and the unitary nature of social control has led the national government not to disclose information about policy or program failures, and the lack of independent or countervailing institutions to ensure transparency. Mexico passed a law of national transparency in 2003, but the re-centralization of power based on the exigencies of the drug wars, and the lack of a tradition of non-governmental (i.e., community-based) organizations and interests, has made transparency more of an ideal than a reality. Mexico's print and electronic journalists have also suffered heavily in the drug wars, as their efforts to report the

violence accurately as news, or to characterize it as a threat to public safety and security, have led to their being "caught in the middle" between drug gangs and security forces. Latin American journalism has traditionally been characterized by less of a distinction between news and editorials (i.e., fact and opinion) than is typical of other countries that rely on the media to keep government agencies and officials honest. Given the inability of government institutions to protect them in the performance of their societal function, journalists have often failed to report facts accurately with respect to drug violence or corruption, or been punished for doing so by either the drug cartels or the government. The cartels punish by murdering, kidnapping or "disappearing" journalists if threats are insufficient to enforce compliance. The government controls journalism by providing favored access – often augmented by under-the-table subsidies and bribes – to those journalists, editors and media moguls who tend to uncritically support government officials and programs. Under these conditions, the temptations to avoid reporting unfavorable news, or to avoid taking clear positions on issues related to drug cartels, government program operations or corruption in high places, are enormous and often irresistible.

Communications, Decision-Making and Organizational Learning

Technology transfer involves the use of shared information to improve organizational effectiveness or public policy outcomes (Klingner and Sabet, 2005; Klingner, 2009). Conceptually, it involves the relationships among information, knowledge and wisdom. Operationally, it requires the creation and management of knowledge in learning organizations through a "knowledge spiral" by which individuals' insights and innovations help the organization adapt to changing and challenging environments (Nonaka, 1994). On a more global scale, it involves the successful transplantation of "best practices" from their initial context to another region or country so as to achieve economic, social, political or environmental goals (Knott and Wildavsky, 1980). Viewed in both organizational and societal contexts, technology transfer requires an understanding of the conditions and factors that make successful adaptation of endogenous technologies to exogenous situations, and the systematic development of guidelines and methodologies for successful (tion diffusion and adoption Holzer and Julnes, 2001; Landry, Lamari and Amara, 2001; Landry, Lamari and Amara, 2003; Webber, 1987; Weber, 1992).

The "drug wars" exacerbate difficulties in the working relationships among public and non-governmental organizations in the trans-border area. What innovations in information and communications technologies (ICTs) have they developed to enhance communications, decision-making and organizational learning under these changed environmental circumstances? This area is clearly the most problematic for both countries. Organizational learning requires effective environmental sensing, the collection of appropriate policy-analytic information, and its use to make data-driven, strategic decisions. The lack of coordination and communication across levels and sectors in both countries makes this difficult. Combatting TCOs clearly requires information-sharing by military, security and law enforcement agencies. However, the lack of data security due to the effective corruption of top-level military and public security officials – particularly in Mexico though also in the US – gives each agency and each country a strong incentive to withhold information, thus preventing cooperation. The underlying lack of a sustained history of close and effective working relationships between the two countries, based

as it is on an underlying ambivalence and mutual mistrust, inhibits information-sharing and policy coordination.

Within each country, the policy gridlock on border issues is a result of policy being driven by values that are sometimes supported by facts but more often the result of prejudice and xenophobia in both countries. This means that expert recommendations are less likely to be even considered as part of the policy-making process, much less adopted formally or implemented effectively. Clearly, the "perfect storm" of drugs, guns, money laundering and other immediate consequences and threats caused by the drug wars has stymied each country – and thus both countries working together – from reaching consensus on what are the critical "intermestic" policy issues, how to respond appropriately to them, and how to measure the effectiveness of program operations to as to use what Nonaka (1994) termed the "knowledge spiral" – the relationship between knowledge utilization, organizational learning, and organizational leadership and change.

Conclusion and Recommendations

There is arguably no greater challenge to the efficacy of public administration today than the "narcotrafico" crisis along the US-Mexico border. Operationally, the way these challenges and opportunities have affected both countries may be noted by first describing and then evaluating how public officials and institutions of both countries have responded to continuing demands for public services in terms of traditional criteria used to frame and evaluate political and administrative systems: political-administrative relations, the role of community organizations, administrative processes, performance and productivity, and communication, decision-making and organizational learning.

Operationally, the challenge of working across levels and sectors of governments has been problematic for both countries, given lack of agreement over a whole range of factors – how to frame the relevant policy issues, what policy objectives to set and how to measure progress towards them, and how to coordinate the varied activities of multiple public, private and community-based organizations. None of the immediate policy issues – drugs, violence, and the varied activities of transnational criminal organizations (TCOs) – can be addressed by either country acting along. For that matter, neither can any of the underlying policy issues that are even more complex, long-term, and troublesome: national defense, border control, migration, economic development, water management, environmental protection, etc.

At a conceptual level, what political and public administrative systems confront today is the global nature of "intermestic" issues that cannot be resolved by individual nation-states acting in what they perceive to be their own interests (Covarrubias, 2011). This represents both the actual or potential breakdown of governance, and thus the conflict between politics and markets as the underlying basis for organizing collective action in the face of common threats (Klingner, 2004). And beyond this, the continued inability of the US and Mexico to resolve the drug crisis by acting independently highlights the issues of knowledge management, organizational learning, policy adaptation and adoption that characterize successful application

of globally recognized principles and techniques of innovation diffusion and adoption, technology transfer and global development (Klingner, 2009a; Klingner, 2009b).

About the Authors:

Donald E. Klingner, Ph.D. in public administration from the University of Southern California is a Distinguished Professor in the School of Public Affairs at the University of Colorado Colorado Springs, a Fellow of the National Academy of Public Administration (NAPA), and past president of the American Society for Public Administration (ASPA). He is co-author of *Public Personnel Management* (6th edition 2010), also published in Spanish and Chinese. He has been a Fulbright Senior Scholar (Central America, 1994), a visiting professor at UNAM, Mexico (1999 – 2003), and a consultant to the United Nations, the World Bank and the Interamerican Development Bank on public management capacity building. He was a faculty member at IUPUI (1974-1980) and Florida International University (1980-2001), and worked for the US Civil Service Commission, 1968-1973). E-mail: donald.klingner@gmail.com

Roberto Moreno Espinosa, Ph.D. in Public Administration from the National Autonomous University of Mexico (UNAM) and a postdoctoral fellow at the University of New Mexico. He has been a member of the Interamerican Development Bank's Advisory Council on Civil Society Representation in Mexico (2001 -2009) and graduate coordinator of public administration at UNAM (1996-2008). He is the author of five books and numerous articles and essays, and has been a visiting professor at 20 Mexican and 7 international universities. He is a member of the National System of Researchers (SNI), Level 2; Chairman of the Board of the International Academy of Political and Administrative Sciences and Future Studies, AC, and professor at the Autonomous University of the State of Mexico (AUEM), Amecameca Campus. Email: rmorenoespinosa@yahoo.com.mx

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