“The shaping of Mexico’s civil-military relations under the Fox administration in light of the law enforcement challenges”

Sigrid Arzt
School of International Studies
University of Miami
XXIII Latin American Studies Association
September 8, 2001
Washington,D.C.

University of Miami
Ferre Building
School of International Studies
(305) 446 7299
email: wsarzt@hotmail.com

DO NOT QUOTE WITHOUT THE AUTHORIZATION OF THE AUTHOR
“Mexico is perhaps the most striking example of political Institution-building by generals”

This essay is part of a larger research agenda that seeks to understand the evolution of the civilian control or taming of the Mexican military as it evolved during the previous authoritarian regime. In a second venue, it seeks to understand the pattern of civil-military relations inherited by the new democratically elected-government, and what are the prospects that such pattern changes given the new nature of the regime. Apparently, one is to expect changes in the civil-military pact as the regime has also changed. But how far and where will these changes be heading will depend primarily on how each party (civilians/military) views itself and with respect to the rest of the regime. It should be said that while the armed forces have given prove of loyalty and subordination to the civilian new authorities through its current commander in chief. At this point, this text will contest that the Fox leadership is at a juncture at which by changing the nature and transforming the civil-military pact, Mexico democracy has greater prospects of consolidating. The paper will only deal with the shaping of the civil-military relationship as it evolves in light of the law enforcement challenges faced by the Fox administration.

Before going any further it is important to state that this essay will only deal with one aspect of the civil-military relation and that is how these parties relate to each other as we observe an expansion of the armed forces in the law enforcement and security apparatus, particularly in areas that deal with the combat against drug trafficking and organized crime. The armed forces retreat in the State of Chiapas in the first days of President’s Fox

---

1 Huntington,1968:256
2 Mensaje del Secretario de la Defensa during the breakfast offered to President Fox, Comunicado 00/12/02 and also, Mensaje del Secretario de Marina to president Fox mismo comunicado.
government is prove of the civilian supremacy, but this paper will not be examining this exercise, at this point.

The essay is divided in three broad sections; the first section lays out the typology proposed by Samuel Fitch (1998) on posttransition contemporary patterns of civil-military relations that apparently permeate the Latin America region. Then it will follow as best one can the characterization of the Mexican case, which has for the most part escape a close analysis of its civil-military relations and one can only find scattered efforts of such exercise. (Camp, 1992; , Wager, PhDthesis , Rondfelt, 1984; Lieuwen, 1968; Lozoya,1970; Boils,1975). The absence of such scholar work in part derives from the commonly assumed presumption that because Mexico did not have military regimes during the XX century and was able to tame its military, such institution remains under civilian control. It is also true that given the components of authoritarian inclusion present in the Mexican case combined with a strong party elite governing for almost seven decades a variant of civil-military relations evolved. It must be said that such a variant pride the seclusion of the armed forces, a policy to which both civilians and military apparently agreed. The taming process and used of the armed forces in a diverse selection of missions particularly those labeled as matters of national security during the 1970s were no different from other South American countries, except probably for the number of deaths and disappearances that happen in Mexico in contrast to Argentina, Brazil or Chile. But in terms of what was identified as the threat (subversion and communism) and the tools to combat the threat (low intensity warfare) the Mexican armed forces acted very similar to other Latin American counterparts.

---

4 The number
The early submission of the armed forces, the strong hegemonic power of the PRI, the inclusionary regime type and the sharing of values and political projects between civilian elite and the military leadership, produced a pattern of civil-military relations, which for the most part enjoys still today civilian supremacy. The complexities faced by the Mexican society in terms of public insecurity, the increasing levels of poverty, unemployment, the institutional decay of the rule of law, the unresolved problem of the zapatistas and re-emerging guerrilla groups are all issues which have put the civil-military question at the front of the public debate.

Mexico today prides itself of a peaceful alternation of power and the change to a democratic regime, but in order to consolidate such democratic regime a number of new ground rules of interaction between the different political actors need to be set. Evidently, a very important actor is the armed forces. Hence, it will be discussed what are the agenda issues, and what are the prospects of attaining a democratic civil control over the Mexican armed forces.

Another section will deal with the description of the steps taken within the Fox administration and the tasks currently handle by the army officers in matters of public security. In a first glance, one observes a continuation of military expansion in areas of law enforcement and security questions accompanied by an old practice of seclusion and not open to public scrutiny. But as it will also be discussed such expansion of the military into non-military tasks does not appear to be the result of a clear military policy in itself. And instead does respond to the apparent lack of strong and trustful law enforcement
institutions. A final section seeks to bring a balance examination of the prospects to create a new civil-military pact under the current democratic regime.

**What is Mexico’s current type of civilian-military relations?**

Mexico finds itself at a critical juncture at which it needs to find ways to establish transparent, clear and accountable exchanges between civilians and army officers. A full-fledge democracy is one able to built legal frameworks that regulate social relations and stand accountable to its people under the established rule of law. According to Fitch (1998) democratic systems of civil-military relations possess three essential characteristics: 1) the military must be politically subordinate to the democratic regime; 2) democratic consolidation requires policy control of the armed forces by the constitutionally designated civilian authorities to whom the military is professionally and institutionally subordinate. If the military assumes or dominates areas of participation as reserved to them or without the follow through of adequate check and balances with the Executive and Congress. That is to say, if these instances are not the ones to define the threats against which the country must be protected or if the decision-making powers delegated to the military should be accompanied by a democratically established legal framework and subjected to oversight by the appropriate constitutional authorities. Third, in consolidated democracies, military personnel are subject to the rule of law. That is, no military is granted legal privileges by law. Any military that violates the law are subject to the appropriate

---

sanctions. The armed forces are neither policymakers, political actors nor are they above the law.  

Fitch’s work presents four categories of current patterns of civil-military relations. Such typology is characterized as four different types of relations: a) military-controlled regimes; b) tutelary regimes; c) regimes with conditional military subordination; and d) regimes with consolidated democratic control. It should be said that all four characterizations in the civil-military relations emerge as patterns of previous military regimes, or at least with some type of military tutelary attitude over civilian governments.

Mexico stands out as a historical experience that followed a path of an influential but politically subordinate, military. (Fitch,1998:10), and certainly the civilian taming of its armed forces was the result of a strong, cohesive and united political elite that highly institutionalized the interactions of civil-military authorities. However, as Mexico has grown more complex, and its international context change, so did the capacity of the ruling party to attain absolute control and power, which finally translated into the lost of the presidency in July of 2000.

At this point, one needs to ask what is the new regime going to do with the inherited civil-military pact? How is it going to be transformed? Will the new civilian leadership be able of exerting a culture of transparency and accountability over the armed forces? What are the political costs of not looking for venues to construct a new democratic control over the armed forces? What do the armed forces think about these new guiding principles? Have

---

7 Ibid. P.38-39
the military expressed obedience to the guiding principles of democratic governance? And ultimately what are the prospects of Mexico’s democratic consolidation?

The variation of the Mexican civil-military pact is a product of the nature of the previous regime. Today this interaction is filled with old practices, unwritten rules and out of public scrutiny, leaving the armed forces still pretty much secluded and highly autonomous to handle their internal affairs and for that matter the missions directed to them by the commander-in-chief.

Democratic regimes or in the process of consolidating one, need to eliminate or at least decrease the leverage of political autonomy that the armed forces enjoys. Certainly this process is not achieved automatically and requires great sensitivity and prudent leadership to follow through the needed recomposition of a new civil-military pact. It must be underlined that the prudence and understanding of the new context needs also to be present in the military minds. This is particularly important because while remaining finely tuned with the new political context, the armed forces will prove capable of moving forward their own corporate interests, as any other bureaucratic institution.

As of today, and even when the typology presented by Fitch (1998) derives on the posttransition periods, which were previously military regimes in nature. One finds that some of the elements considered for the characterization of conditional military subordination fits the Mexican case. According to Fitch the attributes of such pattern can be summarized in the following way:
In regimes with conditional military subordination, under normal circumstances the armed forces abstain from overt intervention in political questions. The military reserves its “right” to intervene to protect national interests and guarantee national security in times of crisis. In this model, senior officers rarely make openly political speeches or public pronouncements on policy matters outside the military sphere. Civil society and the state respect the statutes of the armed forces, the Organic Law and the Personnel Law, (which permits) the self-determination of the armed forces ... The tacit agreement (is based on) mutual respect. The armed forces do not give their opinions about the politics of the country. (Fitch, 1998:40)

Furthermore, although the constitution prohibits it, the military do deliberate on the policies of government when crises are reached. Both the government and opposition forces are aware that the military’s loyalty to the civilian regime is conditional. Hence, the civilian governments generally defer to military preferences on issues that might provoke military discontent. The armed forces thus exert an indirect political influence—not a veto—on nonmilitary policies.

Under this characterization of military conditional subordination the armed forces enjoy a high degree of institutional autonomy and a quasi-monopoly of security policy. (Fitch, 1998:40) Even though the Executive and Congress set the military budget this is done on limited debate and lack to exert the demand to report on its proper expending. “Institutional issues” are the exclusive preserve of the armed forces. The minister of defense is typically a military office; the president within limits set by military regulations
selects service commanders, and a consistent lack of civilian oversight is present. (Fitch, 1998: 41)

Certainly a number of elements can be found in the Mexican case but there are also degrees of such elements that shape the civil-military relationship. That is to say that probably some of the characteristics that currently conduct the civil-military relations will take longer to adjust or reform than others. For example, holding accountable military officers for past human rights violations might remain a military affair while calling the Minister of Defense to render a report and submit the armed forces into the scrutiny of Congress. Another area that might take longer to be transformed is the discussion over the military industry, its revenues, or the adjudication of service contracts. While seeing the military more often engaged in press conference might take less time.

What are the main ingredients of the ideal type of democratic control over the military? First of all, the armed forces are subordinate in political and policy terms to the appropriate civilian authorities, preferably a civilian minister of defense. Second, civilian governments can prevail on issues where military officers disagree with civilian policy without threatening the stability of the democratic regime. Civilians exercise their responsibility to determine the military budget and set defense policy, with the appropriate consultation and advice from military experts. Civilian authorities also exercise their responsibility for oversight of military education and professional socialization and for military reforms necessary to insure democratic control. (Fitch, 1998: ?)

---

Evidently the characterization of the patterns varies in the degrees of institutionalization that the armed forces hold legally—Organic Law, constitutional framework or other norms—and the attitudinal components. And if one adds, the current context where to create a new legal modern framework one needs a tremendous amount of political leadership and audacity, then president Fox has little hopes. Some of the needed legal reforms might take longer than others depending of how influential the public debate turns to be in relations to the armed forces or in the peaceful resolution of other presidential projects such as the fiscal reform.

Yet, what remains a fact today is that the legal framework under which the armed forces operates, for the most part dates the immediate postrevolutionary period. Some minor reforms took place to improve benefits and salaries during president’s Carlos Salinas administration but the rest has remained intact. (See Table xxxx for list of laws and dates)

As we will see in the following section one could assert at this point that while the Mexican armed forces expressed a strong institutionalized attitude to civilian leadership, at the same time this institution enjoys an important degree of autonomy and finds itself inserted in the process of transformation as all the rest of the political regime, in the midst of a democratic one. The institutional autonomy is best represented on the handling of “their internal affairs.” Examples of this range from the handling of the drug corruption cases and the distinction made between holding the high-ranking officers in military jails and other soldiers under civilian jurisdiction. Top officials such as General Acosta Chaparro and General Quiroz Hermosillo both being accused of involvement in drug trafficking and
organized crime are currently held in military prisons. It contrast with the other high ranking prosecution of General Jesus Gutierrez Rebollo that was since his arrest was sent to a maximum security jail. All three generals are accused of involvement in the drug chain with linkages to the Juarez Cartel under the penal process known as “maxi-proceso” Yet remains unclear who sets the rules to establish such distinction or even why there is this distinction? Laws and institutional agreements remain pretty ambiguous about this matter. So for the good health of the civil-military relation, and the cohesion of the armed forces, a regulatory frame needs to be created. What are the mechanisms that are put in place to exert this difference? Are they any costs by preserving such policy? And if there is, what is it? Evidently this is the result of close door politics but establishes bad precedents to future cases. And plus, what are the guarantees that the accused will have a due process for that matter, if such process is not handled in the civilian system.

It is in the benefit of actors, civilian authorities and army leadership that democratic norms become embedded in the internal and external interaction of these parties within themselves and the rest of society. Transforming the postrevolutionary civil-military pact does not mean to put aside the military expertise. The armed forces remain an important source of knowledge in matters of defense and security. However, civilians need to commit more efforts and understanding of such corporate institution so that little by little the relationship has a more balance face, and the military transforms itself from a guardian role of party-State to a democratic civilian controlled model.

A historic path the institutionalization of civilian control
Mexico has proven successful in achieving subordination of the military to civilian leadership since the post-Revolutionary period. Since then, Mexico was able to design a political system highly stable given its record of pacific and uninterrupted hegemony of its official revolutionary party since 1929. Certainly, the process through which this regime accomplished the institutionalization of the political process was not exempt of conflicts, and even of violence. Mexico needed 19 years to create a party (the PNR, in 1929). It needed another nine years for shaping its corporate structure, and it had to overcome four military rebellions (1923, 1927, 1929 and 1938), before it achieved the institutionalization of civilian supremacy. However, such institutionalization of civilian supremacy did not translate into a democratic regime but rather in a tamed military institution. It should be stated that the institutionalization of the armed forces was not established as a democratic conduct between civilians and military. The institutionalization of this civil-military pact had as prime objective the deterrence of dissident army officers on the project of state building during the post-Revolutionary period.  

The taming of the Mexican military institution was achieved to the extent to which the power of military groups was reduced through the development of political coalitions highly identified with the respective civilian leadership. This in turn made it very difficult to the military to resort to social and political support in order to make a coup. A strong hegemonic political party, the PRI left no or little space for military dissent. But also, army officers and civilian elites shared the political project of La Revolucion.

---

9 For a better understanding of this state-building see Arnoldo Cordova (1972) La Formacion del Poder Politico en Mexico. Serie Popular Era. Mexico.
A second condition to achieve the control of the Mexican military was the extent to which the civilian leadership was able to develop a political structure, mainly a centralized political party. The Revolutionary Institutionalized Party (PRI) institutionalized the legitimacy of the post-Revolutionary regime in a strategy where it absorbed political participation, attracting and assimilating all new social forces into the system, developing what was came to be know as an authoritarian inclusive regime (Kaufman, 1975).

Finally, in developing political structures to institutionalize political conflict, the role of leadership was crucial for assuring the success of the stages of institutionalization which includes: a) professionalization of the military; b) the assurance that civilian leadership will provide autonomy and inputs necessary to the efficient function of the military; c) the commitment of the leadership to honor the institutions created by himself either by relinquishing personal power, or by accepting political pacts which give assurance that the life of the regime—democracy—is over the factional interests of political forces (Lieuwen, 1968; Levine, 1989).

Before going any further is important to establish that civilian supremacy in the Mexican case, a one-party system regime for many decades has had a variable degree of “civilian control”. 11 This variant consist that the military and civilians view themselves as

---

11 The concept “objective civilian control” includes at least three characteristics: a) a high level of military professionalism and recognition by military officers of the limits of their professional competence; 2) the effective subordination of the military to the civilian political leaders who make the basic decisions on foreign and military policy; 3) a recognition and acceptance by the civilians of an area of professional competence and autonomy for the military; and 4) the minimization of military intervention in politics and of political intervention in the military. See for further discussion, Samuel Huntington, (1957) The Soldier and the State: the Theory and Politics of Civil-Military Relations. (Cambridge: Harvard University Press). Pages 83-85.
herederos de la Revolución, and later as military were subsumed to the party lines, their loyalty was to the party ideals or even more importantly to the personalized presidency rather than to the State.

In the Mexican context, to draw the line between party and state for decades was impossible. Today, the government political plurality and within the army officers (although not expressed publicly) makes it more relevant to consolidate an adequate civil-military pact.

During the previous regime, the professionalization process of the armed forces has had to do more with the personal relationship between the President and the Minister of Defense or Navy that to a coherent lay out defense policy. However, over the last decade and as a result of an array of new circumstances the missions of the military have expanded. This is particularly true for such non-military duties as their expanded presence over the public security apparatus 12 and the need to expand the role of the armed forces in the fight against organized crime syndicates and drug traffickers. It must be said that this context has provided a window of opportunity for the military professionalization. Over the last decade an increasing number of army officers travel overseas to attain U.S. military training that has contributed to the improvement and modernization of the armed forces.

(See Table V)

---

12 Reforma, “Ejecuciones e impunidad, crímenes que no pagan”, January 31, 2000. In the state of Sinaloa 1.2 people is murdered daily for its links with organized crime. In the state of Baja California, 65 per cent of the deaths were related to drug trafficking. In the state of Jalisco 344 people have died in relation to organize crime and drugs. Furthermore, 74 per cent of the arrest warrants related to drug trafficking and organized crime are delayed.
Yet, this military international professionalization basically concentrates non-military tasks or for that matter, in internal questions such as the combat against organized crime or policing activities.\textsuperscript{13} It is important to highlight then that the deviation into non-military tasks is also the result of foreign influences. The U.S. training and aid goes in this direction and so external forces strengthen the use of the armed forces in none military tasks.

In the years’ during which the Mexican Revolution was institutionalized (1920-40s); the Army was reduced by 75% (from 200,000 to 50,000). While at the same time, the population doubled from 10 million to 20 million people. The Federal Budget for defense shrunk from 60% in 1920, to 20% in 1940, two decades later (1960) were 7% and by 1980, it reached 3%. (Lieuwen, 1968; Ronfeldt, 1984). Today, one observes a trend of increase in the armed forces budget. (See Table I)

It should be said that for the most part the institutionalization process was achieved in a twofold process. First, the Army’s relative strength was reduced, by downsizing its size, cutting the defense budget, and by professionalizing the military.\textsuperscript{14} In following the professionalization of the military they set up the rules for training, policies for assignment and retirement of officers. Secondly, while the Army’s military strength was declined, the Generals armed the peasantry and labor, loyal to the regime by being the direct beneficiaries of its policies, thus outnumbering the rebels, but also the regular army itself. Furthermore it must be underline that the legitimacy of the post-Revolutionary project had political and social support.

\textsuperscript{13} La Jornada, April 8,2000. “Adiestrara el Pentagono a 703 militares mexicanos este ano.”

\textsuperscript{14} None of the outstanding generals were soldiers previous to the Revolution, instead they were civilians who proved to have remarkable military talents such as Obregon.
The core feature to achieve civilian supremacy remained in the craftsmanship of Calles to lay out the foundations for the presidential succession, hence the unity of the National Revolutionary Party (PNR) as well as to provide a coherent ideological framework of La Revolucion. (Cossio, 1973; Garrido, 1984). The idea behind the party was to incorporating the pillars of the regime (peasants, labor, popular and military) sectors. These sectors made their demands using their own channels and avoiding any type of coalition since each of one was regulated by their own rules who explicitly prohibited such arrangements. In order to nominate a presidential candidate it was necessary to have the support of three of the sectors.

By incorporating the military as one of the Party's three sectors some that feared that the military would again have space to intervene in politics. Cardenas response to such critics was, “we did not put the army in politics, it was already there” (Lieuwen, 1968:114).

Cardenas remains as the final touché of the civilian supremacy. He removed governors suspected of disloyalty, rotate military commands along the country to avoid the formation of regional base of power, and to renew the middle rank of the army through promotions thus assuring the loyalty of the backbone of the army (Rondfeldt, 1984). In fact, the final test became to be the survival of the regime without Cardenas. Cardenas handpicked the Defense Minister at the time: Manuel Avila Camacho. A general who had not quite participated in the bloodiest phase of the Revolution, and instead who had made its career in the bureaucracy. Avila Camacho was regarded as a moderate politician, specially a premium given the pressures of the U.S. oil companies after the nationalization and expropriation in 1938, in the eve of the Second World War.
After 1940, “with political stability, accelerated economic development, and the increasing strength and influence of middle class and professional groups, military officers played and ever declining role in public affairs” (Lieuwen, 1968:118). In 1946, Avila Camacho hand-picked, Miguel Aleman the first civilian to become president in the post-Revolutionary period. Since that date, all the Mexican presidents have been civilians.

The conservation of internal order must not go unmentioned. In fact, the Mexican Army even though it has subsumed itself to some kind of civilian control, this control has for the most part been translated into enforcing the sustainability of the PRI reign. (Ronfeldt, 1976). In fact, the military were used systematically to repress political dissent, especially union dissent from the PRI and the State. It ended having its peak with the student massacre, known as la massacre de Tlatelolco and a year later el jueves de Corpus in June of 1971.

Evidently, the preservation of internal order translated into the expansion of internal duties such as political intelligence; increasing rural policing, combat of drug trafficking and additional guerrilla tactics. These tasks consistently made the army portrait itself as a significant instrument of PRI control and political repressor (Wager, 1994).

The Mexican Constitution of 1917 assures civilian control by empowering the President as the High Commander-in-chief of the armed forces. Also constitutional article 83 empowers the President to make the military promotions, followed by the Senate’s approval. Yet, until now no debate has taken place over the promotion procedures for the most part
these ones go uncontested by the Senate. Furthermore, never has the Secretary of National Defense been called into a hearing to Congress. Even though both heads of armed services have met with the respective legislative commissions in Congress. And particularly, in the case of the Minister of Defense this will be an unprecedented event. The discussions held by the Minister of Navy were at door close and the meetings are not open to the press and less to the public in general.

For decades, with the fusion of party-regime, the military became not only the heir of the revolutionary army but also its guardian. In Mexico, to attack the party was to attack the regime. Thus the civil-military relations were and remained framed in a close partnership, which in fact made it difficult for the military to overcome the civilian hegemony. The political relation between civilians and military were ruled by written and unwritten precepts established since 1940s (Camp,1984:26) and the political stability in part is a result of the existence of an apparatus that was capable of channeling their views, and interests. The Mexican military did receive a special treatment and benefit from the government during the PRI. However, not always did they (armed forces) get their way on things.

Mexico has become more modernized and is confronted increasingly with internal social unrest (guerrilla, drug traffickers and others) concomitant to a political opening. It is now

---

15 Sporadic dissent is leak to the press as when the promotion of General XXX who was directly in charge of the security of former PRI presidential candidate, Luis Donaldo Colossio, and who was assassinated. Prensa....

16 By law all government officials can and should be called to Congress to explain policies, objectives and achievements. This is a procedure that develops weeks after the Annual Presidential Report in September of each year.

17 Reforma August 15, 2001 “Hunde a la Marina exceso de mandos”; “Preven reduccion de almirantes”
that the military’s loyalty to the Ruling Party goes into test. In fact, in the following section the effort is to highlight that the increase of the armed forces in the public security sphere is not necessarily a result of more repressive measures on the side of the government, at first glance. Not even the result of a clear military internal directive as to expand their inclusion in such tasks. But instead is the result of the lack of true civilian alternatives to contend the expanding power of drug money and common crime given the total absence of professional security forces that can handle these questions. This draws an even more dramatic and serious scenario.

The Zedillo’s inclusion of the armed forces in public security
(1994-2000)

The strengthening of a military conditional subordination to the civilian authorities is a twofold characterization at this time. First, the generation and expertise gap between the commander in chief and the designated heads of the respective armed forces. Zedillo a Princeton educated economist faced with the inherited disarray of the security and law enforcement apparatus, engaged in a “you do-I do not ask” policy by incrementing the public role of the armed forces in the policing and intelligence activities to curtail drug trafficking and organized crime. Second reality was that Zedillo was aware of what he was inheriting because the political assassinations of presidential candidate Colossio and PRI-secretary general, Ruiz Massieu were still unresolved. Crime was rising rampantly and he also needed to give prove of his political will to combat organized crime and drug trafficking to his U.S. partner.
As the police forces prove incompetent, penetrated by drug corruption and crime money it was evident that the armed forces needed to take over the control at least transitionally of such institutions. The first intended exercise during the Zedillo administration was the take over by army officers of the Chihuahua Attorney General state representation in 1995. This exercise only lasted for six months because later it was known that the officers were also subject to drug corruption. (Proceso XXX)

A second faulty exercise was the designation of the drug czar general Jesus Gutierrez Rebollo, who only weeks after taking over was removed under allegations of giving protection to the member of the Juarez Cartel. Today, General Gutierrez Rebollo purges a sentence of 43 years on charges of organized crime and others at a high security federal jail.

However, as drug trafficking, organized crime and insecurity expanded the Zedillo administration resort to the institutionalization of the armed forces in the public security sphere. The culmination of such process is the enactment of the General Law that creates the Bases for a National Public Security Council, which institutionalizes the public and direct participation of the Navy, Defense, and Air Force in conjunction with the 32 state governors, and other federal ministries. Concomitant to this process, the National Drug Program expanded the role of Mexico’s armed forces in the tasks of anti-narcotics interception, eradication and intelligence gathering. In fact, in explaining this new role adjudicated to the armed forces, Zedillo asserted that the Defense Secretariat was to “contribute to a reduction in violence generated by organized crime related to illegal drug

---

18 Diario Oficial December 5,1995
trafficking, precursors drugs, and weapons by intensifying search for, locate and destruction of plantations.”

So the policy directive can be summed up, as weaken, corrupt and precarious law enforcement continue to prevail, the military will take over. At no point in time, has the expansion of the army been contested in terms of quality-quantitative results. A study of the positive and negative results in the war of drugs in relation to the expansion of the army is still unknown. What the public has are the reports over the increasing arrests, eradication and interception numbers. Yet, one knows that crime grew rampant and that little has been achieved as to deter the expansion and power of drug crime syndicates.

By 1999 the Zedillo’s administration announced the creation of the Federal Preventive Police, a force that for the most part was integrated by army officers and felt under the control of the Ministry of Interior. Army officers were also even after the Gutierrez Rebollo affair incorporated to control the intelligence drug center (CENDRO), and other areas of the Special Prosecutors Office against Health Crimes (FEADS) and the Specialized Unit Against Organized Crime (UEDO).

Also, as the military became more and more engaged in combating drug trafficking, and making arrests and taking confessions of drug traffickers. The Supreme Court made a

---

ruling as to allow such activities valid and legal. Upon such ruling human rights activities and other opposition voices were silenced over accusations against the military of taking confessions particularly through torture. These activities are institutionalized and hence produce consequences for the construction of the rule of law and human rights protection.

A final outcome of this extensive role on the part of the armed forces during the Zedillo administration was translated into the expansion of the defense plans in the Secretary of National Defense. Until then, three were the national defense plans, DNI, defending the nation; DNII focuses on eliminating internal security threats; and DN III provides the frame for disaster relief. (Wager, 1994:3) Now, DN IV plan was added to organize and legitimize the army’s role in the anti-drug campaign. This creation was also result of the final restructuring headed by Minister of Defense Enrique Cervantes Aguirre, who apparently redistributed the military zones and the distribution of battalions to improve the national security. 23

In sum, the Zedillo administration not only expanded the role of the armed forces in non-military tasks but it allowed for an internal restructuring of which little is known. And contributed to the ongoing strengthening of conditional subordination of the military in this “you do, I do not ask” policy.

---


The re-engineering of the security apparatus under the Fox presidency

The cumulative agenda inherited by president Vicente Fox has its internal and external front in relation to the armed forces. In the internal front, the high autonomy of the armed forces is reflected in their independence to deal with their own military matters. Certainly a degree of independence exists in all military. But the configuration of the current military autonomy in the Mexican case must be understood as a result of the political arrangement during the authoritarian regime and the shared values and spirit to protect the party-State. Also, the apparent autonomy that has been evolving over the last few years is also the result of the lack of knowledge and compenetration of civilian counterparts, particularly the technocratic elite. The technocratic political elite always looked for ways to go around and constantly delegated responsibilities on matters of security and law enforcement to the armed forces.

Another inherited condition is the lack of transparency and accountability as a result of inadequate legal norms. The Ley de Obras Publicas y Servicios Relacionados con las mismas, and the Ley de Adquisiciones, Arrendamientos y Servicios del Sector Publico, both contain articles that exclude the armed forces and security agencies from reporting, contesting public contracts, and others if such services or public hiring have exclusive military objectives or are necessary to guarantee the internal security of the Nation. Reports in the press have dealt very little with this matter and given the expansion of the army officers in security matters, one needs to inquiry why is so difficult to know the procurement the military. What guarantees exist that it is done efficiently and that the

---
services rendered to the armed forces are the adequate and expected ones, or furthermore, the hiring of such services is law-abiding.

Evidently, these legal norms need to be discussed and transformed into more modern mechanisms of accountability. At this time, remain as prove of the inherited pattern of lack of public scrutiny. If President Fox backbone is accountability and transparency, and reporting on the costs of personal towels is a change this is not enough because other bureaucratic institutions continue to exert an important degree of autonomy and discretion under the label of “matters of national security.”

By modernizing these legal precepts, the civilian leadership contributes to the path of Mexico’s democratic consolidation, and built into a vein of civilian oversight. The matter is no less important specially because as mentioned above Fox main discourse rests on the guiding principles of transparency and accountability important attributes of a democracy. Certainly the instrumentation of such principles in relation to the military will require high sensitivity, adequate consultations with the army officers, and clear leadership as to what to do with the armed forces. It is also fundamental that construction of civilian mechanisms to oversight the army becomes a critical objective. In the long run it benefits both parties, (civilians and military). The former prove open to scrutiny and are accountable, and the later prove doing the proper civilian oversight and expanding their knowledge as to defining defense and internal policies.

At the external front, the Fox leadership finds in its civil-military relation a number of pending issues: numerous cases of human rights violations reported by international
human rights organizations (Gallardo case at the IHRC) and the National Human Rights Commission (a # of civil depositions, and military over military too). The cases of military officers involved in drug trafficking and illegal aliens trafficking; the handling of the U.S.-Mexico Defense relations and the possibility that in the near future Mexican forces are deployed to peacekeeping missions (Castaneda, February, 2001). Are all matters that need to be discussed by the Mexican society in conjunction with the Mexican armed forces.

The above converges in the civil-military current configuration but its forces come from domestic and international origins. President’s Vicente Fox victory and government opened a first time window of opportunity for potential and profound changes in Mexico’s civil-military relations. As expressed by president Fox a day after taking office (December 2, 2000) at the Military College: “Mexicans feel deeply proud of the proven loyalty and patriotism shown by our soldiers, marines and pilots.” And certainly such recognition is of relevance given the fact that the Mexican armed forces birthmark is the Mexican revolution, and hence, the triumph and institutional building of the Revolutionary Institutional Party which governed this country for over seven decades.

Today Mexico is a very different country from that of the postrevolutionary period. The critical challenges faced by this country range from ameliorating the poverty rates where more then half of its population finds itself to create the necessary institutions so that the rule of law becomes the guiding principle of the social relations.

---

For over more than a decade, Mexico’s security institutions\(^{26}\) have been merged in constant disarray as a result of four conditions. One, the misguided used by government officials under the rule of the PRI who responded to particularistic interests and resolved to impoverish institutions such as the Attorney General’s Office (AGO) and the rule of law. Two, the complex developments internationally over the strength and power acquire by transnational organized crime syndicates which added to the already existent presence of national drug organized crime syndicates to expand and penetrate considerably the police corps, law enforcement agencies and undermined the authority of public prosecutors practically paralyzing the security establishment. Three faced with such context the diversion by delegation of the civilian authorities to expand the use of the armed forces to nonmilitary tasks such as policing. But more recently the almost complete take over of the law enforcement agency (Attorney General Office). Fourth, the influence of the U.S. government policy to favor the use of the armed forces in policing activities as a result of the penetration of drug crime syndicates in police corps. In addition, to the window of opportunity, for both parties (Mexican armed forces and the U.S.) The former will improve its standards of professionalization and the later will enable him to expand its contact and understanding of the Mexican military.

Key questions remain unanswered by the current administration. What are the alternatives been put into motion to attenuate the expansion of the army officers into law enforcement agencies? How is the administration going to hold accountable the Mexican armed forces? Because of the complexity of the security crisis, how are civilian and military authorities going to distribute the political (negative/positive) costs of the

\(^{26}\) By security institutions I refer to the law enforcement agencies that include police forces, intelligence units, and persecution authorities (public prosecutors). It also generally refers to the complete body integrated in the Armed forces, defense, air force and navy.
implemented policies? What will be the new face of the civil-military “rules of the game” while seeking (if ever) a solid civil democratic control?

As Fox was taking office a number of steps were taken to restructure some of the security apparatus agencies, which in the past were under misfunctional and partial control. For example, from the Ministry of Interior (Secretaria de Gobernacion) the new direction exerted the internal security policing bodies and gave birth to the Ministry of Public Security and Justice Services. (Secretaria de Seguridad Publica y Servicios de Justicia). 27 This institution is the body responsible to develop a nation wide criminal policy, which in the past was constantly diverted for political interests. 28

Today, the Ministry of Interior only holds the control over the Center for Information and Intelligence, known as CISEN, which is responsible of gathering political intelligence information to assess the national security threats faced by the Mexican State.

Fox also created the figure of National Security Advisor, headed by Adolfo Aguilar Zinzer who also masters the responsibility as commissioner of Order and Respect. Hence, this individual is responsible for advising the president in matters of national security and agenda risks while at the same time in more broad-spectrum oversees the developments on the restructuring of the security apparatus. In other words, he is also in constant communication with the Minister of Defense, Navy, Attorney General and the Minister of Public Security and Justice Services as to the developments in matters of security.

27 This ministry now holds under its control the Federal Preventive Police, the Executive Council of Public Security and the control over all the federal jails across the country.
It should be said, that CISEN remains in some kind of a dispute over who should it be reporting to as a civilian intelligence agency. While today the CISEN monitors matters such as social movements, organized crime, terrorism and others. This intelligence-gathering agency remains under the Ministry of Interior and under a very fine line of legal framework to operate. Press reports have suggested over the last weeks that any time soon Congress will be deliberating on a law of national security and also a law regarding access to government information. In the meantime, no indications apparently exist on the possibility of giving independence to this civilian intelligence, and that as such it falls fully accountable to Congress, with an adequate regulatory legal frame of operations. Today, CISEN reports and depends on the Ministry of Interior that is headed by Santiago Creel.

Another intelligence gathering body is the Center for National Drug Control, CENDRO. This agency is accordingly to its legal framework responsible for gathering drug-related information. The head of CENDRO falls under the jurisdiction of the Attorney General’s Office and for over the last eight years it has felt under the control of an army officer. ²⁹

Even with the brief described steps taken in the initial weeks of the Fox government, a number of issues remain in question. For example, the expansion of the use of the armed forces to preserve public security, the designation of a military general to head the Attorney General’s Office, the control and public scrutiny of the intelligence bodies regulated by adequate legal norms, the deadline for the removal and adequate substitution of army officers for professionalized police forces, and the need to built a

²⁹ See Sigrid Arzt (XXXX). Notice that only for a very brief period of time, during the Lozano administration, Cendro was head by Raul Ramirez Medrano
regulatory framework that holds all such authorities accountable to Congress and civil society.

Today, army officers are openly participating in an array of non-military tasks already described above. By delegating critical responsibilities to army officers in subjects of policing, rule of law and extensive internal order the current civilian leadership is following on the trend of the past PRI administrations, and in that sense is no different. It must also be mentioned that while the military have in fact undertaken the expansion of these mission they do with an important constrain of resources and lost of lives.  

At the end, the potential to affect the army's image and political legitimacy has been put at risk too.

**Fox and his soldiers**

Certainly, Mexico's civil-military agenda is long and complex. Just to mention a number of issues let me list the following matters, some of which have already been dealt in the previous section. In Fox's first address to the armed forces made reference to the continuation of making use of the military combat a national security threat: drug-trafficking. As put in Fox's words, the military will participate in such task “while we (the administration) reorganize adequately the structures that are responsible of confronting the drug problem.” However, the current context of public insecurity that challenges the peaceful and harmonious social pact in Mexico is only in one sense a result of the expansion and strengthening of the drug problem. At least at the federal level, there are

---

30 A number of soldiers and ranking officers have been victims of drug campaigns. The exact number is unknown but reports in the press have mentioned incidents of helicopters in missions been fired at areas with extensive drug cultivations.

other 400 crimes prosecuted by the Attorney General Office. At the end, violence is been resolved with more violence. Army officers are trained to wage war, and crime is to be solved by means of conflict resolution and law enforcement.

So here we have president Fox assuming a “transitional” (at least rhetorically) use of the armed forces for the fight against drug trafficking but not particularly clear what are the time tables of such transitional role. Also, what will happen with all the other army officers that are not been used in the combat against drug trafficking but instead in preventive police tasks? And finally, what is the regulatory frame under which these officers operate and if they engaged in illegal activities, what are the sanctions? Evidently, some of the cases are now being prosecuted in civil courts but why was it that in the first place, these soldiers engaged in such illegal activities?

At this point in time, no adequate discussion (at least publicly) has taken place as to the creation of an legal framework that regulates these type of policing activities. Press reports suggest that a number of senior military officers are concerned and that can produce internal disunity and divert the cohesive spirit of corps that the Mexican army prides itself on. 32

Apparently, some 27,000 military officers are involved in the fight against drug trafficking (eradication and interception, for the most part [35,0000]); 33 but what about the 5,000 that are operating as member of the Federal Preventive Police at the Ministry of

33 In an open meeting between Mexican and Colombian academics, the Minister of Defense expressed that today, 35,000 officers work daily in the fight against drug trafficking. A number that jumps while Garcia Vega’s six month report stated that it was 27 000 officers. Reforma May 23, 2001. Pending matter to clarify.
Public Security and Justice Services. Or the officers that take over state police agencies given the overwhelmed insecurity crisis that hits state governments (Sinaloa, e.g.). What is in fact, the Fox administration doing to produce the professional police corps capable of confronting not simply drug trafficking but all other crime acts?

Concomitant to these concerns, other more internal type questions related to the military were raised by President Fox (salaries and benefits), who simply recognized the inadequacies on the salaries paid for the missions the armed forces do and gave no sign of taking any specific measure as to meliorate this situation. It is known that those officers engaged in policing activities receive a side salary, or for that matter when engaged in positions of law enforcement or security they occupy a post that offers a high compensation and ones removed this officer will return to his military salary. Among the benefited are elite corps known as GAFES (Grupos Aeromobiles de Fuerzas Especiales) which for the most part are used in high priority assaults against drug traffickers. Mostly young officers trained in the United States and working in coordination with the AGO form the second group, they apparently also receive a side salary. These types of ambivalent situations have started to create some discomfort in the internal spirit of the armed forces because the career ascendance seems to be disrupted. If the trend continues and the salaries are in fact better in the law enforcement sphere particularly that dealing with drug trafficking, what guarantees are there that ones Fox's leadership has the professional civilians to take over the post the military will return to its barracks peacefully.

---

34 Ibid.
35 For a full description of such groups see Javier Ibarrola (XXX) Revista Fuerzas Armadas y Seguridad Nacional, and Sigrid Arzt (1998) Wilson Center. Such elite groups are trained in the U.S.
Certainly all issues need to be handle delicately and with great leadership and most importantly a sense of direction. Pending questions are: the armed forces impunity in past human rights violations; the corruption (and not only the drug one); the urgent need for a modern and professional legal framework that guides the principles of internal law of the armed forces; the existence and prevalence of the rural defense forces; a peaceful solution to those other guerrilla organizations such as the EPR and EPRI present in Oaxaca, Morelos and Guerrero; the zapatista issue and the construction of legal norms that obliged the military also to be part of this larger picture of a building of transparency and accountability.

With no doubt the civil-military agenda ahead is complex, delicate and needs all the grounded information at hand to conduct the fine exchange of viewpoints and correspondent transformations applicable to built a new relationship which will remain critical to the consolidation of Mexico’s democracy.

**The militarization of the Attorney General Office**

The reality faced by the new administration (apparently) pushed Fox to designate a military general to head the AGO’s, general Rafael Macedo de la Concha, former Military Attorney during the administration of President Ernesto Zedillo.  

---

36 The Military Code is from 1934?  
37 An issue that has just recently jumped into the public debate Milenio (August, 2001) ‘El Ejercito Arma el campo’

It should not go unmentioned that seems a paradox that while in the past members of the National Action Party voiced cautious notice of the use of the armed forces in the public security sphere, the president’s first steps went in that direction. In this sense, little difference is marked between the previous administration and the current one as to how to handle the decay of the law enforcement institutions. The short and medium term action of appointing a general to head the AGO’s office in no sense offers guarantee that the construction of a solid institutional legal base will take place.

Also, the costs accepted at least implicitly by the armed forces to conduct the adequate transformation which basically consists of creating a revolution on the rule of law sphere if not achieve will damage the institutional legitimacy and national respect of which the armed forces pride themselves. So the risks taken go in both direction, to the civilians and on the military leadership. How such risks are later going to be bare by such political actors remains a critical question. How are the “damage control” actions be distributed between civilians that failed to oversight military actions, or military actions that went off hand to fight organized crime.

Certainly the appointment of the army brigadier general Rafael Macedo de la Concha was controversial. But it should be said that it was in the hands of the legislators, specifically the Senate to revoke such presidential decision. Since 1995, the president needs the ratification of the Senate for the designation of the Attorney General. The Senate (128 seats) today is not controlled by the president’s leading party, so the

38 Milenio “Imposible nombramiento del procurador militar” November 14, 2000; Reforma “Cuestiona ONU a militar en PGR” December 4, 2000; Reforma, December 5, 2000 “Critican designacion del General Macedo”; Proceso, December 11, 2000, “Pese a todo, Macedo de la Concha es procurador”; Proceso November 27, 2000 “Macedo de la concha no es la persona adecuada para la PGR”;
legislators had the political opportunity to avoid being accomplice of the damage it is producing to the armed forces the extension of its participation in the public security sphere and to the law enforcement community. The only political party that opposed such designation was the left-wing party, the Democratic Revolutionary Party (PRD) who argued that by allowing a military officer to take over the AGO, they were contributing to the diversion of the military immediate duties. 

So while the process of strengthening Mexico's democracy and building a culture of rule of law today rests in the hands of an army officer, if such task does not turn out to be successful and places greater burden on society and its military corps, legislators should also be held accountable for that matter. Furthermore, even when one welcomes the position of the PRD at the Senate, one should not overstate such expression given that in the Capitol city of Mexico, PRD delegates and other municipal authorities have called for the need and requested also the extensive use of the armed forces to combat common crime. (Declaraciones del Srio de Gobierno, Delegado Iztapalapa etc..Notas Presidente Municipal de Nezahualcoyotl).

In sum despite the expressed views by Fox during his campaign and by his transitional team members on the removal of the military from the fight against drugs and from the public security sphere. Reality is quite different and certainly has produced a deficient start towards Mexico’s democratic consolidation. Even Fox national government program (Plan de Gobierno 2001-2006) states that the armed forces will be excluded from the public

---

40 La Jornada “Rafael Macedo de la Concha fue ratificado como titular de la PGR”, December 8, 2000.
security sphere and will stop fighting drug-trafficking. \(^{41}\) Apparently, the circumstances superseded the need to preserve and increment the participation of the armed forces in the fight against drug trafficking and organized crime. And such trend also fulfills a twofold commitment in the internal and external front of Mexico. On the one hand, sends the signal to the Mexican society that has high confidence in its army officer (Encuestas..Reforma See Table II, III, and IV) that Fox direction in this matter are strong and serious. While on the other, proves political will and strong commitment with our main trade partner, the U.S., by putting at the front trench Mexico’s solid-state institution as the armed forces.

At this point in time, hardly anybody seems capable of providing a short-medium term alternative to the dramatic decay of Mexico’s law enforcement institutions except handling these institutions to the leadership of the military. But even when such action is “transitional” as expressed by Fox himself in his first address to the military. \(^{42}\) At this moment no civilian authority has come up with a guiding program as to how to complete the transitional phase of the use of the military in the law enforcement institutions. Nor exists, at least publicly a program by the military to phase out of the law enforcement institutions. So the potential to perpetuate the use of the armed forces in police duties remains a strong misfortune for the prospects of Mexico’s democracy.

In fact, what Mexico seems to be facing at this moment is a contradictory process of democratic building. On the one hand, one welcomes the strength regain by the triumph and alternation of power to the National Action party. On the other, one observes the

\(^{41}\) Milenio, January 24, 2001 Jesus Rangel “Excluiran al Ejercito de la Lucha contral el narcotrafico”
inadequate use of other institutions, the armed forces in tasks that in strict sense, and in
times of peace should not be involved in matters of public security. Also, one observes
the prevailing features of the perpetuation of a pattern of military conditional
subordination to civilian authorities, as discussed before.

Let me state very clearly here, that given the Fox rearrangement of its security and law
enforcement apparatus, one is not to question the prevalence of some degree of civilian
supremacy. However, the use of military forces for policing simply adds to the use of
authoritarian means to solve societal problems within a process of democratic
consolidation even when (apparently) brings short-medium term alleviation but that on the
long run a more complex political arrangement evolves. Who is to say, “enough is enough”
or when will the public discuss the preferred mechanisms of democratic civilian control
that need to be built in to guarantee the consolidation of this regime remains an issue.

It is evident that a degree of civilian supremacy of President Fox over his armed forces is
clear. But one needs to inquiry how much this is embedded in the institution and will
remain attitudinal subordination, while at the same time many aspects already mention
here remain under military secrecy or with a strong lack of civilian oversight.

So as, Fox’s leadership embarks in re-engineering Mexico’s public administration by
constructing the legal bases of checks and balances between the different bodies and
levels of government. President Fox finds itself in the juncture to reshape the inherited
civil-military pact and follow through to the construction and consolidation of a democratic
civil control. One should highlight that for the first time in this administration the heads of
both armed forces met with legislators of their respective fields. The meetings per se
were not historic, because reunions of this sort had taken place in the past administration.
What should be underlined and considered a milestone with prospects to see both armed
services rendering an open hearing at Congress. Is that Defense and Navy went to
Congress, this was in fact the historic event. In the past, arrangements were made so that
congress people visited the armed forces installations. This time, both went to the
chambers of the legislators. Over stretching the event can also be misleading because
even when the meeting between the Minister of Defense and legislators took place and he
held a press conference, the exchange with the legislators was not open to the public. 43
(Notas del El Universal, LJ, Reforma Milenio).

A general balance up to date

Up to this point it should be clear that what is at question here is the transformation of a
military conditional subordination to a democratic civilian control over Mexico’s armed
forces. What are the critical problems with such direction? First, the Mexican army has
traditionally remained secluded from public scrutiny. Second, the increasing use of the
military in policing duties opens space for the use of hard means to solve social conflict, in
other words, human rights violations. Third, little has been accounted as to the costs that
will be bare and inherited to the spirits of corps of the military by diverting their actions
into spheres not clear of their competence, and at least not for which they were trained
under the military ethos. Fourth, in a first glance a number of military prerogatives remain
present under the Fox administration that prides itself of being accountable and

transparent. And last but not least, no discussion seems to be considering the possibility of designating a civilian to the direction of the Ministry of Defense or for that matter the Navy, or the fusion of both ministries into a National Defense Ministry. Also, at this point for the most part the defense national policy is designed and handle by army officers and is considered “their” affair. One still sees the lack of an open debate as to the criteria over what should be considered a security threat of national proportions. Evidently, a democratic civilian control should also consider the opinions and expertise of the military, and while the office of the National Security Advisor might have establish personal contacts on daily basis with both services, this contacts need to be establish in regulatory balanced frameworks.

All the above listed issues should be considered part of the democratic agenda, and even when recognition should be made for the loyalty, patriotism, sacrificed and commitment on behalf of the military, as they participate in non-military missions. Society should be aware of the need to debate and construct the role that the armed forces should play in this new democratic era, and more importantly guided by what type of legal framework.

A consolidated democratic regime, is not simply the alternation of power or the strengthening of the judicial and legislative branch. It is a very complex process under which all the political actors that are intertwined in the operation of such political life find their interaction adequately regulated by a legal constitutional framework.

44 La Jornada, January 8, 2000 “Exentas las Fuerzas Armadas de licitacion publica de compra de materiales”
45 Diario Oficial XXXXXX Consejero de Seguridad Nacional xxxxxx
Consolidation of the Mexican democracy

According to Aguero (1995: 125) three are the basic conditions of civilian supremacy over the armed forces, and therefore, this becomes an indication of a consolidated democracy. First, “the military is socialized, along with the entire polity, to accept the superiority of democratic institutions and procedures.” Second, “a definition of the boundaries between strictly military and nonmilitary areas (although controversial), the assertion of civilian supremacy entails the acceptance of spheres of competence as defined by legitimate civilian authorities, and which in practice involve a reduction, (not elimination), of the military's sphere of autonomous action.” And third, “a restriction of military roles to assistance in the formulation and implementation of national defense policy (...) entails a delineation of prerogatives (defense budget and the size of the armed forces, or the promotion of officers.”

So following on the above characterization, if president's Fox backbone is accountability and transparency as its guiding principles. The armed forces should also be subjected to such principles by reporting in the buying of materials, weaponry or technology, the construction of housing, or the hiring of certain contracts. Certainly, some issue can be more sensitive than others, and can easily fall into the rubric of national security. But if the president reports on the costs in buying towels for his personal use (with Mexicans tax payers money), why can't society know how much the armed forces pay in buying uniforms, boots, food or compete publicly for the adjudication of service contracts.
For condition no. 2, “boundaries of military and non-military spheres”. Clearly the involvement of the military in the public security arena has blurred any possibility of having a transparent cut line where military and civilian law enforcement tasks start with regard to combating drug trafficking, organized crime and common crime. All of which are considered national security matters, and therefore, are out of any public debate. In fact, by labeling a matter of national security the military take control.

And on terms of the last condition, “armed forces prerogatives”, in this subject for the most part fall into the unwritten rules between civilians and military. Nor the Congress and either the Executive have obliged the Ministry of Defense and the Navy to come forward and delineate the terms of how, where and what are the results of their presence in the combat against crime and drug trafficking. All of the above is the result of two circumstances, first, the lack of civilian institutions to enforce the laws and procedures, and second, the unwritten rule that “ones declared a national security matter, no public disclosure should take place.” In other words, one critical prerogative that needs to be changed and one welcomes the signs given recently in this matter (See fn43). Today the armed forces remain secluded and out of public scrutiny.

A democratic regime, will never be able to eliminate the military’s relative political autonomy, but what it is requested to do is to know the whereabouts of its internal functioning, and be able to exert influence on their internal life as to guide the adequate democratic principles in the social relations that develop in such internal spectrum.
It also needs to be said that to undertake the exercise of diminishing this military conditional subordination one needs to add the efforts of legislators and society. It is not the solemn responsibility of civilian government officials. Congress plays a critical role as a political actor that seeks to be the check and balance among the three powers of the republic. Civil must also be engaged in the construction of a modern and democratic regulatory framework.

Today, Congress has given consistent signs of interplaying particularistic interests and unable to set a national agenda over the critical problems that need to be ameliorated. All three national parties, in one way or other continue to be in a state of “shock.” These same parties (PRI/PRD) find themselves not only weaken, uncoordinated but particularly and remain fragmented. The National Action party (PAN) has also stage opposite opinions with regards to some of the Fox policies, so that desconsonancia has finally permeated the public opinion. (Reforma, Encuesta August 20001).

A yellow light should be on, as the role of the armed forces expands and human rights violations and corruption scandals continue to emerge, this seriously damages the public image and spirits of corps of the armed forces. The international environment has stated clearly less and less tolerant to the deviation of democratic norms. So, mechanisms need to be created to find ways out to inherit demands from the international monitoring agencies such as the Inter American Human Rights Commissions and the condemnation of violations over a number of Mexican cases, particularly those involving military officers.
While civilian leaders maintain a good-moderate amount of political support and legitimacy, these same leaders can innovate and take actions to impose reforms on the armed forces without jeopardizing the survival of its relationship. At the end, the key is the will to abide by the constitutional rules and the obedience to the regulatory norms that control the civil-military pact. This entitles the obligation of civilian authorities to assume responsibility for defense and security policy. Allowing for a continuos high degree of institutional autonomy is not healthy for the construction of a democratic regime and less for the internal life of the armed forces. Both parties (civil and military) need to understand that the perpetuation of notions that the military is the ultimate guardian of national interests and security continue to permeate the Mexican armed forces and these beliefs in turn influence the actions, policies and decisions of the army men engage in their daily duties.

Today, Mexico finds itself in a crossroad to set the ground rules of a new social pact that will build in a democratic civic culture. The leadership of president Fox, his cabinet members, the convergence with party leaders and the participation of civil society needs to converge in the debate over how, when and for what should the armed forces be used. The armed forces, on their side need to be prepared for the changes and for the public scrutiny. Accountability, transparency and civilian democratic control should be considered pillars of their own internal actions. In fact, the Mexican armed forces should follow steps in that direction and prove vanguard. At the end, it is in the military’s own interest to prove their pride and commitment to Mexico as they become a democratic professionalized army. The next years and decades Mexico’s leadership needs to create a
new civil-military pact that will contribute to the strengthening of this country’s path to
democratic consolidation through a peaceful road.
Table I

Federal budget allocated during the Zedillo administration

<table>
<thead>
<tr>
<th>Years</th>
<th>Civilian Law Enforcement</th>
</tr>
</thead>
<tbody>
<tr>
<td>1996</td>
<td>1,727,633,200</td>
</tr>
<tr>
<td>1997</td>
<td>2,538,910,000</td>
</tr>
<tr>
<td>1998</td>
<td>3,485,930,600</td>
</tr>
<tr>
<td>1999</td>
<td>3,970,865,600</td>
</tr>
<tr>
<td>2000</td>
<td>4,875,030,000</td>
</tr>
</tbody>
</table>

Source: Diario Oficial de la Federacion. (Amounts in Mexican pesos. Average exchange rate $9.00 pesos per dollar.

This year’s federal budget to the Ministry of Defense is a total of 22 369, 000 millions of pesos.  

---

Table II

Perceptions over the Mexican armed forces

<table>
<thead>
<tr>
<th>Institution (degree to which respondents expressed “a lot” or “quite a bit” of confidence)</th>
<th>1981</th>
<th>1990</th>
<th>1994</th>
<th>1997</th>
</tr>
</thead>
<tbody>
<tr>
<td>Army</td>
<td>48.1%</td>
<td>47.0</td>
<td>48.05</td>
<td>71.0%</td>
</tr>
<tr>
<td>Police</td>
<td>31.4%</td>
<td>32.0%</td>
<td>25.0%</td>
<td>42.3%</td>
</tr>
<tr>
<td>Federal Government</td>
<td>23.0%</td>
<td>28.2%</td>
<td>37.0%</td>
<td>50.0%</td>
</tr>
</tbody>
</table>


Another interesting poll done by the United States Information Agency in 1997 shows the following results:
Table III

<table>
<thead>
<tr>
<th>Institution</th>
<th>National Total (1,004)</th>
<th>PRD (124)</th>
<th>PAN (360)</th>
<th>PRI (202)</th>
<th>Mexico City (200)</th>
<th>Monterrey (196)</th>
<th>Tijuana (205)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Army</td>
<td>71%</td>
<td>71%</td>
<td>70%</td>
<td>81%</td>
<td>71%</td>
<td>75%</td>
<td>73%</td>
</tr>
<tr>
<td>Federal Government</td>
<td>50</td>
<td>49</td>
<td>39</td>
<td>65</td>
<td>48</td>
<td>63</td>
<td>59</td>
</tr>
<tr>
<td>Counter narcotics police</td>
<td>47</td>
<td>49</td>
<td>44</td>
<td>61</td>
<td>48</td>
<td>50</td>
<td>51</td>
</tr>
<tr>
<td>Justice system</td>
<td>40</td>
<td>39</td>
<td>35</td>
<td>53</td>
<td>37</td>
<td>48</td>
<td>52</td>
</tr>
<tr>
<td>Local police</td>
<td>36</td>
<td>32</td>
<td>41</td>
<td>52</td>
<td>32</td>
<td>61</td>
<td>43</td>
</tr>
</tbody>
</table>

Table IV Milenio’s recent polls

1) How much confidence do you have in:

   Public prosecutor 40%
   Attorney General’s Office 40%
   Police 32%
   Military 53%
   Radio news, TV news and newspapers 62%

Three of every 10 citizens expresses high regard for the armed forces.
However, Mexicans dislike and have very little confidence in political parties. For half of
those interviewed had no trust in political parties.

(Milenio, December 5, 2000 “La Iglesia catolica y el Ejercito se llevan las palmas”


Table V  Mexican army officers trained in the United States

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1983-1988</td>
<td>293</td>
<td>1,910</td>
<td>821</td>
<td>703</td>
</tr>
</tbody>
</table>

Bibliography

Agüero, Felipe (1995)xxxxx

Arzt, Sigrid (1998) xxxxxxx
------- (2000) xxxxxxxxx


Wager, Stephen (1994) xxxxx

Wager, Stephen (1995) xxxxxx