

5-6-2015

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Carlos Navarro

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Recommended Citation

Navarro, Carlos. "Senate Approves First Step for Mexico City to Attain Autonomy." (2015). <https://digitalrepository.unm.edu/sourcemex/6164>

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Senate Approves First Step for Mexico City to Attain Autonomy

by *Carlos Navarro*

Category/Department: Mexico

Published: 2015-05-06

After nearly two years of discussion and debate, the Senate overwhelmingly approved reforms to the Constitution to give the Federal District greater autonomy. The measure, passed at the end of April by an 88-27 vote with one abstention, is only a first step toward the changes proposed for Mexico's capital city.

The process still requires the creation of a constitutional assembly to write a magna carta for the new entity, which would be called Ciudad de México (Mexico City) instead of Distrito Federal (Federal District). The new entity would allow the city's legislative body to operate as a state congress instead of its current status as a legislative assembly (Asamblea Legislativa del Distrito Federal, ALDF). Additionally, the city boroughs would have the same political power structure as a city or a town.

Skeptics suggested that the proposed changes are merely cosmetic and that the measures allow the federal government to retain excessive influence on the capital city. Other observers point out that the residents of the Mexico City metropolitan area do not care as much about political demarcations as they do about an improvement in services.

Under the timetable spelled out by the Senate legislation, the constitutional assembly would be elected on the first Sunday of June 2016 and would be installed on Sept. 15 of that year. The assembly would have until Jan. 31, 2017, to approve a new Constitution for the capital city. Only the sitting Mexico City mayor—Miguel Ángel Mancera or a successor—would have the right to propose the text of the Constitution submitted to the assembly, with the ALDF proposing any necessary changes.

A handful of senators had advocated that the voters in Mexico City have full input on the members of the constitutional assembly. Under the Senate legislation, the voters would select 60 of the 100 members of the assembly, while the other 40 would be appointed by the federal Chamber of Deputies and Senate, Mayor Miguel Mancera, and President Enrique Peña Nieto. The appointed members would include 14 senators and 14 deputies proposed by the Mexican president and the Mexico City mayor. "This is a step backward ... that casts a dark shadow on the advances [made through this legislation]," said Sen. Dolores Padierna, a member of the center-left Partido de la Revolución Democrática (PRD).

"The discussion that caused the greatest political conflict was the move by the PRI, the PAN, and the PVEM [Partido Verde Ecologista de México] to designate 40 of the 100 members of the constitutional assembly," said independent Sen. Alejandro Encinas, who recently left the PRD. "All members of the assembly should be elected democratically."

Sen. Mariana Gómez del Campo, a member of the conservative Partido Acción Nacional (PAN), raised objections to giving Mancera too much influence on the process, where the purpose of the legislation is to ensure that "he does not interfere with the changes."

Senators from the governing Partido Revolucionario Institucional (PRI) and many members of the PRD considered the move to reform Mexico City as "historic," because the proposal to give the capital greater legal status had been under discussion for some time.

Two political figures are expected to benefit from the Senate decision—former PRD president and ex-Sen. Porfirio Muñoz Ledo, an early proponent of autonomy for the capital, and Mayor Mancera, who has announced his intention to seek the PRD nomination in the 2018 presidential election.

"Miguel Ángel Mancera will spend the rest of his term organizing the election of the constitutional assembly, redacting the document, and seeking its approval," columnist Carlos Elizondo Mayer-Serra wrote in the daily newspaper *Excélsior*. "If he decides to start his campaign at the end of 2017, he could avoid the messy process of implementing the new Constitution."

Defining the three powers of government

Under the changes proposed for Mexico City, the separation of powers would be similar to that of other states and actually not much different from current practice, although the federal government would retain the responsibility of financing education and health services in the new entity.

An elected official with the same powers as a governor to set fiscal, management, and security policies would lead the executive branch. The legislative branch, which would comprise directly elected legislators and at-large members, would serve in a similar role as its predecessor body in introducing and passing legislation. The difference is that a Mexico City Congress would have fiscal powers that the ALDF does not enjoy. With the judicial branch, the current Tribunal Superior de Justicia would take on the role of the state supreme court, while the role of lower-level courts would parallel those of courts in other states.

The biggest change is the new role of the boroughs (*delegaciones*), which would take on increased responsibilities as independently incorporated entities. This means that, in addition to being governed by a chief executive with the powers of a mayor, each entity would have the equivalent of a city council elected directly by the citizens. "A mayor would assume the administrative role and 10 to 15 city councilors would have the power to approve the budget and evaluate the actions of the administration," said Encinas.

A simple change of name?

Some critics suggested that the Senate vote would ultimately make little difference to residents of Mexico City.

"How does the new Constitution favor the residents of the capital? Not in the least bit," said Elizondo Mayer-Serra. "A new Constitution is not going to reduce the potholes and the number of street vendors. The crime rate will not decline, and employment will not increase."

"Outside the change in name, it is not clear what benefit this reform will have for the average citizen of the capital," columnist Luis F. Lozano Olivares wrote in *Excélsior*.

"I don't understand why we need more autonomy, when there are many other problems to consider in the Federal District," added Lozano, who said authorities should pay greater attention to problems like the fiasco with Line 12 of the Mexico City subway system ([SourceMex, April 1, 2015](#)), the city's continuing traffic problems, crime and insecurity, and the number of unpaved streets in the capital.

Others agreed that autonomy is not at the top of the wish list of average citizens. "Every time we have spoken about reforms in the federal district, I'm sure that the first thought that comes to mind for most citizens is an improvement in public transportation, including Line 12, which will require an additional expenditure so that a half million people are able to use it," columnist Raúl Cremoux wrote in the daily business newspaper El Financiero.

"Of course, a true reform of the Federal District would also include repairing potholes, planting grass and flowers in parks and public gardens, creating quality public markets, constructing hospitals and kindergartens, and introducing a modern system of garbage collection similar to those that exist in the large capitals like Berlin, Madrid and Sydney," said Cremoux.

Others see things differently. "If we look at things objectively, residents of the capital are second-class citizens when compared to residents of other parts of the country," columnist Gustavo Rentería wrote in the online English-language daily newspaper The News.

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