

Mexico's President Is Spoiling for a Fight With Washington

The Biden Administration Can't Afford to Overlook Its Southern Neighbor.



Mexican President Andrés Manuel López Obrador at a press conference in Mexico City, Mexico, June 2019 - Francisco Canedo / Xinhua / Redux

US. President Joe Biden has vowed a return to diplomatic normalcy instead of personal lunacy, multilateralism instead of unilateralism, and a foreign policy conducted through institutionalized channels instead of through Twitter. Most foreign governments have greeted the change with relief—but the applause has not been unanimous. Some countries benefited from the lack of engagement or scrutiny they got under former President Donald Trump. Mexico, in particular, looks set to receive Biden's agenda not with open arms but with a raised fist.

Whether out of political pragmatism or genuine fear, Mexican President Andrés Manuel López Obrador cultivated close ties with Trump and acquiesced to U.S.

demands to renegotiate the North American Free Trade Agreement (NAFTA) and control immigration. In return, Trump turned a blind eye to the emergence of an authoritarian populist regime that began to renege on many of the commitments it had undertaken as a North American partner.

Now, López Obrador is making no secret of his desire to pick a fight with Biden. He refused to congratulate the president-elect early on and then sent a belated and frosty congratulatory note that sharply contrasted with the effusive letter he wrote to Trump in 2016. He passed a law imposing restrictions on foreign agents operating in Mexico, including those from the CIA, the Drug Enforcement Administration (DEA), and the FBI. He backtracked on energy reform—something his predecessor implemented in order to encourage foreign investment—auguring a return to an energy policy dominated by state monopolies. And he suggested that the Mérida Initiative for bilateral security could be terminated. In case these measures did not send a direct enough message, the Mexican president has further offered political asylum to Julian Assange, refused to condemn the violence that Trump supporters unleashed at the U.S. Capitol, lambasted Facebook and Twitter for “censoring” Trump, and invited Russian President Vladimir Putin to visit Mexico. Clearly, López Obrador is setting the stage for confrontation with the new administration in the White House.

Turmoil in the bilateral relationship with Mexico does not seem to have made the Biden team’s radar or its list of priorities. But a return to the U.S.-Mexican relationship before NAFTA, when conflict and distance prevailed over cooperation, could set back many of the objectives that the Biden administration considers vital. The United States needs Mexican cooperation on security, trade policy, and the fight against the coronavirus pandemic. Nor can it afford a Mexico that slides backward on democracy, refuses to view climate change as an existential threat, or fails to control a pandemic that does not respect borders. Mexico’s president is spoiling for a fight, and Washington must not wait for risks to become inevitabilities that could imperil containment of the pandemic and recovery from the disruption it has wrought.

AN UNHOLY ALLIANCE

The Trump administration neglected most Latin American issues, exercised a heavy hand in Cuba and Venezuela, and obsessed over immigration and the border with Mexico. During his presidential campaign and throughout his term in

office, Trump used Mexico as a “political piñata” in an effort to rile his electoral base: Mexicans were “rapists” and “criminals,” the United States was besieged by caravans of illegal immigrants, and NAFTA was a bad deal that needed to be renegotiated in order to defend American interests. These recurrent themes translated into policies—such as the construction of a wall on parts of the U.S.-Mexican border—that placed Mexico on the defensive due to the asymmetry in the relationship.

López Obrador chose to deal with Trump’s unpredictability by pursuing a calculated policy of appeasement. As a candidate for president in 2018, López Obrador had voiced strong criticism of Trump’s anti-Mexican and anti-immigration stances—he even published a book called *Oye, Trump (Hey, Trump)*. But once in office, López Obrador reversed positions and forged a pragmatic alliance with the man he had once decried. When Trump escalated his anti-immigration rhetoric and threatened to impose tariffs on Mexican exports, López Obrador began clamping down on the Central Americans he had initially welcomed and to whom he had promised safe transit.

Trump had frequently stated that Mexico would end up paying for the border wall: in fact, Mexico became the wall. Its government treated immigrants in a fashion that its politicians had often denounced, deploying the newly formed and militarized National Guard to chase them down and deport them.

López Obrador forged a *modus vivendi* with Trump in which Mexico accepted every demand, made multiple concessions, and adopted immigration policies that it had once deemed unacceptable. The Mexican government allowed the United States to unilaterally impose its so-called Remain in Mexico policy, also known as the Migrant Protection Protocols, wherein immigrants filing asylum claims in the United States were deported back across the border to wait indefinitely, even though Mexico was unable to provide security for its own population, let alone immigrants, amid rising crime and violence.

Part of López Obrador’s compliance took the form of silence. A humanitarian crisis mounted in Mexico’s border region, but the country’s president continued to acquiesce in the policies that created it. The United States imposed family separation policies and confined children in cages, but the Mexican president said nothing. U.S. immigration authorities conducted raids and arbitrarily deported Mexicans, without provoking comment from the president. And anti-Mexican

sentiments crested in the United States, culminating in hate crimes such as the massacre in El Paso in 2019. Still, López Obrador looked the other way.

He did so in return for Trump's turning a blind eye to democratic recession in Mexico. At the helm of what López Obrador calls the country's "Fourth Transformation," the president has dismantled checks and balances and weakened the country's autonomous institutions. He regularly attacks the news media and civil society and has seized discretionary control of the budget. Some of his policies have reinforced the militarization of public security. In all, the Mexican president seems intent on propelling his country back to an era of dominant party rule.

Because Mexico lacks a cohesive opposition, López Obrador's dream of centralized control seems close to becoming a reality. The president has mismanaged the COVID-19 crisis, which has produced a catastrophic economic recession, but his popularity remains undented. He has even stated that the pandemic *le cayó como anillo al dedo*, which loosely translates as "fell like manna from heaven," because the emergency enabled him to carry out exceptional antidemocratic measures that might have met resistance in more normal times.

Trump and López Obrador shared some obvious affinities. Both tended to discredit the news media, insult opposition leaders, label criticism as "fake news," avoid facemasks, and minimize the threat from COVID-19. The Mexican leader hailed his American counterpart as a true leader, compared him to Abraham Lincoln, and even traveled to Washington D.C., in the midst of the pandemic to endorse Trump's presidential reelection bid and praise his respect for Mexico's sovereignty. The relationship was so amiable that when the United States arrested General Salvador Cienfuegos—a former Mexican secretary of defense—on drug charges, López Obrador persuaded Washington to return the general to Mexico. The DEA had spent five years amassing evidence against Cienfuegos, but Trump's attorney general requested that the prosecution drop its case. Mexico's government celebrated the general's return as a triumph of close ties between friends.

Such talk has ceased with the change in U.S. administration. The Mexican president who so recently stressed friendship now seems poised to wrap himself in his national flag and defend his country's honor, which he sees as under threat. The reasons behind this abrupt shift are both personal and political. López

Obrador does not fear Biden the way he feared Trump. And so a politically calculated discourse of national sovereignty and anti-Americanism is again more useful than costly. With it, López Obrador can rally his base in advance of the midterm elections in July 2021, when 15 governorships and control of Congress will be at stake. He can make Biden a foil and a distraction from Mexico's deep economic recession and the ravages of COVID-19.

But beyond the political imperatives that are driving López Obrador's divergence with Biden, something deeper is at stake. López Obrador's nationalistic, enclosed, and less globalized vision of Mexico contradicts the spirit in which free trade was conceived. At its best, NAFTA reinforced political stability and economic development in Mexico, helping inoculate the country against pendular policy shifts and conflict with the United States. The agreement sought to recognize and promote integration—a goal from which López Obrador has recoiled, pushing instead for a return to an inward-looking economic model reminiscent of the 1970s. López Obrador's contentious shift threatens to derail much of what has been accomplished in the last two decades, and Washington should be paying attention.

PICKING A FIGHT

Two years ago, López Obrador signed on to a renegotiated version of NAFTA known as the U.S.-Mexico-Canada Agreement (USMCA). But many of the Mexican president's policies run counter to the treaty's provisions and the broader goal of engagement with the world. Mexico City was to construct an international airport that would serve as a Latin American hub, but López Obrador put a stop to the project. He has tried to ensure that state monopolies can continue to dominate the energy sector by revising gas contracts with foreign investors and wrenching control from autonomous energy regulators, among other measures. Mexico has become less attractive to investors in emerging markets as a result. The country's economic growth was decelerating even before the pandemic. Now, its GDP is predicted to contract by nine percent in 2021, as thousands of businesses close and millions of jobs disappear.

López Obrador may well anticipate that he will face criticism from the United States under Biden on trade and other issues. The Mexican president surely would rather not face scrutiny for his record on human rights and freedom of expression, let alone for his failure to adhere to the labor standards stipulated

under the USMCA or the free trade clauses on energy. If and when the Biden administration decides to pressure Mexico on such matters, López Obrador will denounce “imperialistic intervention” and deflect attention to his fight with the American president.

In truth, trouble has been brewing in the U.S. security and trade relationship with Mexico for some time. López Obrador promised the Trump administration that Mexico would investigate Cienfuegos upon his return to Mexico but then broke that promise and even released confidential files on the case that the DEA had provided. The Justice Department sent a strong letter of condemnation. Three outgoing Trump cabinet members took a similarly acrimonious tone in a letter condemning Mexico for undermining trade commitments in the energy sector. In response, López Obrador has insisted that Mexico has the sovereign right to determine domestic policies, despite its obligations under the USMCA. His tone has not been collaborative or consensual but belligerent.

Mexico’s dustup with the DEA and U.S. security agencies spells trouble for cooperation in the crucial areas of security and drug trafficking. The Mexican military has come to act with ever-greater autonomy and ever-less civilian control or accountability. This empowered Mexican military resists working with U.S. intelligence agencies, perhaps because it has ties to drug cartels and seeks to shield its high officials from justice. The new foreign-agent law in Mexico further limits the ability of U.S. law enforcement agents to operate and share information. The result is that Washington increasingly sees Mexico as an unreliable partner in a host of important areas.

CONFLICT FORETOLD

Biden’s agenda in Latin America appears to begin with immigration. He has already announced an economic aid and security plan designed to address the root causes that drive people to flee north. His other priorities include rebuilding bridges with Cuba and addressing the humanitarian crisis in Venezuela, as he seeks to promote democracy and human rights in the region while combating corruption. Mexico does not seem to register as a prime concern.

But many of Biden’s ambitious plans, particularly regarding immigration, will require extensive collaboration with Mexico at a time when an ill wind seems to be blowing between the two countries. The new administration may be caught in

the uncomfortable position of requesting Mexico's assistance to stem the flow of Central American caravans even while butting heads with López Obrador over democracy, human rights, labor standards, and climate change. If Biden decides to exchange cooperation on immigration for silence on other troublesome issues, he will be repeating the Trump playbook and allowing problems to fester.

Many such difficulties have grown more acute in the past year. Mexico has one of the highest COVID-19 lethality rates in the world. The pandemic is escalating in a country that shares a 2,000-mile, porous border with the United States, and so is violence: Mexico had 35,000 homicides in 2020, the highest recorded in the country's history. López Obrador responded by empowering the military at the expense of bilateral security cooperation. Lockdowns have squeezed the country's economy, but the government has refused to implement fiscal policies to mitigate the damage. And López Obrador seems more intent on resurrecting a carbon- and oil-based economy than in pushing the country to address the imperatives of climate change.

Yet the Biden team seems oblivious to the democratic regression, the economic debacle, and the uncontrolled pandemic in Mexico. The administration has designated Cuba and Venezuela as countries of concern, and it has made public statements centering largely on Central America and migratory and asylum issues. But Mexico remains a dangerous blind spot. López Obrador's nationalistic populism and the risk it poses to democracy, climate change, and the fight against corruption are startlingly absent from an agenda that purportedly prioritizes such concerns. The United States needs a Mexico policy designed to rein in López Obrador's worst instincts and bring him back into the North American fold in order to assure a politically and economically stable neighbor.

Jeffrey Davidow, a former U.S. ambassador to Mexico, once likened the relationship between the two countries to one between a bear and a porcupine. The United States looms large over Mexico, choosing at times to bluster and at others to hibernate, withdrawing its attention altogether. Hypersensitive to U.S. interference, Mexico always stands ready to show its quills. The U.S.-Mexican relationship has important ramifications for trade, security, drugs, energy, and even health, and the López Obrador government seeks to counter Biden's priorities on almost every front. If Biden doesn't find a way to reset the relationship, Mexico and the United States will return to a pattern of neglect, punctuated by instances of conflict—a renewed porcupine politics that will draw

blood from both countries amid a pandemic that demands collaborative solutions, not animal instincts.

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