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MEXICO AND THE UNITED STATES: STRENGTHENING THE RELATIONSHIP

PREFACE

Richard E. Friedman and John Norton Moore***

Mexico and the United States share the world's longest border between a developed and developing nation. There is increasing realization in the United States that the economic well-being and political stability of Mexico are important issues relating to the economic well-being and national security of the United States. Although a comprehensive negative political realignment of Mexico is unlikely, were such a shift to occur it could alter the global strategic balance. Short of such a catastrophic political realignment, Mexico and the United States also share a range of increasingly important interdependencies. These include growing resource, trade and financial relations, drug and weapons trafficking problems, immigration and refugee concerns, and hemispheric security. The severe economic dislocations in the aftermath of the two oil crises of the seventies, Mexico's still unresolved debt crisis, heightened

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Although the committee is gratified by the diversity of views presented, it must note that the views expressed are those of the authors, and do not reflect those of the Standing Committee on Law and National Security of the American Bar Association.

American awareness of the drug problem, and the war in Central America increasingly have drawn attention to the importance of U.S.-Mexico relations.

In recognition of the expanding importance of U.S.-Mexico relations for U.S. national security, and with the hope of stimulating broad discussion of the issues in both countries, the Standing Committee on Law and National Security of the American Bar Association, in cooperation with California Western School of Law, sponsored a workshop entitled "Mexico and the United States: Strengthening the Relationship." This workshop was held at California Western in San Diego on February 6 and 7, 1987. The conference included a blue-ribbon roster of participants from both Mexico and the United States. It was one of the most important national conferences on strengthening United States-Mexico relations held in recent years. The proceedings of the conference are being published in this issue of the *California Western International Law Journal* in the interest of sharing the deliberations with a broader audience.

This Conference is one in a series of National Security Workshops sponsored by the Standing Committee on Law and National Security of the American Bar Association. The Standing Committee traces its lineage to the leadership of Justice Louis Powell of the United States Supreme Court who recognized the importance of the American Bar Association taking the lead in education on national security affairs. The Committee currently focuses on scholarly research and broad national education on the interrelationship between law and national security. It is non-partisan and does not take positions on issues independent of the American Bar Association.

It is impossible to do justice to the important papers in these proceedings in a short preface. However, a number of themes stand out and deserve particular attention.

First, with respect to the general relationship between Mexico and the United States, it was pointed out that both nations should transcend the exaggerated sensitivities that discourage open and candid discussion of the relationship. We should discuss Mexican policy as fully and candidly as Americans debate European and NATO policy. Friendship, above all, invokes a duty of candor and concern as well as a genuine motivation to strengthen the relationship. Less than complete candor and concern is a form of patronizing that is out of place in the relationship. Similarly, one of the

senior statesmen at the conference, Professor Guillermo Floris Margadant S., (the former Associate Dean of the Faculty of Law, UNAM, Mexico City), urged that traumas from the past should be set aside in relations between the two countries. Both nations are inextricably bound together and must work together to actively strengthen their relationship. Traumas from the past are no more an appropriate basis for current policy than the American Revolutionary War or Pearl Harbor would be bases for current American policy in relations with England and Japan.

Second, the Conference reflected concern from both American and Mexican participants about the current economic crises in Mexico. There was general support for debt-equity swaps and Maquiladora operations, as well as an important new proposal by Ambassador Abelardo L. Valdez for a free-trade and co-production zone. Many participants, however, supported the view that lasting economic improvement requires a revitalized private sector to promote more rapid economic growth. As one participant pointed out, the underground Mexican economy may already account for as much as 40% of the Gross National Product (GNP). The suggestion that official figures may understate economic performance, is good news. But the suggestion that governmental policies in the past may have severely hampered the private sector is bad news. A lasting solution to the debt crises, the provision of employment for the expected large increase in the work force, enhanced foreign investment, and possibly even political stability itself may depend on revitalizing the private sector.

Third, it was pointed out that the United States' and Mexico's shared interests, as reflected in our common participation in the Organization of American States (OAS), were addressed. This organization protects democratic freedom in this hemisphere from aggressive political and military strategies directed at forcibly overthrowing governments and denying self-determination. The Cuban-Nicaraguan secret war against Central and Latin American states is a severe security threat for both countries. While both Mexico and the United States have had substantially different foreign policies dealing with this threat, it is imperative we both work more effectively to meet the common danger. Being two of the most important states within the OAS system, enhanced coordination could have a major effect within the region. Ultimately, Mexico's and the United States' most important shared national interests include, common security interests in hemispheric stability, self-determina-

tion, and democratic freedom as guaranteed by the OAS Charter. In order to accomplish these goals, both nations must exert substantially greater efforts at coordinating security and foreign policies.

Fourth, with respect to problems of the unauthorized flow of immigration, drugs, and weapons there was substantial consensus that effective solutions need to be joint solutions. It was also stressed that a strengthened Mexican economy would help to decrease the problems of illegal immigration and drug trafficking. Both American and Mexican participants stressed that both sides had moved beyond past rhetoric and now understand that the illegal drug problem is a joint problem.

Finally, under the leadership of Professor Jorge A. Vargas of the Mexico-U.S. Law Institute, there was an extremely sensitive and important discussion of "political change and stability in Mexico." There was candid discussion about serious issues of corruption and the need for the PRI to bring back the disaffected middle class and private sector. Additionally, conference members recognized the unique institutions of the Mexican political system and historic strengths of the PRI. Serious political instability cannot be ruled out in Mexico, particularly if economic conditions worsen. But it seems far more likely that these unique Mexican institutions can adapt, through gradual change, as they have successfully adapted in the past.

We hope that these proceedings will receive national attention in both Mexico and the United States. Most important, we hope that they will serve as a catalyst for major new efforts by both nations to strengthen their relationship.