New Electoral Watchdog Agency Starts Work Under Cloud of Suspicion

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New Electoral Watchdog Agency Starts Work Under Cloud of Suspicion

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The Congress approved comprehensive election reforms in 2011 and 2013 with the intention of creating greater transparency in the voting process in Mexico and allowing greater direct citizen participation in the electoral process (SourceMex, May 4, 2011, Nov. 2, 2011, and Dec. 11, 2013). The new laws have resulted in a few improvements in the country’s electoral structure, including the right of candidates not affiliated with any political party to run for office and a provision that allows for citizen consultations. Critics say, however, that the new structure did not bring transformation to Mexico’s political landscape; only token changes along with major obstacles to the democratic process.

While the changes enabled an independent candidate to win the mayoral election in a small town in Zacatecas state (SourceMex, July 17, 2013), the overwhelming majority of those seeking office have to affiliate with the establishment parties.

The provisions to allow citizen consultations offer slightly more promise, but the Congress earlier this year approved secondary laws that severely hamper the ability of citizens to call for plebiscites (SourceMex, March 19, 2014).

Another change introduced by the 2013 reforms was to replace the electoral watchdog agency, the Instituto Federal Electoral (IFE), with a more independent and transparent agency called the Instituto Nacional Electoral (INE). The new institution, which began operations in March 2014, was also intended to create greater oversight of state elections, which have been managed by state electoral institutes. At that time, critics suggested that the legislation lacked clarity on how state elections would be handled, particularly since creating the INE would mean the disappearance of state electoral agencies that had been modeled after the IFE.

More of the same

Critics have also suggested that the INE will differ little from the IFE, since the new institute appears to be serving the interests of the establishment political parties, particularly the governing Partido Revolucionario Institucional (PRI).

Erubiel Tirado, a columnist for the weekly news magazine Proceso, said the INE inherits many of the "vices and the virtues" of the IFE. The proportion, he said, is going to depend on how certain tasks are defined by the secondary laws that the Congress must approve to enact the electoral reforms.

Still, Tirado said the signs are not good. "The system of party quotas is still in place. You can add to that the intervention of a presidency with a centralist lens toward these reforms," said Tirado. "The result is worrisome and serious for our country. There will be simulations and a lack of democracy with a strong element of political submission."

The same concerns emerged among other political observers. "With the old practice of implementing change in order to stay the same, the IFE disappeared under suspicions that it had
lost credibility and confidence. It was replaced with the general council of the INE, a recycling process by which some individuals once associated with the discredited IFE [are now part of the new agency],” columnist Ignacio Álvarez wrote in the Mexico City daily newspaper Unomásuno. "They will be joined by a few others who are distinguished only by their support for the members of the parties that decide the votes in the Chamber of Deputies."

Álvarez pointed out that the PRI, which holds a plurality in the lower house, along with its ally, the Partido Verde Ecologista de México (PVEM), determined the president of the INE, along with four members of the 11-person INE council. The conservative Partido Acción Nacional (PAN) and the center-left Partido de la Revolución Democrática (PRD) also maneuvered to make sure that their candidates made the cut.

"In the designation of the 11 members of the general council of the Instituto Nacional Electoral (INE), deputies were not capable of taking action without using partisan criteria," Eduardo R. Huchim wrote in the Mexico City daily newspaper Reforma. "By using a system of quotas, they left out candidates who were much more qualified than those who were selected."

"The only IFE member who did not make the cut was María Marván, who was associated with the Partido Acción Nacional," columnist Francisco Garfias wrote in the Mexico City daily newspaper Excélsior.

Huchim pointed out that the INE council only has three women among its members, the same number as the nine-member IFE.

Some also questioned why the new president of the INE general council was pre-determined rather than selected after the council was picked. The INE will be led by Lorenzo Córdova Vianello, one of several former members of the IFE.

The online news site La Otra Opinión pointed out that a group of 50 academics, legislators, and political experts who were supposed to be impartial was going to go through the vetting process to come up with the final list of recommendations to the Chamber of Deputies. But this might not have been the case, given suggestions that participants in the process were simply going through the motions. "If the process was as straightforward as some insist, why was the identity of the new INE president known ahead of time?" asked La Otra Opinión, which is edited by syndicated columnist Ricardo Alemán.

"There was an agreement," insisted Garfias. "Sources at San Lázaro assured us that the PAN sacrificed Marván to gain a spot for one of its other candidates, José Roberto Ruiz Saldaña."

The political parties were clear about which candidates they supported. In addition to Ruiz Saldaña, the PAN backed Benito Nacif Hernández and Arturo Sánchez Gutiérrez. The new council members supported by the PRD include Ciro Murayama Rendón, Alejandra Pamela San Martín Ríos, and Javier Santiago Castillo. The remaining five members were supported by the PRI and PVEM, including Córdova Vianello, Adriana Favela, Marco Baños, Enrique Andrade, and Beatriz Galindo.

As expected, the leaders of the two major parties said they were pleased with the new watchdog agency and suggested that Mexicans can now feel satisfied that an orderly transition from the IFE to the INE has been completed.
In comments to reporters, Deputy Manlio Fabio Beltrones Rivera, floor leader for the PRI in the Chamber of Deputies, said he was confident that the INE would remain impartial and independent, which would benefit voters in Mexico. The new council members bring a wealth of "knowledge, honesty, and experience" to the electoral process, he said.

**Elections in 2015 provide test for new electoral watchdog**

Deputy José González Morfín, a PAN leader in the lower house, said the legislative branch would consider legislation in the next few weeks that will make the work of the INE easier ahead of the 2015 federal congressional elections and the gubernatorial races in Colima, Querétaro, Nuevo León, San Luis Potosí, and Sonora. Mayoral and/or state legislative elections are also scheduled next year in Campeche, Coahuila, México, Guanajuato, the Federal District, Hidalgo, Jalisco, Morelos, and Tabasco.

No gubernatorial races are scheduled in Mexico in 2014, so the INE’s effectiveness will not be fully tested until next year. There are a handful of state elections in 2014, with voters in Baja California Sur, Coahuila, Guerrero, Hidalgo, Nayarit, and Michoacán electing mayors and/or state legislative representatives.

At the swearing-in ceremony for the 11 council members, Córdova Vianello agreed that the 2015 elections represent a major test for the new electoral watchdog, but he also said the vote would provide the opportunity to implement structural changes and refine the electoral rules for the country.

The new INE president also offered reassurances that the work of the new agency would be credible and transparent. "This will be an authority that will be aware and vigilant," Córdova said. "We will take action where necessary, but we will also be discreet and respectful. We will be an institution that will act with authority but not with excess."

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