2-25-2004

Senate Elects Second Woman to Supreme Court

LADB Staff

Follow this and additional works at: https://digitalrepository.unm.edu/sourcemex

Recommended Citation
Senate Elects Second Woman to Supreme Court

by LADB Staff
Category/Department: Mexico
Published: 2004-02-25

The Mexican Senate has elected Margarita Beatriz Luna Ramos to replace retired Justice Juventino Castro y Castro on Mexico's highest court (Suprema Corte de Justicia de la Nacion, SCJN). She was chosen over two other candidates, Maria del Carmen Arroyo Moreno and Gloria Tello Cuevas. The three candidates were selected by President Vicente Fox from a list of 15 judges presented to the administration by the SCJN.

Fox's decision to select three women from that list ensured that the SCJN would have a second woman justice, joining current member Olga Sanchez Cordero. "All three of these candidates are extremely capable and qualified," Sanchez Cordero told reporters a day before the election. Women's organizations were also pleased with the appointment of a second female justice. "We have a favorable view of the selection of three women candidates, not only because all have ample judicial experience but because it represents an advance for women in the political arena," said Patricia Espinosa Torres, director of the Instituto Nacional de las Mujeres (INMUJERES).

Luna Ramos is the second justice elected by the Senate in the past four months. In November 2003, the upper house unanimously elected Jose Ramon Cossio Diaz to replace another retired SCJN justice, Vicente Aguinaco. In addition to Cossio, Cordero, and Luna, the other SCJN members are Chief Justice Mariano Azuela Guitron, Guillermo Ortiz Mayagoitia, Humberto Roman Palacios, Juan Diaz Romero, Jose de Jesus Gudino Pelayo, Juan Silva Meza, Sergio Aguirre Anguiano, and David Gongora Pimentel.

New justice gains support from all parties

Luna Ramos, a native of San Cristobal de las Casas in Chiapas state, was elected with unanimous support from the former governing Partido Revolucionario Institucional (PRI), the center-left Partido de la Revolucion Democratica (PRD), and the Partido Verde Ecologista Mexicano (PVEM). Before her election to the SCJN, Luna served on the federal judicial council (Judicatora Federal). She set a milestone in the federal council by becoming the first woman elected to this judicial body.

Still, Luna's election was marred by a small controversy. A faction of Fox's center-right Partido Accion Nacional (PAN) voted against her because of her participation on a legal team that successfully sued the Secretaria de Reforma Agraria (SRA) in an expropriation case last year. As a result, the SRA will have to pay the plaintiffs, the Ramos Millan family, 1.2 billion pesos (US $108 million). Among those who opposed Luna were PAN Sens. Jorge Zermeno, Carlos Medina Plascencia, and Hector Larios. The PAN dissidents instead supported Carmen Arroyo. The legal team that won the expropriation case against the SRA was affiliated with a law firm in which PAN Senate leader Diego Fernandez de Cevallos is a partner.

As expected, Fernandez de Cevallos led the PAN faction that supported Luna. The PAN Senate leader accused the SRA of "leaking" information about Luna's involvement in the case to get back
at him. "This is a matter that has been in litigation for 20 years, and several circuit judges, district judges, and six SCJN ministers have participated," said Fernandez de Cevallos. "It is a cowardly act to try to smear the judicial power in an attempt to smear me." Among the first cases that Luna may hear is an appeal to a decision handed down by an Appellate Court halting new audits on Mexico's four largest banks to determine whether improper loans were made through the now defunct savings protection program (Fondo Bancario de Proteccion al Ahorro, FOBAPROA).

In handing down the decision, Appellate Court Judge Alvaro Tovilla Leon said a full review conducted by independent auditor Michael Mackey in 1999 already examined all loans very carefully (see SourceMex, 2003-09-24). Attorney General Rafael Macedo de la Concha, at the urging of the Mexican Senate, presented a formal request to the high court in February to review Tovilla's decision.

The cost of the bank-rescue program has risen to more than US$136 billion pesos (US$12.3 billion). Chief Justice Azuela has decided to allow the case to be presented to the court, but he has said the matter should be decided under the category of administrative cases. This means that the case may not be reviewed by the full court. Macedo has asked that the case be put on the court's primary docket. [Note: Peso-dollar conversions in this article are based on the Interbank rate in effect on Feb. 25, reported at 11.05 pesos per US$1.00] (Sources: Notimex, 02/11/04, 02/18/04, 02/19/04; Spanish news service EFE, 02/19/04; El Universal, 02/04/04, 02/16/04, 02/19/04, 02/20/04; Milenio Diario, 02/11/04, 02/20/04; La Cronica de Hoy, 02/12/04, 02/20/04; El Sol de Mexico, 02/19/04, 02/20/04; The Herald-Mexico City, 02/20/04; La Jornada, 02/02/04, 02/12/04, 02/19/04, 02/20/04, 02/24/04)

-- End --