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Congress Begins Overhaul Of Electoral Institute, But New Appointments Still Controversial

by LADB Staff
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The Instituto Federal Electoral (IFE) remains the subject of controversy, even after the Congress overwhelmingly approved changes to the federal electoral watchdog in early February. The changes were partly the result of pressure from center-left legislators, led by the Partido de la Revolucion Democratica (PRD), which had accused the old IFE of being too partisan during the 2006 election in which President Felipe Calderon of the governing Partido Accion Nacional (PAN) defeated PRD candidate Andres Manuel Lopez Obrador by an extremely narrow margin. Some PRD factions, led by Lopez Obrador, believe that the changes to the IFE are insufficient, which is causing friction with the legislators who approved the changes. The Congress made the decision to overhaul the IFE as part of a comprehensive electoral-reform package approved in September 2007 (SourceMex, September 19, 2007).

The legislation, which involved some changes to the Constitution, was ratified by an overwhelming majority of state legislatures in the ensuing weeks (SourceMex, October 10, 2007). Even after the Congress agreed to make changes to the IFE, there was a difference of opinion on how the nine members of the IFE would be replaced and how their substitutes would be selected. After much debate, the three major parties and their allies agreed to change the composition of the IFE in three phases, including immediately replacing three members, one of whom would step into the spot left open with the forced retirement of the institute's controversial president Luis Carlos Ugalde. The six other IFE counselors would be replaced in two other stages.

PRD divided on appointment of new president After two months of negotiations, the three major parties the PRD, the PAN, and the Partido Revolucionario Institucional (PRI) and their allies reached a compromise on the IFE nominations through the time-tested formula of dividing up the open posts. The floor coordinators of the three parties in the Chamber of Deputies, Hector Larios of the PAN, Emilo Gamboa of the PRI, and Javier Gonzalez Garza of the PRD, played a pivotal role in deciding on the final list of candidates, said analysts. Each of the three new IFE commissioners was supported by one of the major parties, Leonardo Valdes Zurita by the PRD, Benito Nacif Hernandez by the PAN, and Marco Antonio Banos by the PRI. Valdes, who will replace Ugalde, will serve until 2013, while Nacif and Banos will conclude their terms in 2016. Nacif Hernandez will replace Rodrigo Morales, and Banos Martinez will take the spot vacated by Alejandra Latapi.

The PRD was unable to gain support for its first choice, Supreme Court Justice Genaro Gongora Pimentel, who is said to be close to Lopez Obrador. As late as January, the PRD insisted that it would not back away from its support for Gongora, saying the nomination was "not negotiable." Sometime during talks in early February, PRD negotiators in Congress changed their stance and agreed to compromise with the other parties. Still, the PRD and its allies in the Frente Amplio Progresista (FAP) convinced the PRI and the PAN that its second choice, Valdes Zurita, should be appointed.
as IFE president. Valdes, who was close to the late PRD Sen. Heberto Castillo, once served in the Mexico City electoral institute (Instituto Electoral del Distrito Federal, IEDF).

The PRD congressional delegation's decision to abandon efforts to push for Gongora Pimentel did not sit well with Lopez Obrador's faction of the party. "There are no changes in the IFE. These are the same people who are connected with the PRI and the PAN," said Lopez Obrador, who was especially critical of the choice of Valdes. Marti Batres, a close ally of Lopez Obrador, explained that the PAN endorsed Valdes because he voted for a couple of initiatives that affected the former Mexico City mayor. As a member of the IEDF, Valdes ruled that Lopez Obrador had not met the residency requirements to run for mayor of Mexico City in 2000, but was overruled by others (SourceMex, October 26, 1999 and December 08, 1999).

Furthermore, said Batres, Valdes voted against requiring PAN mayoral candidate Santiago Creel to produce a detailed report on campaign expenditures. "This was move by the PAN to reward Valdes for his support," said Batres. The opposition of the Lopez Obrador camp to Valdes exposed a major fissure in the party ahead of the election of its new leaders this year. Many PRD legislators who supported Valdes belong to a faction called Nueva Izquierda, led by former legislators Jesus Ortega and Jesus Zambrano.

Ortega is running for party president against ex-Mexico City mayor Alejandro Encinas, who is close to Lopez Obrador. "Valdes Zurita got the position only because of the maneuvering by the PAN and the Nueva Izquierda, who wanted a candidate with a leftist past," said Julio Hernandez Lopez, a columnist for the Mexico City daily newspaper La Jornada. Others said the criticism of the new IFE chair is not warranted. "Valdes always showed his independence during his tenure at the IEDF," said nationally syndicated columnist Sergio Sarmiento. "After all, he also voted to ratify Lopez Obrador's narrow victory over Creel [in the 2000 mayoral election].

The two other nominees also had close connections to the two other major parties. Banos has close links to PRI Senate leader Manlio Fabio Beltrones. Nacif, a political analyst at the Centro de Investigacion y Docencia Economica (CIDE), worked closely with the PAN leadership during the 2006 presidential election. Critics say new group of appointees lacks diversity In addition to the objections by Lopez Obrador's faction of the PRD, analysts and politicians pointed to other concerns related to the selection process. "In the end, the political system demonstrated its centralism," said Sarmiento. "All three new members live in Mexico City." Deputy Sara Castellanos Cortes of the Partido Verde Ecologista Mexicano (PVEM) mentioned a different concern related to diversity. She pointed out that the three new IFE members are all male. "If the Chamber of Deputies does not select a woman in the next round of votes in August, it will be a significant blow to our efforts to create more opportunities for women to participate in the political process," said Castellanos.

Two of the three IFE members who will be replaced on Aug. 15 are women: Maria Teresa de Jesus Gonzalez Luna Corvera and Maria Lourdes del Refugio Lopez Flores. The other is Andres Albo Marquez. Syndicated columnist Miguel Angel Granados Chapa and PRD Deputy Ruth Zavaleta, president of the Chamber of Deputies, criticized the decision of negotiators to favor insiders in their selection of candidates for the three posts. Granados Chapa said the legislators making the decisions on the final list eliminated the majority of the candidates from the process. "When [the committee
members] declared that only about 100 of the 500 candidates met the requirements, they failed to explain to the public the reasons why those omitted from the list were excluded," said the columnist. Zavaleta was less critical of the selection but said the process needed to incorporate more citizen input. "We have the capability of taking the opinions of citizens into account," said Zavaleta. "But it was not politically feasible at this point in the political process."

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