Sham Reform

By Andrew Reding

At the recently concluded Summit of the Americas in Santiago, President Clinton told Latin American heads of state they must address glaring problems—including “endemic” corruption—before they can boast of having truly democratic societies: “We must now do much, much more to perfect democracy, and we must do it throughout the hemisphere.” He could begin with Mexico.

The court-martial and conviction there of Jose Francisco Gallardo, the general who sought to cleanse the Mexican armed forces of corruption and human rights abuses, has exposed the sham of reform in Mexico. President Ernesto Zedillo promised to turn Mexico into a “nation of law.” Instead, in defiance of Mexican and international courts, he is backing the military in its vendetta against a courageous whistle-blower.

Gallardo is no ordinary military officer. He’s a former Olympic athlete. He has a master’s degree in political science from the National University of Mexico. He trained at West Point. He soared through the ranks, becoming the youngest brigadier general in Mexican history. Unfortunately, he had a couple of virtues too many: honesty and integrity. They brought his career to an abrupt end more than four years ago.

Troubled by corruption and human rights abuses in the military, Gallardo called for creation of a military ombudsman. A month later, the minister of defense ordered Gallardo’s imprisonment for “spreading negative ideas about the Mexican military, with the object of dishonoring, offending, and discrediting the military in the eyes of the public.”

When Mexico’s civil courts dismissed charges, the military filed new ones. Unable to get due process, Gallardo appealed to the Inter-American Commission on Human Rights in Washington. The commission, an arm of the Organization of American States, ruled that Gallardo had been wrongfully imprisoned, and called for his immediate release.

President Zedillo has refused to honor the ruling. Just days before Mexico was to appear before the commission to explain its noncompliance, the army convened a court-martial on trumped-up charges of embezzlement. Unable to document its case, the court nonetheless sentenced Gallardo to another 14 years’ imprisonment.
By siding with the army, Zedillo is betraying his pledge to uphold the rule of law. Mexico’s ratification of the American Convention on Human Rights binds it to act on the recommendations of the Inter-American Commission. Failure to do so is a violation of international treaty obligations.

Just as serious is the message Zedillo’s action conveys to the army: that corruption and human rights abuses are more easily tolerated than whistle-blowing. That message is reinforced by Zedillo’s inaction on another recommendation from the Inter-American Commission: to reopen an inquiry into the 1994 torture and murder of three unarmed Tzeltal Mayans in Chiapas. Despite compelling evidence linking the murders to the army, no one has been charged.

Similar abuses by troops and paramilitary organizations, which have been widespread, have contributed to rising tensions in central and southern Mexico. Last December in Acteal, Chiapas, a paramilitary group that had been provided with automatic weapons reserved for the exclusive use of the army slaughtered 45 unarmed Tzotzil Mayans. Such repression has fostered resentment that has enabled guerrilla groups to become active in at least 17 of Mexico’s 31 states. In Mexico City, troops deployed in support of the police caused a scandal last year when they abducted and executed unarmed civilians.

The effects of impunity extend to the war on drugs. By placing the army in charge of anti-narcotics operations but refusing to confront corruption, Zedillo is in effect opening it to the influence of drug traffickers. A secret report submitted to Attorney General Janet Reno in February describes negotiations between top Mexican generals and intermediaries for the drug cartels. It is no wonder that U.S. anti-narcotics agencies are unable to trust their Mexican counterparts.

The Gallardo case is a litmus test of the Mexican government’s willingness to crack down on official lawlessness and corruption—a test it has failed. For all the talk in Santiago of combating corruption, President Clinton has chosen to look the other way, as he did by recertifying that Mexico is cooperating in the war against drugs. If the president won’t match his own rhetoric with policy, Congress should step in with a resolution asking Zedillo to honor the ruling of the Inter-American Commission on Human Rights and order the release—and, one would hope, exoneration and rehabilitation—of an exemplary general.

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