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Lost Opportunity: The Lydia Cacho Case and Child Rights in Mexico

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Abstract

This paper provides a close analysis of a scandal that broke in Mexico following publication of a book that accused businessmen and politicians of involvement in child trafficking and paedophilia. The book's author, Lydia Cacho, was abducted, imprisoned, threatened with violence and charged with defamation. As further evidence of complicity in the protection of paedophile rings surfaced, a firestorm of public anger and media scrutiny focussed on the plight of Cacho and key political figures including a state governor. A rare political space was thus opened for a debate on child rights. Yet it was a space that CSOs and child rights networks failed to exploit. This paper examines how child rights discourse had limited salience in circumstances where CSOs were compromised, uncommitted and disunited. Developing the concept of a 'rights effect', we argue that advocacy for child rights must not assume a natural fellowship with discourses of human rights generally, or with women's rights, press freedoms and rule of law.

Keywords

civil society – human rights – journalism – Mexico – paedophilia – sex trafficking

Introduction¹

Recent years have witnessed considerable and sometimes heated debate about the capacity for human rights law and agreements to affect practices on the ground. There is widespread acceptance of the view that the power of rights does not reside in an unproblematic legal positivism. How rights translate into permanent, predictable systems that deliver ‘ordinary justice’, however, is not at all clear. One argument is that rights are not a fixed concept, but instead generate numerous contestable discourses that in turn may engender new social and political practices (Goodale & Merry, eds., 2007). Accordingly, changes emerge from processes in which international norms empower actors whose connections with domestic activists provide them with legitimacy and language to challenge practices locally (Merry 2005; Sikkink 2005). In what Keck and Sikkink (1998) describe as a ‘boomerang’ model, an iterative process is established whereby local actors ‘from below’ and transnational agents ‘above’ support each other to apply pressure that obliges obdurate governments to engage with the discourse of rights and shift towards higher levels of compliance. There is no suggestion that this process is straightforward. Nevertheless, it relies implicitly on the notion that an epistemic community that is comfortable with notions of rights, and is willing to defend and promote rights, exists locally. It further rests on the assumption that good arguments can be communicated between local and global spheres, and can thereby gain ‘traction’ with mainstream political society.

Another body of literature has questioned the normative assumptions of a universal rights approach. The authors argue that rights advocacy pays insufficient attention to the asymmetric production of knowledge and of power, and to the lack of critical analysis regarding the extent to which rights may extend social and economic exploitation and political suppression (Douzinas 2007). In such circumstances rights advocacy may privilege a self-selected cadre of academics, civil society organisation (CSO) administrators, and international agency representatives who are often eloquent in their articulation of the language of rights but are often disinclined to engage in the public frays of political debate (Steiner et al 2007). Hence, while it is argued that ‘social movement activists and NGO directors and staff are quintessential vernacularizers’ (Levitt and Merry, 2009: 449) who translate ideas to proximate local meanings and thereby influence local policies and actions, the contemporary politics of rights can be thought of as non-antagonistic. Yet, as Stammers (1999)

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points out, the socio-historical development of human rights has often been confrontational and constructed, in the first instance, through involvement of social movements that challenged structures and relations of power. This challenge included expressive dimensions, exploring alternative values and norms, and supporting identities of vulnerable groups, which often took understandings of rights beyond the limits of law. As Levitt and Merry do note, movements' abilities to 'produce outrage' to further claims outside the parameters of law may shame governments to observe existing commitments (2009: 459-60).

This paper presents a case that exemplifies how a discourse of child rights in Mexico struggled to enter the public sphere in the wake of a scandal that generated considerable outrage and questions related to the seemingly cosy relationship between state officials and those indulging in and profiting from child exploitation. The study reveals the limits of what we call a 'rights effect': namely, the propensity for rights to exist as an autonomous social structure capable of providing a framework to people's lives. Specifically, we explore how the 'rights effect' of child rights was momentarily powerful and pervasive in civil society but ultimately possessed less power in relation to other human rights discourses and norms. The weak effect of child rights discourse in a charged political atmosphere highlighted a schism among domestic CSOs, many of which were motivated by a moral framework emphasising charitable notions of care and 'love' rather than on rights as fundamental core precepts with legal and political backing. The child rights CSOs lacked 'common interests', even around basic principles, and the practice of reciprocity that is essential to motivate action and effect change (Fox 2004). Those CSOs that did work within a child rights framework had little experience in taking arguments into the public sphere and were reluctant to be confrontational in the face of significant intimidation. Unlike other instances where CSOs in Mexico have garnered support from international organisations, even forming transactional activist networks and coalitions, there was no such proactive support around child rights.² Consequently, the potential to convert popular outrage on the streets into a 'child rights movement' was lost. Instead, outrage generated compelling and competing discourses of gender rights, press freedom and representative politics that became the frames through which the scandal was understood.

Child sexual abuse and the politics of child rights in Mexico

² Mexican CSOs have made significant efforts to develop transnational networks around environmental agendas, indigenous, labour, women's rights, and democracy. Even in these cases, however, the practice of network building has proven to be less consensual, the outcomes of advocacy and activism more uneven and inimical to progressive politics than widely claimed (Fox 2004; Hertel 2006).

Since 2005 we have conducted research in the Mexican city of Puebla on the identities and social practices of young people who work and sometimes live on the streets, and whose lives have involved numerous encounters with CSOs and state institutions (see Herrera et al., 2009). On the last day of a fieldwork visit in 2007, one of us was waiting at the bus terminal to go to the airport. Among a collection of free newspapers sat a pile of pamphlets. Under the heading, '*Abre los Ojos*' (Open your Eyes), one pamphlet showed a youngish woman wearing a gag over which was printed '*Pero no cierres la boca*' (colloquially, 'But don't keep quiet'). The pamphlet's bottom line explained that child prostitution and pornography were crimes and provided a confidential phone number to call. This information sat just above the logos of eight national and international organisations ranging from the Mexican Attorney General's office, through UNICEF and ILO-IPEC, to the National Institute for Women. Inside, the text began with a vignette about a girl whose boyfriend was physically abusive, had sold her into prostitution, and as a boast of his impunity had threatened that he would kill her family if she told the authorities. A résumé outlined four types of sexual exploitation, including trafficking, and was followed by a line on the 'physical, psychological, spiritual, moral and social' consequences for children caught up in prostitution and pornography. The pamphlet lamented that while many travellers to Mexico came for the beautiful beaches, or for business or cultural tourism, others visited to take advantage of sexual opportunities with children. It warned that sex tourism was a growing problem that affected thousands of young people each year and was 'destroying the best that Mexico has to offer'. The leaflet ended by repeating its lead phrase of '*Abre los Ojos pero no cierres la boca*'.

The pamphlet's discursive shift between child prostitution as illegal under any circumstances and the need to scrutinise tourists in particular, with the subtext of protecting the image and economy of the nation, was troubling. So too was the absence from the pamphlet of any mention of child rights, despite Mexico having been an enthusiastic co-convenor of the UN World Summit for Children in 1990 and an early signatory of the UN Convention on the Rights of the Child (CRC) the same year. Article 34 of the CRC obliges states to protect children from sexual exploitation, a principle extended in 2002 with the CRC's Optional Protocol on the sale of children, prostitution and pornography, and the 2003 Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (UNICEF 2009). The 'Open your Eyes' pamphlet, part of a wider campaign originally launched in 2002, made no attempt to project the discourse of rights into the public sphere even if it did promise that awareness and vigilance should be enacted upon for the benefit of children. The pamphlet suggested that international agencies and the State were keen to engage with civil society, entrusting people to be vigilant with regard to child sexual abuse and speak out against it.

Sitting in Puebla, however, this practical approach seemed even more deceitful than the silence on rights. Over the previous two years we had witnessed a sequence of events that had drawn public attention to sex tourism, pornography, and child prostitution and trafficking involving Mexicans and foreigners, with the complicity of individual politicians and the machinery of the State itself. These events were sparked by the 2005 publication of a book by Lydia Cacho, a well known Mexican journalist and human rights activist. Entitled *Los Demonios del Edén* (The Demons of Eden), her book was a damning indictment of paedophilia and child prostitution in Cancún and the systematic trail of sex trafficking to the USA. As recounted by Cacho, child prostitution was being condoned and protected by politicians and officials at local and national levels, some of whom she claimed were involved directly in both sexual relations with minors and in business operations that included child prostitution and trafficking.

In themselves, Lydia Cacho's claims were not startling or new. Mexico's beach resorts and border cities were known to be sites of organised child prostitution. In 2000 the Government had admitted to some 16,000 child sex workers nationally, although other sources put the figure as high as 60,000, and by 2005 Mexico was recognised as the second largest producer of child pornography in the world (Azaola 2000, Casa Alianza & ECPAT 2002). The US Department of State likewise identified Mexico as a significant country of origin, transit and destination of trafficked children from Central America and Eastern Europe (US State Department of State 2008; see also Ugarte et al 2003).³ Exposés had also linked child welfare organisations and the Catholic Church with sexual abuse (Martínez 2006).⁴ Working in Puebla, the presence of trafficking gangs 'hiding in plain sight' in the town of Tenancingo, just a few miles over the border in the state of Tlaxcala, was common knowledge.⁵ Raids on 'sex hotels' and detention of small-time traffickers, sometimes with references made to the pimping (*lenocinios*) of children, were reported in newspapers and radio broadcasts, and occasionally on television (Bastida Aguilar 2012).

Prior to the publication of Cacho's *Los Demonios* in 2005, the Mexican government could claim to have made strident efforts to reform its legal and institutional structures in accordance with the

³ Mexico's position as a country of origin and transit for trafficking had been highlighted by, among others, the activist and lawyer, Teresa Ulloa, who directs the Coalition against Trafficking in Women, and has taken cases to court and lobbied for changes to the law on issues such as sexual violence, including rape and pornography.

⁴ In an observation that foreshadows the events of our case study, the high level of publicity and outrage over femicides at the border has omitted mention that perhaps one-third of those murdered are under the age of 18 (Harrington 2010: 166).

⁵ See <http://womensenews.org/story/global-connect-gender-justice-writing-project/120202/lives-cut-short-trafficking-mexico-new?page=0,1>.

precepts of the CRC. Although international agreements automatically become federal law following their ratification, the Mexican government made a particularly public display in 2000 of passing the Law for the Protection of the Rights of Children and Adolescents (*Ley de Protección de los Derechos de Niñas, Niños y Adolescentes*). In line with the CRC, the law required that children be protected from acts that might damage their physical and mental health, and made specific mention of the right to protection from sexual exploitation, kidnapping and trafficking, and illicit drug use. Interestingly as well, the law had been advocated by a range of national CSOs, many with links to international networks.⁶ Soon after its passage, however, support for the new law from the administration of President Vicente Fox (2000-06) was ambivalent. Although Fox had argued during his campaign for strengthening the rule of law and the promotion of human rights, with regard to child rights he emphasised a welfare stance to rescue vulnerable children from ‘delinquency’ rather than enabling their access to human rights.⁷

The Fox administration also showed little enthusiasm for partnerships with CSOs. Not long after the launch of his flagship programme for street children, called ‘*De la Calle a la Vida*’ (From the Street to Life), his government unilaterally dissolved the programme’s joint government-CSO planning committee and relocated planning within the national Welfare Agency (SNDIF). Soon afterwards the entire programme was quietly terminated and the government reverted to a localized and fragmented social welfare approach to street children, under which provincial Welfare Agency departments designed and implemented their own programmes (Thomas de Benítez, 2008).

At national level, by contrast, President Fox, towards the end of his term, endorsed a broader child rights-based approach to social policy-making by announcing the goal of raising the ‘Index of Mexican Children’s Rights’, a UNICEF-produced measure of availability and quality of basic services in health, education and nutrition for 0-5 year olds. In 2003 the Index had been 5.71 (of a possible ten), already a significant improvement on the 4.68 scored in 1998, but Fox proposed a target of 7.45 by 2010 (Este País, March 2006).⁸ Although Fox’s ambition was commendable, the UNICEF Index offered a narrow and rather rosy picture of child rights in Mexico.

⁶ These included ECPAT-Mexico, Quiera, EDNICA, and members of the *Red por los Derechos de la Infancia* (The Child Rights Network, REDIM).

⁷ Having produced a National Human Rights Programme in 2003, strengthened offices of the Attorney General, and appointed people with human rights activist experience to government positions, the Fox administration lacked a working majority in Congress and consequently the momentum to mainstream human rights through the Constitution was side-lined (Anaya Munoz 2009).

⁸ A follow-on exercise in 2006 – this time for children aged 6 to 11 years, again using 2003 data – recorded an improvement nationally (5.06 to 6.53) with the lowest scoring states in 1998 showing the greatest improvements.

Other indicators revealed a darker story. For example, the 2006 National Report on Violence and Health revealed alarming levels of violence towards children and youth in Mexico, including recognition that in 2005 murder represented the second most common cause of death for 15 to 19 year olds (Secretaría de Salud 2006). Data for gender related violence were also troubling: 56 per cent of young women between 15 and 19 years of age who lived with a partner had suffered at least one violent incident in the previous 12 months. The National Report also indicated a high level of child abuse, with 28 per cent of 6-to-9 year olds in a survey reporting violent treatment by a family member, and 32 per cent claiming experience of violence at school. All these data were recognised in the 2006 National Report as serious underestimates.

The approach to child trafficking under the Fox administration was also ambivalent. As host to the 110th Assembly of the Inter-Parliamentary Union in April 2004, Mexico endorsed a debate between Heads of State and parliamentary leaders to focus on coordinated action in order to combat the commercial sexual exploitation of children. The administration could also claim some progress with 12 cases against trafficking organisations with the courts and to have rescued 2,474 children in 2004 alone. The federal Penal Code offered a strong legal framework to combat child prostitution, trafficking and abuse. The Code explicitly prohibited a person from ‘conspiring, concealing or permitting the commercial sexual activity of a minor’, and imposed a jail term of up to 12 years for such offences. An individual who induced a minor into sexual acts or procured a child for sexual acts could receive a jail term of five to ten years; for an offender who was also a public official the penalty could be increased by one-third. If the child concerned was under 16 the penalty was increased by one-third and if under 12 by one-half. Importantly, the Code had been amended in 2003 to criminalise child sex tourism and pornography. Yet, attempts to reform federal laws covering rape had ended in failure.⁹ Indeed, federal reform on rape, on sexual rights (including rights to abortion), and on discriminatory practices against transsexual, gay and lesbian communities across all age groups had been slow and did not change under Fox’s drive to rebuild the moral fabric of the nation.¹⁰

On the eve of the *Demonios* scandal, therefore, even an optimistic assessment would probably consider Mexico’s record on ensuring the rights of young people as impressive in principle, but uneven in practice. Nevertheless, a variety of organisations were active in promoting the rights of

⁹ In 2005, many Mexican states still required a girl to prove that she was ‘chaste and pure’ in order to bring a prosecution for statutory rape; and in cases where the perpetrator was a family member or promised to marry the child, then sex could be considered consensual.

¹⁰ Fox’s party, the PAN, was torn between its free market neoliberal principles and its moral framework. Despite a long history of regulated prostitution, the 2000s witnessed a proliferation of ‘table dance’ clubs, escort agencies and ‘motels’ across Mexico.

children. Mexico's National Commission for Human Rights (CNDH) was gradually exerting autonomy from government, running a number of media awareness campaigns and lobbying for changes to the treatment of children in the criminal justice system. After decades of isolation, CSOs too began to develop a more concerted voice, most notably through the *Red por los Derechos de la Infancia* (REDIM), a network of 63 CSOs which lobbied for public policies and binding powers on Ministries to respect and enforce children's rights, advocating specifically on behalf of working children, street children and children involved in sexual commercial exploitation.

Advocacy efforts for all forms of human rights were also potential beneficiaries of fewer constraints on media independence than in the past. By the late 1990s, as the 71-year control of the *Partido Revolucionario Institucional* (PRI) gave way in the lead up to losing the presidency in 2000, there were indications of growing political space in the media (see Hughes 2006). Crude controls such as restrictions on availability of print ink disappeared and direct influence of editorial lines appeared to wane. Political interference, however, remained through increasing quantities of advertising space taken out by government departments and political parties, and journalists were occasionally 'warned' or even killed (Guerrero 2010).¹¹ Nevertheless, Hughes (2006) was able to identify an emergent 'civic journalism' that was more comfortable with human rights as both a theme and a language, and that was interested in 'informing' debates taking place in civil society. The 'Cacho Case' represented an important test for how the media might adopt a discourse of rights and confirm journalistic freedoms and constitutional protections afforded to citizens. For CSOs, the case offered an opportunity to project child and human rights discourses into the public sphere, to hold the state to account and question social norms. For the State, its handling of the Cacho case would be an indication of how responds when a citizen 'speaks out' when one framework to interpret that voice concerned rights.

The Cacho case

The publication of *Los Demonios del Edén* was a singular event in efforts to combat child prostitution and trafficking in Mexico. First, it was written by a journalist with activist credibility. Far from stumbling upon a newsworthy story, Lydia Cacho had long been deeply involved in the practice and advocacy of child rights protection and welfare. She had worked with children with HIV-AIDS and established a home in Cancún for female victims of violence (the Centro Integral de Atención a las Mujeres, CIAM). Her work with children and women thus lent her account an

¹¹ Prior to the publication of *Demonios*, in 2004 Mexico was among the top five countries in the world for the killing of journalists (www.cpj.org consulted 4 April 2012).

integrity that other exposés in the media lacked.¹² Second, *Los Demonios* combined the author's angry passion with a blunt narrative style, telling stories of girls and boys in Cancún in the raw, including one account of men having sex with children as young as four. The book likewise accused specific people, notably the 'demons' of the book's title, Kamel Nacif, a wealthy Puebla businessman, and Jean Succar Kuri, a hotel owner. The names and photos of the accused were associated in the book with crimes and the places where they had occurred.¹³ Crucially, *Los Demonios* presented testimonies of young people who had attempted to denounce child prostitution and government investigations which in most cases had been ignored.

Third, rather than representing paedophilia as being perpetrated by foreigners, *Los Demonios* showed it to be embedded within a wider set of relations involving networks of child procurers of children, bar owners and traffickers. These networks, the book claimed, were supported through political bargaining, preferential business concessions, and possible links to money laundering enterprises. *Los Demonios* was a sharp critique of state institutions and the official tendency to attribute 'delinquency' to the deviance of miscreant young people and dismiss sex trafficking as the work of foreigners. It revealed that accused paedophiles could avoid arrest, tipped off by the very agencies supposed to investigate them, and thereby escape to the US with little chance of extradition.¹⁴ Given the complicity of individuals and government agencies detailed in the book, Cacho refrained from a simple appeal to the state to uphold child rights and the rule of law. Similarly, although CSOs are recognised for their social assistance programmes, she avoided making the easy but untested case that they represented a credible adversaries of politicians and criminal organisations. Nor did she express much faith in fellow journalists whom she herself portrayed as complacent and sexist.¹⁵ Instead, in *Los Demonios*, Cacho concluded rhetorically by denouncing as a myth the notion of love of children (*hijo santo*) as central to national identity, questioning how people could be unaware that child abuse, paedophilia and trafficking existed on the scale that she had uncovered, and why, if people had suspected its scale, they had not acted.

¹² Cacho claimed to have become aware of social issues at the age of four or five when accompanying her mother, a psychologist and feminist, to the *ciudades perdidas* of Mexico City. She described setting up the Women's Refuge in Cancún as a response to the city's 'deep masculinity', which spurred her to interview women and host a radio show through which she discovered the extent of gender violence and the lack of adequate institutions. (Interview with Lydia Cacho 2-02-2009).

¹³ Nacif is known as the Denim King. He owns a number of 'maquila' assembly plants, has been linked to big-time gambling events and acting as a *prestanoombre* (a cover identity) for politicians wanting to make investments in real estate.

¹⁴ *Los Demonios* was written in three months. Cacho's speed in writing the book was motivated in part by fear that the extradition case against Succar Kuri would collapse. Having escaped to the USA, Succar Kuri was apprehended in Arizona and an extradition request from Mexico was eventually filed with the California court. Agencies in Mexico, however, were accused of acting slowly and providing insubstantial evidence to merit extradition. The book attempted to embarrass the authorities to take the case seriously.

¹⁵ In a short chapter in her book she recounts how a group of male journalists scoffed at the issue of child abuse.

Between its launch in April and December 2005, 2,000 copies of the book were sold. In view of these relatively low initial sales figures, the book might have merited only a few paragraphs in a historiography of sex tourism or trafficking in Mexico. Yet midway through 2006, bookstores were selling the fifth reprint of the second edition and Lydia Cacho herself was front page news. Prompting this dramatic turn of events were two related incidents. The first was the arrest of Cacho in December 2005 in Cancún by police agents from the State of Puebla who drove her 1,200 kilometres to Puebla city where she underwent a speedy arraignment and was detained in a women's prison despite the lack of a subpoena and charges for libel and defamation not usually leading to a jail term in Mexico.¹⁶ Although she was released after just one day, it was widely assumed that her arrest had been politically motivated. As accounts of the event unfolded, new details emerged. On the 12-hour journey to Puebla, Cacho had been denied medication for the effects of pneumonia for which she had been hospitalised only weeks before, denied food and drink, was assaulted physically, including sexually, and was threatened with being 'disappeared'.¹⁷ Once in prison, she received threats of rape and beatings from inmates. Her quick release on bail, which had been set at three times the standard amount, was secured due to the presence of reporters and television crews at the prison gates, organised by her partner and colleagues at CIAM and following publicised appeals from international human rights groups.¹⁸

Although the arrest had obvious drama, media attention still might have evaporated as other news competed for attention in the busy Christmas and New Year period. However, a second event propelled Cacho back to prominence. A series of tapes were publicly broadcast, the first on 14 February 2006, purporting to be recordings of earlier telephone conversations between Mario Marin Torres, the Governor of the State of Puebla, and Kamel Nacif. This first tape revealed a close relationship between the two men, as Nacif referred intriguingly to Marin as 'the hero of the film', 'papa' (Dad), and most notoriously as '*mi gober precioso*' (my darling governor), and with the Governor responding to Nacif as 'my hero'. During their conversation, Marin tells Nacif that he has dealt Cacho a 'blow to the head' that should silence her, referring to her as a 'delinquent' who

¹⁶ The charges were brought by Kamel Nacif. In 2005 the Criminal Code a conviction for defamation was permissible even when the underlying facts were untrue (*De un hecho cierto o falso*) – as long as the 'malicious communication' of such 'facts' could cause shame, or discredit, prejudice or expose someone to contempt.

¹⁷ According to Cacho, she was on the point of being 'pushed into the sea' when a call to one of the agents changed their plans. The officers were in constant mobile phone contact with others throughout the journey and had an escort vehicle of armed men who, Cacho claimed, worked for Nacif.

¹⁸ After receiving death threats, Cacho had taken the precautions of installing CCTV at CIAM and establishing a protocol with staff in case of abduction. Staff had contacted Amnesty International and informed Cacho's partner, Jorge Zepeda Patterson, also a journalist, who alerted the US Committee for the Protection of Journalists. (Interview with Lydia Cacho, 2 February 2009).

can have no impunity from the law. In gratitude for the arrest of the ‘old bitch’, Nacif promises to send the Governor a ‘bottle of cognac’, and after some jocularities, he increases the gift to ‘two bottles’. In a second tape, the men joke about how to deal with Cacho once she is in jail. Nacif assures the governor that he has made arrangements for her to be put with the ‘crazies’ and ‘lesbians’ (*locas* and *tortilleras*).¹⁹ Subsequently other tapes were made public, of phone conversations between Nacif and leading politicians, including Emilio Gamboa, leader of the PRI in the Senate who had also been named in *Los Demonios*.

Disclosure of the tapes moved the story to the front pages of the national press and gained significant radio and television coverage. At the same time, as 2006 was an election year for the presidency and Congress, the increasingly charged political atmosphere resulted in attention on Cacho’s book shifting away from her exposure of child prostitution and trafficking to the political situation of Governor Mario Marin. Public support was largely behind Cacho, with the popular press criticising the actions of the Governor, his links with wealthy businessmen, the spurious legal grounds for Cacho’s detention, and what it all meant for the rule of law and freedom of the press. Marin was lampooned in cartoons that appeared in newspapers, on posters and t-shirts – many running with the slogan ‘*mi gober precioso*’. Images frequently depicted the Governor as a monkey or a Neanderthal, or as a devil with horns.²⁰ The most direct and insistent attacks came from the newspaper *La Jornada*, in which cartoons by ‘Fisgón’ (the Snooper) appeared almost daily.²¹ One of Snooper’s sharpest cartoons showed a naked pre-pubescent Justice figure with half covered genitalia, the scales of justice falling from one hand while the other holds a wooden sword. She is blindfolded and standing in a box, a ribboned lid is to one side and a card that reads ‘For my hero, from your darling Governor’. Another newspaper cartoon showed Marin and Nacif sharing a bed, with Nacif holding a small girl clutching a teddy bear while Marin pours a glass of cognac for a blindfolded and topless Justice - her sword lying out of reach on the bed clothes. Suggestively, Nacif’s hairy arm is shown lying around Marin’s shoulders. The speech bubble from Marin’s mouth reads ‘These are just little rumours...in the PRI we do a lot of things - but we do them a lot worse’.

These disclosures, as well as the critical editorials and satirical attacks, provoked national outrage, especially in Puebla. In 2006, the city was alive with debate. People of all ages and from all backgrounds wore t-shirts proclaiming their support for Cacho and condemning Mario Marin for

¹⁹ Nacif’s influence over the prison struck many listeners as odd until reports revealed that he ran a number of clothing workshops inside Puebla’s prison system using inmate labour.

²⁰ This anthropomorphic imagery, often combined with Marin’s slick hairstyle, short stature and darkened skin, suggested a problematic ethnic content.

²¹ *La Jornada* is a respected national newspaper known for its critical stance towards government and restrictions on press freedom.

abuse, impunity and corruption. Cars and taxis sported bumper stickers urging the Governor to resign, and buses and trucks even used their sound systems to blare out the famous tape recordings. A number of songs and short videos appeared, some distributed through blogs and social network sites. On one day a popular march and mass demonstration, with speeches attacking the Governor and Nacif, brought the city centre to a halt. On another day the pavement outside the Governor's Palace was bedecked with hundreds of empty bottles (colloquially *cadavares*, dead bodies) in reference to the 'cognacs' mentioned in the tape. For weeks, conversations on buses, markets and street corners focused on questions concerning the possibility of coded messages in the tapes. Why was Marin called 'papa' by Nacif, a term also used between Nacif and Gamboa? What was meant by the 'two bottles of cognac'? Did they signal rewards for the Governor's deployment of the police, the State Attorney General, and members of the judicial and correctional systems, all of whom were widely perceived to be in collusion with Marin and Nacif? Were the 'bottles' actually two women, or possibly even two young girls?²²

The outrage was all the more remarkable as Puebla is not normally a site that invites militant critiques by political commentators. A relatively solid supporter of the long-ruling PRI, both Puebla state and city were more usually associated with right wing politics and the conservative Catholic church, and with the prominence of associations such as the Legionnaires of Christ and Opus Dei in civic and political life.²³ Labour activism which had peaked in the late 1960s and early 1970s in conjunction with student groups, had long since been undermined through intimidation and co-optation (Healey 2008; Pansters 1998). Neither was Puebla a hospitable site for social movements. The largest movement from the mid 1980s was the *UPVA 28 de Octubre*, a Mao-ist influenced organisation that brought together street and market traders, displaced communities and some urban 'colonias'. But after numerous confrontations with the state through the 1990s, including the imprisonment of its original leader, '28's' influence had waned considerably. Indeed, at the time of our fieldwork, the *28 de Octubre's* powerbase had retrenched to a couple of the city's markets, and its occasional demonstrations in the city centre were poorly supported and mostly ended without incident. During an interview with us, the new leadership of 28 expressed an interest in becoming more akin to a CSO, with a focus on the delivery of child welfare services for its members. Yet despite these indicators of a restrained and conservative political environment in Pueblo, the rapidly increasing notoriety of the Cacho case nonetheless generated a substantial public stir directed against high ranking political and business elites.

²² Marin said that he would drink the bottle using the verb *echar* (to take) which can also mean 'to do'.

²³ Until 2011, the State always returned a PRI governor and, until 1996, a PRI city mayor, although the post was regained by the PRI in 1999 – by none other than Mario Marin.

Heated politics and the invisibility of children

In everyday conversations the outrage fostered by the ‘Cacho case’ was framed in moralistic terms and related the sexual abuse of children directly to the corruption of Mexico’s political class. This position was captured by newspaper cartoons. Curiously, however, while print, radio and television coverage on the key actors of the Cacho case was extensive, media attention towards the issue of child abuse was far more perfunctory. Despite Cacho’s blistering exposé of child sexual abuse, following release of the tape recordings, the media presented the ‘Cacho case’ as a conflict involving a short, dark skinned man (Marin), a network of businessmen of Lebanese origin (Nacif, Succar Kuri and others), and Lydia Cacho herself, an educated white woman. Child abuse was generally referred to only as context, the true scandal was the constraint on individual and press freedoms, abuse of power, and the weak rule of law. At a press conference on 16 February 2006, Mario Marin stated that the taped evidence ‘*me hace lo que el viento a Juárez*’, literally ‘has the same effect as the wind on Juárez’ (colloquially, ‘it has no effect on me’).²⁴ The quote was picked up in *La Jornada*’s headline the following day, followed by a full-page report on Marin labelling Cacho a ‘delinquent’ and saying that she should be subjected to a polygraph test. Marin went on to explain that the recordings were a conspiracy, pointing out that if the Mayor of Mexico City (from the opposition PRD) could violate an injunction but avoid jail and removal from office, then he too should not be subjected to such ‘washerwoman gossip’. Another article outlined the legal grounds for the removal of a Governor from office and quoted a PRI Senator as saying that a Commission had not ruled out taking action. A further article reported that Kamel Nacif had previously been charged with tax evasion and was linked to a series of illegal land deals in 1992 involving a former Puebla State Governor (see Jones 1998). Puebla’s *cognoscenti* were aware that the government official responsible for brokering a political solution to the land-deal scandal was Mario Marin, then Puebla’s Interior Minister.

La Jornada also reported an announcement by left-wing PRD presidential candidate Manuel Lopez Obrador demanding that President Fox order the Cacho case to be heard by the Supreme Court, citing Article 97 of the Mexican Constitution. A cartoon on the same page showed the PRI’s presidential candidate, Roberto Madrazo, feigning incredulity at the scandal, with the figures of Marin and Nacif behind him, and a speech bubble reading ‘Mi Gober PRicioso’, a suggestion that the party was closing ranks to protect one of its own. Nevertheless, on 19 February 2006, Roberto Madrazo added his voice to calls for the Cacho case to be brought before the Supreme Court. The

²⁴ Five-time president between 1856 and 1872, Benito Juárez was Mexico’s only indigenous head of state, a liberal reformer and victor over the French. In an emblematic painting he is shown with hair and features unmoved while a breeze forces the national flag to wave briskly.

PAN also framed the debate as one of an abuse of political powers. A PAN Senator urged Puebla State Congress to start proceedings to indict Marin, and the Legal Coordination Committee of the Federal Congress, urged on by members of PRD and PAN, undertook a criminal investigation against Marin and his State Attorney General, Laura Villegas. But, such was the extent of the political furore that the Committee's report barely raised the issue of child abuse. Not until page 16 were children mentioned, and then only to report a statement from Mario Marin in response to a question as to whether he knew Nacif:

Nobody can be my friend who works against the law or who expresses himself in this way or someone who is suspected of crimes against children.

Again, the attitude to child abuse serves as a symbol in a debate concerned with the integrity of political actors. Marin's statement was clearly intended to reinforce the Governor's moral position as a protector of children.

Direct reference to politicians' complicity in child abuse even as a political weapon during debates, however, was rare. On 22 February, newspapers recorded one of the most dramatic events of the saga: a shouting match between two PRI deputies, Pedro Avila Nevares and Emilio Chauyffet, the latter the party's leader of Congress and an erstwhile Interior Minister. Avila Nevares denounced Chauyffet (*el señor ese* – 'that man') and the party for supporting Mario Marin, arguing that an open and honest party would deplore his alleged crimes against children. Nevares added, 'The old fox must fall because a degenerate cannot be Governor' (*'caiga ese sátrapa del poder porque no puede un degenerado estar gobernador'*). On the streets, accusations were more direct. Cries and placards at a march of about 40,000 people through Puebla in support of Lydia Cacho directly accused politicians, and especially Governor Marin, of aiding child abusers. Yet, within two days, the state's Minister of the Interior told the media that Governor Marin had been elected in 2004 by more people than attended the march against him, and that the public demonstrations were being coordinated by opposition groups mainly as a way to destabilise the State.

Throughout 2006, newspaper, radio and television coverage of the Cacho case remained intense. In just the first two weeks of March, newspapers reported that the Attorney General's office was claiming there was no criminal case to answer; that the government's internal security service may have been involved in taping the Governor's phone; that the Puebla mayor and governor had fallen out; that Marin himself had launched an investigation into paedophilia in the State; that local entrepreneurs were threatening a shutdown if the Governor did not resign; that Lydia Cacho was filing a suit against Marín in the Federal Courts; that Marin risked being removed from the

Governor's office; and that in turn he was fighting to retain his grip on power by vilifying his opponents.²⁵

As these accounts played out, deepening the political intrigue, competing representations of Cacho, Marin and Nacif shifted in subtle ways. Lydia Cacho, for example, attempted to destabilise opponents' stereotypical representations of her as a radical feminist. As she noted:

...on top of that I was a woman. But I wasn't a fat, moustached, ugly looking feminist, which was even worse for many men especially.

At a defence hearing to respond to charges brought against her by Kamel Nacif, Cacho wore a t-shirt emblazoned with the slogan, 'No to paedophiles, no to corruption, no to impunity.' On other occasions she wore t-shirts demonstrating solidarity with the campaign against female infanticide in Ciudad Juárez. Although in private she was emotionally drained and at times frightened (personal interview, 2009), in public Cacho projected an image of a confident, articulate person, comfortable with her sexuality, challenging the conventional representation of women in Mexico as essentially 'mothers'. In contrast, Marin, Succar Kuri and others were represented as having contravened the male 'father' norm (*papá*), a suggestion extended through the cartoon implications of homosexuality. Throughout this affair feminist and gender rights advocacy groups were visible, vocal and proactive in condemning Marin, putting pressure on the courts, and linking Cacho's treatment to an abuse of national and international rights regimes.²⁶ Moreover, although conservative sectors of Mexico were uncomfortable with the image of Cacho as a feminist and gender rights activist, they could at least offer moral support for her stance regarding the protection of children and the denunciation of abuse of powers.²⁷

In striking contrast, however, despite *Los Demonios* offering an opportunity to draw public attention to the issue of child rights and to critique the government's failure to enforce laws against the abuse of children, child rights organisations were largely absent from demonstrations, reports in newspaper columns, and television and radio commentaries pertaining to the Cacho case. Lydia

²⁵ The governor was seen less and less in the city from mid-2006, spending much of his time, accompanied by his wife, inaugurating large public works, especially those associated with welfare, women and families in his principal constituency of rural Puebla. On a number of occasions Marin played the 'ethnicity' card, claiming that the attack on him was due to his indigenous identity.

²⁶ Human rights groups had lobbied Mario Marin (assuming him to be uninvolved at the time) when Cacho was first arrested to ensure that she arrived in Puebla alive and unharmed. Organisations involved in press freedom, and in women's and LGBT rights, continued their support for Cacho. Later on Cacho was presented with awards by organisations such as Amnesty International, PEN International, UNESCO, the Olaf Palme Foundation, and the International Women's Media Foundation.

²⁷ Representational politics took some strange turns. In court, Nacif accused Cacho of being like the 'Virgin of Guadalupe' and a witch, confusing many people who were uncertain if Cacho was meant to be 'pure' and a 'protector'.

Cacho herself was frustrated by this lack of attention to children's rights and to the systematic abuse of these rights. Writing in *La Jornada* newspaper on 9 March 2006, Cacho stated the following:

I have given 184 interviews to national and international media; I have paid 300,000 pesos to lawyers and in bonds. 40,000 people marched in solidarity in Puebla against impunity and to request justice. I have received over 500 emails, and have sold more than 30,000 copies of my book *Los Demonios del Eden*. I have been offered opportunities to be a candidate for federal deputy, senator, queen of the carnival, woman of the year... keynote addresses and political asylum in three countries...I have had five bodyguards imposed on me. [But] behind this story, or rather in front of it, are the almost 200 Mexican children that in silence lose the dream of making known the history of abuse, exploitation and terror in Cancún that has become a scandal and national game (*cotorreo*).

Cacho recognised that her profile and international networks made it harder for opponents to attack or possibly kill her.²⁸ Yet organisations with much less at stake personally seemed unprepared or unwilling to join her in publicly championing the issue of children's rights, and simultaneously denouncing the violations of these rights.

So why did child rights not become a central focus of public discourse surrounding the Cacho case? What does this absence tell us about the extent to which international rights discourse has been embraced by civil society in Mexico? Drawing on a series of interviews with civil society actors in Puebla and Mexico, and starting with the views of Lydia Cacho herself, these questions are addressed in the next section.

Where did the children go?

Media content pertaining to the Cacho case remained virtually devoid of analysis about the plight of children or trafficking. During an interview we conducted with Lydia Cacho, she discussed her unease at how quickly children were dropped from debates:

'.. the first thing I said [in interviews] was that these children are in danger ... Somebody wants to kill them. They want to have a new life, they need help, they need psychologists And what the media printed was that I was very brave, that I was good looking, and that Mario Marín and I had a fight, a personal fight. So, my efforts were centred on talking about the children while the media efforts were centred on making money on my case and making it a scandal. There was a time in which anyone who asked me, 'What do you think about the scandal?', wouldn't get an interview. I would tell them to . . . forget it...This is not a scandal, this is an issue – child pornography and child abuse. There are children on the line and you're asking *me* about a scandal...' (Interview with authors, 2 February 2009)

²⁸ The UNHCHR did advise Cacho to leave Mexico in 2008 and allegedly a number of countries offered asylum.

To illustrate the point, Cacho went on to describe an interview she had done for a national news programme in which she insisted that the discussion had to focus on the children and not her treatment by the police. When the reporter implored her to talk about herself, Cacho responded (paraphrasing):

‘No, this is not... [soap opera], this is real life’. So, we talked and all of a sudden when I was talking about the kids, [the reporter] noticed that I was moved at what I was saying about the children. And then there came a question about how I related my torture to the torture of the kids, and I just had to stop that because I started crying and I said, ‘no, no, stop now’. So I turned around and I noticed the cameraman going around because they wanted to see me crying. And then these idiots said, ‘Oh no, no, no, we will be the first ones to have Lydia Cacho crying on camera’... I was so angry I said, ‘No more’.’ (Interview with authors, 2 February 2009.)

During our interview with her, Cacho admitted that a few journalists had looked beyond the political scandal and had tried to focus on child rights and the abuse of children (see also, Cacho 2007). Yet, as she pointed out, efforts to ensure that children were the main story proved difficult when political scandal was such a rich vein of copy for the media.

If the media offered an unsympathetic space for raising child rights, the Cacho case opened a political space for child-focussed organisations to challenge the Mexican state to live up to its obligation to both the discourse and practice of children’s rights. Yet from 2006 up to 2008 child rights organisations in Mexico were largely silent, making almost no appeals to support Cacho personally, or to draw attention to children’s rights by extending the findings and claims she had made in her book. Cacho was both unsurprised and scathing in her critique: ‘They won’t move a finger because they don’t want the Mexican government to get mad at them. They won’t do a thing’ (Personal interview 2009). It was a view confirmed by an interview with the director of a leading CSO. Quite candidly, he indicated a lack of surprise by this non-engagement:

From the rights perspective, [CSOs] didn’t figure [in the Cacho case]... I mean it was shockingly horrible that this happens to children . . . [But] the rest was just politics . . . , the usual use of corruption and nasty things that go on between people Immediately the debate [became] not about how do we protect children to make sure that this will never happen to them. ... The discussion never even went close to that (Personal interview, 2009.)

He conceded that even an attempt to get the Puebla child rights network, the *Red para la Infancia y Adolescencia*, to sign a joint letter highlighting the child rights dimension of the Cacho case was dropped when ‘nobody was prepared to say anything’ (ibid).

CSO inaction in relation to the Cacho case cannot be explained by the lack of civil society organisations in Mexico, nor by their unfamiliarity with child rights. As already mentioned, REDIM consists of 63 member organisations whose common mandate is ostensibly to promote child rights through advocacy and capacity-building in the spheres of civil society and government alike.²⁹ Yet, as Jonathan Fox has observed about NGO networks generally, REDIM is prone to ‘sometimes loose coordination’ (Fox, 2010, p. 488).³⁰ In terms of their ideologies, their financial structures, and their programme approaches, the organisations under the umbrella of REDIM are highly diverse. At one end are groups such as Matraca and MAMA (*Movimiento de Apoyo a Menores Abandonados*) which conceive of themselves as child-led social movements, and organisations such as JUCONI (*Junto con los Niños*) that undertake child-focussed work, training and occasional advocacy. At the other end are a number of Catholic faith-based groups such as the Sisters of the Holy Trinity that rely heavily on a model of conventional charity.³¹ In view of this diversity, REDIM has difficulty in establishing a consensual rights-based position.

The diverse motives and interests of REDIM and other provincial rights-focussed groups have resulted in limited ties with international agencies and no acceptance of a uniform child rights discourse. Indeed, among Mexican CSOs there is a wide and largely superficial understanding of child and human rights. In describing the creation of the Child Rights network in Puebla that brought together about 30 organisations, a REDIM staff member explained to us:

One of the things we did was give CSOs a questionnaire. Only about three or four of them were aware of the existence of the Convention on the Rights of the Child, and after four years nobody is really interested in knowing any more about it. There is a Convention and children have rights and so, you know, the obvious thing is that you can’t hit children and abuse them and make them work, but whether any of these organisations have actually read the articles of the Convention is highly debatable. I would doubt that they have.

He went on to indicate that network members lack an understanding of the difference between a right and a responsibility, and that quite commonly discussions of rights at meetings revert to a focus on children’s obligations to family and to others. As an example, the REDIM staff member

²⁹ REDIM produces an Alternative Report on Mexico to the CRC Committee and contributes data for UNICEF and ECPAT campaigns.

³⁰ Fox has noted that even when networks share broadly similar goals, and exchange information and expressions of solidarity, they rarely coordinate joint action (Fox, 2010).

³¹ At the core of REDIM are ‘founding’ staff who formerly held senior positions at leading CSOs such as El Caracol and Ednica and have extensive experience in lobbying state agencies in Mexico City.

recounted a meeting of CSO representatives, policy analysts, and family court judges with Rosa Ortiz, a senior member of the UN Committee on Children:

We had a good mix there, but when Rosa was talking about the recommendation that Mexico should do more on violence, in particular institutionalised violence, it was clear that a large sector of the audience didn't actually have a grasp of this... The person from the State Commission for Human Rights stood up . . . to say it was just ridiculous that the parents could not smack their children When Rosa Ortiz asked how many cases the Commission had brought against the government defending children's rights, the question had to be explained.... They couldn't believe it, there was incredulity that they might even think about doing that...

As our interviewee explained, some organisations have no compunction about disregarding the UNCRC and being oblivious to its precepts, justifying this stance by claiming that work with children requires sensibilities to local realities and cultural norms.

In a set of interviews and round-table discussions we had with CSO representatives in Puebla, participants revealed a range of complex personal motivations to their work. The most frequently expressed was a religious ethic, with work described as a duty or more obliquely in terms of 'love'. Young people were perceived to be living in a dangerous space, full of temptation and risks associated with drugs, alcohol, and violence. Accordingly, participants spoke of young people needing guidance and help. There was little enthusiasm, however, among our interviewees to discuss child rights which they regarded as abstract notions with little bearing on their work or issues in the real world. Despite working for organisations that formally hold the CRC as fundamental to their principles and mandates, our interviewees generally viewed the promotion of children's rights as imposed from above and outside of Mexico. A few candidly indicated their lack of interest for rights generally and, for some, personal attitudes were even unsympathetic to the ethos of rights.

Underscoring their ambivalence to the rights agenda was the reality that CSOs in Mexico operate in an intensely competitive political context that has rendered them susceptible to co-optation by the Mexican state. One interviewee who runs a CSO in Puebla spoke about receiving only two enquiries at the height of the Cacho case, both from national newspapers, asking for a view on the scandal. During the same period the phone rang constantly with calls from the State authorities offering funds and other resources on condition that Governor Marin be invited to participate in an event hosted by the CSO, or that the CSO bring children to inaugurations or presentations by the Governor or his wife. Such events were clearly meant to be photo opportunities and exposure to the

media that were given similar inducements to attend. As these actions demonstrated, the state was active in determining how the Cacho case was publicly perceived, whereas the CSOs lacked a strategy to proactively communicate the rights discourse.

The state in Puebla was also capable of less benign tactics in order to intimidate CSOs or their allies that might have used the Cacho case as a platform for promoting critical awareness of child rights. The financial accounts of CSOs could be arbitrarily scrutinised by the state and their accreditation could be revoked. Likewise, non-Mexican NGO staff could be asked to leave the country in accordance with Article 33 of the Mexican Constitution simply on the basis of a denunciation or formal charge. As one interviewee said:

[Cacho] came extremely close to being disappeared... [so] nobody raised their heads above the parapet.

Inexperienced at dealing with media, poorly coordinated among themselves, with few connection with the more politically savvy human rights organisations, and unable to draw upon international groups for inspiration, advice or protection, national CSOs largely refrained from criticising the state for its failure rigorously to prosecute child abuse and sexual exploitation.

By the end of 2007, media attention on the Cacho case had diminished, and with it the opportunity for CSOs to use it as a basis for mobilising popular advocacy for child rights. In early 2007, Nacif's defamation and libel charges against Cacho had collapsed. Governor Marin, meanwhile, had managed to avoid censure in the Senate which had ruled that there was insufficient evidence for a criminal investigation. A similar decision was handed down by Mexico's Supreme Court which had convened in June 2007 to review Lydia Cacho's federal court case against Mario Marin for bribery, trafficking of influence, conspiracy and abuse of authority. In November of that year, the Court ruled that despite inconsistencies in legislative practices and insufficient division of powers between Puebla's Executive and Judiciary, there was no case for Marin to answer. The Governor thus survived, albeit with his credibility permanently damaged. Political speculation surrounding the case continued but never regained the frenzied media profile of the preceding two years.³² Neither has another media platform emerged that will allow for the popularisation of children's rights.

³² A commonly aired hypothesis is that Mario Marin and President Felipe Calderon reached a deal under which Marin would complete his term (to early 2011) in return for his loyalty to the new administration and limiting mobilisation of the PRI party machine. True or not, PAN won the state governorship for the first time, and a majority in the state Congress in 2010, and regained the mayoralty of the city.

Conclusion: outrage without rights advocacy

This paper has presented an extended case study of what happens when evidence of the abuse of children's rights is brought into the public sphere. The publication of the book, *Los Demonios del Edén*, touched a nerve with the public, and subsequent events made the treatment of its author, Lydia Cacho, a popular *cause célèbre*. On the streets there was considerable outrage at the perceived failings of a political class accused of having assisted in paedophilia and trafficking, and of using state agencies to support acquaintances rather than investigate wrong-doing and protect vulnerable children. Seizing the moment, Cacho and a handful of other journalists and rights activists undertook an insightful and sustained analysis of the state of press freedom, human rights and rule of law in Mexico.³³ A significant political space was opened up for CSOs to put pressure on legal and civic institutions to address the fundamental issue of child rights, and to contribute to what we described at the start of this paper as a 'rights effect', i.e., the integration of rights discourse into mainstream language and thought.

As we have discussed in this paper, however, the opportunity to construct a 'rights effect' was lost. There were three reasons for this. First, the commitment of many CSOs to child rights was, at best, ambivalent and occasionally even antagonistic. The predominant ethos of most CSOs was to focus assistance on those children whom they sponsored in shelters, schools and communities, largely for reasons of 'love' and religious conviction. While rights might be useful as talking points, they were not fundamental to this 'real work'. While some international CSOs in Mexico do hold rights as part of their core values, they were often perceived with suspicion as 'foreign' outsiders by national CSOs.³⁴ Consequently, child rights networks in Puebla specifically, and in Mexico generally, were fraught by division and minor antagonisms. Network participation generally reflected a sense of organisational obligation rather than a sign of activist commitment to child rights. In effect, the Child Rights network in Puebla continues to operate as a very loose and sometimes fractious association lacking ideological unity and purpose. Perceiving themselves to be neither activists nor even advocates, most CSOs generally did not consider the Cacho case as an opportunity to engage the public on the issue of children's rights, nor as a basis for transforming popular discontent into a social movement.

³³ At least until television and newspaper proprietors began to exert greater control over programme content, including reigning in the investigative journalist Carmen Arestegui.

³⁴ CSOs that do include rights advocacy as more central to their work often have a more international orientation as reflected by the non-Mexican origins of some of their staff members and their sources of funding from abroad.

The second reason for CSO ambivalence was due in part to the crowded political space of rights discourse as a whole. For example, although the national child rights network, REDIM, used the Cacho case to issue an ‘urgent’ call to eradicate the child sex industry, a range of other activist and advocacy organisations that were not focused on the rights of children³⁵ were nonetheless able to tap into the publicity that stemmed from the ‘scandal’ of the Cacho case. Important voices in the media, for example, regarded the attack on a fellow journalist as a threat to press freedom. Advocates for gender and sexual rights associated with Cacho as a feminist and accordingly deplored the violence against her as an example of the abuse meted out against women. LGBTQ activists and spokespeople for legalisation of abortion rights –at considerable personal risk - spoke publicly in street demonstrations in Puebla, where most people were unaccustomed to radical identity politics.³⁶ These and other rights groups used the Cacho case publicly to broadcast their own rights agendas through media and direct action. During our interview with Lydia Cacho, she acknowledged that these various forms of civic mobilisation may have aided the effectiveness of civil rights campaigns to re-categorise libel as a civil rather than a criminal offence and to legalise women’s right to abortion (both achieved, in 2007 and 2008 respectively). Ironically, however, similar advances were not made in the realm of child rights.³⁷

A third reason for a discourse of child rights not entering more mainstream usage on the back of the Cacho case was partly down to interests of the principal individuals caught in the scandal. The stakes for Marin and others were political and talking of trafficking and paedophilia could only damage their image; they had to engage with the political and legal aspects of events. Child rights became translated, and only rarely, as general statements about child welfare. For Lydia Cacho, the stakes were different. She needed to stay alive, for which she needed to remain in the public eye, and that meant engaging with issues of human rights, state powers, and legal process. She argued to us that she had tried to make child abuse a key issue, but perhaps reasonably enough she was more consistent and vocal in her denunciations of state and politician abuse of powers. In speeches and interviews Cacho offered little guidance on how the issue of child abuse might be tackled, and only rarely did she refer extensively to child rights.

³⁵ REDIM is a credible and well-considered organisation, but its key members have ex-CSO leadership rather than (ex-) networker roles, and its grasp of the political skills needed to influence media and public opinion seems limited.

³⁶ Indeed, human, labour and sexual rights activists have been targets of threats, kidnapping and killing. Exemplifying the severity of these threats was the tragedy of Agnes Torres, a transsexual activist who was tortured and killed, her body dumped in a ditch, in March 2012.

³⁷ Tangible achievements of the case in child rights terms are difficult to gauge. But we should note that Cacho’s aim in writing *Demonios*, to strengthen the legal case against one of the accused paedophiles, Succar Kuri, was sufficient to ensure that his extradition to Mexico was achieved. Kuri was convicted in Cancún in March 2011 and sentenced to 12 years in prison (*El Universal*, 30 March 2011).

Without a ‘rights effect’ public discourses in relation to children, and especially in terms of criminal or ordinary justice, are framed by a concern and language of welfare. A range of conservative actors, the most notable among them being Rosi Orozco, a Federal Deputy for the PAN and the Chair of the Congressional Commission for the Fight against Human Trafficking, have dominated debate on children in particular ways. Ms. Orozco has been energetic and used the media with considerable skill to discuss the issue of child abuse. Yet she and others on the political Right have used the figure of the vulnerable child to frame a concern with public morality, urging people to think in terms of their personal responsibilities and not universal rights.³⁸ This illustrates by default the importance of having a progressive and comprehensive child rights discourse embedded in contemporary political debate in order to contest the co-optation of the rights effect by the prevailing forces of political conservatism.

The state also made efforts to confirm Mexico as a ‘country of laws’ rather than a country ruled by law. The government amended the Penal Code to strengthen sanctions for sexual exploitation of children, and created a federal agency, FEVIMTRA, with responsibility for prosecuting crimes related to violence against women and trafficking in persons. Both measures, however, were introduced to Congress in 2006 soon after the launch of *Los Demonios* and were thus already in the minds of legislators. Equally characteristic of a ‘business-as-usual’ approach has been Mexico becoming the first country to ratify the UNODC Blue Heart Campaign against human trafficking. A national version of the anti-trafficking campaign was launched in April 2010 at a five-star hotel in Mexico City with then President Calderon and celebrity ‘ambassadors’ such as Miss Universe, Ximena Navarrete, in attendance. In September 2010 the first regional event of the campaign was held in Puebla. Entitled ‘Puebla against Trafficking’, the launch included a classical music concert on the city’s main square against the backdrop of the Cathedral and Municipal palace lit in blue (colours of the campaign and, coincidentally or not, the PAN). In what was a carefully managed event, human rights groups and CSOs engaged with child sex work were notable by their absence.³⁹

While the Cacho case did help to push the issue of child trafficking onto the political stage it did not generate a child ‘rights effect’. For that to happen in future CSOs that do genuinely hold rights as central to their work need to demonstrate greater fortitude, coherence and political engagement. To force the analogy used by Keck and Sikkink, someone needs to pick up the boomerang and be prepared to throw it.

³⁸ It is alleged that Orozco and her husband head a Pentecostal sect, *Casa sobre Roca*, in Mexico.

³⁹ Instead, new organisations such as the business group financed by *Fundación Camino a Casa*, that started work in 2005 and opened its first small ‘refuge’ in 2007, have emerged as high-profile representatives of the CSO sector nationally and in bi-lateral arrangements with the US.

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