Commentary

From the Borderlands: State Impunity and Cross-Border Collective Action

Jeannine Relly and Celeste González de Bustamante have woven together multiple literatures in theoretically informed scholarship to analyze one of the most important challenges for the contemporary global world: the human rights and security of those involved in disseminating news analyses, so essential to democratic accountability. Given their binational perspectives, I respond with grassroots borderlands perspectives on the challenges and on an essential but understudied element in our globalized world, that of cross-border collective action among nongovernmental organizations (NGOs). Alas, all too little research exists in this area, so the authors are to be commended for their complex analysis that moves understanding and action forward. In this essay, I unpack the United States, Mexico, and the in-between spaces in the borderlands, and changing contexts. I highlight the ways that the United States and its policies share some responsibility for the problems that the authors outline, particularly the longest running war ever, the War on Drugs, which incentivizes suppliers and their collaborators to behave brutally to gain enormous profits from the huge U.S. market and suppress news about their dastardly deeds.

The monograph is useful to students, scholars, and activists not only for its deep knowledge of Mexico but also for possible replication elsewhere in other parts of the world. Using a comprehensive and a highly credible, in-depth mixed-methods approach, the authors interviewed a purposive sample of 33 people from five different types of relevant organizations. Having methodically analyzed the stages associated with human organizing for concrete change, their findings about ambivalent outcomes can only leave readers wondering about the ability and willingness of the Mexican government to implement its “Protection Measures” for journalists facing threats. While the murders and disappearances of journalists have gone down since new instruments were put into place, the number of reports of threats and assaults is increasing. Perhaps an even bigger framework is in order, one that draws in the United States and U.S. policies, as well as people active in cross-border solidarity.

A Borderlands Vantage Point

I begin with complex governance and inequalities in border regions that leave key policy failures unresolved. My analysis problematizes U.S. policies and practices, particularly its futile “war on drugs,” in the fragmented federalism and contradictions of multiple official agencies with their own agendas. For full comprehension, let us “go local” in the borderlands beginning with the bigger picture of the asymmetrical power relations so evident in borderlands.
Federalism and Obscene Inequalities at the Border

Both the United States and Mexico use federal systems of government, dividing authority among federal, state, and local (municipio, county, city, school district) levels. Mexico has a far-more centralized version of federalism than the fragmentation of the United States. However, when it comes to policies which help or hinder borderlands—whether free trade, security, and immigration among others—policy decisions emanate from the capitals of both of these sovereign countries. To add yet more challenge, the per capita income and legal minimum wage differences between the two countries make the U.S.–Mexico border among the most unequal in the world, as indicated by Iñigo Moré’s 2011 book, The Borders of Inequality, and my most recent book, Border Politics in a Global Era, which includes a data base of 300 borderlands. The North American Free Trade Agreement (NAFTA) only aggravated inequality, albeit with high economic growth rates therefrom—rates that benefit the few but not the many.

Drug Prohibition: U.S. Demand Coupled With Ruthless Suppliers

When the United States declared its war on drugs more than 40 years ago, it gradually militarized the borderlands. The hard border drove Transnational Criminal Organizations (TCOs) whose affiliates engage in trafficking drugs deeper and deeper into the “dark networks” described in the monograph. This has sometimes occurred in collaboration with local, state, and border officials, as Guadalupe Correa-Cabrera’s multiple publications have documented so well for northeastern Mexico. The harder the border, the more lucrative and profitable the drug-trafficking business, one which uses ruthless methods, including those that endanger the lives of journalists and undermine democratic accountability. Looked at in supply-demand terms, the U.S. demand for drugs has been enormous, thereby fueling criminal organizations amid Mexico’s weak law enforcement institutions. Yes, the United States supported the multi-billion dollar Mérida Initiative, as Relly and González de Bustamante discuss, but most of the support went to law enforcement for equipment and technology. Only belatedly, under the “four pillars” programming, was official attention paid to institution-strengthening activities.

Meanwhile, inside the United States, over half the states have begun to regulate and tax marijuana, from medical to leisure use, bringing production and distribution out of the dark into the post-prohibition light. Still, contradictions prevail between federal and state policies, and few know what the new presidential administration may bring. Yet border policies and practices continue to pursue interdiction and supply-side approaches in a losing prohibition war. Tony Payan and I, plus scholars from Mexico and the United States, examined these challenges in a 2013 edited volume, A War That Can’t Be Won: U.S. and Mexican Perspectives on the War on Drugs.

In 2009, the University of Texas at El Paso hosted a 2-day campus and community policy conference on the war on drugs. This brought together scholars, advocates, and policy people and included, in one binational event, a former mayor of Medellín,
Commentary: Staudt

Colombia (see http://warondrugsconference.utep.edu). In one of the panels, focused on journalists covering the border, chilling remarks from a Nuevo Laredo journalist illustrated what can happen when a drug-trafficking organization takes over a city and its media with threats and intimidation, calling the shots on what to report. So journalists are not only at risk, but also news about crime and corruption is less comprehensive. Nowadays readers turn to social media, but carefully, because those media can be monitored by TCOs (and government officials) as well.

Feminicidio and Security in the Postconflict Ciudad Juárez

From my vantage point in the central U.S.–Mexico borderlands of Ciudad Juárez and El Paso, I am reminded of the decades of feminicidio and cross-border organizing against violence toward women. After my methodical research about dramatic, high-profile social movement organizing for awareness, analyzed in Violence and Activism at the Border (2008), activists pursued a quieter, more legalistic turn that culminated in a 2009 decision from the Inter-American Court of Human Rights. The Court held that Mexico was responsible for impunity in the three cases brought, including one that involved the bodies of eight young women found in shallow graves. Perhaps the Court’s judgment shamed and humiliated the government: Within a year, government enacted a lukewarm set of Court-ordered policy and program reforms. These reforms dovetailed with Congressional reforms that mandated state reforms in the criminal justice system from 2008 to 2016. Feminist and human rights activists broadened their alliance with anti-militarization activists, as analyzed in the book that Zulma Méndez and I wrote, Courage, Resistance, and Women (2015). While some improvement in police procedures occurred at municipal and state levels, residents still report widespread mistrust of law enforcement.

This leads to questions about the extent to which activists can rely on the state for solutions, particularly a flawed state lacking the sort of accountability and transparency necessary in a democracy. And of course, having journalists able to investigate without fear of being murdered is essential in that process. Curiously, the maquiladora (export-processing manufacturing) sector was relatively untouched by violence during the height of murders in Ciudad Juárez. With speculation, rather than full documentation, one can only wonder whether security in the approximately 300 plants came from private security forces or from an assumed mandate among officials and criminals to hold the maquiladora enclaves off-limits from the mayhem elsewhere in the city from 2008 to 2011. While I am not advocating U.S. style privatization, I do question the wisdom of relying solely on tainted state law enforcement for protection, given the delays, temporary protection, unreliable funding, and even psychologizing of the journalist complainant, as one of the interviewees noted to the monograph authors.

Local Borderlands Media: Courage and Competition

From my grassroots vantage point, I recall participant observation at the 2010 American Society of News Editors conference in which journalists from the national
to the local border shared stories about protection, however weak, among themselves, apart from the state. Once in Mexico, reporters informed their colleagues and editors regarding when they would cross, where they would be, and what time to expect their return. I not only witnessed the courage but also tension and competition among media outlets that laid bare problems within the news media themselves. *Diario de Ciudad Juárez* made valiant efforts to protect its own by eliminating bylines from potentially provocative articles about crime and corruption in 2008. In 2010, the peak of the violence, and just after one of its young photographers was murdered, *Diario*'s headline courageously asked (translated) “What do you want from us?” Although probably aimed at criminals, readers could only speculate about whether journalists were asking this question of drug-trafficking organizations, government at municipal state and federal levels, and/or both. Nobly, *Diario* continued throughout the city’s darkest hours, a city that subsequently turned a corner away from extensive violence by 2012 (as the violence emerged in fuller force in other states in Mexico).

Yet *Diario*'s publisher, which runs a Spanish-language edition in El Paso, also maneuvered his way onto the 2010 conference program to make an unannounced speech (his staff dutifully passed out English and Spanish copies of his 6-pages long speech) that called *feminicidio* a “myth,” despite the fact that his newspaper sold many copies from the 1990s onward with headlines proclaiming the murders and detailed stories. He impugned a journalist in El Paso for her continuing coverage of femicide stories, accusing her of undermining the image of his city. Newspapers like his had a history of printing press releases from the state government for pay. And like city daily newspapers in the United States, publishers and editors demonstrate attentiveness to the local political economy, including specifically to the interests of advertisers.

**Journalists and Others Fled From Violence**

Several journalists sought asylum in the United States, perhaps at the forefront of an exodus of excellent reporters from Mexico; they may even leave the profession altogether. An NGO that emerged in the central borderlands, Mexicanos en Exilio, helped publicize the dangers to free expression, and local border people (*fronterizxs*) supported fundraising events. Thankfully, their cases documented extensive evidence of “credible fear” (as the law requires), and the U.S. Homeland Security hearing judges granted the journalists asylum—an unusual stand given the abysmally high denial rates for applicants from Mexico. NGOs like this one help to build case law and precedents. Yet, one must acknowledge the probable link between U.S. policy to deny most asylum-seekers from Mexico and the Mérida Initiative, with its implication that Mexico’s law enforcement system forms a credible ally in the U.S. War on Drugs.

The monograph’s theoretical framework shows the importance of shame, however weak, in moving Mexico to acknowledge both threats to journalists and free speech and a history of acting on those threats with flawed procedures and mixed results. Shaming leverage existed, given UNESCO’s transnational principles, the U.N. High Commissioner for Human Rights, NGOs like Freedom House (and Freedom House/
Mexico), and other specific cross-border organizations, supported in part with U.S. Agency for International Development (USAID) financial contributions. With all that civil infrastructure, the state was moved to action that hopefully will be sustained after external funding ends. Alas, as the monograph authors report, and as surveys of trust in law enforcement (noted above), Mexican citizens have limited confidence in the state itself. USAID support for civil society activism is worthy, but a drop in the bucket compared with the far-larger militaristic alliance over the War on Drugs.

**Summing Up**

The overall thrust of U.S. policies such as its War on Drugs, which does little to reduce U.S./consumer demand, and its Mérida Initiative, which supports law enforcement and militarization, may have contributed to the dangers that journalists faced and continue to face in Mexico. In hindsight, the misogynist hate killings of women (*feminicidio*) can be linked to out-of-control TCOs and low priority for violence against women in law enforcement. Several million dollars to the NGOs in Mexico cannot counter the Mérida billions; the policies of the U.S. colossus to the north, including its contradictory policies about marijuana prohibition, asylum, and refugee protection; and the grave wage inequalities from which it benefits given Mexico’s low-cost labor and a legal minimum wage of 80 pesos daily (as of January 2017, 20 pesos = US$1). This last can be compared with the legal minimum in the United States, where the legal hourly minimum would add up to approximately US$60 a day.

Of course, the Mexican state also bears responsibility for its flawed law enforcement institutions and its inability to control the bribery and threats, which induces officials to act in complicity with organized crime. At the federal, but especially the state and *municipio* levels, governance suffers from fragmentation and contradiction. And ordinary citizens’ lack of trust in the police is renowned and well documented in surveys.

Readers may raise various points. If U.S. drug policy changed, particularly by ending the prohibition of marijuana, would not TCOs move on to other crimes? Yes, they already began years ago: kidnapping, carjacking, energy smuggling, extortion, and holding immigrants for ransom, among other crimes. Law enforcement institutions in Mexico need major repairs, and the “rule of law” is long overdue. If the United States became serious about acknowledging human rights abuses in Mexico, would not its asylum practices and immigration policy acknowledge such realities? And surely, some Mexican officials realize the loss of many talented people who vote with their feet because of insecurity and extremely low wages.

It is high time for binational (and trinational) institutions to be developed in North America that do more than facilitate business and/or collaboration with U.S. national security policies. Such institutions would embrace many issues that matter deeply to people on both sides of the border: decent-paying jobs, protection from environmental pollution, safe stewardship of water aquifers, security for journalists, and more. Congestion, delays, and surly border agents pose serious challenges to cross-border interaction. Nevertheless, a good place to strengthen dialogue and cooperation rests *in*
the borderlands, where more binational collective action is desperately needed, yet difficult to pursue.

Kathleen Staudt  
_The University of Texas at El Paso_  
El Paso, Texas, USA  
Email: kstaudt@utep.edu

**Author Biography**

To Deal With Impunity, We Must Address Both Political and Criminal Motivated Violence

Commenting on a monograph with safety of journalists as the main topic is a challenge when U.S. President Donald Trump attacks the news media on a daily basis. He labels news media as “enemy of the people” and threatens journalists with statements like “When the media lies to people I will never ever let them get away with it.” Underlying the important research by Jeannine E. Relly and Celeste González de Bustamante is the notion that a collaboration between Mexico and United States on safety issues is crucial for dealing with the massive attacks on journalists in Mexico. How President Trump’s promise to extend and build a wall on the U.S.–Mexico border will affect the cooperation between the two countries in securing the working conditions for journalists is an open question. Obviously, the chilling atmosphere between Mexico and the United States will damage bilateral relations on all levels. I argue below that recent events after this monograph was written reveal a weakness in Relly and González de Bustamante’s proposed model. I argue that state actors such as the U.S. empire should be defined as part of the problem, rather than as a part of a possible solution. Agencies like the U.S. Agency for International Development (USAID), which has been supportive of the efforts to stop violence against journalists in Mexico, will probably suffer budgets cuts.

The authors’ ambitions is high, and they provide shocking documentation of the level of violence against Mexican journalists. The 2015 report Journalism Under Pressure: A Mapping of Editorial Policies and Practice, which I coauthored with my colleague Marte Høiby with funding from the Norwegian UNESCO Commission, discusses the consequences of impunity. We interviewed more than 100 editors and journalists in seven countries (Mexico was not among them). Our most noticeable finding was that editors and journalists on four different continents experience safety threats when reporting on conflict—and to a greater extent today than 5 years ago. As a result, both journalists and editors are increasingly reluctant to enter conflict hotspots to report firsthand from the ground. Journalists are threatened directly or through harassment, in personal attacks and in phone calls, emails, and SMSs. Many suffer the aftereffects of such attacks, and some are reluctant to report these reactions—for fear of appearing fragile or vulnerable to colleagues and management. The competition for assignments related to war and conflict is tough, so journalists often wish to appear “strong” and “suited” for the physical and psychological challenges.
Comparing the findings from the case of Mexico to our own prompts me to wonder if a distinction should be made between journalists who are victims of organized crime (labeled in the model as “dark networks”) and journalists who are targeted in wars, armed conflicts, and political terrorism. When Figure 1 of this monograph lists global and domestic organizations such as the Paris-based United Nations Educational, Scientific and Cultural Organization (UNESCO) and the UN Office of Drugs and Crime, the authors obviously cover both “traditional” war correspondents and journalists mainly preoccupied with criminal reporting. On the international level, UNESCO is addressing what the UNESCO report *World Trends of Expression and Media Development* label as political-motivated attacks on freedom of expression. Obviously UNESCO is also worried about organized crime, but the recommendations and suggestion to handle impunity in all practical terms must be dealt with on a political level. In 2012, UNESCO adopted the “UN Plan of Action on the Safety of Journalists and the Issue of Impunity.” In 2014, the Human Rights Commission of the United Nations adopted Resolution 27/L.7 regarding journalists’ safety and the issue of impunity—reiterating and reinforcing the 2012 resolution. Resolution 27/L.7 specifically responds to “recent attacks and violence against journalists . . . in particular in situations of armed conflict,” emphasizing that journalists are to be “considered as civilians and shall be protected as such.”

In 2006, the United Nations Security Council, after lobbying by The International Federation of Journalists (IFJ), unanimously voted for a resolution:

> . . . deeply concerned at the frequency of acts of violence, including deliberate attacks, in many parts of the world against journalists, media professionals and associated personnel, in armed conflicts, the Security Council today condemned such attacks and called on all parties to put an end to such practices. Unanimously adopting resolution 1738 (2006), the Council recalled, without prejudice to the war correspondents’ right to the status of prisoners of war under the Third Geneva Conventions.

Nevertheless, the question of impunity must be addressed. According to the International Freedom of Expression Exchange (IFEX), perpetrators of crimes against journalists go unpunished in nine out of 10 cases.

**Can the United States Be a Trusted Ally in the Protection of Journalists’ Safety?**

The authors seem to assume that the United States is an ally in the important work to strengthen safety for journalists on a global scale. I share the reluctance expressed by one of their informants to include the U.S. government in the battle against impunity. Despite the formal support by the United States for the UN Security Council resolution mentioned above, in the so-called Global War on Terror (GWT), the U.S. government has proven to represent a threat toward journalists. The authors several times mention the essential work of UNESCO in the battle against impunity. Since 2011, however, when the organization accepted Palestine as a member, the United States has
not paid its dues to UNESCO; indeed, after not paying its dues for 2 years, it lost its voting rights. This was a blow to the economy of UNESCO, as before this, the United States had provided 22% of its budget—roughly US$80 million a year. The United States pulled out of UNESCO under President Ronald Reagan and rejoined two decades later under President George W. Bush. This important point is not discussed in this monograph.

**Attacks on Media and Journalists in the GWT**

In 2016, my Swedish colleague Stig A. Nohrstedt and I published the book *New Wars, New Media and New War Journalism* (Nordicom). Here, we argue that the United States is part of the impunity problem because of several attacks on media institutions and journalists.

In November 2001, and again in April 2003, the U.S. Air Force bombed Al Jazeera’s offices in Kabul and in Baghdad. This was not the first time that a news organization was selected as a military target—a Serbian television station was bombed by NATO during the 1999 war against former Yugoslavia. The attack had no UN mandate. Libya’s state-owned television station was bombed during a NATO attack on Libya in 2011. In this case, the UN had issued a mandate to implement no-fly zone to protect the people of Benghazi, but no mandate to topple the Gaddafi regime. In the latter three of these attacks, several journalists lost their lives.

What these incidents had in common was that they occurred during so-called “preemptive wars” lacking a clear UN mandate. As civilian targets, media outlets should have been protected by the Geneva Convention. Although the Committee to Protect Journalists and the IFJ have conducted independent investigations of the incidents, and there are no doubts about who was responsible, the attacks seemed to bring no legal or political consequences. Why are such attacks not defined as a part of the impunity problem?

To borrow the classical distinction from Edward Herman and Noam Chomsky, we can talk about “worthy” and “unworthy” victims. That is, the innocent civilians killed by the enemy are “worthy” of attention and empathy whereas the innocent civilians killed by our own forces are “unworthy” in the sense that they should preferably not be exposed and discussed in public too much. Only the enemy is guilty of intentionally bombing the civilian population—to weaken resistance to its authoritarian will.

Reporters Without Borders condemned NATO air strikes on the Tripoli headquarters of the state-owned national TV broadcaster in which three of its journalists were killed and 21 others were wounded. In a statement, NATO said that it carried out the air strikes to silence the regime’s “terror broadcasts” and put a stop to its “use of satellite television as a means to intimidate the Libyan people and incite acts of violence against them.” When NATO uses arguments like this, ignoring the principle that civilian targets should be protected by the Geneva Convention, it creates a dangerous precedent that can backfire on all journalist in future conflicts. In the book, we argue that unless Western media reporters cover the legal aspects of such NATO attacks, our own governments through their support for such attacks undermine the battle against impunity.
Our research found that Swedish and Norwegian media underreport legal issues in their conflict reporting. How then can they be reliable when demanding legal protection for their own reporters ending up in harm’s way?

In a forthcoming chapter for *Sustainable Journalism* (Peter Lang), Nohrstedt and I argue that violence against journalists could be discussed within the framework of the classical ideals of “the fourth estate.” Here, we define five “fundamental objectives” or challenges that conflict and war journalism must cope with to realize the role as a Fourth Estate. With that in mind, we define “sustainable war journalism” as the capacity and competence to

1. Promote free speech and access to public information with changing legal and social norms;
2. Meet professional standards of quality considering the special conditions of New Wars;
3. Provide citizens with reliable, objective news from multiple sources;
4. Pursue editorial independence in well-managed enterprises; and
5. Protect professional independence in relation to other institutions.

**Conclusion**

Through their impressive documentation, Relly and González de Bustamante have highlighted the serious problems with violent attacks on Mexican journalists and with impunity. Obviously, something must be done. Although the suggested model offers some insights in the mechanisms responsible for grave situation, I will argue that we have to differentiate between politically motivated violence (also on a global scale) and criminally motivated violence. Most likely, the present U.S. administration will be of little help in dealing with the problems given President Trump’s hostile rhetoric toward Mexico and his promise to cut funding for sources the authors mention as support for the battle for more human rights and battle against organized crime in Mexico. Mexico has to deal with its own problems, and the challenges for basic human rights and freedom of speech are enormous. The five points that Nohrstedt and I suggested could be a first step.

Rune Ottosen  
*Oslo and Akershus University College of Applied Sciences*  
*Oslo, Norway*  
Email: Rune.Ottosen@hioa.no

**Author Biography**

**Rune Ottosen** is professor in journalism at Oslo and Akershus University College of Applied Sciences. Also a political scientist and journalist, he has published widely on a range of topics, including Norwegian press history, the role of journalism, and news coverage of war and conflicts. He is coeditor and author of several books.
Commentary

What Mexico Represents as a Country and a Case in the Larger Trend of Collection Action on Press Rights

In-depth case studies are valuable for the empirical findings they generate about understudied phenomena in the single case under examination; they also provide a solid edifice upon which to build theoretical models and develop research questions. Researchers can then “scale up” the lessons of the individual case through comparative studies. In this instance, the case under consideration is a country, Mexico; I believe that the wider scale is a category of formal but embattled democracies where domestic journalists find themselves working amid levels of violence sometimes resembling civil wars. All-too-often journalists are not necessarily caught in the cross-fire, but are themselves considered an enemy.

Shocking cases of journalists kidnapped and killed by terrorist groups in the Middle East since 2001 deserve the outrage they have generated. But less known is that those terrible deaths are numerically overshadowed by journalists assassinated in countries that are neither in a declared conflict nor uniformly authoritarian. Using data from the International News Safety Institute, Simon Cottle, Richard Sambrook, and Nick Mosdell recount in their 2016 book Reporting Dangerously: Journalists Killings, Intimidation and Security that almost twice as many journalists were killed in countries considered “peaceful” between 1996 and 2014; moreover, over the last 10 years, most of those assassinated have been local reporters and not foreign correspondents. When examining the 10 countries they identify as being the most dangerous for journalists between 1996 and 2014, six were considered democracies in 2014 using Polity 4 ratings criteria (Mexico, Colombia, Brazil, India, Pakistan, and the Philippines), and Russia had been considered democratic earlier in the period. Polity 4’s criteria consider as “democracies” (as opposed to “full democracies”) countries that hold regular elections but feature uneven performance on other necessary dimensions of democracy, including restraint on government power (e.g., accountability) or broad political representation (http://www.systemicpeace.org/polity/polity4.htm). In a study published in 2017 in Journalism Studies, my colleagues and I found that in a sample of 62 countries, more journalists were killed from 2013 to 2015 in what we call “insecure democracies” than any sort of more authoritarian political regime. We also found extraordinarily high levels of noncombat homicide, public insecurity, and economic inequality in these democracies, and this strongly shaped how journalists perceived their work environment. Our article also explored why journalists are more lethally at risk in this subset of democratic countries.
What is important here is that as opposed to the variety of authoritarian states that exist today, by being democratically elected, governments in countries like Mexico are subject to some pressures for accountability even though these pressures are sometimes weak or not evenly perceived at all levels of government or by all state actors. Particularly, surveys of journalists and press rights reports suggest that subnational power systems—often being factions of local politicians, landowners or business owners, rogue security forces, and/or criminal organizations—operate without transparency, federal oversight, or being fully within the law. These factions feel less restrained by constitutional norms or the rule of law. At the same time, at the national and local levels, while elections in these countries may set a floor on corruption or illegal behavior from elected officials by allowing citizens to periodically vote them out of office, the effectiveness of pressure from public opinion wavers between elections. Weaker restraints between elections and within what democracy theorist Guillermo O’Donnell famously called geographical or thematic “brown areas” where the rule of law is only partially applied means that accountability mechanisms considered to be constituent of democratic systems are imperfect, but they are nevertheless present in the system and may be activated under the right circumstances.

The formal institutional design of democracy thus opens a door for viable and successful collective action on press rights and journalist safety that does not exist, or is much harder to pry open, in authoritarian regimes. One would suppose, also, that democratically elected governments, to some degree, do value human rights and the opinion of the international community of democratic nations with whom they have signed treaties acknowledging and agreeing to protect human rights. If latent or weakened accountability mechanisms and a desire for inclusion in the international democratic community do exist, then, it seems more likely that transnational human rights networks, including national and international entities, could, under the right conditions, successfully pressure democratic governments to take real actions to protect journalists and prosecute their victimizers.

Relly and González de Bustamante’s detailed examination of the transnational collective action networks that have formed to address burgeoning violence against journalists over the last two decades is thus important for what it tells us about journalism in Mexico and the empirical grounding it provides in a case study for the necessary scaling-up to the comparative level where Mexico represents the larger category of insecure democracies within which most of the world’s journalists are being attacked. Their study moves beyond description of what is happening around the particular case of press rights and journalist safety in Mexico and creates a model for testing—or modifying—in comparative contexts, including similarly insecure democracies, democracies where press safeguards are more secure and consistent, and between historical periods or spheres of action within the same country. It addresses an important gap in the research literature on journalists’ safety and broader press rights that needs empirical grounding, topical broadening, and theoretical strengthening. It also provides a map for identifying and addressing numerous other questions.

My general point is that Mexico is a good location from which to make this contribution and advance a research agenda on press rights and collective action in insecure
but nevertheless democratic contexts because of what is happening to journalists in Mexico and because of what Mexico is politically, a democracy with weak but nevertheless present accountability mechanisms and a government that is aware of and cares about its external treaty obligations. In short, Mexico has particular and more generalizable contours that we can learn from. The levels of general violence and antipress violence are extreme but the underlying causes as well as impediments to improvement can to greater or lesser degrees be found in several other Latin American countries and likely elsewhere. As the authors note, more than 125 journalists in Mexico have been assassinated or disappeared since 2000 with accompanying levels of impunity that, measured by successful arrest and prosecution in uncontroversial cases, are almost absolute.

The origins of Mexico’s antipress violence come from the conflux of transformations in criminal enterprises nationally and transnationally and liberalization of the country’s political and press systems. These changes include the ramping up of the military’s involvement in the drug war and the fracturing, expansion and diversification of cartel organizations, and activities. The use of the military in urban areas and changes in criminal organizations occurred as the political system and tradition of extra-constitutional presidential authority transitioned from a 71-year single party state under the Institutional Revolutionary Party (PRI) to an electoral democracy that increased the discretionary power of elected and de facto local power holders; moreover, this has not yet created strong accountability mechanisms between elections. Along with the increase in violence related to organized crime, these conditions have created an ambiguous role for state actors and security forces not only as guarantors of public safety but also sometimes as sources of antipress violence. In this context, journalists were, and are, targeted both because of their basic occupational task—to inform about public happenings when many of the parties in conflict wanted silence—and as often because some members of the press went above and beyond to investigate corruption and abuses of power.

Evidence from surveys and press freedom organizations suggests that some of these general conditions exist in other democracies. In the previously mentioned study of influences on work for journalists surveyed in 62 countries, we found that characteristics associated with insecure democracies—uneven democratic performance, insecurity, noncombat homicide, and antipress violence—were the strongest predictors of how intensely journalists perceived influences from state security forces, political actors, and procedural aspects such as the need to adhere to press ethics. Beyond these societal conditions, other strong predictors of greater influence on work included beats, locations, and media types (e.g., newspapers vs. television) that are more likely to bring investigative journalists into subnational arenas where state and criminal actors overlap, summoning the “dark networks” that Relly and González de Bustamante identify in their paper.

Studying Mexico is thus important for many reasons intrinsic to the case: The horrible toll on journalists as humans and on journalism as a necessary ingredient for democracy, the relatively rapid formation of national and transnational collective action networks including nongovernmental organizations (NGOs) and international
governmental organizations (IGOs), the successful enactment of legal mechanisms and constitutional norms designed to increase protections for journalists, and the resulting uneven capacities and effectiveness of the state agencies created by these legal reforms. Mexico also represents the larger category of democracies, on a broader level, where the majority of journalists are being killed globally. In these democracies, mechanisms to enforce government accountability have been built into political system design; these open an opportunity for successful collective action, but face numerous informal and formal obstacles that need elaboration.

Relly and González de Bustamante’s careful documentation of the formation, interaction, and pressures exerted by transnational collective actors in Mexico is an important contribution in and of itself. I found illuminating and important the identification of asymmetrical relationships between national NGOs and sponsoring governments, international NGOs and IGOs, the identification of “dark networks” of actors involved in illicit activities that permeate sectors of the state and perhaps the media, and the careful description of the changes in legal frameworks that states can make to respond to collective actor demands. Their mapping of actors and relationships in a testable model is the necessary first step in empirical understanding of an understudied phenomenon. The model provoked a number of questions and propositions deserving of scrutiny and testing in cross-national or historical comparative studies. I will outline a few that seem important to me here:

1. **The role of international sponsorship of domestic press rights organizations.** The study identified the important role of sponsorship of press rights organizations from foreign governments, particularly through the U.S. State Department. This happened during a period when the U.S. security agenda included human rights promotion and of course begs the question what will happen when it does not. Less obvious research questions derived from the analysis that could be examined in comparative (cross-national, cross-issue, or longitudinal) study are the conditions under which international sponsorship is necessary for national press rights organization development; how outside sponsorship affects NGO emergence, work agendas, and unity; and under what conditions will NGO work become sustainable when funding eventually dries up. Finer grain questions may revolve around whether the foreign funding and expertise build domestic human capital and sustainable organizations or rather displace, redirect, or inhibit their development. What explains these alternative outcomes is important to understand at a practical and theoretical level.

2. **The enforcement of laws and capacity of protection mechanisms once they are strengthened through legal or constitutional reform, and the inadequacies of shaming as a trigger for accountability.** The “tactical concessions” that states make in the face of international and national pressure and the perseverance of “informal institutions” that continue to endanger journalists beg a number of questions about the relationships between types of accountability mechanisms including public opinion and elections, congressional investigations, financial incentives, and court orders. It reminds us
that triggering accountability mechanisms through shaming or “social accountability” linkages between civil society and exposés in the independent press probably will not result in desired outcomes if no formal institutions in government react, as multiple analyses of other publicized human rights abuses have found. How can collective actors activate mechanisms of accountability beyond shaming and change informal understandings and behaviors that may be entrenched? In Mexico, the formation of the independent federal elections bureaucracy, the access to public information institute, and the quasi-governmental National Commission for Human Rights were examples of formal institutional re-design with relatively successful launches, although informal institutional change has been much more slow and imperfect. What lessons do these transformation processes and institutions hold for creation of capable and willing agencies to protect journalists and prosecute their attackers in Mexico and elsewhere? These questions about institutional-building or strengthening are as relevant for journalist safety and press freedom as they are for protection of other political or human rights.

3. The need to consider additional levels and arenas in analysis. Along with research questions emerging from international, transnational, and state-institutional level processes, as I mentioned previously, evidence in Mexico, Latin America, Central Asia, and elsewhere strongly suggests that the subnational level must be studied. Local journalists working away from big cities are at greater risk than those working in larger cities, where both visibility and accountability mechanisms are greater. Furthermore, the concept of “dark networks” illuminates the layering of state actors—especially for local political and security actors—with criminal elements. The model could be refined to account for the subnational level and the overlapping of criminal and state elements through further research. Arguably, dark networks are transnational in scope just as are collective actors. Research on transnational drug gangs and even the recent Panama Papers exposés provide plenty of evidence to suggest this arena should be studied. What are the transnational dark network processes in play, if any, that thwart collective action success on journalist safety?

I have focused on “insecure democracies,” that is, democracies with uneven democratic performance and high levels of noncombat violence, public insecurity, and economic inequality, because of the severity of attacks on journalists in those countries. Subnational power coalitions unrestrained by the rule of law and the partial overlap of state and criminal actors seem to be common threads in countries with high levels of antipress violence, at least for the Latin American cases. Violence against journalists may not be as pronounced or frequent in the so-called “full democracies” of Polity 4 or even in Polity 4 “democracies” with lower levels of noncombat violence, insecurity, and inequality. However, it is also worth studying how governments in those “peaceful” democracies create and preserve protective systems for journalists as gun violence continues in the United States and instances of terrorist killings spot Europe, including the Charlie Hebdo assassinations in France.
To conclude, Mexico is important as a country and as a case of a larger phenomenon deserving of greater study. Relly and González de Bustamante have provided an extraordinarily important empirical base and map for future research that has enormous relevance for the lives of journalists and the future of democracy in many regions of the globe.

Sallie Hughes
University of Miami
Coral Gables, FL, USA
Email: shughes@miami.edu

Author Biography

Sallie Hughes is associate professor in the Department of Journalism and Media Management and faculty research lead for Latin American studies and policy at the Institute for Advanced Study of the Americas, both at the University of Miami. She is the author of Newsrooms in Conflict: Journalism and the Democratization of Mexico and co-author of Making a Life in Multiethnic Miami: Immigration and the Rise of a Global City. Her research interests include journalist safety and journalism practice in insecure democracies.
Challenges to Protecting Journalists: How Norm Diffusion Differs From Norm Enforcement

Over the past years, Relly and González de Bustamante have published a series of studies about violence against journalists in Mexico. Their work is important in part given the seriousness of the problem around the world. Attacks against reporters are one of the main threats to freedom of the press and right to communication. Their work also matters because it fills an important gap in the literature on press law and journalistic practice, specifically regarding the practice of critical journalism amid widespread violence. The literature on journalistic practice and press rights has overwhelmingly focused on Western societies whose conditions are widely different from other regions of the world. Constant, unpunished violence against reporters is rare, and states monopolize the legitimate means of violence and enforce the rule of law.

None of this is true in Mexico and in several Latin American countries, particularly Brazil and the northern region of Central America. Drug traffickers, politicians, and police and military forces often target inquisitive reporters trying to sniff out corruption, violence, and the collusion between the state and para-state actors. Certainly, antipress attacks are not isolated episodes. Rather, these are part of a broad crisis of human rights in Mexico. International and national organizations have documented thousands of disappearances and numerous cases of torture, executions, extortion, and illegal detentions of citizens by military and police forces in recent years.

In this situation, the problem confronting journalism is not the enemy of the press that concerns classic liberalism, that is, an intrusive, repressive state that censors inconvenient content, takes legal actions against dissident journalists, and violates speech rights. The challenge is infinitely more complex. Vast areas of many countries are ruled by para-state actors such as drug cartels and gangs integrated by criminals often acting with the complicity of active and retired police and military officers.

State agencies and officials bear different responsibilities precisely because there is no unified, monolithic state. The state is neither friend nor foe of freedom of the press precisely because it does not exist as a single entity. At the federal, regional, or municipal level, the state is a hollowed-out institution. Some state officials are direct perpetrators of violence; some collude with illegal actors. Still others, though well-intentioned, are unwilling to take action out of fear of retaliation or to confront extremely tough circumstances necessary to make progress.
In this Monograph, Relly and González de Bustamante offer an in-depth look at a loose network of global and local donors and nongovernmental organizations (NGOs) focused on ensuring the safety of journalists in Mexico. Particularly as the situation worsened in the last decade, a range of actors has mobilized to tackle this problem. The authors document an important process of collective action that brings together journalists’ organizations with NGOs, international agencies, and selected state agencies.

The contributions of the network are important, as the authors persuasively show. The most obvious achievement is the building of institutions that monitor attacks and provide assistance to victims. Often in collaboration with state agencies, NGOs have successfully raised awareness about the situation among officials and the public, managed early alert systems, supported the development of government capacity, and provided protection for journalists. NGOs were critical during the processes that culminated in legal changes that support investigations and prosecutions of crimes. Nevertheless, important problems persist. Bureaucratic inaction and inefficiency make it difficult to address problems successfully in the context of persistent multilayered, structural factors that perpetuate violence.

For Relly and González de Bustamante, the network exemplifies transnational forms of mobilization that disseminate human rights discourse, policies, and actions. The network should be justifiably credited for the diffusion of rights-based approach to press safety in Mexico. One might add, however, that this mixed impact demonstrates the limitations of transnational activism when states are inefficient, are reluctant to take action, are absent, and/or are infiltrated by violent actors. In this regard, the Monograph convincingly shows that the impact of global advocacy networks is inseparable from particular national environments in which they operate. The structure and the dynamics of Mexican politics, especially the particularities of the state, affect impact.

Another lesson is that the diffusion of human rights norms is not synonymous with norm enforcement. Transnational networks are much better at the former than norm enforcement, which demands specific conditions that fall outside the purview of human rights organizations. Norm enforcement may effectively conduct continuous advocacy, provide resources, and strengthen local capacity, but they cannot do what still remains under the purview of the state. National states still control tasks that neither transnational courts nor global associations perform. As important as they are to conducting advocacy and other tasks, transnational networks have limited reach especially when the political will of federal and state governments to investigate and prosecute crimes is weak. Training and funding of key government offices and NGOs is important, but these deliver limited results as long as serious political roadblocks stand in the way of transnational activism.

While Relly and González de Bustamante offer valuable insights into the functioning of a hybrid network of global and national actors, it is not obvious that they provide “a model to study how advocacy for press safety in insecure environments evolved as an international challenge” as claimed. It remains unclear whether the model is analytical (“How to examine transnational advocacy networks in a national/
local context and/or normative model”) or normative (“What are the contributions and limitations of transnational mobilization to address human rights”).

If it were an analytical model, Relly and González de Bustamante would need to specify a streamlined set of guidelines that include theoretical premise(s), hypotheses, foci, and argument—which are ambiguous here. Certainly, the evidence presented could be the basis for such a model, but additional work is needed to explain the reach and the limitations of transnational networks in strengthening press safety. Consequently, a number of questions remain unanswered. When does collective action make a difference? What are the lessons for human rights advocacy? How can international norms be disseminated beyond the federal level? How did organizations address specific obstacles? Has progress been uneven across states and government agencies? If so, why? What are the “low-hanging fruits” and the “hard nuts to crack” in the strengthening of rights-based approaches to antipress violence? What are good practices that help journalists in need of protection and relocation? What is the best suited institutional design to tackle the problems discussed?

Had the authors offered straightforward answers to the research questions raised at the beginning, they could have laid out the basis for an analytical model. They raise smart questions to set up the problem and the analysis but the discussion section does not include clear answers. Possible answers are buried under insightful observations and references. Nor is it clear how their model compares with alternative explanations and frameworks. Theoretically, the Monograph is grounded in the notion of “transnational advocacy networks.” But does it take the argument further or bring more complexity into existing explanations about why and how networks promote substantive changes in local human rights conditions, legislation, and action?

Perhaps Relly and González de Bustamante could produce a follow-up piece which, building on the wealth of evidence presented, advances an elegant theoretical model to guide the study of global mobilization and press safety. One approach might be to identify the different tasks and goals of transnational networks (e.g., raise awareness about problems, strengthen an “alert” system to facilitate the reporting of attacks, bolster resources in federal and state levels to investigate attacks and crimes) and then offer evidence-based assessments of different outcomes. Because networks have multiple goals and local contexts are critical, producing succinct explanations for success and failures is difficult.

Engaging in this exercise is important for several reasons. First, it would add more complexity to classic treatments that initially offered optimistic views about the impact of global advocacy networks. In a world divided in states and with broad swaths of statelessness, Relly and González de Bustamante provide insights to produce a more sober assessment about the impact of transnational networks given the persistence of many obstacles.

Second, insights from the Mexican case could be assembled in a streamlined model to provide persuasive answers to, what in my view is, the central theoretical question—When and why transnational mobilization makes a difference in supporting press safety and freedom? The authors have a rich trove of data to build an argument
of interest to scholars as well as to international agencies and NGOs working on press safety around the world.

Finally, an evidence-based model is needed amid growing pessimism about the future of human rights advocacy, including press safety and press freedom in general. Recent developments—the coming to power of antiliberal governments in the West and non-Western countries—do not bode well for the issues discussed here. Populist and right-wing governments not only do not prioritize human rights agenda or press freedom. They also disregard democratic rights enshrined in national and international law. To conclude that we have entered a “post” human rights era would be premature. But, it is difficult to be optimistic. The prospects for rights-based politics, including press freedom, are not as bright as they were in the aftermath of World War II. The air of possibility about the sure-footed global expansion of human rights (including basic press and expression rights) across the globe has turned into legitimate worries about the future of rights-based policies.

The mood is particularly somber in Mexico. Upbeat prognoses about the future of press safety are hard to find. The explosion of the number of civil society organizations working on human rights issues coupled with improvements in some sectors of the federal state dealing with antipress attacks have not been sufficient to tackle fundamental problems. Certainly, it would have been naïve to expect that advocacy plus capacity strengthening and legal reforms would have dramatically changed the situation. Even modest optimism seems exaggerated given frequent antipress attacks, disappearances, and killings of citizens and when justice is not served for countless victims.

Amid these conditions, that brave reporters and editors continue to dig up sensitive information is remarkable. They are largely responsible for a steady stream of information showing the extent of corrupt and violent practices linking state actors with criminal groups. It also remains unclear, as Relly and González de Bustamante perceptively conclude, how press safety and human rights norms in general could be affirmed. They also lay out a challenge for scholars interested in the study of press safety and press freedom in violent settings: to document the workings and the achievements of transnational activism while recognizing its limitations to contribute a culture of peace and the rule of law.

Silvio Waisbord
School of Media and Public Affairs
George Washington University
Washington, DC, USA
Email: waisbord@gwu.edu

Author Biography
Silvio Waisbord is professor in the School of Media and Public Affairs at George Washington University. He is editor-in-chief of the Journal of Communication and former editor-in-chief of the International Journal of Press/Politics. His recent books include News of Baltimore: Race, Rage and the City (edited with Linda Steiner, 2017); Routledge Companion to Media and Human Rights (edited with Howard Tumber, 2017); and Media Movements: Civil Society and Media Policy Reform in Latin America (edited with Soledad Segura, 2016).