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"Forgetting Is Not Justice"

Mexico Bares Its Secret Past

Kate Doyle

In the heart of Mexico City, there is an old panopticon prison. A guard tower once rose at its center, surrounded by cells. Like all panopticons, it was a structure designed to permit total surveillance and control of the prison population by the state: simply by pacing the tower's small circular room, a guard could watch any prisoner, day or night, moving about in his exposed cage.

This was Lecumberri—the "Black Palace"—built at the end of the nineteenth century, where from the 1950s through the mid-1970s, Mexico held its political prisoners. The inmates most recently here were not only members of the *guerrilla*, but the students, academics, dissident political leaders, and labor organizers who dared to operate outside the tight strictures for dissent established by the government in those years.

Today, Lecumberri is no longer a prison. The building was decommissioned, its tower removed, and in 1982 it was converted into the Archivo General de la Nación (AGN), Mexico's national archives, where millions of pages of the country's documentary heritage are stored for public use. Prison cells have become record repositories; the corridors between them are the galleries in which researchers now sit and pore over their nation's history.

On June 18, 2002, President Vicente Fox Quesada convened an extraordinary public ceremony in the courtyard of Lecumberri. Accompanied by senior members of his government—including Interior Secretary Santiago Creel, Attorney General Rafael Macedo de la Concha, and Eduardo Medina Mora, head of the state intelligence service CISEN (Centro de Investigación y Seguridad Nacional)—the president announced the opening of tens of thousands of formerly secret records about state-sponsored terror from the 1960s to the 1980s. The collection was the result of an executive order issued by Fox seven months earlier demanding that the secretariats of the interior (Gobernación) and defense (Secretaría de la Defensa Nacional, or SEDENA) turn over to the archive all records in their possession on what is being called, for the first time in Mexico, the "dirty war."

In a speech delivered before members of the press and archive staff, Fox told his audience that the 60,000 newly opened files would contribute to more than just the reconstruction of history; they would be used as evidence in building criminal cases against individuals responsible for violating political and human rights. "No society can tolerate excesses and wrongs committed against human rights," the president declared. "For this reason, we are prepared to accept the ultimate consequences of the clarification of these deeds."

The first researchers arrived the next morning; a few more trickle in every day. They are historians, human rights activists, journalists, families of the disappeared—and former inmates of the Lecumberri prison. And that is how it happened that citizens who were once the subjects of surveillance by the Mexican state now gather in the old panopticon to scrutinize the state itself.

Ever since Fox's electoral victory, talk of exposing the crimes of the *ancien régime* has

become a national pastime. How best to destroy the legacy of impunity and democratic dysfunction left by the Institutional Revolutionary Party (PRI) than to reveal specific instances of corruption, nepotism, and repression committed by previous governments?

Indeed, initial forays confirm that the archive opens a revealing paper trail through the Mexican past, from the killing of dozens of student demonstrators on the eve of the 1968 Olympic Games in Mexico City, through the government's brutal assault on the left in the 1970s and 1980s—the hidden history behind the political transition that finally led to the election of Vicente Fox in July 2000.

The president himself raised public expectations during his campaign, with promises to promote a new accountability and unearth the truth about the past. Due to a recalcitrant Congress and Fox's own lack of political skills, his administration has so far failed to carry out most of the fiscal and bureaucratic reforms it seeks, the privatization schemes, and the prosecution of powerful members of the elite for corruption. Fox has been more successful in challenging the entrenched secrecy and history of violence wrought by decades of one-party rule. In addition to compelling the disclosure of secret files on the dirty war, the Fox government has appointed a special prosecutor to investigate past human rights crimes, encouraged international scrutiny of Mexico's human rights record, freed most of the country's known political prisoners, and supported the passage of a groundbreaking freedom of information law.

The road Mexico took to reach this moment was a long and bumpy one. Vicente Fox's election in July 2000—when Mexican voters chose their first president from outside the PRI in over 70 years—represented not so much a coup as the culmination of 25 years of incremental democratic change. The process began in earnest in 1977, when President José López Portillo opened the political arena to permit new parties to register and legalized the Mexican Communist Party. It was a bid for legitimacy—the PRI had looked distinctly undemocratic during the 1976 presidential election, when its candidate was forced to run unopposed by the failure of the only other remotely viable party, the National Action Party (PAN), to enter the race. López Portillo sought to preserve his party's hegemony and fend off its critics by pulling new competitors into the political process.

He also hoped to co-opt an angry and articulate leftist movement that accused the PRI of betraying its revolutionary roots and demanded radical change unacceptable to those in power. The regime's savage response to what began as a series of student protests in 1968 had spawned tiny but violent armed opposition groups in the country's poorest rural states—Guerrero and Oaxaca, among others—and urban terrorism in some of the larger cities. A military counterinsurgency campaign wiped out most of the extreme left by the mid-1970s. In 1976, outgoing President Luis Echeverría Alvarez created a clandestine security unit called the White Brigade to deal with the rest, which it did with all due efficiency—mostly by torturing and killing them. López Portillo, who supported the hard line secretly, publicly took the edge off with an amnesty decree and the invitation for broader political participation.

More reforms would follow, but it was the economic crisis of the 1980s that finally mobilized elites, disillusioned with the PRI, to join the political fray. Business groups and the conservative middle class in the north saw the historically rightist PAN as a vehicle for change, at least in local and state elections. Presidential politics were still dominated, as they had been for decades, by the *dedazo* ("finger tap"), whereby presidents secretly handpicked their successors who were then "elected" in public relations exercises masquerading as popular votes. But in 1987, a dissident branch of the PRI broke away from the party to form the National

Democratic Front (FDN), led by Cuauhtémoc Cárdenas, son of former president Lázaro Cárdenas. In 1988, Cárdenas ran for president.

Leading up to the election, the PRI had been losing ground by inches at the municipal level, but the broader party project to maintain its grip on power was still intact. The regime relied on its old formula for success—a very big tent, which could accommodate multiple political tendencies under one roof; when it came the opposition, most of it could be coaxed into compliance by political favor, coercion or cash. By the time the vote was held that summer, however, Cárdenas surprised everyone with the huge margin of support he was able to muster, and the government was forced to scramble to prevent his victory. When the computerized count began showing Cárdenas with a significant lead over his opponents, the PRI's Carlos Salinas de Gortari and Manuel Clouthier of the PAN, public access to the results was suddenly cut off due to "computer failure." The dimensions of the fraud revealed themselves in the days that followed: the press reported tens of thousands of pro-FDN ballots found burnt and discarded, tally sheets altered. Despite independent data indicating that Cárdenas was the victor, the official results showed Carlos Salinas winning by a razor-thin margin, with just over 50 percent of the vote.

The regime's blatant manipulation followed upon years of thwarted expectations and dashed hopes. Mexicans were used to fraudulent elections, but 1988 was staggering to even the most hardened observers. The day after the results were announced, the newspaper *El Financiero*'s headline trumpeted what would have once been unprintable: "*NADA PARA NADIE*" ("Nothing for anyone"). Defiance was in the air. Cárdenas finalized his break with the PRI by founding the Party of the Democratic Revolution (PRD) in 1989; that same year, in Baja California, the PAN became the first opposition party to win a gubernatorial election. While controversy over suspected fraud had erupted during the 1980s over votes in Chihuahua, Nuevo Leon, and Sonora, independent pro-democracy movements now emerged across the country, organizing the first-ever election observations in San Luis Potosí in 1991 and Michoacán in 1992. In 1994, democracy activists joined forces with scholars and human rights groups to create the Civic Alliance, a coordinating body for hundreds of national and regional non-governmental groups dedicated to forcing open Mexico's sealed political system.

No one was prepared for the shock of 1994, the *annus horribilus* that shattered the veneer of stability and progress the regime still managed to provide. New Year's Day dawned with the uprising of the Zapatista National Liberation Army (EZLN), timed felicitously to coincide with the launching of the North American Free Trade Agreement (NAFTA), Salinas's most cherished achievement. It didn't look like other Latin American guerrilla wars: masked Mayan rebels, adept at using the press to their advantage, were demanding economic justice, an end to discrimination, and democracy. Then came a second jolt—on March 23, PRI candidate Luis Donaldo Colosio was assassinated at a public rally, deepening the country's tension and forcing Salinas to tap Colosio's campaign manager, economist Ernesto Zedillo, for the party's nomination. When the election got underway in August, the Civic Alliance blanketed the country with tens of thousands of observers and exposed innumerable instances of local fraud, declaring the race illegitimate overall due to the overwhelming resources available to the ruling party. In December, to usher in the first month of Zedillo's new government, the Mexican peso went into a frightening freefall, profoundly damaging the economy and abruptly ending Salinas's reputation as a visionary.

A product of the party machine, Zedillo turned out to be the right man at the right moment. In his inauguration speech, he

announced his intention to bring the rule of law to Mexico, and quickly took several steps that surprised a populace inured to empty promises and inaction. In an unprecedented move, he named a member of the PAN to be his attorney general. He ordered the resignation of all 26 justices of the Supreme Court, an institution widely considered corrupt and beholden to the PRI, and replaced them by constitutional amendment with 11 new ones. In 1996, he overhauled the Federal Electoral Institute, making it for the first time independent of government influence. Campaign finance laws were revised in an attempt to curb excessive spending and to level the playing field among parties. The results of these changes were evident in the elections of 1997, the most competitive ever held: the PRI lost control of the legislature for the first time in its history, and the PRD's Cuauhtémoc Cárdenas became the first elected mayor of Mexico City.

The road eventually wound its way to Vicente Fox's door, the former Coca Cola executive and one-time governor of his home state, Guanajuato. But as Fox looks out from the presidential mansion at Los Pinos, he faces a vastly different landscape than did his predecessors. The years of gradualist political transition helped sow the seeds for a participatory citizenship that went beyond marking a box next to a candidate's name and believing it would make a difference. The Civic Alliance was an early expression of a growing and ever more outspoken critique of Mexico's lack of democracy; today, electoral activism continues, but it has been joined by democracy advocates who seek a more profound opening of the system through real accountability, government transparency, and respect for human rights.

Secrecy's Deep Roots

One of the most enduring legacies of authoritarianism in Mexico is secrecy. Secrecy here has very deep roots indeed, reaching back half a millennium to the wedding of two inherently closed and conservative cultures—indigenous theocracy and the Spanish crown. Neither brought anything resembling democratic tradition to the marriage.

Today, secrecy knows no limits. The average citizen in Mexico has little access to information about even the most fundamental aspects of his or her life. The street in front of one's building has been ripped up by municipal workers, who have since disappeared: When might one expect them to return to fix it? A couple's first child is reaching school age: Can they see government statistics rating the local public schools? Funds were earmarked for a water treatment system three years ago, but there is still no water treatment system: What happened to the money? To these and countless other questions one might be tempted to ask, there is an infuriating response that every Mexican has heard a thousand times: "*No sabría decirle*" ("I wouldn't know what to tell you").

Last October, one of the country's leading national newspapers, *Reforma*, orchestrated a test of the right to information, with devastating results. The paper enlisted 340 citizens from 34 municipalities across the country to submit individual requests for information at their local government offices. Participants sought copies of a variety of public records, including a permit for an open-air market to operate, a labor contract, the monthly bill for a mayor's business cell phone, and the insurance policy covering a government vehicle.

Only 40 of the requests actually resulted in documents; the remaining 300 were met with flat denials, mockery, sarcasm, and even threats, according to the survey. In the Cuauhtémoc Delegation in Mexico City, where I live, one official told a participant that he would not even bother accepting the request. "I am going to avoid the trouble of receiving this letter, stamping it and putting the delegation seal on it, because [if I take it] I am just going to tear it up and throw it in the wastebasket."

The good news is that the people have struck back. Six months after Fox's December 2000 inauguration, a group of more than 80 reporters and editors, academics, lawyers, and public interest organizations met in Oaxaca City to launch a campaign for the right to information. The coalition, which became known as the Grupo Oaxaca, elected a working group to draft a "transparency law" that they then brought to Congress in search of sponsors. It was an unusual step; unlike the United States, Mexico has no tradition of citizen lobbying, and most laws passed by Congress in the days of PRI rule emanated from the executive branch and were approved unanimously.

Responding to public pressure, the Fox administration also sent a draft freedom of information law to Congress. But not only had the Grupo Oaxaca already written its own initiative, when it came time to resolve the differences between its proposal and the president's, senior members of the coalition participated in the negotiations—an extraordinary precedent in a country that is accustomed to keeping its citizens as far away as possible from the machinery of power. The new federal transparency act passed both chambers unanimously, and on June 10, 2002, President Fox signed it into law. By the time this article goes to print, the law will have gone fully into effect—on June 12 of this year.

The challenge now becomes to implement it, of course. Militating against its success is the intransigence of a closed bureaucracy, the apathy of a passive citizenry, and the natural pessimism of the elites who are in the best position to support and promote the law: journalists, intellectuals, and activists.

There is some history here. There was an earlier campaign to assert the people's right to information during the era of political reform under President José López Portillo. That effort resulted, in 1977, with the addition of one line to Article 6 of the Mexican Constitution: "The right to information will be guaranteed by the State." The political will of the state, however, did not match the aspirations of the amendment, and nothing came of it. When I asked a historian why the news media—which had so much to gain—failed to rally around the cause, she told me the press had deep misgivings about the meaning of the amendment's language. Although it appeared to imply that citizens would have access to information, she pointed out, the word "guarantee" could also be interpreted to mean that the state could now use Article 6 to "*vigilar*"—that is, to monitor, track—the way the press used information it obtained from the state: the state as information police.

Suspicions about the new freedom of information law linger. Many of the nongovernmental groups that could benefit the most from a legal tool that could help them obtain official data about the issues that engage them—environmental groups, health advocates, indigenous rights organizations, human rights workers—played no role in the national debate over the law, leaving the press to do all the talking. As a result, even as they celebrate their new right, citizens are unsure what it means and skeptical as to its real impact. Yet these are the very constituencies that most need to use the law now, and ensure its effectiveness.

The people's apathy about their new right is the product of bitter experience: the regime knew well the power of information and jealously guarded its advantage. Years ago, Mexican novelist Paco Ignacio Taibo II described in *The Nation* what Cuauhtémoc Cárdenas—just elected mayor of Mexico City—found when he and his staff entered their offices for the first time in 1997. The buildings had been stripped to the bones by outgoing PRI bureaucrats: computers stolen, hard drives wiped clean, file cabinets emptied, bare wires where television sets used to be. Taibo: "I arrive at a downtown office and the manager shows me his desk. Can

you believe it? he says. They not only took what was in the drawers. They took the fucking drawers as well!"

Evidence of the momentum in favor of transparency today is everywhere—even at my local supermarket. Taped onto its plate glass windows for a while was a government poster featuring a woman with a puzzled expression looking at a file cabinet overflowing with paper. On the bottom of the poster, an encouraging: "YOU HAVE THE RIGHT TO KNOW!" along with information on the new law. More substantively, in the last 12 months the administration's anticorruption agency has been holding workshops, conferences and teach-ins in an effort to prepare the hundreds of civil servants chosen to staff the government "liaison offices" that will attend to public requests after June 12. Ten out of Mexico's 31 states have passed their own freedom of information laws. Three national news organizations now run regular columns dedicated exclusively to the right to information. And former members of the Grupo Oaxaca have founded a new public interest group devoted to promoting transparency and overseeing the law's implementation.

Not all who matter have been supportive. Although many news media outfits have been outspoken proponents of the right to information, others—most often at the state level, where old-style power brokers still dominate—have actually opposed the law, suggesting that it will lead to censorship. The Mexican press has long had privileged access to information through its cozy relationship with the machine, and there are those who balk at the idea of losing it.

Perhaps most daunting is the monumental drive required to educate the public in a way that will make the law meaningful. Consider this: Sinaloa, the state that has waged the most aggressive campaign in Mexico in favor of the right to information and the first state to pass its own transparency law, held a poll last May. More than 90 percent of the respondents said they did not know anything about the "right to information."

Collusion and Self-Censorship

"Mexico is in the middle of a very, very slow transition," the scholar Sergio Aguayo says. "Maybe it is the slowest transition on record of an authoritarian system to a democracy. Without a doubt, there is a trend toward more openness. But the change is so incremental, it is difficult to perceive."

Aguayo should know. He has been challenging the regime's secrecy for 30 years, first as a journalist, and then as an academic and democracy activist. A co-founder and director of the Civic Alliance, Aguayo was still an undergraduate at El Colegio de México in the mid-1970s when he wrote a research piece for the newspaper *El Día*'s weekly supplement on the social origins of Mexico's wealthiest families, including millionaire (now billionaire) Carlos Hank González. Agents from Gobernación arrived at the paper that evening and ordered all copies of the magazine destroyed.

"By then, a democratic opening had already begun in the Mexican press—first through regional, conservative newspapers like the *Informador* of Guadalajara and *El Diario* of the Yucatán, followed by Mexico City," remembers Aguayo. But freedom of expression was exercised through opinion columns and editorials, not through reporting. The opinion pages became a safe place in which intellectuals could critique the regime. When a news reporter threatened to uncover ugly truths, the government could usually count on the cooperation of his publisher to suppress them. On occasion, the regime relied on cruder methods.

In February 2002, one of Mexico's largest daily newspapers, *El Universal*, ran a shocking four-part series on the 1968 Tlatelolco massacre. The paper published for the first time 12 photographs of student protesters killed by the Mexican security forces. The black-and-white images cap-

tured the mutilated corpses of teenagers, young men and women, sprawled across the tiled floors of a police station: bodies splashed in blood, crushed skulls, gaping bullet wounds, flesh sliced and punctured by the bayonets wielded by the soldiers who had occupied the square that fateful October night.

As they shook their heads over the photos, most of the notable Mexicans interviewed by *El Universal* for its series shared the same conclusions: here was proof positive of the brutal campaign waged by the state against dissent in Mexico, and new evidence of the enduring cover-up that has made identifying those responsible impossible, even today. Emilio Alvarez Icaza, human rights ombudsman for Mexico City, called the clarification of Tlatelolco a matter of historical necessity. "Forgetting is not justice. We cannot make the transition to a truly democratic state...on the basis of forgetting what happened in the past."

Such talk often returns to Tlatelolco. For many democracy advocates here, the massacre remains a watershed moment, when the legitimacy of the regime began to crack and the challenge posed by those who sought to change the state—from armed opposition groups to peaceful university students—was handled by the government through increasingly intolerant and repressive methods.

The crisis of Tlatelolco began in the afternoon of October 2, 1968, when protesters gathered in the Plaza de las Tres Culturas outside the government's foreign ministry in Mexico City to call on President Gustavo Díaz Ordaz for reform. It was one of a series of demonstrations held since late July, most of them spearheaded by students whose dissatisfaction with the country's education system had blossomed into a broader rebellion against Mexico's authoritarian regime. As the organizers rallied their audience, hundreds of soldiers arrived by tank and armored vehicle to monitor, secure, and contain the crowd.

Almost all the facts about what happened next are still in dispute. As the speakers continued, a flare went off in the square and a firestorm of bullets erupted from the tall apartment units surrounding the plaza. Witnesses claimed to have seen men in civilian clothing, each sporting a single white glove on one hand, using automatic weapons. When the shooting stopped hours later, dozens of bodies lay in the plaza. How many were killed is unknown—about 40 victims were named and claimed by their families; as many as 200–300 people are believed to have died.

Successive governments since the Díaz Ordaz *sexenio* have remained stubbornly silent about what happened at Tlatelolco, and the decision by *El Universal* to publish its long-hidden photographs was largely seen as a brave bid for openness about the massacre. But there is another, harsher lesson embedded in the series: a lesson about the fear fostered by authoritarianism, and the silence successfully imposed by the PRI during its decades in power.

Manuel Rojas, the photographer who took the gruesome pictures, died ten years ago. According to his colleagues at *El Universal* and other news organizations, his images survived to be published 34 years after the fact due to his quick thinking, good luck, and his paper's ability to keep a secret.

Hundreds of other photographs like his did not. In the hours immediately after the massacre, agents of the Interior Secretariat descended on the newsrooms of Mexico City's magazines and newspapers. They demanded the work of all reporters, news assistants, and photographers who had covered the demonstration. Whatever they did not tear up in front of the stunned journalists, they took away with them. Furious at the theft, editors waited for photographers who had been out of the office during the agents' visit; when the reporters returned, they told of being accosted by soldiers in the streets surrounding Tlatelolco who confiscated their undeveloped rolls.

Like his colleagues, Rojas handed over his film to the Gobernación officials, but he managed to drop a single roll into a wastepaper basket. He recovered it after the agents had gone. Rojas turned the rescued roll over to *El Universal*'s publishers, who hid it away.

The newspaper had the wherewithal to preserve the pictures until now; it timed their publication with the opening of the special prosecutor's office investigating the dirty war. But *El Universal* is also typical of the news media born under one-party rule—for years a dependable ally of the regime, one that fed at the trough of government-paid advertisements and government-placed information disguised as articles. Under such mutually agreeable arrangements, outright government repression of the major media was rarely a necessity; collusion and self-censorship was quieter and more in keeping with the regime's style.

The press has become more independent since the mid-1990s. Yet the quality of reporting in Mexico—even at the biggest and most respected newspapers—is limited and strangely immature, clearly stunted by its decades of cohabitation with power. Except for a handful of professionals, reporters tend to serve as stenographers rather than interpreters, and it is still common to read entire "news" stories based on a single speech or press release, with no context to help the reader judge the significance or credibility of the information. I asked Raymundo Riva Palacio, a veteran reporter, columnist, and editor, to help me understand the Mexican press. He pointed out that all the publishers or executive editors currently running papers in Mexico City came of age during the bonanza years, when the government was a source of tremendous revenue for the media.

"The newspapers that exist in Mexico today are pre-transition newspapers, so our entire way of analyzing the news is based on a closed regime. We are still fighting old battles and playing by the same rules." For example? "We still pay too much attention to the president and not enough attention to emerging political actors or to changes in society. We still don't understand how important accountability is—holding government officials or institutions responsible for their decisions."

When I ask how this might change, Riva Palacio sighs: "Authoritarianism is not just a government legacy; it was bred into our culture. You have to train a new breed for new times. It is going to take a whole generation."

The "Mexican Solution"

Human rights activists and the families of victims of the dirty war have already waited a generation for change, and they are impatient. For a few months during 2001, the Fox administration talked seriously about creating a truth commission. It was an exciting moment. Sergio Aguayo gets a far-away look in his eyes when he talks about what might have been. "Two colleagues and I were putting together a truth commission proposal. It was a beautiful thing—moderate, structured. I still have it. It was going to cover human rights and corruption." He brought it to Los Pinos for the president to see. "Fox read it in front of me, paragraph by paragraph. He said while he was reading it, 'This is good! I love it! This is great!'"

Key figures inside the government—including then-Foreign Secretary Jorge Castañeda and Adolfo Aguilar Zinser, now Mexico's ambassador to the United Nations—had lobbied for a commission modeled on the experience of countries like South Africa, Argentina, and Guatemala. The idea was to hold a series of open meetings based on the broad public consensus that the truth about the dirty war must be unearthed, and those responsible identified and held historically accountable, at least, if not punished. Witnesses would be called, long-buried cases would be openly investigated, and the whole thing would be captured by the press. "We figured it would be a lot more difficult for Echeverría to walk

away with the television cameras rolling," explained Castañeda.

The idea withered on the vine, however, when other Fox officials—most notably the powerful interior secretary, Santiago Creel—protested that a public truth commission would damage the administration's political standing with the PRI. The PRI did not want to see its dirty laundry aired—and the PRI held a plurality in Congress and was therefore in an excellent position to stall or destroy key government initiatives. There would be no truth commission.

Given what has happened since then—the PRI has helped stall or destroy most key government initiatives that have come before Congress—it is difficult to see what the administration gained politically. But talk about clarifying the past effectively came to a halt until October 2001, when a well-known human rights lawyer named Digna Ochoa was found dead in her Mexico City office. The national and international outrage provoked by her death, which most activists believe was an assassination, prompted the government to settle quickly on an alternative to the truth commission. In its stead, President Fox would assign a special prosecutor to take on the past.

Fox publicized his decision on November 27, 2001, following the release by the National Human Rights Commission of a report on "forced disappearances" that had long been in the works. In a ceremony held at Lecumberri, commission president José Luis Soberanes Fernández disclosed the organization's findings on 532 reported cases of disappearance during the 1970s and early 1980s, stating that evidence pointed to security forces in the abduction and murder of at least 275 people. During his presentation, Soberanes read a chilling excerpt of one of the testimonies gathered by his investigation. In it, a woman described how security agents forced her, her husband, and her infant daughter into waiting cars and drove them to a government building where all three were savagely tortured. She recalled one agent's words to her: "Do you know what we do with people like you? We kill them, but little by little, and they die only when we are in the mood. You are going to beg us to kill you! " After listening to the commissioner's words, President Fox announced the creation of the special prosecutor's office.

The concept looks good on paper. The office was launched with an ambitious mandate, designed to fulfill the demands of all the constituencies seeking redress for the past. First, as criminal prosecutor, the office will name and gather evidence against the perpetrators of the country's most infamous human rights violations, including the Tlatelolco massacre of 1968, the murder of student protesters by police thugs in 1971, and cases related to 20 years of state-sponsored terror during the dirty war. Second, as a substitute truth commission, the office is charged with clarifying the past through the release of occasional reports and studies of what happened. And finally, the office must work with a newly formed "Interdisciplinary Committee on Reparations" to establish government policy on financial compensation to families and communities hardest hit by the violence.

Ignacio Carrillo Prieto, the legal scholar chosen to head the effort, has dubbed this impressive agenda the "Mexican Solution," and is quick to defend the ability of his office to carry it out. Truth, justice, and reparations: "It all goes together," he told me one afternoon. "We cannot trade truth for justice. We cannot trade money for justice. The Mexican Solution is a very appropriate response to impunity, a new model."

It certainly is. One reason why Latin American countries plagued by decades of state-sponsored violence—countries such as Guatemala, El Salvador, and Chile—have chosen to create truth commissions instead of holding massive criminal trials is because their armies and police forces are still very powerful, and willing to go to great lengths

to protect their members from prosecution. Another reason is that judicial systems in much of Latin America are notoriously dysfunctional: weak, poorly trained, beholden to those in power. The Mexican justice system stands out among the worst. Even if Carrillo Prieto compiles rock-solid criminal cases, he faces a court system that has long been characterized by corruption and compliance, not courage.

In fact, special prosecutors are to Mexico what blue ribbon commissions are to the United States: if you've got an ugly problem that won't go away, turn it over to a *fiscal especial*. It will be sure to founder there until forgotten. So it was in the case of the 1994 assassination of Luis Donaldo Colosio—nine years and four special prosecutors later, the investigation drags on. And so it has been with many high-profile human rights cases over the past decade, whenever the available evidence implicates army or police forces.

As a result, human rights activists have been reluctant to fully endorse Carrillo Prieto's office. Although they have met with the special prosecutor and support families who bring denunciations to him, they have been outspoken in their critique of his goals and methodology. To make matters worse, Carrillo inexplicably chose as one of his most senior aides a man who is himself tainted by allegations of abuse. Américo Meléndez Reyna is Carrillo's lead investigator looking into violations committed in the student killings of 1968 and 1971. He was also the director of the state judicial police of Nuevo Leon in 1998, when several of his officers were implicated in the torture and murder of a man whose body was found buried in a shallow grave. According to the U.S. State Department's annual human rights report, a local television station broadcast a taped conversation in which Meléndez Reyna was heard asking the state attorney general to help him cover up the crime. Meléndez was forced to resign and leave the state as a consequence, although formal charges were never brought against him.

Finally, the very origins of the office of the *fiscal especial* raises questions about the intent of the government. If a truth commission was politically tricky for an administration that did not want to run into PRI sensitivities, then how exactly is a special prosecutor—charged with bringing criminal cases against identified human rights abusers—any less dangerous politically, unless it was designed to be so?

These obstacles will be overcome by the actions of his office, insists Carrillo—who strikes one as a well-intentioned man, earnest and vigorous. He points out that he has had a team of researchers combing the archives for a year to compile documentary evidence in support of cases; that he has opened regional offices in Guerrero and Sinaloa where denunciations are regularly brought by families in search of justice; that he has divers exploring old wells for bodies; that he will organize exhumations, arrange for DNA testing. And, his trump card—he has successfully subpoenaed senior former officials of the old regime to testify before his office. "We have called a former president, a former attorney general, and a retired general. This would have been unimaginable three years ago. And they came." But in the case of Echeverría, I protested, he cited his constitutional right to remain silent and did not testify. "But he came. And none of them have called the process illegitimate."

If this sounds like grasping at straws, so be it. But Carrillo Prieto has a point: he is wading through uncharted waters. He is also the only official door open to truth and accountability about the dirty war right now. If the human rights community here can manage to maintain its critical stance of the special prosecutor while at the same time offering the support and assistance he needs to proceed—rather than dis-

engaging—the "Mexican Solution" may actually solve something.

Back to the Archives

Which brings us back to the national archives, where Carrillo Prieto's staff daily trolls the files for criminal evidence that will stand up in a court of law.

It is an astonishing collection. The millions of pages of records and ephemera bear witness to a massive spying and disinformation campaign, including documents on the state's clandestine surveillance of universities, the Communist Party, guerrilla groups, and suspected subversives; thousands of transcripts of illegal wiretaps against the PRI's political opponents (and sometimes its allies); copies of the anonymous hate mail and slanderous letters penned by government employees in an effort to intimidate their enemies or destroy their careers; clips from an unsigned political column that used to run weekly in the *Excelsior* newspaper, written by agents from Gobernación and used by the regime to defend government policies. And then there are the records of an even dirtier war, which chronicle the state's attempt to eliminate the radical left: army counterinsurgency plans; cables from Guerrero describing the hunt for guerrillas, the mass detentions of families of rebel leaders. Reports on interrogation sessions. Photographs of detainees with visible signs of torture. Photographs of dead people—some of their names appear on the list of the "disappeared" released by the National Human Rights Commission in 2001.

There is nothing like it anywhere in Latin America, unless you count Paraguay's Archivo del Terror, which exclusively contains police files and was in terrible disarray when it was seized by citizens in 1992. By contrast, the CISEN records have all the hallmarks of an efficient intelligence bureaucracy: perfectly organized, pristine, arranged chronologically.

Sadly, the Archivo General de la Nación has not encouraged use of the dirty war files. First, the AGN has failed to create any kind of index or finding aid for outsiders to consult in their search for documents. As a result, researchers are forced to submit a written list of topics that interest them, and then trust that archive staff will identify and pull relevant records from among the thousands of boxes. Whether this is deliberate obstructionism or bad management is unclear—the result is to dissuade public access. More troubling still, the AGN under its former director, Stella González Cícero, permitted a highly unusual arrangement in the transfer of the intelligence records. When they arrived at the archives, they were accompanied by a CISEN archivist, Vicente Capello, who controlled the material inside the agency for over 30 years.

Capello's presence inside the national archives is intimidating for some researchers, who fear that Gobernación may be monitoring the use of the records and gathering intelligence on individual scholars. He appears to have been given a free hand in the control of the collection, and often seems to make decisions about what records to provide or withhold without any legal basis.

I experienced the arbitrary hand of Señor Capello myself one morning when I asked for a set of surveillance photographs taken at some of the student demonstrations during the summer of 1968. After locating the pictures, Capello refused to turn them over to me because they were stapled onto pages of text—notes, according to him, by DFS informants, and therefore protected from disclosure. When I protested that there was no regulation he could cite to deny them, Capello angrily tore the photographs from their pages, stuffed the informant notes back into the file folder and handed me the stack of images—now separated from their original context, breaking a fundamental rule in any archivist's code of conduct.

It is true—as some have said in defense of Capello—that there are few qualified archivists in Mexico. The education secre-

tariat runs a tiny school, graduating about eight trained archivists every year. Only one university in the country, in the state of Mexico, has a graduate program that offers a specialty in archives. Nor does the culture reward archival labor. Patricia Galeana, Mexico's National Archivist from 1994 to 1999, explains that government archives are often the repository for failed employees, a place to send them when they can't do anything else; when she arrived at the Archivo General de la Nación, one her archivists turned out to be illiterate.

But the presence of a veteran intelligence employee in the nation's public archives may be one explanation for the small number of researchers that actually show up to use the documents. Every time I go, I see the familiar faces of one or two of Carrillo Prieto's investigators. There is the usual handful of reporters looking for good stories; one is writing a book on the late Fernando Gutiérrez Barrio, Mexico's notorious intelligence chief. A couple of foreigners. There are always plenty of empty seats available.

Some human rights activists, such as Rosario Ibarra of Eureka, an organization founded in the 1970s by mothers of the disappeared, scoff at the idea that the files could contain anything valuable, claiming that government officials purged them of incriminating evidence before turning them over. If that is so, they did a pretty poor job. Looking through the files, one is reminded of the experience of Eastern Europe after the fall of the Berlin wall, when the archives of former regimes were opened by the new, postcommunist governments. While the secret police files in countries like Poland, the Czech Republic, and East Germany revealed the extent to which informants were part of the social fabric, the Mexican archives identify active participants in Mexico's dirty war—men and women who went on to enjoy long and successful careers inside the regime.

One example among countless: police reports from 1974 describe a counterterrorism operation in Culiacán, Sinaloa, targeting suspected members of a revolutionary cadre. A student had been seized by the Judicial Police, detained without food for days, interrogated. His captors want the names of his *compañeros*, they want addresses. At one point they force him into a police-owned vehicle painted to look like a television repair van, with tiny peep holes drilled on both sides. As they drive around the entrances to the local university, the student is told to point out "principal activists of the Student Movement." Back in the interrogation room, the student repeatedly denies playing a role in a recent raid on a police station and the killing of a police officer. His answers exasperate a state assistant attorney general who is watching the interrogation—and who orders that the student be given "*una calentada*" (a beating, a going-over) "in order to remind him what the whole world knows—that he participated in these two acts." The lawyer's name rang a distant bell, and I looked him up—he is a respected jurist in Sinaloa today and was the state's attorney general from 1994–97.

I don't know what happened to the student; his name is not on the official list of the "disappeared." According to the documents, elements of the Judicial Police discussed his fate among themselves: "There are plans to kill him once he tells everything he knows."

This is not the Mexico we once thought we knew. And it is one of the more painful aspects of the democratic transition, this experience of watching the old, resonant myths slowly disintegrate, like political posters coming apart in a rainstorm. It is also the most exciting. ●

—Mexico City, June 10, 2003