

Cables reveal US considered “state of exception” in Mexico

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A series of US diplomatic cables from late 2009 released by WikiLeaks summarize an on-going discussion between the US government and Mexican Secretary of Defense (SEDENA) General Guillermo Galvan Galvan on the merits of declaring “a state of exception”—roughly the equivalent to martial law or a state of siege—to facilitate military operations against Mexico’s civilian population.

Ultimately, the cables indicate, the US embassy rejected the idea, not out of any concern for democratic rights or international legality, but rather because such a declaration could give the Mexican legislature some oversight in the country’s disastrous US-backed “war on drugs.”

The principal cable—reference number 3101—gives a breathtaking glimpse of the US involvement in and guidance of the war and the sheer subservience of the Mexican government to the dictates of Washington on the most essential questions of national sovereignty. It begins by noting that Defense Secretary Galvan Galvan had suggested the possibility of invoking “article 29” of the Mexican Constitution—declaring a “state of exception”—so as to provide “more solid legal grounds” for the military’s role in the “domestic counternarcotics fight.”

Galvan Galvan’s sudden preoccupation with the legality of the war in this period stems from the fact that the massive domestic deployment of the military throughout the country in late 2007 was launched with nothing more than a sudden executive declaration by President Felipe Calderon—tacitly accepted by every major political party in the country to this day.

Moreover, by early 2009—just before these cables were written—Mexico’s National Human Rights Commission (CNDH), an independent government agency, had reported that the Mexican army was engaged in systematic torture, exposing a practice of arbitrary detentions, beatings and electrical shocks against innocent Mexicans with little or no connection to the drug trade.

Both Calderon and Galvan Galvan were directly cited in these denunciations, which soon attracted international attention. In a 2009 interview with the *Washington Post*, the mayor of Ciudad Juarez, José Reyes Ferriz, said President Felipe Calderón and Defense Secretary Guillermo Galván Galván were then involved in every major decision regarding security in the city, adding that Ciudad Juarez was intended as a “national model” for other cities in Mexico. The growing public rejection of the war and Calderon’s waning popularity seem to have triggered anxiety that

high officials could be held accountable for the bloodshed.

The cable describes Galvan Galvan as “lamenting” the lack of legal basis for the domestic activities of the Mexican military and notes “public perception that the Armed Forces lack the appropriate authority to conduct such operations.” To this end, the cable’s author calculates that the declaration of a “state of exception” under article 29 could provide “a temporary legal cover” for the military’s activities and “allow it to focus more on operations and less on its critics”—in other words, continue to illegally detain, torture and murder Mexican citizens with impunity.

Other cables unintentionally confirm the accusations of human rights organizations against the military. While they claim that most of the country was relatively safe in 2009, and most of the war victims were either state forces or drug traffickers, they also reveal that there is no process of investigation to determine whether the dead were actually drug traffickers and nearly no information to determine in advance the identity of drug traffickers in a given area. Such statements illustrate a situation on the ground in Mexico where anyone unfortunate enough to be detained or killed by the military is considered a “drug trafficker” as a matter of course.

The cable’s author weighs the benefits of article 29 before ultimately deciding against it: “the GOM (government of Mexico) could elect to apply the article in a zone of perceived crisis, such as Ciudad Juarez...suspend rights...including freedom of expression, freedom of press, freedom of assembly, freedom of passage, or some tenets of legal due process. The military, for example, might be granted broader detention authorities.”

In the most telling portion of the cable, the author cites the major detriment of such a declaration, “This would give Congress at least nominal oversight over the military’s counternarcotics operations, a role it has sought but not had up to this point.” The import of this statement should not be overlooked.

While the US has trumpeted Mexico’s “war on drugs” as a noble fight to defend democracy to which all law-abiding Mexicans are committed, behind closed doors it acknowledges that the war is largely unpopular, is very likely illegal and is being waged without any real plan or legislative oversight—a situation the US government and its well-placed Mexican counterparts carefully seek to perpetuate.

Yet the Embassy doesn’t reject the option of military rule outright, saying, “the possibility of such a declaration cannot be

discounted at some future date.”

Since early 2007, the US government has provided millions in cash, military technology and trainers, promising billions more via the “Merida Initiative.” In spite of years of senseless carnage and systemic human rights violations—including torture—the Obama administration proudly calls itself a “full partner” in Mexico’s bloody drug war, deploying unknown numbers of US government agents, expensive domestic surveillance equipment and military hardware south of the US border.

The US government’s expanding involvement in Mexico’s national life via the war is demonstrated in several other cables in which embassy officials repeatedly enthuse about the relationship between the two governments. This is fleshed out in cable number 2882, dated October 5, 2009.

Under the heading “GOM wants full transfer of intel technology and training,” the cable notes the Mexican attorney general’s desire for “a more general exchange of intelligence information and capacity, not the case-by-case exchange we now have.” The cable goes on to state that the FBI is helping to create a cyber-unit in Mexico. On this subject, the two governments discussed the benefits of such a program being “expanded and replicated more broadly” throughout the country.

After asking US officials for even more training, technology and resources, Mexico’s then undersecretary for governance, Geronimo Gutierrez Fernandez, expresses his concern that the government would be unable to perpetuate the war. Under the heading “We have 18 months,” Gutierrez Fernandez warned embassy officials. “We have 18 months and if we do not produce a tangible success that is recognizable to the Mexican people, it will be difficult to sustain the confrontation into the next administration.”

Gutierrez Fernandez then acknowledged the government has already lost control of some areas of the country—something never publicly admitted by a member of Calderon’s cabinet. Significantly, the cable’s author also notes Gutierrez Fernandez’s request for “joint operations” involving US forces over the next two years in selective areas of the country.

While the language of the cables constantly refers to the budding relationship between the two military forces as one of “greater integration,” what is revealed is Mexico’s complete domination by US imperialism via the drug war. The discussions recounted in the cables portray a cabal of Mexican politicians and military men acting as the direct agents of US foreign policy in the country.

Oddly, every proposal for a greater US role in the country is portrayed as the suggestion—or in some cases the desperate plea—of a Mexican official, while statements and suggestions of US officials are largely omitted or reduced to a bare minimum. This doesn’t square with the balance of forces between the two countries and is likely a consciously adopted way of providing deniability on controversial issues.

Considering the fact that the US Department of Defense—through its Joint Forces Command (USJFC)—had actually suggested the US military may need to intervene in Mexico’s drug war about eight months prior to the cables broaching a declaration of a “state of exception,” it is hard to see this as simply the initiative of Galvan Galvan, without any input or direction from the US government.

The question naturally arises: what is the aim of all this US-Mexico military integration? Cable number 3061 from October 23, 2009, summarizes a meeting between Calderon and US Director of National Intelligence Dennis Blair that outlined a suggested shift in military focus from drug traffickers to political opponents and a possible regional role for the newly “integrated” Mexican military.

After declaring to Blair his belief that “Hugo Chavez funded the PRD opposition during the presidential campaign nearly four years ago”—referring to the sustained mass civil disobedience rejecting Calderon’s election in 2006 in favor of the Revolutionary Democratic Party candidate Andres Manuel Lopez Obrador—Calderon encouraged the US to take into account “the link among Iran, Venezuela, drugs, narcotics trafficking, and rule of law issues.”

According to the cable’s author, Calderon “emphasized that Venezuelan President Hugo Chavez is active everywhere,” while assuring Blair that Mexico was attempting to isolate Venezuela through the Rio Group. However, he “exhorted the U.S. to watch Guatemala and Belize, since their internal weaknesses make them vulnerable.” Significantly, the cable notes, “Calderon indicated that he would assess the possibility of creating a joint strike force capability” with the US military.

Calderon’s comments about Chavez are telling in the sense that the popular rejection of his presidency and allegations of fraud in 2006 were, at root, a manifestation of anger over worsening living conditions and economic polarization in the country. That Calderon cites such mass political opposition from the left as an issue of national security to his US sponsors serves as a warning to the working class. The entire legal and military framework erected via the drug war and backed by US militarism can and will be directed against any serious political opposition arising in Mexico or Central America.



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