

11-1-2006

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Recommended Citation

LADB Staff. "Senate Resolution Urges Oaxaca Governor Ulises Ruiz to Resign." (2006). <https://digitalrepository.unm.edu/sourcemex/5045>

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Senate Resolution Urges Oaxaca Governor Ulises Ruiz to Resign

by LADB Staff

Category/Department: Mexico

Published: 2006-11-01

Two weeks after rejecting a motion to remove Oaxaca Gov. Ulises Ruiz from office, the Mexican Senate approved a resolution urging the governor to resign. All parties in the upper house, including members of Ruiz's Partido Revolucionario Institucional (PRI), supported the resolution. Until then, most PRI legislators had condemned efforts to oust Ruiz, calling the efforts a "witch-hunt." The Senate decision to ask Ruiz to resign does not have the force of law, but it is a recognition that the Oaxaca governor's policies have contributed to political instability and chaos in the state.

In the resolution, senators asked Ruiz to "consider resigning from office to help restore law and order" to the state. The Senate resolution came just days after the federal police (Policia Federal Preventiva, PFP) removed protestors from the Asamblea Popular de los Pueblos de Oaxaca (APPO) from the historic central plaza (Zocalo) in Oaxaca. The APPO is the umbrella organization formed to support members of the striking teachers union (Sindicato Nacional de Trabajadores de la Educacion, SNTE). The SNTE, Section 22, had controlled the Zocalo since May, except for a brief period when state police dislodged them (see SourceMex, 2006-08-02).

Federal and state authorities have been willing to negotiate with members of the SNTE regarding pay raises and other labor-related issues (see SourceMex, 2006-09-13). But an impasse has developed on the APPO's insistence that federal authorities remove Ruiz from office. President Vicente Fox's administration said that the Mexican Constitution does not empower the executive branch to remove any governor or mayor. The only entity allowed to move toward Ruiz's removal would be the Senate, which would first have to determine that a city or state government is no longer functioning.

After receiving a negative response from the Fox administration, APPO representatives traveled to Mexico City shortly after the new Senate took office in September to ask that the upper house use its legal powers to remove Ruiz. The Senate agreed to send the matter to the domestic affairs committee (Comision de Gobernacion). In mid-October, the committee voted 11-3 to turn down the APPO's request. Members of the PRI, the governing Partido Accion Nacional (PAN), and the Partido Verde Ecologista Mexicano (PVEM) all voted against recommending direct action to remove Ruiz, overriding counterparts from the center-left Partido de la Revolucion Democratica (PRD) and its coalition ally the Partido Convergencia por la Democracia (PCD).

The decision prompted the APPO to accuse the Senate committee of killing the hope of thousands of Oaxaca citizens who had counted on the Senate to remove Ruiz by legal means. "This [decision] is going to cause a lot of social irritation," said APPO leader Flavio Sosa. Still, despite the committee's negative recommendation, the issue came before the full Senate, where it was defeated along party lines by a 74-31 vote. While declining to remove Ruiz, the Senate approved a resolution citing "serious conditions of ungovernability" in Oaxaca.

PAN Sen. Alejandro Zapata Perogordo said the governor was "incapable of governing, negligent, and clumsy." But he said the Oaxaca legislative and judicial branches continued to function, which precluded any Senate action. "We can't close our eyes to the state's reality, but we can't break the law either," Zapata said. "Unfortunately, this situation has gone beyond our authority."

New vote follows Senate decision not to remove Ruiz

In late October, the Senate came back with its unanimous resolution urging Ruiz to resign. PAN Sen. Santiago Creel Miranda said the center-right party could not see constitutional grounds to remove Ruiz but was still calling for him to step down. "We consider Ruiz's resignation a point of departure for finding a comprehensive solution to the problems in Oaxaca," said Creel, who is the PAN floor leader in the Senate. Center-left senators representing Oaxaca made similar comments. "If possible, we want Ruiz to leave office today," said Sens. Salomon Jara of the PRD and Gabino Cue Monteagudo of the PCD.

Cue lost the gubernatorial election to Ruiz by an extremely narrow margin in August 2004 (see SourceMex, 2004-08-04). The APPO claims that the PRI used illegal and unfair means to win that election, which is one of the reasons they are pushing for Ruiz to give up the office. The Senate action calling for Ruiz to step down followed a similar resolution approved by the Chamber of Deputies. The resolution approved in the lower house had some dissenters, with some PRI members opting to defend Ruiz.

Still, some key PRI members, including floor leader Emilio Gamboa Patron, acknowledged that Ruiz's resignation would go a long way toward restoring peace in Oaxaca. Gamboa offered to act as an intermediary should Ruiz decide to surrender his post. In the event that Ruiz does step down, the PRI insists that another member of the party must assume the post of interim governor. While the APPO and other parties in Congress said they would support this plan, there is a question of how long an interim governor would serve. Ruiz has four years remaining in his term, and some PRD officials said they would push for new elections as soon as possible.

Oaxaca governor vows to remain in office

The Oaxaca governor has remained steadfast in his position that he has not done anything to warrant a resignation. He has said he would bring the matter to the high court (Suprema Corte de la Justicia, SCJN) if the Congress moves in any way to remove him from office. "[Legislators] have no authority...to make such demands that violate Oaxaca's sovereignty," Ruiz said in a radio interview. The Oaxaca governor later said he would not resign "even if they put a gun to my temple."

Ruiz has blamed President Vicente Fox's administration for the problems in Oaxaca. He has said the problem would not have escalated to its current magnitude if the federal government had come through with the funds necessary to meet the SNTE's original salary demands.

Reaction to the crisis has been mixed in Oaxaca, with many residents supporting the APPO and others backing Ruiz. In late October, hundreds of Ruiz supporters organized a march in a show of solidarity with the governor. Thousands of others have joined the APPO in seeking Ruiz's resignation, which they say is not a negotiable demand. "I am governing Oaxaca," Ruiz said,

dismissing the APPO as a relatively small group that does not represent the masses. "The questions of Oaxaca will be decided by Oaxacans."

The Fox administration, meanwhile, has pledged to find a resolution to the Oaxaca conflict before completing its term on Nov. 30. In mid-October, the Fox government said it was committed to resolving the problem through negotiation and dialogue. "We will work incessantly along this path," said presidential spokesperson Ruben Aguilar. Federal police removes protestors from central square While paying lip service to a negotiated solution, Interior Secretary Carlos Abascal Carranza, Public Safety Secretary Eduardo Medina Mora, and other administration officials were preparing for the possibility of sending the PFP to retake the Zocalo and other areas of Oaxaca City from the APPO.

On Oct. 29, the PFP and riot police moved into Oaxaca City, gradually gaining control of the city by using water cannons and tear gas to drive back APPO members and sympathizers stationed at barricades. The operation resulted in the death of an APPO sympathizer who was hit with a tear-gas canister. The federal government decided to retake control of the city following the death of journalist Brad Will and the wounding of another journalist, Oswaldo Ramirez.

Will, a US citizen who was working in Oaxaca as a documentary filmmaker for the Independent Media Center, was shot dead, allegedly by a plainclothes police officer. Ramirez, a photographer for the Mexican weekly magazine Milenio and the daily newspaper Milenio Diario, was injured in the same incident. The APPO contends that 10 people have been killed in clashes between protestors and local police since the protests began in June.

APPO leaders, who fled to the Universidad Autonoma Benito Juarez, expressed anger at the federal operation. They vowed not to resume talks with Interior Secretary Abascal until the PFP and other federal law-enforcement agencies leave the city. "We're going to maintain our barricades in the city. If the PFP wants to clear them, let them clear them," said Flavio Sosa. "We won't resist, but tomorrow we'll march to show our disapproval for the presence" of the federal police and troops.

Some APPO leaders threatened to disrupt the swearing-in ceremony for President-elect Felipe Calderon on Dec. 1 if Ruiz is still governor on Nov. 30. Amid divisions, teachers union votes to return to classes The government's decision to send security forces into Oaxaca came after members of the SNTE Section 22 voted to return to work, ending a strike that kept 1.3 million primary-, secondary-, and preparatory-school students from classes. The strike prevented students from completing the spring semester and starting the fall semester.

The SNTE's vote to return to classes received the full support of other organizations involved in the APPO, but teachers made it clear that their vote to resume classes did not mean they were dropping their demand for Ruiz's resignation. The vote exposed some divisions within the teachers union, however, with 31,000 members supporting a resumption of classes and another 20,000 wanting to remain on strike. With chaos still prevalent in Oaxaca City, classes had not resumed in the capital on the agreed date of Oct. 30. "We are not willing to go back [to work] until we get written guarantees [for teachers' safety]," teacher Daniel Reyes told the Associated Press.

Students did return to school in many other cities and towns in Oaxaca state on Oct. 30, said Enrique Rueda, president of SNTE Section 22. A much larger rift was evident between the SNTE Section 22 and the national organization, led by Elba Esther Gordillo. In mid-October, Gordillo announced the formation of a committee to study whether the SNTE should withdraw official recognition from Section 22. She said the SNTE local had adopted an overly political position by calling for Ruiz's resignation.

Gordillo has had major differences with Ruiz, and even decided to support Cue Monteagudo in the 2004 election (see SourceMex, 2004-08-04). Still, she said Section 22 had no business seeking Ruiz's resignation. "This is a decision reserved for the Congress and the Interior Secretariat and not the SNTE," said Gordillo. Some leaders of Section 22 responded by withdrawing recognition of Gordillo as the SNTE leader. "We will now have a full-scale war against Gordillo," said Section 22 member Jose Gonzalez Figueroa. Other local members said the national SNTE organization does little to fight for the rights of teachers. "They do not serve any function," said local leader Teodoro Palomino. "All they do is collect dues." (Sources: The Christian Science Monitor, 10/30/06; Agencia de noticias Proceso, 10/18/06, 10/19/06, 10/23/06, 10/25/06, 10/30/06, 10/31/06; Associated Press, 10/26/06, 10/30/06, 10/31/06; Reuters, 10/30/06, 10/31/06; The Washington Post, 10/31/06; The Herald-Mexico City, 10/19/06, 10/20/06, 10/24/06, 10/26/06, 10/30/06, 10/31/06, 11/01/06; Milenio Diario, La Jornada, 10/19/06, 10/20/06, 10/23/06, 10/26/06, 10/27/06, 10/30/06, 10/31/06, 11/01/06; La Cronica de Hoy, 10/19/06, 10/24/06, 10/30/06, 10/31/06, 11/01/06; Reforma, 10/19/06, 10/20/06, 10/24/06, 10/30/01, 10/31/06, 11/01/01; El Financiero, 10/19/06, 10/20/06, 10/23/06, 10/24/06, 10/27/06, 10/30/06, 10/31/06, 11/01/06; El Economista, 10/19/06, 10/22/06, 10/27/06, 10/30/06, 10/31/06, 11/01/06; El Universal, 10/19/06, 10/20/06, 10/23/06, 10/24/06, 10/26/06, 10/27/06, 10/30/06, 10/31/06, 11/01/06; Excelsior, 10/27/06, 10/30/06, 10/31/06, 11/01/06; Copley News Service, 10/21/06, 10/27/06, 10/31/06, 11/01/06; Los Angeles Times, 10/28-31/06, 11/01/06; The New York Times, 10/30/06, 10/31/06, 11/01/06; The Houston Chronicle, 11/01/06)

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