

The militarization of Mexico's migration deterrence policy

La militarización de la política de disuasión migratoria en México

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Abstract

The article aims to analyze how the migration deterrence policy in the government of Andres Manuel López Obrador in Mexico (2018-2024) has been characterized by its militarization. The article is based on a qualitative analysis, including the review of secondary sources such as literature, laws, regulations, as well as reports of the Executive Power of the Mexican Federal Government, other government institutions and civil society organizations. It is observed that the militarization in the deterrence policy is presented in three of the four parameters from which the analysis was raised: appointment of soldiers in some of the positions of a civil institution such as the INM; de facto operation with military practices and under the mandate of the Sedena itself, in some institutions such as the NG, in charge of implementing the deterrence policy; the transfer of civilian activities, such as the surveillance and insurance of migrants, to the armed forces.

Keywords: militarization, border security, undocumented migration, deterrence, migratory policy in Mexico.

Resumen

El artículo tiene por objetivo analizar cómo la política migratoria de disuasión en el gobierno de Andrés Manuel López Obrador (2018-2024) se ha caracterizado por su militarización. Se trata de un análisis cualitativo, con revisión de fuentes secundarias, entre ellas literatura, leyes, reglamentos, así como informes del Poder Ejecutivo del Gobierno Federal Mexicano, otras instituciones gubernamentales y de organizaciones de la sociedad civil. Se observa que la militarización en la política de disuasión se presenta en tres de los cuatro parámetros a partir de los cuales se planteó el análisis: nombramiento de militares en algunos de los cargos de una institución civil como el INM; operación de facto con prácticas castrenses y bajo el mandato de la propia Sedena, en algunas instituciones, como la GN, encargadas de

Received on February 23, 2023.

Accepted on August 30, 2023.

Published on October 16, 2023.

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ORIGINAL ARTICLE LANGUAGE:
SPANISH.



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CITATION: Cárdenas Alaminos, N. (2023). La militarización de la política de disuasión migratoria en México [The militarization of Mexico's migration deterrence policy]. *Estudios Fronterizos*, 24, e126. <https://doi.org/10.21670/ref.2315126>

poner en marcha la política de disuasión; la transferencia a las fuerzas armadas de actividades, funciones y facultades civiles, como la vigilancia y aseguramiento de migrantes.

Palabras clave: militarización, seguridad en la frontera, migración sin documentos, disuasión, política migratoria México.

Introduction

The movement of people, particularly undocumented migrants, has been characterized by enormous obstacles, including increasingly restrictive borders in the 21st century. In particular, transit states have extended their borders by strengthening the link between migration and security, which has translated into stronger surveillance with more technology and a greater number of border agents amid the establishment of new walls and detention centers.

Transit states play a central role in border control in different regions at the global level; they are especially relevant for the countries receiving immigrants from nations with which they share a border. From the theoretical perspective of dependency, policies addressing migratory flows from transit states are merely responses to coercion from developed countries (White, 2011). From the perspective of interdependence, although transit states act based on the political objectives of the receiving states, they also take into account their internal interests. Even in the case of undocumented migration, the literature indicates that transit states use the immigration issue as a negotiating tool for other matters, such as obtaining economic benefits (Kimball, 2007; White, 2011).

Although there has been progress in the study of the role of transit states, it is still necessary to deepen such analysis, in particular, to stop conceiving of these states as mere unitary actors and executors of the policies of developed states and to advance the understanding that multiple interests are at stake, as well to better grasp the ways in which they respond to the migratory flows entering their territories. In the case of Mexico, there has been progress in studies that explore the ways in which Mexico has been building a legal (laws, programs) and institutional framework since the 1990s, i. e., to cement a migration and security policy on transit migration (Anguiano Téllez & Lucero Vargas, 2020). Other works analyze the nodal actions and programs in the Mexican government's border containment policy during more recent and specific periods (Casillas, 2002; Casillas R., 2016; Vega-Macías, 2022; Villafuerte Solís & García Aguilar, 2015). To a lesser extent, the instrumentalization of the migration deterrence policy has also been analyzed, for example, how a vertical border has effectively been forged throughout Mexican territory, albeit more in reviews than in presentations to the authorities, which are more concentrated on the southern border (Torre-Cantalapiedra & Yee-Quintero, 2018). A very little explored issue remains the role of some actors, such as the armed forces, in the application of deterrence policy (Fundación para la Justicia y el Estado Democrático de Derecho [FJEDD] et al., 2022; Ortega Ramírez & Morales Gámez, 2021).

Under this tenor, the objective of this article is to analyze the distinctive features of the migration deterrence policy in Mexico's administration under the presidency of Andrés Manuel López Obrador (2018-2024), in particular, its main actors and how they execute this policy, paying special attention to the role of the armed forces

(AF) therein. It is argued that migration deterrence policy has been characterized by militarization. The use of the armed forces in this policy responds to the growing militarization of civil and administrative matters in various areas of the public sphere, including immigration, a measure that although not exclusive to the current administration has demonstrated an accelerated increase and acquired a prominent place in public life.

Secondary sources were used to carry out this analysis. In addition to the literature review, laws and regulations were analyzed, as well as reports from the Executive Branch of the Mexican Federal Government and other institutions such as the Secretariat of National Defense (Sedena, by its acronym in Spanish: Secretaría de la Defensa Nacional) and the National Institute of Migration (INM, by its acronym in Spanish: Instituto Nacional de Migración), and reports from civil society organizations.

This article is divided into four sections. The first of these presents some figures on the growth in migratory flows through the Central and North American corridors. The following section explains the conceptual notions of deterrence and militarization policy. The third part recounts the antecedents of Mexico's migration deterrence policy for undocumented migrants from the late 1980s to 2018, identifying key moments in which the armed forces were involved. The last part of the article explains, on the one hand, the main objectives and actors carrying out the security policy of the government of Mexico (2018-2022) and, on the other hand, the militarization of the policy on border deterrence by the Mexican government in the current administration.

Changes and continuities in migratory flows through the Central and North American corridors

The North American region is particularly relevant for the analysis of policies of dissuasion concerning migrants, as the Central America-Mexico-United States route is one of five with the highest international traffic of people in mobility. The geopolitical position of Mexico makes it one of the transit countries with the greatest influx of foreigners due to its proximity to the United States, the latter being the foremost recipient of migrants globally (Kimball, 2007).

Under the López Obrador government, the flow of transiting migrants in an irregular situation—who enter through the southern border of Mexico—has increased considerably compared to previous years. According to the Mexican government's own Immigration Policy, Registration and Identity Unit (UPMRIP, by its acronym in Spanish: Unidad de Política Migratoria, Registro e Identidad de Personas), the figures of events of foreigners presented before the Mexican authority allow an approximation of said phenomena because detentions are an administrative act that occurs when people cannot prove their regular stay in the national territory. According to UPMRIP data, in the previous six-year term (2012-2018), a total of 822 000 people were presented to the immigration authority; 2014, 2015 and 2016 were the years in which the number of migrants significantly increased in terms of their passage through Mexico, including a significant number of minors. The year 2015 was when the largest number of people appeared before the authority, 198 000 in total. During the current administration, in 2019, 189 000 people were presented to the authorities. A year later, this number fell to 87 000 due to the COVID-19 pandemic. However, in

2021, 308 000 people appeared before the immigration authority, that is, an increase of 273% compared to 2020 (Fundación BBVA México & Secretaría de Gobernación, 2022). In 2022, this figure rose to 388 000.¹

A distinctive feature of the migratory flows in transit through Mexico under the present administration is variation in the origins of these migrants. While between 2016 and 2018, 95% of the people who arrived at the United States border came from Mexico, Guatemala, Honduras and El Salvador; by 2021 this percentage decreased and represented 80% of the total, as the number of migrants from other countries increased, specifically, Cuba, Venezuela and Nicaragua. Changes in the volume and diversity of the nationalities of irregular migrants to the United States are due to various causes, such as economic instability, violence, climate change, and political repression in Latin America and the Caribbean, along with pull factors in the United States that include a growing labor demand (Avila & Meyer, 2022).

In response to this increase in people in transit, the United States has strengthened its border controls and pressured Mexico to collaborate in the detention and deportation of undocumented migrants. The Mexican government has responded favorably to United States interests under a vision of security, which has prevailed over any humanitarian response. In this sense, since 2019, a series of measures have been implemented to contain and deter the transit of migrants amid the significant participation of the armed forces, as analyzed in the following sections.

Conceptual notes on deterrence policy and militarization

Amid increases in migration, receiving and transit states have resorted to deterrence as a political strategy to control the flows of undocumented people. According to the analytical framework of López-Sala (2015), deterrence—in a broad sense—should be understood as a set of measures, whether proactive or reactive, implemented by a State with the aim of preventing emigration from the territory of origin, ranging from reducing the possibility and intention of leaving or stopping crossings to establishing migrants without documents. In this sense, deterrence is not limited to the containment of undocumented migrants but also limits and/or discourages their mobility intentions (López-Sala, 2015).

Deterrence encompasses a diversity of actors and measures that can be analyzed through two dimensions. The first one is horizontal and refers to the place where the measures are applied, which “is not limited to what happens at the border itself” (Godenau & López-Sala, 2013). As this definition suggests, it also encompasses what happens outside the border, impeding any crossing outside the national territory and fostering deterrence once within the receiving State (Godenau & López-Sala, 2013). Three types of deterrence have been identified: repressive deterrence, coercive deterrence and preventive deterrence. The differences among them vary according to the

¹ Some estimates suggest that by 2019 undocumented migration had reached 800 000 events, whereas in previous years (2005, 2014, 2016, 2018) these peaks reached between 420 000 and 450 000 annually. The above was a consequence of the entry of migrant caravans and the opening policy of the Mexican government at the beginning of the current administration (Rodríguez, 2022).

focal objective, the degree or intensity of the measures concerning migrants and the geographical space in which they are carried out (López-Sala, 2015).

Repressive deterrence involves all the actions carried out within the host country to prevent the establishment and residence of undocumented migrants. This includes measures such as reviews and inspections by immigration and police departments, including repatriation. For its part, coercive deterrence refers to the set of measures carried out by a State to control and contain irregular migration both at its border and in transit toward its territory, commonly known as the externalization of borders. Unlike the above strategies, preventive deterrence refers to the actions carried out by a State receiving migrants, but in their States of origin, prior to the start of their migration process. The purpose of this strategy is to discourage potential migrants from leaving their country of origin (López-Sala, 2015). Although the above analytical framework has been designed according to the States receiving immigrants, it is possible to adapt its analytical dimensions and typology to transit States. In the case of Mexico, it has a border policy with a repressive deterrent component; this includes actions such as reviews, inspections and even the repatriations of people. In coercive deterrence, Mexico plays a dual role; at the same time that it controls and contains migration on its own border, throughout its own territory, it acts as an executor of the policy of the externalization of borders of the United States when it cooperates in the surveillance and detention of undocumented migrants. Beyond its territorial border, Mexico has carried out a policy of preventive deterrence; in particular, the current administration has proposed the export of programs such as *Sembrando vida* (Sowing Life) and *Jóvenes construyendo el futuro* (Young People Building the Future) to encourage migrant populations to stay in their countries of origin.

The vertical dimension in the deterrence policy management process refers to the different levels of government and political actors involved. The instruments used by these actors are relevant laws, regulations and the application thereof. The effectiveness of the implementation of these instruments can be measured with the number of interceptions and repatriations (Godenau & López-Sala, 2013).

Among these actors, the armed forces and their growing participation—also referred to in the literature as militarization—in migration deterrence policy in Mexico is the focus of this article. Militarization has different conceptions, but as a phenomenon, it has been the most studied—both in its national and international dimensions—in the field of public security. The literature referring to the growing militarization in the field of security has applied different theoretical-analytical frameworks. From a rather classical point of view, militarization is seen as an increase in the members and budget of the armed forces in relation to civilian bodies. Under another approach, militarization in security can be observed directly when military forces are deployed to carry out internal control tasks and indirectly when the police adopt military strategies, weapons and tactics. From the theoretical perspective of sociology, militarization is the result of processes such as the formation of military institutions as hegemonic actors and civil institutions in charge of security, which apply military logics in certain changes (Morales Rosas & Pérez Ricart, 2015). In the particular case of Mexico, there have been various historical analyses that have identified militarization in the field of security from and during the twentieth century (Piñeyro, 2001); among others, it has even

been deemed a process of longer duration (Pérez Ricart, 2018). Militarization has been encouraged not only by the armed forces themselves but also by civilian actors such as the executive, judicial and even legislative branches. This support is accompanied by a legitimizing discourse that justifies the use of the AF to, for example, combat organized crime because it is both more effective and less corrupt (Piñeyro, 2010).

Although there has been a substantive advance in the research on the relationship between militarization and security, nothing similar has occurred in the research on other areas of the civil sphere, such as immigration. Given this, some analytical frameworks have been proposed from a management and public policy perspective whose usefulness allows exploring whether militarization occurs in certain civilian political areas and in what ways, as proposed in this article. In this sense, militarization is conceptualized as “a progressive increase in the presence, power and faculties of the armed forces” in certain areas of the civil sphere (Sánchez Ortega, 2020). Meanwhile, there is a loss in civilian political control over military affairs (Sánchez & Álvarez, 2022). Militarization can be observed in at least four aspects: the appointment of military officers (active or retired) in key positions in civil institutions; the adoption of military practices in civil institutions; the transfer of activities, functions and civil faculties to the AF; and the transfer of resources from civil institutions—to which they were originally assigned—to the AF (Sánchez Ortega, 2020; Velázquez Moreno et al., 2021).

Within the political sphere, some authors speak of militarism as a political-ideological position characterized by at least three elements: the greater militarization of the public and private spheres; the conception that military values and structures are superior to civilian ones and the propagation of ideas such as “the use of the armed forces is the best way to solve problems and... hierarchical structures are an effective way to achieve results” (Sánchez & Álvarez, 2022); and, perhaps the element that could be highlighted as the substantive difference with respect to the notions discussed above, the “preponderance of military power over civilian power in political terms and where the military sphere influences political decision-making of the State beyond the security and defense sector”. In other words, the latter represents the influence of military power on the direction of the power of the State (Arana & Anaya, 2020).

The participation of the armed forces in Mexican migration deterrence policy before 2018

As a transit country, Mexico's policy has been characterized, from the late 1980s to the present (2023), by its strengthening of the link between migration and security. In other words, a policy of migration deterrence was built where both the way of conceiving the undocumented migrant population and the actions toward it remained under the umbrella of the security policy. As a consequence, measures were established to monitor, detain and deport undocumented migrants, with ever-increasing speed since 2001 (Anguiano Téllez & Lucero Vargas, 2020; Faret et al., 2021; Torre-Cantalapiedra & Yee-Quintero, 2018). The above policy thus responds to both international and domestic factors. On the one hand, United States pressure on Mexico to cooperate on

security issues in the region plays a central role (Cárdenas Alaminos, 2021). For the United States, undocumented migration is a national security problem; when faced with migration increases in its territory, via Mexico, the United States puts pressure on the latter to take deterrence measures. On the other hand, different governments in Mexico have responded to the pressure of U.S. administrations, to a large extent, for fear of suffering reprisals in other areas such as the economy (Fitzgerald & Palomo Contreras, 2018). Mexico also responds to several domestic interests. In particular, public officials in charge of managing the migration issue have considered it costly to have a large undocumented population on the borders (Fitzgerald & Palomo Contreras, 2018; Garduño García, 2017).

Throughout several administrations in Mexico since the 1990s, the conceptions and actions concerning undocumented migratory flows, on some occasions, have been included within the most far-reaching security plans, whose axes comprise the fight against drug trafficking and organized crime. At other times, measures were established whose specific objective was to contain migratory flows. In both cases, the participation of the armed forces was included; this began to be significant in the governments of Ernesto Zedillo (1994-2000) and Vicente Fox (2000-2006) and obtained even more relevance after the administration of Felipe Calderón (2006-2012) (Sánchez Ortega, 2021). Starting in the 1990s and 2000s, militarization was reflected in matters of public security and the fight against drug trafficking. For example, the number of members of the armed forces involved in capturing drug lords and intercepting drug shipments increased (Sánchez Ortega, 2021). Some of these operations aimed at fighting drugs, afterward or in parallel, were extended to the migratory field, specifically, to the surveillance of the crossing of people. In 1998, Operation Sealing was carried out on the southern border of Mexico, wherein 6 700 civilian, marine and military personnel had the objective of seizing drugs. Later, and as a reinforcement of the operation itself, an additional command of 100 members was sent and the focal activities were extended to weapons, vehicles, and people trafficking (Yáñez Cruz, 2000).

Under the Fox government, in July 2001, the INM instituted the Plan Sur program with the objective of strengthening the surveillance and control of the migratory flow of people who transited through the country and entered through the southern border. To do this, control belts were created (in Chiapas and on the Isthmus of Tehuantepec) as two fronts or containment barriers that would cover the main migratory routes and thus apprehend the largest number of traffickers of persons and migrants without documents. The then INM commissioner mentioned that approximately 1 000 immigration agents would carry out these tasks, with a reinforcement of 350 more agents in the year 2002, in addition to the police at all three levels and the armed forces, which would aid “in the work of detection, detention and delivery of undocumented foreigners” (Casillas, 2002, p. 205). As a result of September 11, 2001, and the pressure from the United States on its neighbors to cooperate in its security, Mexico launched Operation Sentinel, aimed at the surveillance and protection both of the borders and of strategic facilities. More than 18 000 members of the armed forces and 12 000 members of the Federal Preventive Police participated in it (FJEDD et al., 2022).

Later, in the Calderón administration, national security and the fight against organized crime became two of the priority issues on the national agenda. To address the latter, the armed forces were considered a key actor; from 2007, there was thus a significant expansion in the participation of the army in civil affairs (Benítez Manaut, 2021). Migration was framed within security matters and was considered part of the threats to combat (Torre-Cantalapiedra & Yee-Quintero, 2018). This resulted, for example, in the launch of the Merida Initiative in October 2007. Its purpose was to combat organized crime with financial aid and technical assistance from the United States government to Mexico. Through this Initiative, the Army and Navy were strengthened. In the first instance, the Special Forces units were consolidated, and in the second, the Marine Corps and its intervention groups were strengthened (Benítez Manaut, 2021). One of the pillars of the Initiative was the construction of a 21st-century border that basically consisted of improved surveillance systems (for registering entries, exits and repatriations) as well as an information network for verifying and sharing migration status data and biometric data between Mexican security agencies and the United States Department of Homeland Security (DHS) (Anguiano & Trejo Peña, 2007; Fitzgerald & Palomo Contreras, 2018).

During the six-year term of Enrique Peña Nieto (2012-2018), the Southern Border Plan (2014) was launched to establish containment points and prevent the arrival and transit of undocumented migrants. For several authors, this represented the Mexican government's response to U.S. pressure amid what was called "the humanitarian crisis of migrant children" (Villafuerte Solís & García Aguilar, 2015). The INM worked directly with the federal police and the armed forces to carry out different operations on the migration routes (Seelke & Flinkea, 2017). According to the Human Rights Institute (2015), in September 2014, more than 100 members of the national gendarmerie were deployed to the southern border.

Migration and security policy under the 2018-2024 administration

When Andrés Manuel López Obrador (AMLO) became president, a transit migration policy with a more humanitarian approach was proposed in his inauguration speech. The administration itself, through the Ministry of the Interior, published the document "New Migration Policy of the Government of Mexico 2018-2024", according to which migration policy would be conducted via a human rights and economic and social development-oriented approach. Some of the first actions in the administration pointed in this direction, such as the increase in the issuance of humanitarian visas in January 2019 to migrants who entered Mexican territory in the movements known as migrant caravans (The LBJ School of Public Affairs, 2020). However, a few months later, immigration policy would take a turn whereby the security approach would prevail over the humanitarian approach. As in previous six-year terms, this change responded to both international and domestic factors. The government of Donald Trump threatened the Mexican government with the imposition of a tariff of 5%, which could have reached 25% if it did not act to stop the migrant caravans. Consequently, the Mexican

government responded with cooperation in the application of the measures imposed by the Trump administration, which continued under Biden, such as Migrant Protection Protocols (MPP) or *Quédate en México* (Remain in Mexico), as well as the expulsion of migrants under Title 42. Meanwhile, the Mexican government carried out various actions to contain migrants. In early June 2019, 6 000 members of the National Guard (NG) were deployed on the southern border with Guatemala; by the end of June, the NG had already deployed a total of 21 500 troops both on the borders and throughout the Mexican territory. As a result of this deployment from June 2019 to February 2020, 132 089 migrants were detained, an increase of 28% over the previous year (The LBJ School of Public Affairs, 2020). One of the characteristics of these actions was enhanced militarization in various surveillance tasks, increasing detention at the borders and throughout the national territory. The foregoing cannot be understood, however, if the general framework of the security policy, its characteristics and motivations of the López Obrador government are not analyzed.

Security policy under the government of Andrés Manuel López Obrador

On November 15, 2018, the incoming administration presented the National Peace and Security Plan 2018-2024, which, according to the document itself, expresses “a paradigm of public security radically different from the one that has been applied in previous administrations” (*Plan Nacional de Paz y Seguridad 2018-2024*, 2018). However, in chapter eight, “Public Security Plan”, it is mentioned that the armed forces, by civilian orders, have carried out functions that do not correspond to them for twelve years. However, later in the text, it is argued that in the presence of police (including the Federal, State and Municipal Police) and ministerial agents lacking “professionalism, protection and, in many cases dominated by crime and corruption”, it is necessary to continue the intervention of the army in public security tasks (*Plan Nacional de Paz y Seguridad 2018-2024*, 2018). The armed forces—according to the Plan—“continue to be the most reliable institutions for maintaining public safety”. As studies on militarization and security point out, in previous six-year terms, there was a legitimizing discourse that justified the use of the AF to, for example, fight organized crime because it was more effective and less corrupt (Piñeyro, 2010).

In this sense, the Mexican executive in 2018 proposed that in addition to ensuring national security and constitutional obligations, the AF should play a leading *role* (italics added) in the formation, structuring and training of the National Guard (*Plan Nacional de Paz y Seguridad 2018-2024*, 2018).

Hence, the Security Plan and its subsequent application were actually more aligned with the security policy developed over the past six years, particularly in terms of the intervention of the armed forces. In reality, as several authors suggest, a distinctive feature of the present administration has been the increasing expansion of the AF into the field of security and into other civil order activities (Benítez Manaut, 2021; Velázquez Moreno et al., 2021) and, even more, of what some have described as the institutionalization of militarization (Sánchez Ortega, 2021).

The leading role of the AF in public security has been observed in at least three general areas. First, they have marshalled the human and financial resources of the defunct Federal Police. Second, the National Guard (NG) was created in February

2019, the reasons for which—according to the president—were the deterioration and corruption of most of the members of the Federal Police. Therefore, the government would now be in charge of preventing and combating crimes in the country. In principle, the NG is, *de jure*, a civil institution, as mentioned in the *National Guard Law*. However, this law itself presents some gaps in which the military appropriation of this corporation is allowed. For example, it does not grant full powers to the Secretary of Public Security to administer it; in fact, “the eligibility criteria of its holder can only be met by the military” (Sánchez Ortega, 2021). This is supported by the formation and operation of the NG. *De facto*, it is a military-type institution, since in practice, it has a structure and organization, as well as some commands and members, which come from military institutions (Pocoroba García, 2021).

From the beginning, it was stipulated that the NG would be made up of personnel from the Federal Police, Sedena, and the Secretary of the Navy (Semar, by its acronym in Spanish: Secretaría de Marina), as well as people who entered via a specific recruitment campaign for its formation. The NG was created with 59 191 members, but by January 2022, the total number thereof reached 113 833. According to the federal government itself, most of these troops belonged to the armed forces; in 2021, 80% of these personnel were from Sedena and Semar, 73 805 and 16 702, respectively, while 23 236 were former members of the defunct Federal Police (Guardia Nacional, 2021). According to the *National Guard Law* itself, the NG is a corporation that depends hierarchically on the Ministry of Security and Citizen Protection (article 4) (Segob, 2022). However, since October 8, 2020, by presidential mandate, it has been the Secretariat of National Defense that has had operational control of the NG (FJEDD et al., 2022).

The third element indicating the leading role of the AF in public security is the salient increase in the deployment of soldiers and marines. In 2018, there were 54 980 members involved in security tasks; by 2020, this figure increased to 61 252. The previous figure did not take into account the members within the National Guard (Sánchez Ortega, 2021). The budget assigned to the Ministry of National Defense has also been the second most important after the pension for the elderly and has grown significantly in the AMLO administration. In 2018, a budget of 81 021.00 million pesos was assigned; in 2022, it was 112 557.17 million pesos (Secretaría de Hacienda y Crédito Público, Presupuesto de Egresos de la Federación 2022). According to various sources, to this example must be added the direct and indirect control that the armed forces have over the budgets of other institutions.

The militarization process has extended to other activities beyond public security. Although this process has been taking place since 2007, during the 2018-2024 administration, it has accelerated (Benítez Manaut, 2021). In 2019 and 2020, the tasks assigned to the AF were the protection of pipeline, combating fuel theft, the construction of strategic infrastructure, supporting efforts to control the COVID-19 pandemic, the control of ports and customs and the containment of migrants. The latter is explored in the following sections.

Does militarization exist in the migration deterrence policy of the 2018-2022 Mexican government?

Shortly after the advent of the administration of Andrés Manuel López Obrador (2018-2024), the humanitarian discourse of Mexico as a transit country—and to a lesser extent, as a recipient of immigrants—was replaced by the implementation of different measures under a vision of migration and security. The focus of this transit policy on irregular migration has thus far been one of containment, to the detriment of the effective protection of human rights (Calva Sánchez & Torre Cantalapiedra, 2020).

As in previous governments, undocumented migration has been framed within the security threats that must be addressed. In the government's National Public Security Strategy, published on May 16, 2019, in objective 8 on public security, national security and peace, it is established that "Mexico, being one of the countries with the largest territorial extension and the eleventh most populated in the world, is exposed to multiple risks and threats such as, among others, uncontrolled migratory flows, organized crime, government corruption (...) and problems on the southern and northern borders" (DOF, 2019a). Thus, the issue of undocumented migration through Mexico, called uncontrolled migration, is identified as a risk and threat within the security chapter. Although the foregoing is in continuity with the migration policy of previous governments, a distinctive element of the AMLO administration—as discussed below—is the greater presence and more direct allocation of responsibility to the AF in controlling undocumented migration.

One of the parameters in which the phenomenon of militarization is observed is the appointment of military personnel (active or retired) in key positions of civil institutions (Sánchez Ortega, 2020; Velázquez Moreno et al., 2021). Within the institutions and agencies in charge of migration issues, there have been several changes. One of these was the strengthening of the administrative apparatus with police officers and the armed forces, to the detriment of those of a civilian nature. Various institutions in the public administration have filled some of their positions with military commanders. According to hemerographic data from 2018 to 2022, at least 163 positions in the public administration had been occupied by military personnel—whether active duty or retired—. After the state and municipal public security secretariats (51 positions out of 163), the INM has been the second civil institution with the highest number of positions occupied by the military, 44 in total (Causa en Común, 2022). Among these changes was the prompt replacement, on June 14, 2019, of the commissioner of the INM, Tonatiuh Guillén—an academic—with Francisco Garduño, at that time in charge of the penitentiary system, formally the commissioner of the Administrative Body Decentralized Prevention and Social Rehabilitation (OADPRS, by its acronym in Spanish: Órgano Administrativo Desconcentrado de Prevención y Readaptación Social). The director positions in several state delegations of their own institutes were also filled with military men. By December 2021, of the 32 state delegations, 19 were under the charge of personnel with military training (FJEDD et al., 2022).

As mentioned above, very early in the administration, some civil institutions adopted military practices. The NG was an example of this, since both a significant number of its commanders and its *de facto* operations were in charge of the armed forces. Therefore, *de facto*, it is a military institution. In terms of migration deterrence policy, the activities, functions and powers were transferred from the INM itself to the armed forces. The National Guard acquired a central role in tasks such as the surveillance, detention and deportation of migrants. According to the *Immigration Law* (2011), Article 81, immigration control was conferred to the INM; moreover, at that time, the Federal Police had the power to act “in aid and coordination with the INM in the tasks of reviewing documentation of migrants and in the inspection of means of transport in which they enter or leave the country” (DOF, 2011). With the creation of the National Guard, these functions of the Federal Police would pass to this new corporation, which *de facto* has operated since with a strong military component. In fact, the NG bill presented to the Senate on May 6, 2019 pointed to this. As Article 9 subsection *b* generally stated,

The National Guard will act in customs, tax precincts, customs sections, checkpoints or customs review points, in aid and coordination with the authorities responsible for tax, naval or migration matters, in the terms of this Law and the other applicable provisions.

Specifically, it was authorized to exclusively *provide support* (italics added) to immigration in verifying that foreigners complied with the provisions of the *Immigration Law*. However, on May 20, 2019, the text finally approved by the Senate mentions that one of the functions of the NG is to

carry out, in coordination with the National Institute of Migration, the inspection of the immigration documents of foreigners, in order to verify their regular stay [...], and where appropriate, *proceed to present those who are in an irregular situation for the purposes provided for in the law of the matter*. (Italics added)

Likewise, Article 9, section xxxvi states that it should support the security carried out by the National Institute of Migration and, at its request, protect the migrant detention stations and the foreigners who are in them (DOF, 2019b; see Table 1).

With this change, a greater weight was given to the NG; it no longer merely offered aid but directly performed, via the coordination of the INM, the inspection of documents and was granted the power to detain people in an irregular situation. As mentioned above, although the NG was initially created as a civilian police institution to combat violence in Mexican territory, various studies have pointed to its *de facto* military character (Sánchez Ortega, 2021; Pocaroba García, 2021).

In early June 2019, together with the United States, Mexico agreed to carry out a policy of greater security at the borders of the Mexican territory and, thereby, to avoid the imposition of tariffs. The role of the NG was central in this, as recognized by Luis Crescencio Sandoval, Secretary of National Defense, in a conference on border troops on June 24, 2019. Here, he noted that a whole deployment had been made on the southern and northern borders, where the NG was involved in the detention of migrants.

The coverage—according to the secretary himself—comprised the entire southern border, from Chetumal to Tapachula and toward the Isthmus of Tehuantepec, with 6 500 members of the NG. In addition, this corporation was present from Tijuana to Matamoros (Sandoval González, 2019). As Foreign Minister Marcelo Ebrard noted, in 45 days, migratory flows had thus been reduced by 36.2%, thereby acknowledging the “success” of the operation (Ortega Ramírez & Morales Gámez, 2021).

Table 1. Main changes in the laws, regulations and legal instruments related to migration and security

Laws/regulations	Before May 2019	Main changes as of the end of May 2019
<i>National Guard Law</i>	<p>Senate Initiative on May 6, 2019. Article 9 subsection <i>b</i> mentioned that the NG was authorized to provide support to the INM “to verify that foreigners residing in the national territory comply with the obligations established by the <i>Migration Law</i>”.</p> <p>The National Guard will act in customs, tax precincts, customs sections, checkpoints or customs review points, in aid and coordination with the authorities responsible for tax, naval or migration matters (May 6, 2019).</p>	<p>One of the functions of the NG is to “carry out, in coordination with the National Institute of Migration, the inspection of the immigration documents of foreigners, in order to verify their regular stay [...], and where appropriate, proceed to present those who are in an irregular situation for the purposes provided in the law on the matter” (May 20, 2019).</p> <p>Support the security carried out by the National Institute of Migration and at its request, protect the immigration detention stations and the foreigners who are in them (May 20, 2019).</p>
<i>National Guard and Public Safety Law</i>	<p>The National Guard attached to the Ministry of Security and Citizen Protection and formally its command depended on the head of said agency (2019).</p> <p>Article 4. The National Guard is a public security institution, civil, disciplined and professional, assigned as a decentralized administrative body of the Secretariat.</p> <p>Article 5. The purpose of the National Guard is to carry out the function of public security in charge of the Federation and, where appropriate, in accordance with the agreements that are signed for that purpose, temporarily collaborate in the public security tasks that correspond to the states or municipalities.</p>	<p>The National Guard joins the Secretariat of National Defense (Sedena, September 10, 2022).</p> <p>Article 13 (bis). The following powers correspond to the person in charge of the Secretariat of National Defense: i. Exercise operational and administrative control of the National Guard, within the framework of the National Public Security Strategy, and when the head of the Federal Executive has his or her intervention for the assistance of the permanent Armed Forces in the exercise of their missions.</p>

Source: own elaboration, based on DOF (2019b) and FJEDD et al. (2022)

Since then, the NG has maintained an important and growing presence on border areas. According to data obtained via a request for information, the total number of NG staff on both borders in 2019 was 13 305; in the following year, it increased to 22 615; and, in 2021, it comprised 20 430 members. As shown in Figure 1, their presence was notably higher on the southern border.

Figure 1. Members of the National Guard on the northern and southern borders (2019-2021)

Source: own elaboration with data obtained from request for information 332259822001561

The criteria under which the territorial distribution of these members of the NG was given, however, are unclear. With the information obtained thus far, neither the specific tasks nor the number of members that this institution deploys in each of the states to carry out these tasks can be ascertained. In particular, there are no data on how many people from the NG are channeled to collaborate with the INM in the migration deterrence policy. Amid the questioning, via transparency, of some civil society organizations of the NG itself regarding the justifications for deployment in each of the states, the corporation has announced that it has acted in accordance with the national strategy of public security, whose objective, “Public security, national security and peace”, subsection *b*, numeral IV, indicates that

the NG establishes its operational deployment, considering the criminal incidence present in the country and reported in the criminal incidence report of the Federal Jurisdiction, by state, published by the National Information Center of the Executive Secretariat of the National Public Security System... (Causa en Común, 2022)

However, according to an analysis by the organization itself—based on three-year data on complaints and victims reported by the Executive Secretariat of the National Public Security System—the assignment of the members of the NG does not fully respond to this criterion.² Regarding the immigration issue, as of the writing of this paper, there have been no official reports or any follow-up by the NG or through the SSPC. According to some reports, the greatest presence of NG is both along the migratory transit routes in Mexican territory (coast, center and gulf), as well as the train lines (La Bestia) from Tabasco and Chiapas to Baja California, Sonora and Tamaulipas (FJEDD et al., 2022). For others, there is a certain coincidence between events, i. e., an increase in migrants in some regions of the Mexican territory amid a greater presence of the NG (Sánchez Nájera & Osorio, 2021).

The central roles of the NG and of the Sedena and the Navy have been explicitly corroborated, as actors in the policy of migration deterrence under the framework of the Migration and Development Plan for the northern and southern borders. In August

² For example, in terms of the number of victims of intentional homicide registered by entity, Guanajuato has remained at the forefront, as the state where the most homicides have been recorded in the last three years (2020 to 2022). However, it has less than half the members of the NG assigned to it compared to Mexico City (Causa en Común, 2022).

2019, this plan was launched. As of January 2023 (when this article was composed), there was still no official document in which its objectives and goals were explained. In the presidential reports, Sedena is charged with overseeing and implementing the Migration Plan (Gobierno de México. Presidencia de la República, 2022). On the one hand, the objective of this plan is to strengthen the protection of the human rights of migrants through actions that prevent and combat the crimes that affect them. Textually, the plan has “the purpose of reducing the commission of crimes related to human trafficking, smuggling of goods and drug trafficking activities” (Gobierno de México. Presidencia de la República, 2021). However, Sedena is charged with implementing it “to support the immigrant in containing the irregular migratory flow” (Gobierno de México. Presidencia de la República, 2022). As stated by Crescencio Sandoval, on August 27, 2019,

on the southern border of our country, a series of operational activities have been developed with different forces where there are personnel from the Secretary of the Navy, Army personnel, and National Guard personnel with support from the Air Force.

He also added “all these activities have different objectives, the main one: to stop all migration, which is one of the plans that we have” (EFE, 2021).

The militarization of immigration is crucial not only because the Department is in charge of executing the Plan for the detention of migrants but also because the number of members of these military corps, together with the NG and Semar, deployed for this purpose is second only to those for public security and disaster response (see Table 2).

Table 2. Number of members of the armed forces deployed per task

Task	Members
National public security strategy	81 541
Disaster response and recovery phase	29 404
Migration and development plan on the northern and southern border	28 463
Security at strategic facilities	8 227
Surveillance of the territory and national airspace	4 300
Strategy for the strengthening of customs	2 326
Fight the <i>huachicol</i>	2 309

Source: own elaboration with data reported in the Federal Government Security Report (sspc, 2022)

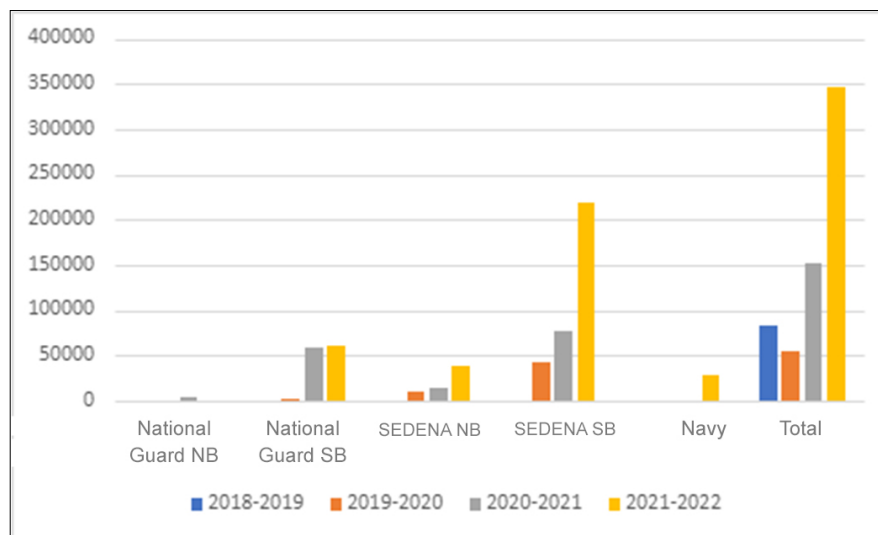
To implement the Migration Plan, the federal government has deployed a total of 28 463 members, 14 663 from the army and 13 828 NG members (Gobierno de México. Presidencia de la República, 2022). According to the *Security Report* published by the Ministry of Security and Citizen Protection, the plan has been effective; from 2019 to February 2022, it enabled the rescue of 763 639 migrants.

The government reports of the Presidency of the Republic account for the participation of different military bodies (Sedena, Navy and NG) in the policy of migration

deterrence on both the northern and southern borders as well as throughout the national territory. As its name indicates, the Plan covers the northern border states (Baja California, Chihuahua, Coahuila, Durango, Nuevo León, San Luis Potosí, Sinaloa, Sonora and northern Veracruz). The southern border states considered in the Plan comprise Chiapas, Tabasco, Veracruz, Oaxaca, Campeche and Quintana Roo, as well as states where the railway routes and migratory stations are located, such as Yucatán, Hidalgo, Estado de México, Puebla and Tlaxcala. The foregoing exemplify the coercive deterrence, because it is not only at the border points but also throughout the territory where these rescues occur.

The participation of the members of each of these actors in the so-called rescue of migrants has varied (Figure 2). There has been a greater number of members of Sedena than of the NG on both borders since the former was assigned the oversight of the Plan. The NG has had a greater presence on the southern border than the north. According to the fourth government report, Sedena supported the INM via the Migration Plan through the deployment of 14 013 members on both borders (6 594 on the southern border and 7 419 on the northern border). They registered rescues of 218 402 on the southern border and 37 923 on the northern border. The participation of Semar in the humanitarian rescue of 28 668 migrants of different nationalities and the takeover of the Mexico City airport is also mentioned. Finally, the participation of the National Guard is mentioned, entailing 4 152 members on the northern border and 5 293 on the southern border, rescuing 60 861 migrants across different operations, including, for example, 8 192 migrant persons during the reviews carried out by the National Guard in the 58 international airports where it has a presence (Gobierno de México. Presidencia de la República, 2022).

Figure 2. Rescue of migrants by institution under the framework of the Northern and Southern Border Migration and Development Plan (2018-2022)



Note: The data for 2018-2019 were published by the National Institute of Migration. Notably, the reports of NG operations begin in June 2019

Source: own elaboration with government reports 1, 2, 3 and 4

Conclusions

In the 21st century, transit states have begun to design and implement policies for the containment and deterrence of undocumented migrants characterized by increased surveillance and the deployment of personnel and centers for the detention of undocumented persons and their families. Mexico is no exception. This article has clearly explained how in the government of Andrés Manuel López Obrador (2018-2024), although there has been continuity with the previous six-year terms with respect to the objectives of the migration deterrence policy, a primary change has been the shifting role of the armed forces in the conduct of this policy. Through an analytical framework of management and public policy, a growing militarization has been detected in the implementation of migration policy on undocumented migration.

Militarization in the focal deterrence policy has been observed in at least three of the four parameters the analysis was based on. The first of these is that there was indeed an appointment of active or retired military personnel in civil institutions such as the INM. Likewise, civil institutions, such as the NG, playing a role in migration, began, *de facto*, to operate with military practices under the mandate of the Sedena itself. Notably, the importance of the immigration issue in the activities carried out by the AF in relation to other functions can be described as follows: only after security and in the fight against the *huachicol* were the largest members deployed. A distinctive feature, and why can we speak of a policy of migration deterrence, is that the actions of the AF have not only taken place on the southern border but also on the border between Mexico and the United States, as well as in various checkpoints throughout the national territory.

The third aspect exemplifying militarization concerns the transfer of civilian activities, functions and powers to the armed forces. On the one hand, the NG, a *de facto* military body, by law, has assumed the functions previously performed by the federal police in assisting with migration tasks such as immigration inspections. However, the functions of this institution have been extended to the surveillance of immigration stations and border points and even to detain those who are in an irregular situation. On the other hand, the executive has explicitly delegated to the AF the oversight of the North and South Border Plan, whose main objective is the detention and deportation of undocumented people. Initially, the AFS were at the forefront, but they have worked together with the INM and members of the NG and the Secretariat of the Navy, revealing the strong component of military command in border deterrence. According to the information available at present, the AF have exerted strong leadership in the implementation of the migration deterrence policy. However, no members have corroborated that it is the military who designs this policy and that determines how the Mexican executive should conduct it, as militarism would suggest. Regarding the transfer of resources assigned to civilian institutions to the AF, the last parameter exhibiting militarization, it was not possible to obtain supporting information as of January 2023.

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