

NÚMERO 177

ALEJANDRO ANAYA

Security and Human Rights in Mexico:  
Do Pressure from Above and Argumentation  
Have Anything to Do With It?

NOVIEMBRE 2008



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Fax: 5727•9800 ext. 6314  
Correo electrónico: [publicaciones@cide.edu](mailto:publicaciones@cide.edu)  
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## *Acknowledgements*

*This paper has been written in the framework of the Mexico's Security Study Group, led by Mónica Serrano (El Colegio de México) and Arturo Sotomayor (CIDE); special thanks are due to both of them for their insightful comments and suggestions. Many thanks to the discussants and colleagues that have commented in previous versions of this paper, in presentations at Oxford University, CIDE, Universidad Iberoamericana and the 2008 annual conference of the International Studies Association. A substantive part of the research and writing involved were undertaken in the summer of 2007 at the Woodrow Wilson International Center for Scholars, in Washington DC, with the support of a grant by the Wilson Center and the Mexican Council of International Affairs (COMEXI). Special thanks to Stephanie Black for invaluable research assistance.*



## Abstract

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*This paper offers a systematic account of the international attention/preoccupation, and the related debates and discussions that have emerged around the tensions between security and human rights in Mexico during the ongoing presidency of Felipe Calderón. How strong is this international concern? What are the characteristics of the discussions or the debates implied? What do we make of all this? Does it matter? Following the notions of pressure from above and argumentation, offered by the “boomerang-spiral” model, the paper shows that the Mexican government is not under significant international pressure to modify its approach to human rights within its security agenda, and that it is not engaging in “true argumentation” with its interlocutors from above, but rather recurring to “rhetorical action”. This implies that international actors and processes are not currently making a determinant contribution to the socialization of international human rights in Mexico; in other words, they are not having a significant influence in the definition of the (unbalanced) approach to security and human rights in the country.*

## Resumen

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*Este documento ofrece un acercamiento sistemático a la atención/preocupación internacional, y los debates y discusiones relacionadas, que han emergido alrededor de las tensiones entre seguridad y derechos humanos en México durante la presidencia de Felipe Calderón. ¿Qué tan fuerte es la preocupación internacional? ¿Cuáles son las características de las discusiones o los debates correspondientes? ¿Qué importancia tienen dicha preocupación y debates? Siguiendo las nociones de presión “desde arriba” y argumentación, propuestas por el modelo “boomerang-espiral”, el documento muestra que el gobierno de México no está bajo una presión internacional considerable para modificar su acercamiento a los derechos humanos dentro de su agenda de seguridad, y que no está actuando en la lógica de una “argumentación verdadera” con sus interlocutores externos, sino más bien en una lógica de “acción retórica”. Esto implica que, actualmente, los actores y procesos internacionales no están haciendo una contribución determinante a la socialización de los derechos humanos internacionales en México; en otras palabras, no están teniendo una influencia significativa en la definición del acercamiento a la seguridad y los derechos humanos en el país.*



## *Introduction*

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Since the late 1980s, but particularly after the 1994 indigenous rebellion in Chiapas, the human rights situation in Mexico has attracted the attention of different types of international actors. This interest or preoccupation of Non Governmental Organizations (NGOs), inter-governmental bodies and mechanisms, and foreign governments has resulted in (mild, moderate or critical) public statements of concern, requests for information, visits to the country, reports, hearings, cases and resolutions. Concomitantly, a vivid discussion about human rights has unfolded between the Mexican government and its interlocutors and critics from abroad. Recently, during the first year of the presidency of Felipe Calderón (2006-2012) such concern and discussions have focused around the tensions between security and human rights.<sup>1</sup> The main objective of this paper is to assess the relevance of this process of political and communicative interaction between the Calderón government and varied interlocutors from abroad. How strong are the signs of concern shown by international actors? What are the characteristics of the discussion or the debate implied? What do we make of all this? Does it matter? Are the manifestations of concern and the related discussions of any relevance to the definition of the government's approach to human rights within its security agenda? The answers to these questions will be traced focusing on two specific "situations" —the human rights violations perpetrated by federal and state police forces while tackling a radical social movement in the state of Oaxaca in 2006, and Calderón's militarized strategy to face drug-traffickers. From a methodological perspective, these situations are relevant because they are the instances of tension between security and human rights that have attracted most international attention during the period under study. The logic behind the selection of these "cases" is that if they have not generated an intense and meaningful processes of international attention and debate, then it follows to infer that that will also be the case for other situations (related to security and human rights) that have attracted less or no international attention during the first eighteen months of Calderón's term.<sup>2</sup>

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<sup>1</sup> Other sources of concern continue to be the prevalence of torture, impunity for human rights violations during the "dirty war" of the 1970s, and the killings of women in Ciudad Juárez. The human rights implications of the security agenda, however, have been preeminent in the international arena during the period under study.

<sup>2</sup> For a description of the human rights violations in Oaxaca see CNDH 2007d; Osorno 2007; CCIODH 2007d; and Amnesty International 2007a. For the "war on drugs" see CNDH 2007a, 2007b, 2007c, 2007e, 2007f and 2007g. The situation in Oaxaca took place during the last six months of the presidency of Vicente Fox (2000-2006). However, it is possible to argue that the decision to intervene in Oaxaca was taken if not by Calderón, at least with his approval. After all, Calderón appointed Eduardo Medina Mora, Fox's Secretary of Public Security (in charge of the Federal Police, which intervened in Oaxaca), as Attorney General of his Government. In any case, as already underlined, the objective of this paper is not to assess the human rights violations as such, but the resulting process of international political and communicative interaction, which took place after Calderón took office. For an

The literature on the “boomerang effect” (Keck and Sikkink, 1998) and the “spiral model” (Risse, Ropp and Sikkink, 1999) readily offer a quite useful framework to make sense of processes like those that motivate this paper. The notions of “pressure from above” and “argumentation” proposed in this literature appear to be heuristically adequate to assess the characteristics and the implications of the aforementioned international concern and debates related to human rights and security in Mexico. Have the international actors concerned with the human rights violations perpetrated in the framework of security initiatives exerted *pressure* over the Mexican government? Is the Mexican government engaging in *argumentation* with foreign actors?

The answer to these questions is relevant because, as the literature has shown, pressure from above and argumentation lie at the heart of causal mechanisms that are central to the socialization of international human rights norms, and thus might lead to a change in a government’s behavior (and under some circumstances its identity) (see Risse, Ropp and Sikkink, 1999; Fleay, 2006; Thomas, 2002; Laursen, 2000; Hosen, 2002; for the specific case of Mexico see Anaya Muñoz forthcoming). The “boomerang-spiral” model stresses the importance of both international and domestic processes and actors. Pressure “from below” (*i.e.* from domestic human rights advocates and dissidents) and domestic debates are also considered fundamental for the socialization of international human rights norms. But the model underlines that international dynamics are fundamental in buttressing and strengthening domestic ones. Without the international element, domestic actors and processes will have less strength and influence, and the socialization process will receive a lesser impulse. As underlined above, this paper will only focus on the international dimension of the model. In this way, it does not aim at applying all the elements of the “boomerang-spiral” model to assess the broad and complex process of socialization of international human rights norms in contemporary Mexico. It focuses on the international dimension, seeking to assess the contribution of international actors and processes to the definition of the (unbalanced) approach to security and human rights in current Mexico. The findings, however concrete and focused, are expected to be relevant from a broader explanatory perspective since it has been shown elsewhere that pressure from abroad and argumentation were quite important in the animation of the process of socialization of international human rights norms in Mexico during the last years of the presidency of Ernesto Zedillo (1994-2000) and the beginning of that of Vicente Fox (2000-2006) (Anaya Muñoz forthcoming).

The paper begins defining the notions of pressure from above, argumentation and “rhetorical action”, which will guide the analysis. It then describes the reactions of different international actors to the human rights

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approach to the (domestic) institutional setting in which human rights violations are perpetrated by police forces in Mexico see the essay by López Portillo in this volume.



issues that emerged in relation to Oaxaca and the “war on drugs”. On the basis of this, it determines whether there is a significant international pressure over the Mexican government to change its behavior or not. In the third section, the paper attempts to determine if the government is engaging in “true argumentation” with its interlocutors from abroad. The conclusion is that there is not significant pressure and that the government is not engaging in true argumentation but in rhetorical action. This means that the impact of the international concern and the related discussions or debates about human rights and security in Mexico are not being very significant. The paper ends recognizing that its findings beg for an explicative question, and therefore it points at some hypothesis that may guide future research.

### ***1. Pressure from above, argumentation and rhetorical action***

The “boomerang-spiral” model literature (Keck and Sikkink, 1998; Risse, Ropp and Sikkink, 1999) has argued convincingly that the socialization of international human rights norms in specific countries is initially driven by the exertion of pressure over right-violating governments by “transnational advocacy networks” (TANs, an alliance of human rights advocates from domestic and international NGOs, but also individuals or agencies within inter-governmental organizations, Western governments, churches and funding agencies organized around a set of norms, and that share information and services). TANs, collectively, or their different potential members, individually, seek to influence the behavior of human rights-violating governments generating pressure. If the actors in question are international, then the literature makes reference to pressure “from above”. Pressure from above might be exerted directly affecting the material interests of the government in question (*e.g.* suspending aid and/or imposing commercial sanctions), but also through targeting their reputation recurring to “shaming”. The latter type of pressure (more commonly used than the former) is a tactical tool of central utility for TANs. A state is “shamed” when it is presented as a “pariah” state, not worthy of membership in the international community. This is an effective tactic because most states want to be accepted as members of the club of “civilized nations”; and, as put by Thomas Risse human rights “increasingly define what constitutes a ‘civilized state’ as a member of the international community ‘in good standing’” (1999: 530). To be more precise, “shaming” takes place when a state is exposed through the explicit demonstration of a gap between behavior and accepted norms (Lebovic and Voeten, 2006: 868-870; Hawkins, 2004: 783; Schimmelfennig, 2001: 64); in other words, when a state is explicitly criticized or condemned for violating human rights.

Pressure from above is operationalized in section 2 below through the existence/absence of direct and explicit criticism or condemnation of a

government by the more relevant international actors that are potential partners in a TAN—NGOs, governmental actors from developed democracies and inter-governmental organizations. The participation of governmental and inter-governmental actors in the criticism or condemnation of a “target government” is fundamental, if pressure from above is to have a determinant effect; NGOs alone lack the required leverage to exert significant pressure. In this sense, only if governmental or inter-governmental actors join NGOs in an explicit critique of the government will we consider that there is a significant amount of pressure over the latter.

As mentioned in the introduction, in addition to pressure, processes of argumentation are also fundamental for the socialization of international human rights norms. In fact, it is a logic of argumentation that might result not just in a simple (instrumental) change of behavior, but in the ultimate internalization of norms (and thus in a change of identity).<sup>3</sup> In other words, argumentation is necessary for deepening the socialization process (Risse and Sikkink, 1999). In this way, in addition to exerting pressure, TANs also seek to persuade “target governments” that respecting human rights is “the appropriate thing to do”; and for this, they generate and engage in discussions or debates with the latter (Risse and Sikkink, 1999; Risse, 1999; Risse, 2000). But, what kind of discussions or debates are likely to lead to a change of identity (and thus to a deeper process of socialization)? Thomas Risse (1999, 2000) identifies three relevant modes of communication.<sup>4</sup> The first is “cheap talk”, in which actors only exchange information about each others’ (fixed) preferences, as part of a clearly instrumental bargaining process. Actors try to get what they want recurring, for example, to promises or threats. The second mode of communication is “rhetorical action” —a “strategic use of norm-based arguments in pursuit of one’s self interest” (Schimmelfennig, 2001: 63). In rhetorical action, actors give reasons for their actions, defend the validity of their preferences and worldviews and attempt to convince their interlocutors. Frank Schimmelfennig (from whom Risse borrows this notion) argues that all identity communities have a standard of political legitimacy, based on shared values and norms. This standard of legitimacy is not only a constraint, but also a resource for poorly socialized actors —in some cases, the self-interested preferences of these actors might coincide with community values and norms— giving them the opportunity to gain “cheap legitimacy”. Schimmelfennig also shows that such legitimacy gains strengthen the actors’ bargaining position in general. In this way,

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<sup>3</sup> This distinction is similar to that made between “simple” and “complex” learning. See Wendt, 1992.

<sup>4</sup> Risse’s communication-oriented approach is well suited for an interpretation of the discussions or debates between the Mexican government and its interlocutors from abroad regarding human rights within the security agenda since “[c]ommunication is motivated by the desire to find out the ‘truth’ with regard to facts in the world or to figure out ‘the right thing to do’ in a commonly defined situation” (Risse, 2000: 12). That is, precisely, what the (public) debates between the government and its foreign interlocutors have been about: Has the government violated human rights? If so, what should be done about it?

rhetorical action can influence the outcome not only of communicative but also of political interaction. However, both Risse (1999, 2000) and Schimmelfennig (2001) find that actors can get entrapped in their own rhetoric which constraints their margin of action in the immediate future.

The third mode of communication identified by Risse is “argumentation”, in which actors are willing to engage in a true-seeking discussion and, while they do not renounce to attempt to convince the other, they are open to be persuaded by the arguments from across the table. Preferences and worldviews are not fixed but subject to be challenged, and thus they can change. As the reader might have concluded, the distinction between true argumentation and the other two modes of communication is very relevant to assess the nature of a process of debate or discussion between a human rights-violating government and its critics—a government engaged in true argumentation is open to an identity (and thus behavior) change, while one recurring to cheap talk or rhetorical action is not.<sup>5</sup> On the contrary, a government using a human rights discourse in a rhetorical action fashion will only be looking to gain legitimacy and/or to convince its interlocutors that “there is really nothing to worry about”.

Now, how can we identify with more precision instances of argumentation, as opposed to cheap talk or rhetorical action? Risse (1999: 536-537; 2000: 18-19) proposes that true argumentation takes places when:

- a) actors consider each other as equal interlocutors (they do not refer to rank or status to make an argument);
- b) actors show argumentative consistency (that is, they do not change their arguments in front of different audiences);
- c) stronger actors (*e.g.* governments) change their mind, even if it goes against their interests;
- d) when accused of violating norms, actors do not dismiss the accusations or engage in self-serving rhetoric, but justify their behavior and even apologize;
- e) the behavior of the actor would have been different if argumentation had not taken place (a counterfactual exercise).

This argumentation test will be applied in section 3 *infra*. Since our main interest lies ultimately in determining the likelihood (or not) of a change in the identity and behavior of the “target-government”, and not in that of its interlocutors (NGOs, inter-governmental bodies and foreign governments), the test will be applied from the perspective of the government only. Methodologically, the test will be one of rhetorical analysis, focusing on “speech acts”: official documents, speeches, declarations and statements at press conferences (*cf.* Schimmelfennig, 2001: 65-66).

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<sup>5</sup> Risse notes that public debates about human rights are clearly identity-related as “[i]nternational human rights norms are increasingly understood as a constitutive property of what it means to be a modern and civilized state” (2000: 22).

## ***2. International attention to human rights problems in Mexico's security agenda***

As mentioned in the introduction, the human rights situation in Mexico has attracted the attention of international and transnational actors since the late 1980s (Keck and Sikkink, 1998). During the mid-to-late 1990s, this attention became particularly intense, resulting in a strong shaming campaign (Anaya Muñoz forthcoming; interview with Cortez and Maza). This section will describe how foreign governments, inter-governmental organizations and international NGOs—the key actors within TANs— have questioned, expressed concern, monitored, or criticized and condemned the Mexican government in relation to the human rights issues raised by the campaign to control social turmoil in Oaxaca and the militarized counter-drug operatives. More specifically, the section will determine whether these actors have “shamed” and thus exerted pressure on the Mexican government.

### *2.1. Governmental actors*

The paper focuses on the role played by the United States (U.S.) government, and European governments and the European Union (E.U.) as such. The U.S. government has been selected because it obviously is the international actor with most ascendancy over Mexico. In this sense, if the American government were to criticize Mexico's human rights performance, the pressure implied would be enormous. European actors, on the other hand, have been selected because they also have influence over Mexico, and because they have shown concern about human rights in Mexico during the past decade. As the reader knows, the Economic Partnership, Political Coordination and Cooperation Agreement (signed between the E.U. and Mexico in 1997) includes a “democratic and human rights clause”. Also indicative is that in the 1998 and 1999 sessions of the United Nations (U.N.) Commission on Human Rights, the E.U. included Mexico in the list of countries that considered to be a source of human rights concern.

#### *2.1.1. The United States*

Traditionally, the U.S. government (*i.e.* its executive branch) has not included human rights considerations as a relevant element of its bilateral agenda with Mexico. Indeed, during the late 1990s—in the heyday of transnational human rights pressure over Mexico—the U.S. did not figure along those actors that openly questioned or criticized the Mexican government for its human rights performance (see Anaya Muñoz, forthcoming). In this way, the only formal and systematic mechanism through which the U.S. has approached the human

rights situation in Mexico in the recent past has been the *Country Reports on Human Rights Practices*, which are submitted annually by the Department of State to Congress, in compliance with the Foreign Assistance Act of 1961. The 2007 report on Mexico includes information generated by international NGOs and by the National Human Rights Commission (CNDH) regarding the human rights violations perpetrated in Oaxaca during 2006, and the violations committed by the Military in the framework of the counter-drug strategy — *e.g.* killings, illegal searches, rape, arbitrary detention and torture (Department of State, 2007). Most of the time, the report explicitly underlines that it only reproduces information provided by other sources, and it carefully seeks not to subscribe or deny the validity of the accusations or allegations. In any case, the 2007 report concludes that “[t]he government generally respected and promoted human rights at the national level by investigating, prosecuting, and sentencing public officials and members of the security forces. However, impunity and corruption remained problems, particularly at the state and local level” (Department of State, 2007).

A review of the issues raised by the U.S. government about the bilateral agenda with Mexico during the first eighteen months of the Calderón presidency shows the salience of security.<sup>6</sup> The focus has been on applauding and supporting Mexico’s efforts in fighting drug-traffickers. For example, President Bush has declared: “I am deeply concerned about how lethal and how brutal these drug lords are. I have watched with admiration how President Calderón has taken a firm hand in making sure his society is free of these drug lords” (Office of the Press Secretary, 2008). The respect of human rights in this context has not been an explicit concern for the U.S. government. This is pretty much in line with traditional U.S. drug-trafficking foreign policy in Latin America, which has actively endorsed, promoted and supported an approach based on the militarization of anti-drug efforts, without showing a meaningful concern for human rights (see Isacson, 2005; Freeman and Sierra, 2005).

In mid 2008, the U.S. Congress approved a cooperation plan (called the “Merida Initiative”), proposed by President George W. Bush to support Calderón’s “war on drugs”. The cooperation package includes funds for strengthening the equipment and technological capacities of Mexican security forces (notably the Military), but also for judicial reform, institution building, anti-corruption and rule of law activities. The U.S. Congress, however, conditioned the availability of part of the funds to a number of human rights measures to be taken by Mexico. Thus, the Secretary of State has to report

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<sup>6</sup> As already mentioned, methodologically, the paper focuses on “speech acts”. In this way, the information generated during official visits is revealing since it is in this kind of context in which actors tend to make their positions clear. Other key moments are those in which agreements are discussed and adopted, and when legislation is presented, debated and approved or rejected. So, in addition to the review of relevant official documents, this research focused (both for the U.S. and European “cases”) on the information generated during such moments.

that Mexico, *inter alia*, is: establishing “a mechanism for regular consultations” with government officials and civil society actors regarding the implementation of the Merida Initiative; ensuring that civilian judicial authorities investigate human rights violations allegedly perpetrated by federal police and military forces; and enforcing the prohibition of “the use of testimony obtained through torture or other ill-treatment” (Supplemental Appropriations Act).

In sum, at the request of Congress, the U.S. government has systematically monitored, through the *Country Reports*, the human rights situation in Mexico (as in the rest of the world). However, even if the reports on Mexico contain a good deal of information regarding human rights shortcomings, it does not elaborate a direct and explicit criticism or condemnation of the Mexican government in relation to the human rights problems raised by the security agenda (*cf.* Department of State, 2007). One could think that the recent developments around the Merida Initiative might raise the salience of human rights within the bilateral agenda. However, the reaction of U.S. officials to Mexican nationalistic rhetoric denouncing the human rights conditions established by Congress suggest caution. The reader might recall, in this respect, that when the congressional conditions were first revealed, the Mexican government and public opinion denounced what was considered as yet another sign of unacceptable “American interventionism” in domestic affairs, and threatened to reject the cooperation program. In this context, “Bush administration officials warn[ed] that the congressional conditions could torpedo the package and deal a blow to Calderon’s 18-month-old war on organized crime” (Ellingwood, 2008). For example, Dana Perino (Assistant to President Bush and Press Secretary) declared: “[b]ecause obviously President Bush thinks the Merida Initiative is very important. We did not want Congress to attach any strings to the money that we were asking for” (The White House 2008). This suggests strongly that the U.S. government is clearly more concerned about security than human rights in Mexico. In this sense, even if the Merida Initiative diversifies U.S. human rights monitoring activities in Mexico, the U.S. government is not likely to use the new supervisory mechanisms to openly and explicitly criticize or condemn the behavior of its Mexican counterpart.

### 2.1.2. The European Union

Some important officials from European countries and the E.U. as such have expressed their concern about human rights violations in the framework of security strategies in Mexico during the ongoing Calderón presidency. In early June 2007, President Calderón attended the “G-8 plus five” meeting in Germany, and toured other countries in Europe with the intention of promoting Mexico’s image as an attractive investment destination. In his different speeches and presentations to heads of State, government officials

and private investors, Calderón emphasized his security strategy, stressing the message that European investment would be secure in Mexico. His militarized security strategy was endorsed by most of his counterparts and interlocutors, with one (marginal) qualification—the respect for human rights—. Javier Solana, the High Representative for the Common Foreign and Security Policy of the E.U., commended Calderón’s approach, but reminded that “[t]he principle of respect for human rights is that upon which all strategies of struggle against organized crime shall be based, otherwise, the fight would be lost” (AFP, 2007; Bugarin, 2007). Similarly, Italy’s Prime Minister, Romano Prodi, mentioned: “We express Italy’s support for the fight on which president [Calderón] has embarked against organized crime, always with respect to human rights, which is very important” (Presidencia de la República-Press Room, 2007a). Also in Italy, during a meeting with government officials and investors, in which Calderón insisted in his strong stance against organized crime, Emma Bonino, Italy’s Minister of Internal Trade and European Policies explicitly insisted that the struggle against crime had to be pursued within a framework of full respect for human rights (Presidencia de la República-Press Room, 2007c).

The German Coordination for Human Rights in Mexico (a network of German NGOs and solidarity groups that work in a TAN model in alliance with different Mexican human rights NGOs) attracted the attention of EMP Erika Mann (president of the European Parliament Delegation to the EU/Mexico Joint Parliamentary Committee) regarding the human rights situation in Oaxaca. On September 2006, in the context of an official visit to Mexico, and encouraged by the German Coordination for Human Rights in Mexico, she traveled to Oaxaca; the only place outside Mexico City she visited. She held different meetings with her Mexican counterparts from the Senate and the Chamber of Deputies; one of which, held with a leading PAN Senator, Santiago Creel (president of the Senate’s Political Coordination Committee), dealt explicitly with the Oaxaca situation. During her visit to Oaxaca, she met with local NGOs, political dissidents, local journalists and representatives from the tourism industry. A detailed report of her visit was sent to the European Parliament’s Committee on Foreign Affairs in October 2006 (Interview with Teresa Ávila; European Parliament, 2006; also see Mann, 2007). However, as noted by Teresa Ávila (former director of the German Coordination for Human Rights in Mexico), the report did not present a strong enough condemnation or critique of the human rights situation in Oaxaca (Interview with Teresa Ávila; *cfr.* Mann, 2007).

Later on, a few days after Calderón’s 2007 European tour, EMP Mann (encouraged by the German Coordination for Human Rights in Mexico) called for an extraordinary session of the European Parliament Delegation to the EU/Mexico Joint Parliamentary Committee to receive members of the

International Civil Commission of Human Rights observation (CCIODH),<sup>7</sup> who presented the conclusions of their report on Oaxaca. Giovanni di Girolamo, in charge of the Unit for Mexico of the European Commission, and a representative of Mexico's diplomatic mission in Brussels was also present. The delegates of the CCIODH proposed the establishment of a permanent representative of the United Nations High Commissioner for Human Rights (UNHCHR) in Oaxaca. The parliamentarians asked to be kept informed and expressed their interest in visiting Oaxaca in the near future (interview with Teresa Ávila; CCIODH, 2007a). However, the European Parliament has not issued a resolution or any other formal statement about Oaxaca or human rights in Mexico in general.<sup>8</sup>

In sum, important European political figures and Euro-parliamentarians have expressed concern about the situation in Oaxaca (some of them have even visited the state) and have urged the Mexican government to conduct its struggle against drugs within a framework of respect for human rights. Although it would be difficult to argue that these appeals and signs of concern are fully inconsequential, these governmental actors have not explicitly noted a gap between behavior and accepted norms; they have not criticized or condemned the Mexican government. In other words, they have not "shamed" and therefore have not exerted pressure over the latter.

## *2.2. Inter-governmental human rights bodies and mechanisms*

One of the main spaces for a transnational dynamics of monitoring and discussing human rights issues with the Mexican government has been the Inter-American Commission on Human Rights (IACHR). In early 2005, a group of indigenous and human rights NGOs from Oaxaca, in alliance with the Washington-based Due Process of Law Foundation (DPLF), called the attention of the IACHR to the situation in Oaxaca. Before the 2006 conflict had erupted, the Center for Human Rights and Advisory Services for Indigenous Peoples (CEDHAPI, based in Tlaxiaco, Oaxaca) and the DPLF, succeeded in getting the IACHR to hold two hearings on Oaxaca (DPLF 2005, 2006a, 2006b).

In between these hearings, in August 2005, Jose Zalaquet—at the time member of the IACHR and rapporteur for Mexico and for the rights of indigenous people—visited Mexico. He traveled to Oaxaca—the first ever official visit to the state by the IACHR—and met with members of civil society, U.N. consultants, government officials, academics, the State

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<sup>7</sup> The CCIODH is an *ad-hoc*, flexible network of social activists from Europe, North America and other regions of the world, which has been visiting Mexico and monitoring the human rights situation in the country since the late 1990s. The CCIODH (2007d) elaborated a very thorough and harsh report of the human rights violations perpetrated in Oaxaca.

<sup>8</sup> According to Teresa Ávila (interview), only parliamentarians from the left are interested in the issue, which makes it very difficult to obtain broader support for a stronger criticism of Mexico's human rights record.



Commission of Human Rights and Oaxaca's Secretary of Government (see IACHR, 2005).

After the conflict erupted in June 2006, CEDHAPI and DPLF asked for another hearing in relation to the general human rights situation and the crisis of the rule of law in Oaxaca (DPLF, 2006b; IACHR, 2006a: parr. 27). In the context of this hearing, the IACHR issued a press release in which it expressed "its profound concern over the violent events that have taken place in recent days in the State of Oaxaca" and urged the Mexican state "to adopt all necessary measures to resolve the critical situation affecting citizen's security in Oaxaca, with absolute respect for its international human rights obligations" (IACHR, 2006b). During the most turbulent months of the conflict, the IACHR received around 30 requests for precautionary measures —filed mainly by local NGOs, including CEDHAPI— about presumed disappearances. The IACHR responded issuing a number of requests of information to the Mexican government in accordance with the procedure established in article 14 of the Inter-American Convention on Forced Disappearance of Persons.<sup>9</sup> In all cases, the government notified the Commission of the place where the missing people were being held (interview with Marisol Blanchard).

Oaxaca continued to be a matter of concern for the IACHR after the worst part of the conflict had passed. During its 127<sup>th</sup> ordinary session (March 2007), local NGOs requested a hearing, which focused on the situation of the scores of dissidents that by early 2007 continued under detention. The new president of the IACHR and its rapporteur for Mexico, Florentín Meléndez, called for the respect for the legal order, but in the framework of "strict respect for human rights" and announced that he would visit Mexico shortly (IACHR 2007c). This official visit took place in early April 2007, when Meléndez met with victims of violations, NGOs and government officials.

In its 128<sup>th</sup> ordinary session, in July 2007, the IACHR released a press bulletin in which, making reference to recent clashes between the police and APPO protesters in June 16 2007, regretted the renewed violence and expressed its "deep concern" for the human rights situation in Oaxaca, urging the Mexican state to "promote a process of dialogue that allows for the solution of the conflict in the context of a democratic society and with full respect to human rights" (IACHR, 2007a). In late July, the IACHR granted precautionary measures to protect the life and physical integrity of five local human rights advocates involved in the legal defense of those detained in the framework of the conflict in Oaxaca (CEJIL, 2007).

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<sup>9</sup> Article 14 of the Convention states that "when the Inter-American Commission on Human Rights receives a petition or communication regarding an alleged forced disappearance, its Executive Secretariat shall urgently and confidentially address the respective government, and shall request that government to provide as soon as possible information as to the whereabouts of the allegedly disappeared person together with any other information it considers pertinent".

In August 2007, commissioner Meléndez conducted another official visit to Mexico. He visited Oaxaca and met with detainees and NGOs, and received numerous denunciations of human rights violations. Meléndez expressed his “deep concern for the acts of violence and the violations of human rights” and urged “the government of Oaxaca and the federal government to investigate in an objective and impartial way the human rights violations perpetrated during the violent repression of public rallies, to compensate the victims and to assure that no human rights violation remains in impunity”. Immediately after the visit, he announced that he would issue a special report in which he would summarize his view on the situation in Oaxaca and would present specific recommendations to the government (IACHR, 2007b). But no such report had been issued at the moment of writing (June 2008); on the contrary the IACHR did not grant a public hearing requested by NGOs from Oaxaca during its 130<sup>th</sup> ordinary session (held in October 2007), while it held a “private” meeting with representatives from the state and federal governments (interview with Cortez and Meza). In addition, the president of the IACHR expressed “his satisfaction concerning the information provided by authorities of the state government of Oaxaca on the implementation of the recommendations he made during his visit to Mexico last August” (IACHR, 2007d).

The UNHCHR has also been a relevant actor, particularly its representative in Mexico, whom in different occasions voiced his concern about violence and the violations to human rights in Oaxaca. He urged the federal government to take action and pursue a negotiated settlement, and to clarify the alleged participation of “paramilitary” groups in acts of violence against protesters. In October 2006, after a particularly violent incident in Oaxaca, he condemned the incident and stressed that “violence is not justified by any means”, called on the government and the dissidents to cooperate and find a negotiated solution, and urged the authorities to undertake a prompt, efficient and impartial investigation (Naciones Unidas-CINU, 2006a, 2006b). On another issue, after the military killed a family in a rural road in the state of Sinaloa, the UNHCHR’s representative in Mexico stressed that the soldiers involved should be prosecuted under the civil penal system, and not by a military court. He also expressed his overall concerns about military involvement in counter-drug operatives (Salgado, 2007).

In sum, inter-governmental bodies and mechanisms of the Organization of American States (OAS) and the U.N. have monitored the human rights situation in the context of the security agenda in Mexico. In particular, the IACHR has been very active around the situation in Oaxaca (the issues raised by the militarized “war on drugs” have caused far less concern). All the hearings, the public appeals and of course the visits to Oaxaca must be a source of concern for the Mexican government; and thus they might be considered as a mild form of pressure. But neither the IACHR nor the UNHCHR

have explicitly stressed a gap between behavior and norms; they have not criticized or condemned the Mexican government. In other words, these actors have not engaged in a clear process of shaming, and therefore are not exerting pressure over Mexico.

### *2.3. International NGOs and transnational civil society groups*

The situation in Oaxaca and the military's participation in counter-drug operatives have been closely followed by international human rights NGOs and transnational groups of activists. It would not be possible to describe here the work and activities of all the particular organizations involved, so this section focuses on two particularly important actors —Amnesty International (AI) and the CCIODH.<sup>10</sup>

The conflict in Oaxaca was source of permanent preoccupation to AI, which repeatedly expressed its concern for the human rights violations. Researchers from AI visited the state in June and November 2006, and met with victims of violations and their families, civil society organizations and government officials. Military involvement in public security tasks has also called AI's attention —in May 2007, the president of AI's Mexico Section, Liliana Velazquez, warned that "armed forces are not qualified or designed to undertake such (police) functions, so there is a risk that grave human rights violations occur" (AP, 2007). Soon after, Rupert Knox, researcher for Mexico, stressed that Calderón was "prioritizing a very narrow view of public security" and that he had not "shown commitment or political will to move forward in the protection of human rights" (Reuters, 2007).

In late July —early August 2007— AI undertook a high-level visit to Mexico, led by its Secretary General, Irene Khan. The delegation traveled to Oaxaca, where they met victims of abuses, civil society organizations and government officials, including Governor Ulises Ruiz. While in Oaxaca, Khan presented AI's report *Oaxaca—Clamor for Justice* and made a strong public condemnation of the violations, underlining the prevailing impunity. Irene Khan also met with the federal government's Secretary of the Interior, the Secretary of Public Security, members of Congress and, for the first time ever, magistrates of the National Supreme Court of Justice. Throughout the visit, Khan insisted on the persistence of impunity in Oaxaca and on the positive relationship between security and human rights: "[W]hat the history of Mexico shows and what we

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<sup>10</sup> AI has been monitoring the Mexican case in a systematic way since the late 1980s, and as will be shown below, it has continued to be very active during the Calderón presidency. The CCIODH, on the other hand, has produced the more detailed and thorough attempt to document human rights violations during the Oaxaca conflict. Human Rights Watch (HRW), of course, is another key actor that has been involved in Mexico since the late 1980s. In its 2006 report on human rights in the world, HRW underlined that "Mexican police forces routinely employ excessive force when carrying out crowd-control operations", resulting in beatings and deaths (Human Rights Watch, 2007a). In addition, after a violent clash between police and protesters in Oaxaca in July 2007, HRW urged the government of the state to "ensure that alleged brutality by the police is thoroughly investigated and that those responsible are prosecuted" (Human Rights Watch, 2007b).

have seen throughout the world is that human rights are sacrificed in the name of security, but this does not lead us neither to liberty or to security" (Castillo García, 2007; Garduño, 2007a, 2007b; SSP, 2207; Vélez Ascencio, 2007a). Irene Khan held a long meeting with Felipe Calderón, in which they discussed, *inter alia*, issues related impunity in Oaxaca and military involvement in public security issues. Irene Khan concluded, in a posterior press conference, that "Felipe Calderón's commitment to human rights will be tested by his will to take decisive action to break the impunity circle that has persisted in situations such as Oaxaca". She also argued again that "the government's decision to extend the role and function of military personnel in law enforcement increases the risk of human rights violations and impunity" (Presidencia de la República-Press Room, 2007b; Amnesty International, 2007b).

The efforts by the CCIODH to record and publicize the human rights violations in Oaxaca, and to put pressure on the federal and state governments, are particularly relevant. The members of the CCIODH—conformed of activists from countries such as Turkey, Serbia, Switzerland, France, England, Portugal, Germany, Denmark, Nicaragua, Norway, Dominican Republic and Spain—were in Oaxaca from mid December 2006 to late January 2007, where they conducted hundreds of interviews, particularly with the dissidents (including those under arrest), their families and local NGOs. Since the outset of their observation mission, the CCIODH expressed that the "situation is much more profound and grave than we imagined", noting in particular the lack of effective investigations into the 23 deaths that occurred during the conflict (Olivares Alonso, 2006). Their lengthy final report was issued in February 2007, and formally presented to the Mexican authorities and general public in early March, receiving important coverage by the press. As mentioned, the CCIODH presented its report to members of the European Parliament in June 2007. A few days later, they took a copy of their detailed account of the conflict and the resulting violations to the Geneva headquarters of the UNHCHR. The CCIODH stressed that months after the abuses had taken place impunity prevailed and insisted on the establishment of a permanent office of the High Commissioner in Oaxaca (CCIODH, 2007b).

In sum, the human rights violations committed in the context of the security agenda have called the attention of international NGOs and transnational civil society actors, leading to a dynamics of monitoring and explicit criticism. AI and the CCIODH have explicitly criticized the Mexican government, noting clear inconsistencies between behavior and accepted norms; they have "shamed" and thus generated pressure over the latter. But their leverage has been limited, as they have not been able to get the support of governmental and inter-governmental actors in a shaming campaign. The CCIODH, for instance, has not managed to elicit a greater interest and a firmer stance by the European Parliament or the UNHCHR.

Overall, the events in Oaxaca and the militarized “war on drugs” have attracted the attention of different international and transnational (governmental, inter-governmental and civil society) actors, which have monitored the situation, expressed concern and to a less extent criticized the government. This, however, has not resulted in the development of a broad shaming campaign with Mexico as its target, particularly because governmental and inter-governmental actors have not joined NGOs in an explicit condemnation of the human rights situation in the country. In this way, the pressure exerted over the Mexican government to change its behavior is currently not very significant.

### ***3. Argumentation or rhetorical action?***

Section 2 showed that there is not significant international pressure on the Mexican government to modify its human rights behavior in relation to Oaxaca or the militarized counter-drug operatives. But the section suggests that different international and transnational actors have engaged in a discussion about human rights with the government. Does the discussion amount to what Risse calls “true argumentation”? Or is all this just an instance of cheap talk or rhetorical action, in which the government only seeks to (instrumentally) promote its (fixed) preferences or to influence those of its interlocutors? In other words, is the Mexican government engaging in a genuine reflection about the advancement of human rights in the country or is it just attempting to convince its interlocutors that “everything is under control” or to use a norms-based argument to strengthen its legitimacy?

Government actors constantly respond to their critics and interlocutors using a discourse that far from questioning the validity of human rights as such underline the government’s commitment to upholding them and to investigate and punish abuses. In early 2007, for example, the governor of Oaxaca Ulises Ruiz declared that “action will be taken if there is responsibility [in human rights violations] of any state government official” (Sánchez, 2007). Similarly, the Under Secretary of the Interior of the federal government assured that any public official responsible for human rights violations will be punished (Ramos, 2007a; Muñoz and León, 2007). In early May 2007, the Under Secretary for Human Rights of the government of Oaxaca announced that the state’s Attorney General had initiated 17 investigations against government officials for the possible violation of human rights, and made a public commitment to follow up the observations of the CNDH and to protect the rights of those that could have been affected by state security forces (La Jornada, 2007). Later on, after the CNDH released a recommendation about Oaxaca (Recommendation 15/2007), the state and federal governments made a public commitment to follow the recommendation, which asked to undertake administrative and criminal investigations to determine specific,

personal responsibilities for violations of human rights during the 2006 conflict. More recently, the Secretary of the Interior told Irene Khan in August 2007 that the federal government was investigating the deaths that occurred in Oaxaca during 2006, and that it had followed the recommendations of the CNDH, stressing that “the government of President Felipe Calderón [...] gives special attention to the respect of human rights” (Secretaría de Gobernación 2007). In the same sense, President Calderón stressed, in an encounter with the President of the IACHR in August 8 2007, that the protection of human rights was a high priority for his government, as proved by the related goals stated in the National Development Plan, and the elaboration of a National Human Rights Program (Presidencia de la República-Press Room, 2007f).

In respect to military involvement in his counter-drug strategy, president Calderón made a staunch defense of his approach, in the midst of intense domestic criticism after the abuses in Michoacán and Sinaloa (Presidencia de la República-Press Room, 2007d, 2007e). Nevertheless, after receiving several comments from his counterparts and interlocutors in Europe regarding the need to safeguard human rights, and as he asked for cooperation from the EU, Calderón pledged that human rights will be respected in counter-drug operatives (AFP, 2007). After the aforementioned killing of civilians in Sinaloa, the Ministry of Defense expressed that investigations would be followed and abuses punished, and stressed its commitment to “safeguard[ing the] security of the Mexican population strictly abiding to the Law and respecting human rights” (SEDENA 2007a, 2007b). Furthermore, in the general context of the Irene Khan’s visit in August 2007, the Ministry announced that it was undertaking different actions in its training and education centers in order “to create a culture of respect for human rights among the Army and Air Force personnel” and that in this way it “confirmed its unqualified respect for the fundamental rights of the population, abiding in this way, by the country’s national and international commitments” (SEDENA, 2007c).

So, the Mexican government has engaged (directly and indirectly) in a discussion and has articulated a clear human rights discourse. Does this, however, amount to a process of argumentation or is it only an exercise of cheap talk or rhetorical action? In other words, does the communicative interaction meet Risse’s criteria of true argumentation outlined in section 1 above?

In general terms, it could be argued that the government considers its international critics as equal interlocutors in a dialogue. It has not made reference to “rank” or hierarchy to construct its arguments. Most of the time, it has referred to its interlocutors (including NGOs) in a respectful way, has met with them and has given attention and responded to their questions, requests for information and so forth.<sup>11</sup>

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<sup>11</sup> Two exceptions, however, are worth mentioning. Governor Ulises Ruiz of Oaxaca treated AI’s Irene Khan with blunt disregard, arriving late to a previously arranged meeting, and arguing that the organization’s report was

The government's general human rights discourse in relation to Oaxaca has been consistent, from the perspective that it has not varied depending on the audience. No where has the government publicly argued, for example, that human rights had to be violated in order to restore public order in the city, or that dissidents "had no human rights"; on the contrary, as mentioned, it has consistently stressed that it accepts the CNDH's recommendation and that it will investigate abuses. The rhetoric regarding military participation in counter-drug operatives, however, is far less clear and consistent. It has only reluctantly and marginally included a human rights element. As suggested, only after being cornered by European interlocutors did president Calderón make a timid and marginal statement about the protection of human rights.

Has the government changed its mind? It is worth to note in this respect that during the public IACHR's hearing held in March 2007 the representatives of the federal and state governments argued that police forces had acted in accordance to the law and had not used excessive force (IACHR, 2007c). Weeks later, however, they accepted the CNDH's Recommendation 15/2007, and have pledged to investigate and punish those responsible for the violations. In a way, both the federal and state government changed their view—accepting that abuses could have happened— even if this appeared to affect its interests. There are not, however, similar signs suggesting that the government has changed its mind about military participation in its counter-drug strategy, or about the possibility that cases of human rights violations by military personnel be addressed by civil courts (as opposed to military courts, as it is currently the case). Even if, as mentioned, president Calderón made a marginal pledge to respect human rights, it has firmly defended its approach and has not even suggested that he might consider abandoning it or modifying it because of human rights concerns.

The government does not tend to dismiss accusations anymore. Nevertheless, it rarely attempts to justify its actions, and so far it has not apologized for the abuses in Oaxaca. The soldiers involved in the Sinaloa killings are at the moment of writing being prosecuted, and the Ministry of Defense announced that it will compensate the victims and their families. No similar action, however, is underway in relation to abuses perpetrated by the military in Michoacán. Overall, the government has not apologized for human rights violations; on the contrary, it has tended to engage in "self serving rhetoric", making a general argument about the importance of human rights, and pledging to investigate and punish abuses; which, as will be underlined below, has not happened yet.

So, overall, it is difficult to consider that the Mexican government has engaged in a true process of argumentation with its critics and interlocutors

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"partial", "adventurous" and "without grounds". He even argued that the report had been written by the dissident's advisors (Ballinas, 2007). Similarly, the Secretariat of the Interior minimized the findings of the CCIODH and in different occasions questioned its legitimacy and impartiality (see Vélez Ascencio, 2007c; Ramos, 2007b).

from abroad. There is, in general terms, a (direct and indirect) dialogue or a discussion between equal interlocutors, the rhetoric is sometimes consistent and, in the case of the violations in Oaxaca, the government has changed its mind. But there has not been a similar change in the discussion about military involvement in security tasks. In any case, the government has never attempted to explain the causes of the abuses; rather, it has resorted to broad arguments that recognize the value and the importance of human rights and pledge to investigate, but that fall short of accepting responsibility and providing an explicit reflection on the ways through which further abuses can be prevented. But the ultimate failure of the argumentation test comes in relation to the behavior of the government. In this case, it is not necessary to make the counterfactual experiment proposed in point five of Risse's argumentation test because in spite of all the rhetoric, the government has not changed its behavior. In relation to the Oaxaca situation, "there is as yet no evidence of a determination on the part of these authorities to carry out effective investigations or to modify procedure and practice to prevent further violations" (Amnesty International, 2007a; also see Ballinas, 2007).<sup>12</sup> Particularly noteworthy is the lack of an effective investigation regarding the 20 or more killings registered during the most violent months of the conflict in Oaxaca. But the contradiction between rhetoric and practice does not emerge only from the fact that previous violations had not been investigated—new violations have occurred—. Tension and broad violence reappeared in Oaxaca as the traditional *Guelaguetza* festivities, celebrated every summer, approached. On July 16, dissidents clashed with the state police. Preliminary reports suggest that the police resorted to indiscriminate detention of protesters and to brutal beatings (see Editorial, 2007; Vélez Ascencio, 2007b, 2007d, 2007e; Gómez Mena, 2007; IACHR, 2007a). Human Rights Watch received "credible reports that police carried out arbitrary arrests, pulling people from passing cars and buses, and beating those in custody" (Human Rights Watch, 2007b). Similarly, the CCIODH regretted the new wave of "arbitrary detentions, grave injuries, abuses by security forces and lack of dialogue to solve the conflict" (CCIODH, 2007c).

Furthermore, there is nothing that might suggest that the human rights considerations voiced by international actors will affect president Calderón's approach on the role of the military in security issues on any substantive way. Similarly, regardless of the public statements that echo a preoccupation with human rights, it is not realistic to expect that the Mexican military will yield

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<sup>12</sup> According to AI, "[t]he authorities claimed that investigations have not progressed because 'It is very difficult when the alleged victims don't provide the evidence.' The inertia of official investigations into reports of human rights violations stands in stark contrast to the burden placed on victims to identify perpetrators, get witnesses to testify and provide avenues of enquiry. This lack of due diligence on the part of investigators is a key obstacle to ending impunity which is widespread in Mexico's public security and criminal justice system" (Amnesty International, 2007b).



willingly to the central demand by the human rights movement –that abuses against the civil population by military personnel be addressed by civil courts.

In sum, the discussion between the government and its interlocutors resembles more rhetorical action than argumentation. It cannot be considered as true argumentation because there is still some rhetorical inconsistencies, there are no clear signs that the government is always open to change its mind, it does not attempt to justify its actions or to apologize and, more importantly, it has not changed its behavior. In other words, there is no evidence that the Mexican government is being persuaded into conducting impartial and effective investigations of human rights abuses in Oaxaca, punishing officials responsible for violations, renouncing to military involvement in counter-drug operatives (or at least set a time-table for it) or modify the military justice system. On the contrary, it seems that the government is using a human rights rhetoric in pursuit of its self-interest – that is, to feed its legitimacy and to convince its interlocutors that though there are some problems, everything is under control.

## *Conclusions*

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This paper has documented that the violations of human rights in Oaxaca and in the context of the “war on drugs” have attracted the attention of relevant international actors, which have monitored the situation, showed concern and to a (much) lesser extent criticized or condemned the government’s behavior. All this has animated a discussion regarding human rights in Mexico between the government and different international interlocutors. In spite of all this, a dynamics of significant pressure from above (a broad and clear shaming campaign) over the Mexican government did not emerge in the period under consideration –the NGOs were not joined by inter-governmental bodies and governmental actors from abroad in a direct critique or condemnation of the situation in Mexico. Similarly, regardless of the broad and in some instances rich discussion, a process of true argumentation did not take place. The Mexican government did not engage in argumentation –it recognized its critics as valid interlocutors; and, in the debates about Oaxaca, it showed discursive consistency and it even changed its mind (some times), but it did not apologized or justified its actions, let alone modified its behavior. But the lack of true argumentation is more evident around the issue of the militarized “war on drugs” –the government did not show a consistent discourse, and remained far from changing its mind, it did not apologize or justified its actions and, of course, it has not modified its behavior. In other words, the government’s engagement in a human rights debate was primarily instrumental or self-interested. In the line of the logic of rhetorical action, the government engaged in self-serving rhetoric to buttress its international legitimacy and convince its interlocutors that “everything was under control”.

In this way, during the period under study, international pressure and argumentation did not contribute in a determinant way to the (ongoing) process of socialization of international human rights norms in Mexico. Domestic actors and processes (the characteristics and density of which cannot be documented and assessed here) were not reinforced “from above”. In this sense, during the first eighteen months of the Calderón presidency, international actors and the processes they generate did not make a determinant contribution to the definition of the government’s approach to human rights within its security agenda. This is relevant because, as mentioned in the introduction, only a few years ago, international actors were very important in the animation of the process of socialization of international human rights norms in Mexico.

This does not mean that the actions of international actors and the processes they have generated are fully inconsequential for the ongoing process of socialization of international human rights norms in Mexico. The “rhetorical entrapment” argument advanced by Risse (1999; 2000) and

Schimmelfennig (2001) suggest that the human rights discourse adopted by the Mexican government is a “trap” —eventually, the government might be forced to live up to its promises. In this case, if the government continues to fail to meet the standards it has endorsed, perhaps governmental and inter-governmental actors from abroad will join NGOs in a shaming campaign against Mexico (as they have done so in the recent past). This seems plausible, indeed; but only time will tell.<sup>13</sup>

This is, of course, related to an explicative question begged by this paper’s conclusion —why is it that there is not a shaming campaign against Mexico around the tensions between security and human rights? Schimmelfennig’s rhetorical action mechanism would propose that the Mexican government’s human rights discourse strengthened its international legitimacy, and thus buttressed its overall bargaining position. This suggests that, in a way, the Mexican government talked its way out of pressure (at least for the time being). This seems particularly plausible in relation to the IACHR’s account of the events in Oaxaca —as mentioned in section 2— after many hearings, visits and meetings (in which the government attempted to convince the IACHR that “everything was under control”), the Commission decided not to publish a special report on Oaxaca, but actually to state that it was satisfied with the information provided regarding the implementation of recommendations.

But rhetorical action might only be part of the story in relation to the lack of pressure by inter-governmental actors, and (even more so) by governmental ones. In this sense, the rhetorical action hypothesis needs to be complemented by or tested against other possible explanations. Is the Mexican government not being pressured because Felipe Calderón is profiting from the “human rights bonus” generated by the Fox government? Or is it because the human rights situation in the country is not “that bad” (compared to that of the 1970s or the late 1990s, or to that of other countries)? From another perspective, is it because the victims of the human rights violations in question (particularly the radical Oaxaca dissidents) do not attract the sympathy of governmental and inter-governmental actors? Or is it because the issue of security is trumping human rights internationally? Evidently, these questions cannot be addressed here; they, however, compel the author of this paper to pursue them in a new phase of this research project.

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<sup>13</sup> Keck and Sikkink (1998: 24-25) talk of “accountability politics”; a tactic used by TANs that stresses the gap between promises and actual behavior by norm-violating governments. This approach is currently been used by national and international NGOs in Mexico. A key point is when or whether inter-governmental and governmental actors will do the same.

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