

# Bush reaffirms right to kidnap Mexicans

by Peter Rush

President George Bush reaffirmed April 28 the right of his government to take whatever actions necessary to prevent what he called "brutality towards our citizens" abroad, thus throwing down the gauntlet to Mexico to put up or shut up on the case of the kidnaping at U.S. instigation of Dr. Humberto Alvarez Machain from Guadalajara, Mexico, last month. Mexican officials, who have for several weeks verbally attacked the kidnaping as a violation of Mexican sovereignty, now appear to be in the process of folding their tents and hoping the issue will blow over.

At issue is the so-called Thornburgh Doctrine, promulgated by U.S. Attorney General Richard Thornburgh last fall and reaffirmed by the U.S. Supreme Court, which states that the U.S. arrogates to itself the right to use its military and intelligence forces, such as the Federal Bureau of Investigation, to arrest in foreign countries and abduct anyone whom the U.S. chooses, so long as the U.S. claims the person is wanted to stand trial for alleged crimes being tried in a U.S. court. The doctrine rides roughshod over principles of international law and national sovereignty accepted among nations for centuries, but has so far drawn little challenge from other nations.

In the case of Mexico, U.S. agents from the Drug Enforcement Administration, and also from the Central Intelligence Agency and FBI, have been operating for years inside Mexico in violation of Mexican law and sovereignty, with the tacit approval of the Mexican government. The Washington correspondent for the daily *El Financiero* reported April 26 that commandos from the U.S. Army's elite Delta Force unit have recently gone as far as 200 miles inside Mexico to conduct operations.

What distinguishes the present case is the brazenness with which the DEA involved itself in masterminding a kidnaping in a high-profile case, thus rubbing in the face of Mexico—a nation known to be very sensitive to violations of its sovereignty by the U.S.—the fact that the United States is openly contemptuous of that concern, and that it intends to make Mexico the second major "test case" of the Thornburgh Doctrine (the first case being that of Panama last December.)

If the Mexican government continues to back down in the face of the U.S. hardline defense of its actions, a very dangerous precedent will have been set for further U.S. actions in violation of the sovereignty of Mexico and of every

other nation in Ibero-America.

Bush defended the Thornburgh Doctrine on April 28 in an interview with the Mexican television network Televisa in Washington, just after a meeting between Bush and Thornburgh. The Mexican newspaper *Novedades* quotes Bush: "I understand how sensitive this is for Mexico. I will assure President Salinas de Gortari that the United States has no intention of violating the laws, and that it intends to respect them scrupulously." But he was quick to add that "What we cannot tolerate is brutality toward our citizens," making clear that the U.S. will do the same thing again any time it determines that an American citizen is being "brutalized" abroad.

The formulation is highly significant, since it was another case of alleged brutality, in which one American soldier was killed, and another soldier and his wife allegedly roughed up and verbally threatened by Panamanian soldiers, that served as the pretext for the U.S. invasion of Panama last December.

Bush also reaffirmed that "I can say that I have been assured that the DEA did not kidnap anybody and I don't have any reason to doubt it." This flies in the face of the overwhelming evidence that the DEA had been in prior contact with the abductors, and had promised them a sizable cash reward for delivering Dr. Alvarez, regardless of whether or not a DEA agent was specifically involved in the physical act of abduction. It is equally evident from the press in both Mexico and the United States, that Mexican officials, possibly including high Mexican officials, were also in on the deal.

## Mexico backs down

On April 29, the Mexican Foreign Ministry issued a very toughly-worded statement saying that the DEA would only be permitted to resume its undercover operations inside Mexico if the U.S. permitted an equal number of Mexican anti-drug agents to operate under parallel regulations inside the U.S.—a proposal clearly unacceptable to the United States.

But on May 2, Thornburgh told Mexican Attorney General Enrique Alvarez del Castillo in a face-to-face meeting that the kidnaping was actually initiated by "high-ranking Mexican police officers" who traveled to Los Angeles to volunteer to the DEA that they could deliver Dr. Alvarez Machain. After the meeting, Alvarez del Castillo issued the most conciliatory statement to come from a top Mexican official concerning the case in several weeks: "The difficulties we face with the United States should not interfere with a very broad relationship which is in the interest of both nations," he told a press conference after his meeting with Thornburgh.

Even before Bush's statement, according to the Mexican weekly *Proceso*, Javier Coello Trejo, who heads Mexico's anti-drug police, and Terence Burke, acting head of the DEA, at the close of an international anti-drug conference "came to an agreement not to speak any further of the [Alvarez] Machain case and of the presence of DEA agents in Mexico."