

5-4-2005

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Recommended Citation

LADB Staff. "Attorney General Resigns; Charges Against Mexico City Mayor to Be Dropped." (2005).
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Attorney General Resigns; Charges Against Mexico City Mayor to Be Dropped

by LADB Staff

Category/Department: Mexico

Published: 2005-05-04

Attorney General Rafael Macedo de la Concha resigned in late April, clearing the way for a reconciliation between President Vicente Fox and Mexico City Mayor Andres Manuel Lopez Obrador. Macedo's resignation is also expected to result in the dropping of contempt-of-court charges against Lopez Obrador, allowing the mayor to continue with his presidential run.

Tensions between Fox and Lopez Obrador had been running high since the middle of 2004, when the Procuraduria General de Republica (PGR), led by Macedo, filed contempt-of-court charges against the Mexico City mayor. The PGR accused Lopez Obrador of violating the Constitution for ignoring a court order to halt construction on a road to a hospital on government-expropriated land (see SourceMex, 2004-05-06).

The case remained in limbo for several months while Congress considered whether to proceed with the PGR's request to remove the mayor's immunity, which would have allowed authorities to proceed with prosecution on the charges. In April of this year, the Chamber of Deputies finally voted to strip Lopez Obrador of immunity, allowing for prosecution (see SourceMex, 2005-04-13). The measure was approved with overwhelming support from Fox's center-right Partido Accion Nacional (PAN) and the former governing Partido Revolucionario Institucional (PRI).

The Fox government, the PAN, and the PRI defended the congressional action as evidence that no one, not even an elected official, was exempt from the rule of law. If convicted, Lopez Obrador would have faced imprisonment, barring him from participating in the presidential election in 2006. Almost all public-opinion polls show Lopez Obrador with a double-digit lead over his likely rivals.

Strong support for mayor forces Fox to offer olive branch

The congressional vote set the stage for massive protests, with hundreds of thousands of citizens rallying to support the mayor. A wide spectrum of citizens viewed the action as a conspiracy by the Fox government and the PAN and PRI delegations in Congress to suppress democracy by denying Lopez Obrador the right to run for president. As many as 1 million protestors took to the streets of the capital on April 24 to voice their anger at the actions against Lopez Obrador.

Large rallies were also held in other parts of the country. Even before the demonstrations, there were strong signals that the move to prevent Lopez Obrador from participating in the elections was highly unpopular. A poll by the Mexico City daily newspaper El Universal in mid-April indicated that 58% of respondents disapproved of the proceedings against the mayor. Similarly, 61% of respondents believed the move was motivated by politics, compared with 22% who said the procedure was strictly a legal one.

Political observers said the overwhelming outpouring of support for Lopez Obrador apparently sent a message to Fox, who decided to abandon his strategy to bring down the mayor. "This is a clear defeat for Fox," said analyst Jorge Chabat of the Centro de Investigaciones y Docencia Economica (CIDE). "It's an acknowledgment that this strategy [of eliminating Lopez Obrador politically] was a mistake. It had no possibility of success." Lopez Obrador credited the hundreds of thousands of participants in the April 24 rally for pressuring Fox to change his stance. "We view with approval the decision taken by the citizen president, Vicente Fox," Lopez Obrador said at a news conference. "[This] decision is the fruit of the effort [and] participation of the people."

One administration official said a number of factors led Fox to switch gears, including the damaging opinion polls, the negative domestic and international reaction of the markets to the situation, and the president's concern about his legacy. "It was unsustainable," the official told The Dallas Morning News. "Everybody was fed up."

In a signal that he was prepared to dialogue with the Lopez Obrador camp, Fox held a nationally televised news conference to announce that he had accepted the resignations of Macedo and two of his top aides, Carlos Javier Vega Memije and Alejandro Ramos. In the Lopez Obrador case, Macedo said his decision to step down was out of loyalty to Fox. "I never have been nor will I be an obstacle to the president," said Macedo.

The Lopez Obrador case is the latest in a string of missteps for the PGR under Macedo's leadership. The attorney general's office also failed to make charges stick against Nahum Acosta, who allegedly passed confidential information about the president's whereabouts to the Sinaloa drug cartel. The charges were dropped because of lack of evidence (see SourceMex, 2005-04-07).

In another potentially embarrassing case, the PGR was recently accused of blocking the investigation of crimes committed during the government's "dirty war," the 1960s and 1970s campaign against suspected leftists. The accusation was made by special investigator Ignacio Carrillo Prieto, who accused the PGR of conspiring with corrupt judges and corrupt police to prevent the arrest of many individuals who have already been indicted by his office. (Sources: Reuters, 04/21/05, 04/26/05; Notimex, 04/27/05; Spanish news service EFE, 04/26-28/05; Los Angeles Times, The New York Times, 04/28/05; La Crisis, 04/26-29/05; Agencia de noticias Proceso, 04/27-29/05; El Universal, El Financiero, The Washington Post, The Dallas Morning News, The Chicago Tribune, Copley News Service, La Cronica de Hoy, 04/28/05, 04/29/05; The Herald-Mexico City, 04/21/05, 04/27/05, 05/02/05; La Jornada, 04/27-29/05, 05/02/05)

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