

The state of democracy in Mexico

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There has been a democratic backlash in Mexico. A process that had gained momentum with the electoral reforms of 1994-1996 and the peaceful deliver of power by PRI in 2000, was stopped by Vicente Fox who did not undertake the necessary institutional reforms and who gave interest groups -as television-additional privileges. The 2006 unfair and unequal presidential election was the consequence: with the outright illegal intervention coming from the president (whose governments only consistent priority was to defeat the opposition candidate and to back by whatever means his own candidate), business and corporatist practices that had a direct impact on electoral results. All of which modified the electoral outcome.

The absences of regime reform with Fox and his government's intervention in the election have weakened democracy in Mexico. Today we have gone to the old times. A significant amount of the oil price surplus was used in vote oriented social policies. The civil servants that represent the federal agencies in the states are loyal to the political party in government. AMLO, who won on half of the states, does not have access to the media. The autonomy of the human rights commission is being questioned. The weight of special interests in government decisions is openly recognized. Impunity is generalized: even though there are outright cases of corruption, nobody is subject to judicial inquiries.

But we are here not only to remember the long way that democracy, honesty in public administration, separation of powers and respect for citizen's rights to go in Mexico. You know that is happening. Mexican democracy has moved closer to the Russian practices of Yeltsin, than to the consolidated democracies of Southern Europe or countries in Latin America that are working much better, such as Chile. We are here to improve our understanding about: why we have arrived into the present situation; and what could be done to improve it in the years to come, not having to wait until the election of 2012.

The backlash that occurred in Mexican democracy in 2006 is the outcome of the lack or reforms with Fox, what was done before, with the impeachment of AMLO to exclude him from competing, during the electoral process and on Election Day. Before that, there had been a clear tension between those within the authoritarian regime that did not want political change and those within the regime -in a tacit alliance with the democratic opposition- that wanted change. Fox election was that: for or against change.

When Fox forgot and betrayed his democratic mandate, this tension was camouflaged. Fox spoke of democracy and change (He is still campaigning on those issues!), but in reality his decisions were for reinforcing the patrimonialistic and authoritarian character of the regime. He became a latecomer and militant of the old PRI practices. PAN has incorporated his role paradoxically. The party that

defended democracy for decades is the least interested in political reform in the present day. And in a further paradox, the party that opposed change, the PRI, is starting to promote political reform in an initiative that has started in the Senate.

The left has its own tensions. The parties that are represented in Frente Amplio Progresista (the progressive alliance formed by PRD, Convergencia and PT believe that with out further political reform their chances of competing and winning further elections would be much impaired. But at the same time, the anger generated in 2006 by the abuses against what the left and what it represents, have strengthened the belief –specially in AMLO and the social movement (which is organized by the Convencion Nacional Democratica- that both PAN and PRI will play the role of defending the status quo and that, therefore, political reform will only be possible if enough mass participation against the status quo is organized and conducted.

There is a democratic backlash and -until now- insufficient clarity and consensus about the path for further reform. The political situation in Mexico is open: it has not come to an end. Very different scenarios are possible for the future. I see three basic scenarios.

Three scenarios for the future

The first scenario would be the consolidation of Felipe Calderon's government. The conservative coalition that stopped AMLO in 2006 would maintain it's backing to Calderon. The PRI would play as a loyal opposition, in a similar role as was played by PAN during the Salina's presidency (PRI would back the government against the pressures of the left, in exchange of direct benefits for its governors and further possibilities for recovering its role as the second political force in the country). The left would divide itself, radicalize and loose the backing of the middle classes, therefore decreasing significantly its electoral weight in the next local and federal elections. The economy, although not growing significantly, would maintain stability. Violence coming from criminal organizations would eventually start decreasing.

The consolidation of Felipe Calderon's government, as the conservative option of the present situation, would not mean a further democratic advance. His government and party are already highly dependant on the favors and political backing of the TV consortiums. His party has become competent in using social programs in its favor and in electoral manipulation. They rely nationally and locally on the advantage of money, so they will not give that away to get a more transparent system. Their governors depend on undemocratic practices to govern.

The second scenario would be the crisis of Felipe Calderon's government that would make Mexico more ungovernable. The lack of reforms coming from the

government, combined with increasing pressures against it, would create a dangerous situation. Increased pressures can come from different fronts: an economy that does not grow, specially if economic difficulties grow in the USA; social mobilization leaded by the left, specially in the case that oil industry would be privatized or sales taxes are increased for food and medicine; local conflicts, such as Oaxaca, are not solved and resurge; and if the war against crime becomes even more violent, which will start to affect the governments relationship with the armed forces and the tranquility of citizens.

Increased pressures against Felipe Calderon's presidency in one or several fronts, would very likely give way to hard line recommendations and practices. That would just make things worst for democracy and for the stability of the regime and, eventually, for the economy.

The third scenario would be the reform of the regime. For that to happen, the government and opposition would have to coincide that reform is better than mere conservation or increased mobilization. If the government and its allies end up realizing -trough its own calculus or by the impact of unanticipated difficulties for its governance- that it will not have a happy end without real and effective negotiation. And, also, if the opposition realizes that it does not have enough power to defeat the government or to win the next elections by its own force, that radicalization will weaken its purposes but also good intentions are not enough, it might conclude that: an honest, open and broad negotiation is better and necessary in order to save peace and by winning further elections increase its chances of reforming the country in favor of justice.

The options for Mexico in the coming years are:

-A mediocre conservatism that maintains the same economic policy that has not delivered growth or lessened extreme inequalities in the last 25 years, trough the use of the patrimonialistic and authoritarian instruments of the ancien regime.

-Increased difficulties to grow and govercnce, which can go to the point of political and social turmoil.

-Step by step national agreement that starts with leveling, again, the rules of political competition and the basic guarantees for the opposition, in exchange of more immediate stability and the reopening of the possibilities to reform economic and social policy orientations in the future.

Reform is the only intelligent and responsible path for Mexico. It can open the opportunity for ending peacefully a center right coalition that has not worked and has had enormous social costs. And, with a more pragmatic view, it can decrease the problems and risks that otherwise will be ever present for the national government, opposition and the Mexican society until the end of this six year's term.

If many here and in Mexico agree that reform is better than turmoil or the mediocre continuation of what the country has lived, then the question is what reform is now possible and how would its chances of success would increase.

What reform is necessary

Mexico does not need a second generation of electoral reforms, following on the reform of 1996. The problem with elections is that they have been corrupted. The problem with governance is that the old presidential regime with its present constitutional arrangement is ineffective for the present and future needs of governance.

The problem is not that the electoral reform of 1996 needs adjustments. It does not need an aspirin. What has happened in Mexico is a democratic backlash. The basis of democracy and the democratic principles to which the political class is obliged to, have been betrayed, or to put it softly, at least are being questioned.

Simultaneously, there is already enough evidence to prove that the regime is not rightly conceived for the present needs of governance. Presidentialism (an authoritarian presidency) is not effective. A three party system makes it very difficult to form majorities. There is no consistency between the political regime, the party system and the electoral system.

The electoral reform that is required needs two new –completely new- pillars. One is a new system of financing. If we do not move into a European, Chilean or Brazilian type of political financing, the system will be completely unfair, and even worst, dominated by plutocracy and even by criminal organizations. The other is a completely new type of relationship with the media, specifically with the two TV giants. It is completely unjustifiable that elections cost several times more, on per capita basis, in Mexico than in the USA, the country where they are most expensive.

The reform that institutions need is a consistent way for solving the problem of majority formation. A conservative approach would to establish a cabinet and the head of the cabinet, as it has proved to be useful in countries like Peru. A deeper reform, would be to subject the approval of the head of the cabinet, to the approval of the Chamber of Deputies, as a way to form a majority government, in what would be a clear and consistent step into reforming the presidential system into a semi presidential one.

Introducing parliamentary reforms would be consistent with a three multiparty party system. But it is not the only way. The other option is to reform the system to make an effective presidential system with the right balances and a very strong Congress and the corresponding commissions.

If these basic reforms are kept in mind, then other collateral reforms can be added and discussed. But if other solutions are introduced leaving aside these proven needs, we might be in the face of a coming stratagem to protect the old system and the privileges that are associated with it.