

NÚMERO 250

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The 2012 Election in Mexico: Campaigns, Results and Conflict

Importante

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MAYO 2013



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Abstract

This paper analyzes the 2012 election in Mexico: the campaigns, the results, and the post-electoral dispute. Given the party's authoritarian past, victory of the Institutional Revolutionary Party (PRI) has generated concern about a possible deterioration Mexico's young democracy. However, an analysis of the election process actually suggests there are grounds for some optimism. The new configuration in Congress is conducive to passing structural reforms that might trigger faster economic growth. In addition, political parties, civic society and the international community will insist on the preservation of civic freedoms and electoral competition. A full resurrection of the "perfect dictatorship" is unthinkable.

Resumen

Este ensayo analiza la elección de 2012 en México: las campañas, los resultados y la disputa postelectoral. Dado su pasado autoritario, la victoria del Partido Revolucionario Institucional (PRI) ha generado preocupación acerca de un posible deterioro de la joven democracia mexicana. Sin embargo, un análisis del proceso electoral de hecho sugiere que hay algunas razones para ser optimistas. La nueva configuración del Congreso es conducente a la aprobación de reformas estructurales que podrían detonar un crecimiento económico acelerado. Además, los partidos políticos, la sociedad civil y la comunidad internacional insistirán en que se preserven las libertades civiles y la competencia electoral. Una resurrección completa de la "dictadura perfecta" es impensable.

Introduction

Victory in the 2012 election of the Institutional Revolutionary Party (PRI), the formerly hegemonic party that ruled Mexico for almost a century, has generated concern about Mexico's democratic consolidation. As described below, the PRI not only won the presidency but also a majority of seats in Congress and most governorships. Given the party's authoritarian past, some analysts, political actors and civic organizations have warned against a possible deterioration of a still recent democracy. These concerns notwithstanding, the following analysis of the election actually suggests there are grounds for some optimism. The economic environment is turning in Mexico's favor and the new configuration in Congress is conducive to passing structural reforms that might trigger faster growth. In addition, political parties, civic society and the international community will insist on the preservation of civic freedoms and electoral competition. So while democratic institutions are still vulnerable, a full resurrection of the "perfect dictatorship," as the PRI's tenure had been called, is unthinkable today.

Electoral System

Mexico has a presidential system where the chief executive is directly elected every six years. Presidential elections are won by a plurality of votes from all citizens without a run-off election. Initiatives to introduce run-off elections have been discussed in Congress several times, including one presented by President Calderón which was not approved.

The legislature is bicameral consisting of a Senate (the upper house) and a Chamber of Deputies (the lower house). The Senate was designed to represent the federal states. Each state is awarded three senators, two for the winning party in the state vote and one for the party in second place. A recent reform created several seats that are not attached to the states but are allocated using proportional representation among parties from the nationwide vote. Senators are elected for six years concurrently with the chief executive. The Chamber of Deputies represents voters in electoral districts electing a single member each through simple plurality. In addition to those first-past-the-post members, parties also have an allocation of deputies through proportional representation.¹ Deputies are elected for three years during presidential and midterm elections.

¹ Though there is increasing discussion about reducing or eliminating these PR seats in a future political reform.

Mexican federalism consists of 32 states with own constitutions and legislatures.² Governors and mayors are directly elected by simple plurality. In the past, the schedule of local elections was decided by state constitutions and did not necessarily coincide with the schedule of federal elections. But a constitutional amendment in 2007 mandated that all state elections (with few exceptions) occur on a specific date each year to coincide with each other and with federal elections.³ As a result in the midterm election of 2009, for the first time, nearly all state and federal elections occurred on the same date.

An electoral reform was written in 2007 which fundamentally changed the conduction of elections (Serra 2012). Three significant changes regarding political communication in the mass media were: (1) Large amounts of free airtime on television and radio were granted to political parties for promotion of their candidates and platforms. (2) Civic organizations and regular citizens are now banned from purchasing airtime on television and radio to voice their opinions. And (3) the political debate was restricted by prohibiting negative advertising on behalf of candidates. The 2009 midterm was the first competition to test these laws, creating unprecedented conflict between parties, electoral authorities and the media (Serra 2011). The presidential election of 2012 provided an opportunity for electoral authorities to fine-tune their implementation of this new legal framework.

The party system in Mexico is stable, with three large parties with nationwide presence.⁴ These parties are the Institutional Revolutionary Party (PRI), the National Action Party (PAN), and the Party of the Democratic Revolution (PRD), which are ideologically located at the center, the center-right, and the center-left, respectively. Smaller parties come and go as their vote shares fall above or below the 2% threshold required to be officially recognized. In 2012, four small parties were allowed to participate in the election.

Political, economic and security context

The country was facing a number of challenges coming into the election. Politically, the population has been deeply polarized along partisan lines since the contentious 2006 contest. Resentment was particularly lasting in the political left, with progressive activists still resentful of a perceived collusion among conservative forces to defeat their candidate.⁵ One of the challenges

² Technically, there are 31 states and one Federal District which is the seat of government but has not yet been allowed to obtain state status.

³ Article 116-IV-a of the Mexican Constitution.

⁴ Of the three large parties, the PRI has a wider regional presence than the PAN and the PRD whose organization is weak in about half the territory (I thank José Antonio Crespo for this clarification).

⁵ For a summary of the 2006 election see Klesner (2007).

for electoral institutions in 2012 was recovering some of the confidence they had lost among part of the electorate.

The economy was hit hard by the global economic crisis. In the past two decades Mexico became one of the most open economies in the world,⁶ which increased its exports but also made it vulnerable to global cycles. In 2009 the GDP decreased 6.2%, the worst recession among large Latin American countries. All presidential candidates were thus expected to lay out credible plans for economic growth.

Security questions also loomed large in voters' minds. Narcotics-related violence has sharply increased since former president Calderón declared war on drug lords by sending the army and federal police to patrol the streets of vulnerable cities and towns.⁷ During his administration the annual number of murders saw a sixfold increase. Hence a key consideration among voters was identifying the leader most able to bring security back to bearable levels.

Candidates and campaigns

In addition to the presidential election, the Senate, the Chamber of Deputies and several local offices were also fully renewed. As mentioned above, a reform in 2007 successfully synchronized the local and national schedule of elections.⁸ Accordingly, all the states renewing their legislative or executive branches in 2012 held their elections on July 1st. There were sixteen such states including seven that chose new governors.

The presidential election had three major candidates. The PRI nominated Enrique Peña Nieto (EPN), one of its rising stars. Indeed, the PRI has placed much hope in a new generation of sophisticated and ambitious party members, many of whom are sons or nephews of old-guard party bosses. Among them is Peña Nieto who served two prominent governors before running for office. In July 2005, he won the gubernatorial election of the most populated Mexican state with a spectacular 25% margin over his two rivals from the PAN and the PRD, which automatically placed him as a viable presidential candidate. Helped by especially generous coverage on behalf of the two large television networks, he was able to forge a reputation as an effective and responsible governor who can deliver. Instead of defining a specific ideological position, his 2012 campaign was based on *valence* issues such as trustworthiness. This allowed EPN to capitalize on the PAN's image of incompetence among many voters.

For the second time, the PRD nominated Andrés Manuel López Obrador (AMLO) who had refused to accept his defeat in the previous presidential

⁶ With a total of 12 free trade agreements involving 44 countries.

⁷ The most violent areas are found in Guerrero, Michoacán, Tamaulipas and Veracruz.

⁸ See also Serra (2011).

election.⁹ Although highly popular while mayor of the capital, AMLO gradually lost the support of many moderate voters by organizing mass protests and adopting an anti-system rhetoric (Schedler 2007). He did retain support among the leftwing base, however. Throughout Calderón's administration, AMLO toured the country assuming the role of progressivism's moral leader in what amounted to a six-year presidential campaign. His main competition for the PRD's nomination was Marcelo Ebrard, his successor at the helm of Mexico's capital. Ebrard's socially liberal policies and modern style of governing made him a more appealing option to moderate voters, but AMLO's broader support with the base allowed him to win an internal poll among PRD members.

AMLO entered the presidential race a distant third. To counteract his reputation, his strategy was based on proposing a "Republic of Love". In a new kind of rhetoric for him, he professed to love all his rivals, including his once-loathed nemesis President Calderón. His platform was more conciliatory too, proposing to combat corruption and wasteful spending while deemphasizing his more controversial plans for a state-led economy. His candidacy was boosted by the emergence of a student movement called #yosoy132 (I am the 132nd), spontaneously created to oppose the PRI's return to power and denounce media bias in favor of EPN. Although the student group was officially nonpartisan, many members were explicit in showing support for AMLO as their preferred alternative.

The PAN was the only party to hold a primary election. The easy winner was Josefina Vázquez Mota (JVM), a former Secretary of Social Development and Secretary of Education under presidents Fox and Calderón. Vázquez Mota's nomination generated excitement as the first female candidate from a large party. It allowed the PAN, a conservative party, to claim it is still at the vanguard of Mexico's democratization process. Initially there was much debate about whether Mexican voters were ready to vote for a female candidate, but such doubts were dissipated with her double-digit victory in the primary over two male rivals.

Her primary bounce did not last long, however. Her polling numbers declined following a number of campaign blunders and the perception that a divided PAN was not fully backing her. Finding her message was also a struggle: she tried to strike an uneasy balance between differentiating herself from a relatively unpopular Calderón while defending the PAN's record in government. In the end, the balance pleased no one and she eventually dropped to third place behind AMLO.

⁹ In 2006, AMLO and the PRD accused the electoral authorities of committing fraud while counting votes, but many election observers and several statistical analyses have disputed their claims (Aparicio 2009).

Results

The vote on July 1st, 2012, was clean, peaceful and well organized according to reports from numerous national and international observers (Organization of American States 2012). Turnout was high, reaching 63.3% of registered voters, hence being higher than it was in 2006 (59%) and similar to 2000 (64%).

EPN carried the day by winning the presidential election with 38.2% of the national vote—a convincing 6.6% lead over AMLO and 12.8% over JVM (Table 1). Yet his victory margin was lower than anticipated: Most polling companies were projecting victory margins two or three times higher. Failing to reach these expectations weakened the mandate that EPN is perceived to have.

TABLE 1: RESULTS OF THE PRESIDENTIAL ELECTION IN MEXICO, JULY 1ST, 2012

	OFFICIAL RESULTS		FINAL RESULTS		CHANGE FROM	
	AFTER RECOUNTS BY THE IFE		AFTER REVISIONS BY THE TEPJF		JULY 8 TO	
	JULY 8		AUGUST 31		AUGUST 31	
	VOTES	%	VOTES	%	VOTES	%
ENRIQUE PEÑA NIETO (PRI-PVEM)	19,226,784	38.21	19,158,592	38.21	-68,192	0.0008
ANDRÉS MANUEL LÓPEZ OBRADOR (PRD-PT-MC)	15,896,999	31.59	15,848,827	31.61	-48,172	0.0170
JOSEFINA EUGENIA VÁZQUEZ MOTA (PAN)	12,786,647	25.41	12,732,630	25.39	-54,017	-0.0167
GABRIEL RICARDO QUADRI DE LA TORRE (PANAL)	1,150,662	2.29	1,146,085	2.29	-4,577	-0.0009
VOTES FOR UNREGISTERED CANDIDATES	20,907	0.04	20,625	0.04	-282	-0.0004
NULL VOTES	1,241,154	2.47	1,236,857	2.47	-4,297	0.0003
TOTAL VOTES	50,323,153	100	50,143,616	100	-179,537	--
NUMBER OF REGISTERED VOTERS (<i>LISTA NOMINAL</i>)	79,454,802					
TURNOUT		63.34				

Source: Federal Electoral Institute (IFE) and the Federal Electoral Tribunal of the Judicial Branch (TEPJF)

The PRI did well in Congress too where it will be the largest party in both houses confirming its remarkable comeback (Tables 2 and 3). Yet, this plurality is smaller than EPN expected as it fell short of an absolute majority in either house, even counting the votes of its election partner the Green Ecologist Party of Mexico (PVEM). The president will inevitably have to negotiate with opposition parties if he is to achieve any of his grand projects.

The PAN had a bad day, not only failing to keep the presidency but also losing seats in Congress. Ironically, the PAN might be in a privileged position to push its agenda forward being the PRI's most likely negotiation partner. The PRD and its leftwing allies are also in worse shape than they were in 2006. Not only did they fail to reach the fifty percent needed to block ordinary laws in Congress, but they even failed to reach the third of seats needed to block constitutional amendments that the PRI and the PAN may wish to pursue.

TABLE 2: RESULTS OF THE SENATE ELECTION IN MEXICO, JULY 1ST, 2012

	% VOTE	STATE SEATS	PR SEATS	TOTAL SEATS	% SEATS
PRI	31.17	41	11	52	40.6
PAN	26.33	29	9	38	29.7
PRD	18.59	16	6	22	17.2
PVEM	5.73	7	2	9	7.0
PT	4.65	2	2	4	3.1
MC	4.03	1	1	2	1.6
PANAL	3.69	0	1	1	0.8
VOTES FOR UNREGISTERED CANDIDATES	0.06	-	-	-	-
NULL VOTES	5.76	-	-	-	-
TOTAL	100	96	32	128	100

Source: Federal Electoral Institute (IFE)

At the local level, the PRI solidified its position as the party with most governorships. It retained one governorship, won two new ones (including Jalisco that had been governed by the PAN for eighteen years) and lost only one. As a result, following the 2012 election, the PRI will govern twenty-one states while other parties will only govern eleven. There are some important exceptions to the PRI's dominance of state politics, however. Most notably, the country's capital remained firmly in the hands of the PRD and its leftwing coalition. Their candidate, Miguel Mancera, won the election with a crushing 44% margin. Holding the second most important executive position in the

country, mayor Mancera will be well positioned to seek the PRD's presidential nomination in 2018.

TABLE 3: RESULTS OF THE CHAMBER OF DEPUTIES ELECTION IN MEXICO, JULY 1ST, 2012

	% VOTE	DISTRICT SEATS	PR SEATS	TOTAL SEATS	% SEATS
PRI	31.89	158	49	207	41.4
PAN	25.9	52	62	114	22.8
PRD	18.38	56	44	100	20
PVEM	6.1	19	15	34	6.8
PT	4.59	8	11	19	3.8
MC	4	7	9	16	3.2
PANAL	4.08	0	10	10	2
VOTES FOR UNREGISTERED CANDIDATES	0.07	-	-	-	-
NULL VOTES	4.99	-	-	-	-
TOTAL	100	300	200	500	100

Source: Federal Electoral Institute (IFE)

Post-electoral conflict

Throughout the campaign there were allegations of foul play by the PRI. The PAN submitted evidence of a laundering scheme to funnel money into PRI coffers, which led JVM to accuse EPN of exceeding campaign finance limits. Meanwhile AMLO accused the PRI of engaging in blatant vote-buying and media manipulation. While both the PAN and the PRD expressed concern about the legality of the PRI's campaign practices, the two parties adopted opposite attitudes towards the outcome. Upon learning the results on election night, JVM acknowledged her defeat and congratulated EPN on his victory. President Calderón urged judicial authorities to investigate and punish any election-related crimes, but acknowledged these had probably not been significant enough to determine the winner.

In contrast, the PRD claimed the election had been plagued by fraudulent practices at all levels making it invalid and illegitimate. As in 2006, AMLO decided to challenge the results in court. Accordingly the PRD

submitted a 638-page-long file asking the electoral tribunal to annul the election. The IFE had already recounted the presidential votes from half the precincts as petitioned by AMLO, but the results did not change in his favor (in fact, EPN's vote margin increased slightly). Subsequently the electoral tribunal investigated the charges in the PRD's file but did not find enough evidence to prove that vote-buying or fraud had occurred. After annulling tens of thousands of votes as requested, the results barely budged (see the last two columns of Table 1). EPN was thus certified as the official winner of the election on August 31, 2012. The president-elect proceeded to give a conciliatory speech promising to be an inclusive president who will govern democratically.

Returning to his previous rhetoric before the Republic of Love, AMLO dismissed the electoral tribunal as being "staffed by white-collar criminals" and vowed to oppose EPN's government "without truce". In contrast with 2006, however, AMLO did not receive the PRD's support for mass protests (Chabat 2012). The PRD was keen on avoiding the kind of political stigma and isolation endured the past six years. Hence its leaders promptly accepted the tribunal's verdict and recognized EPN as the president-elect. The rift deepened a few weeks later when AMLO announced his departure from the party to create a new one.

In Mexico, the election process is not considered over until the president is inaugurated on December 1st, five months after voting day. The Constitution mandates a specific protocol (including the location) for the president to be sworn in. For someone determined to prevent the election winner from taking office, spoiling the presidential inauguration represents the last chance. Leftwing legislators attempted to create such a constitutional vacuum six years earlier. On this occasion, however, they refrained from physically blocking EPN's way into the podium.

It was in the streets outside Congress that violence took place. In what appears to have been a well planned provocation, a mob of young protesters carrying clubs and home-made explosives confronted the federal police and army personnel guarding EPN's inauguration. After failing to reach the Congressional building, they ran away breaking windows, burning cars and painting anarchist slogans in the walls. During interviews the youngsters identified themselves as members of #yosoy132 and supporters of AMLO, although both the student group and the politician have denied any direct involvement (Crespo 2012). The federal government (of the PRI) and the Mexico City government (of the PRD) were hurt by accusations of arbitrary arrests and police heavy-handedness.

Conclusions

Several concerns have been voiced about Mexico's governance under a party with an undemocratic reputation. The PRI has been accused of being cozy with less-than-transparent interest groups such as corrupt trade unions and monopolistic corporations. And it is unclear whether deep-rooted authoritarian instincts in some PRI leaders will surface when provoked by quasi-revolutionary protesters. Enrique Peña Nieto claims to represent a generation of modernizers within his party, but he has already shown an inclination to concentrate executive power. Upon taking office he attempted to merge previously autonomous agencies in two super-ministries for social and financial affairs. And as governor he opposed some accountability measures such as the reelection of legislators.

Yet positive prospects can be pointed out in many regards. The new configuration in Congress allows a number of coalitions that could pass direly needed structural reforms regarding energy, taxes, education and security. EPN can probably count on the PAN which has traditionally been willing to vote for bills it agrees with (*The Economist* 2012). On the other hand, the PAN and the PRD could join forces to oppose initiatives they consider undemocratic. Such potential for negotiated agreements has already been exemplified by the surprisingly productive "Pact for Mexico" between the three parties launched by the president elect before taking office. An ambitious new administration, strong opposition parties, professional electoral institutions, an increasingly vocal civil society, and an ever-watchful international community are likely to keep promoting Mexico's progress, hopefully overcoming considerable vested interests that do pose a threat to democracy.

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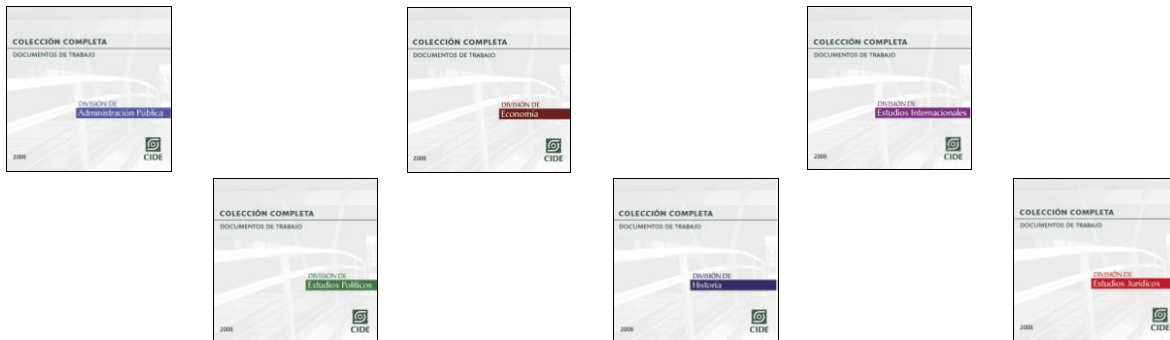
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