

Opinion: Why justice for Mexico's disappeared students is vital for democracy

Marion Lloyd. 2 de septiembre de 2022

On the campaign trail four years ago, Mexican President Andrés Manuel López Obrador vowed to bring to justice the perpetrators of the country's worst human rights atrocity since 1968: the 2014 forced disappearance and probable murder of 43 Mexican college students. Two weeks ago, the president appeared to have made good on that promise, with two bold and unprecedented steps.

First, in announcing the results of a government truth commission on Aug. 18, his administration declared that the unsolved disappearances of the students from the Ayotzinapa rural teachers' college constituted a "state crime." Apart from its major symbolic significance, the official admission of government responsibility opens the way for a spate of lawsuits by the victims' families. In contrast, relatives of the scores of student protesters gunned down by Mexican security forces in 1968 never got their day in court.

Second, on Aug. 19, federal police arrested the former attorney general who oversaw the initial investigation, Jesús Murillo Karam, on charges of forced disappearance, torture and obstruction of justice. If convicted, Murillo Karam could face up to 82 years in prison. Authorities also issued over 80 arrest warrants for army members, police and other officials linked to this 8-year-old case that rocked Mexico to its core and continues to shock the world.

For many in the United States, Mexico is seen as a worrisome neighbor, a place struggling with violence, democratic backsliding and endemic poverty. Drug traffickers carrying out kidnappings and assassinations, and mass migration across

the U.S.-Mexico border, dominate news reports. While this image obscures the everyday life of many Mexicans, the murder of the Ayotzinapa students highlights the close links between the state and organized crime that drives so many of Mexico's persistent issues. So, do the results of the truth commission and the arrest of Murillo Karam mean Mexico finally plans to crack down on impunity at the highest levels? Maybe, maybe not.

While both steps are highly significant, they may also be a diversionary tactic on the part of the president. López Obrador, a rhetorically left-leaning populist and former Mexico City mayor, is facing major criticism for his failure to reduce drug violence in the country. Cartel-related deaths have remained staggeringly high since he took office in December 2018, claiming an average of more than 100 lives per day, and the number of disappeared persons has surpassed 100,000, according to human rights groups. Violence against women and journalists has also reached stupefying levels, fueled in part by the drug war. This summer, drug gangs upped the ante, unleashing terrorist attacks against civilians across northern Mexico, including gunning down four radio reporters in Ciudad Juárez, just south of El Paso, on Aug. 11.

The president has responded by downplaying the violence and announcing plans to transfer control of the National Guard to the military, a move critics have decried as unconstitutional and alarming given the army's increasingly dire human rights record. The decision also runs contrary to López Obrador's pledge to fight the drug war "with hugs, not bullets." Instead, he has increased the number of soldiers involved in domestic operations by more than 20 percent.

Many Mexicans are also justifiably suspicious of the latest official version of the Ayotzinapa case. Eight years of government and international investigations have failed to reveal what really happened to the students — mostly members of impoverished rural and Indigenous communities — after they were abducted by police while traveling by bus in southern Guerrero state. Murillo Karam quickly compiled what he called the "historic truth" in the case: that the police handed the students over to the Guerreros Unidos drug gang, which then murdered them and disposed of their incinerated bodies at a dump site, in a case of mistaken identity. After the government failed to produce the evidence — the remains of only three students have been identified to date — the then-attorney general complained publicly that he was "tired" of the investigation and was subsequently sacked by then-President Enrique Peña Nieto. The truth commission created by López Obrador

in 2018 now has found that Murillo Karam himself was involved in an elaborate coverup that could reach the highest levels of the Mexican government.

What comes next will be fundamental to Mexico's future as a democratic society. The government must stick to its promise to prosecute Murillo Karam and the other suspects to the fullest extent of the law. However, the problem goes far deeper than a few dozen corrupt officials, and it is not only Mexico's responsibility.

The United States also plays a crucial role in fueling the drug war in two ways: by failing to curb domestic demand for narcotics and — as Mexican leaders have long insisted — by failing to crack down on the sale of military-style weapons to drug traffickers on the U.S. side of the border, which are then smuggled into Mexico. Last year, the Mexican government filed suit in a U.S. district court against 11 American gun-makers and distributors, one of which manufactures the M82 semi-automatic rifle favored by Mexican drug cartels for its ability to “penetrate bullet-proof vests, concrete walls and even tanks.” The lawsuit accuses the manufacturers of deliberately marketing their product to criminal gangs.

As the spate of mass killings in Texas and other U.S. states has shown, lax gun laws are increasingly fueling tragedies on both sides of the border. However, in Mexico the problem is compounded by rampant corruption and judicial backlogs, with 95 percent of murder cases going unsolved. Mistrust in the judicial system also deters many Mexicans from reporting crimes, fueling the cycle of impunity.

With the Ayotzinapa case, López Obrador has a historic opportunity to show that no one is above the law. That includes his own allies, some of whom held positions of power in the previous administration. Furthermore, the United States should put pressure on Mexico to bring justice in the case, in exchange for cooperation in reducing the flow of arms across their shared border. López Obrador must not bow to political expediency. The future of Mexico's democracy depends on it.

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