Ohio Republican U.S. Senate candidates back military action in Mexico, declaring cartels terrorists. How serious is that?

By Andrew J. Tobias cleveland.com

COLUMBUS, Ohio – It's become fashionable for Republican political candidates to say some drastic actions are needed to deal with the flow of drugs across the U.S.-Mexico border.

This includes at a recent U.S. Senate candidate forum in Medina, where Secretary of State Frank LaRose said the U.S. government should declare the various drug cartels that control wide swaths of Mexico foreign terrorist organizations. Cleveland-area businessman Bernie Moreno took it a step further, saying that he also would back sending in the U.S. military "to wipe the drug cartels off face of the earth." The crowd cheered. Polls show American voters – especially Republicans – like the idea of sending the military to Mexico, as long as the government there signs off on it (although 40% of Republican voters said in a recent Reuters/Ipsos poll they'd be OK going in unilaterally, too). Designating the Mexican cartels terrorist groups is a popular Republican position, but Democrats, including President Joe Biden, have said they're weighing it as an option.

But how plausible, exactly are these proposals? And what would they do?

Experts in military operations and counterterrorism are split on the terrorism component, but are on the same page in opposing sending the military to Mexico, something the government there has been resolutely against.

Javed Ali, a former FBI agent who served in senior intelligence and counterterrorism roles during ex-President Donald Trump's administration, personally supports putting the cartels on the same list as groups like Al Qaeda and ISIS.

But, he said sending the military to Mexico isn't realistic, absent some extreme hypothetical scenario like an actual terrorist attack.

"As we get to 2024, people are going to use that as a position to help win votes," Ali said. "But it would take something dramatic to bring this all up again."

Todd Huntley, director of the Georgetown University Law Center's national security law program, opposes designating the cartels terrorists. But he too said sending the military to Mexico isn't a serious idea.

"It's a campaign bumper sticker that they drag out to say 'I'd be tough. I would do something more than what the current administration is doing,'" said Huntley, a former Navy judge's advocate whose resume includes time he spent advising the U.S. Special Operations Command.

The debate

The idea of adding the cartels to a list of foreign terrorist organizations dates back for years. Trump considered the move while he was in office but decided against it in 2019 at the request of Mexican President Andrés Manuel López Obrador. Mexican concerns include the blow the move would deal to the country's reputation and the potential economic damage that would follow.

The idea's been revived during Biden's administration. Secretary of State Antony Blinken said during a March congressional hearing that the Biden Administration is considering doing so, as Republicans have been urging them to do, according to media reports.

The topic picked up steam after cartel members kidnapped and murdered two Americans in February in Matamoros, a Mexican city across the border from Brownsville, Texas. The move was unauthorized, cartel leaders said in a public apology as they turned over five people who they said were the culprits to local police.

Proponents of the idea say that designating cartels as terrorist groups would make it easier to charge and prosecute low-level associates with high-level crimes. Providing material support to a terrorist organization, a charge that doesn't require prosecutors to prove someone is directly involved with planning a terrorist attack, carries a maximum 20-year prison sentence. It could be used against people in the United States, although the U.S. has charged people overseas with the crime while seeking their extradition to face charges here.

Ali, the University of Michigan professor, says declaring the cartels terrorist organizations also carries a symbolic value that could have real consequences.

"They don't want any more of the limelight from the U.S. government to be on them, and I do think it would perhaps change some of their behavior," Ali said.

Opponents commonly say that declaring cartels terrorists carries no significant legal benefit. The conservative Heritage Foundation argued this in a 2019 report, while saying that cartels also lack political motivations that would make them qualify as a terrorist group.

"It's not necessary," said Huntley, the Georgetown national security law professor. "You already have other designations that are being used to sanction the drug cartels and people doing business with the drug cartels."

Then there's the potential downsides: upsetting the Mexican government and damaging cooperation on related and unrelated issues, while also inflaming the cartels, perhaps driving them to begin attacking Americans or American-linked targets in Mexico or elsewhere. The Heritage Foundation has argued a designation also could cause more illegal immigration by allowing migrants to cite terrorism as a reason they should be allowed to remain in the U.S. while their asylum cases are being processed.

Ali and Huntley agree that sending the military to Mexico is a bad and unserious idea. Ali said there's no basis for it, while Huntley said, especially if the Mexican government didn't consent to it, it would cause numerous problems while stirring up bad feelings among everyday Mexicans, given the history of American military intervention in Mexico.

"I think given our recent history in Afghanistan and Iraq, I don't think it would be effective. I think it would be counterproductive and probably result in an increase in violence along the border," Huntley said. "So it probably would place more Americans at risk than there are currently."

What do Ohio's Senate candidates think?

The countervailing arguments haven't discouraged Republicans from suggesting that the U.S. military should go into Mexico to help fight the cartels. Trump privately floated bombing cartel-owned drug labs in Mexico while he was in office and has described military actions he would use if he's elected president next year. Other Republicans have followed suit. Sen. JD Vance of Ohio endorsed the idea in a national TV interview in July and it's become a common policy position from the various candidates competing with Trump for the 2024 GOP presidential nomination.

The entire field of Republican U.S. Senate candidates running in Ohio's March primary election also say they support declaring the cartels foreign terrorist organizations.

They differ somewhat on the military option though.

State Sen. Matt Dolan, who's running a less bombastic, more traditional campaign, described a list of options that didn't include going across the border.

"We must use the full scale of U.S. power and influence to secure the border and stop the flow of fentanyl," Dolan said in an email. "That includes the appropriate applications of our national defense capabilities, including military personnel at the border and cyber warfare to inflict maximum damage on cartel operations, leadership and infrastructure."

LaRose, a former U.S. Army Green Beret, didn't rule the idea out in a statement. "All options need to be on the table to stop the dangerous drugs that are flooding our streets and killing our citizens," LaRose said.

Moreno, a former luxury car dealer who's running to the political right in the GOP primary, has been vocal in supporting the idea, including during his unsuccessful run for the Senate in 2021 and at the candidate forum in Medina.

In an interview, Moreno ruled out sending the military into Mexico without its leaders' permission.

But, he said he thinks he can talk Mexico into it, through a mix of economic pressure and persuasion. He cited his business background and personal background as a native of Colombia, which worked with the U.S. military to fight drug traffickers including Pablo Escobar in previous decades.

"It's not a disrespectful gringo coming in and telling them what to do. I'm someone who shares a common language and a common perspective with them. I can be very respectful and walk them through this," Moreno said. He added that he thinks changing asylum laws could address the argument the Heritage Foundation made that the terrorist designation would spur more illegal immigration.

Democratic Sen. Sherrod Brown, who will face off against whoever wins the Republican primary, in a statement referenced a bipartisan bill he sponsored, which passed the Senate with support from law enforcement in July, that would impose new economic sanctions and other penalties on drug cartels and Chinese suppliers.

Brown has not endorsed calling the cartels terrorists, although he thinks the option is worth considering, or sending the military to attack them.

"I've always been clear that we must use every tool we can to crack down on foreign cartels that bring deadly fentanyl into our country. It's why I wrote the FEND Off Fentanyl Act and worked to pass it in the Senate, to crack down on the entire illicit fentanyl supply chain, from the chemical suppliers in China to the cartels in Mexico. It's the most effective way to actually stop fentanyl at its source — before it ever reaches Ohio," Brown said.